

# Regional Immigration Newsletter

## June 2010

A publication by PwC International Assignment Services

Welcome to our latest review of immigration developments across Asia-Pacific. In this edition, Singapore witnesses a reduction in the number of approved Permanent Resident applications, Malaysia takes steps to attract and retain foreign talent, and Indonesia tightens its supervision of expatriate employees. In addition, Australia introduces changes to its General Skilled Migration programme, and the Philippines increases measures to enhance tracking of temporary visitors.

### SINGAPORE

#### Fewer PR and Citizenship applications approved

Recently published government figures demonstrate that the tightening of the eligibility criteria for Singapore Permanent Resident and Citizenship in the last quarter of 2009 is impacting on the number of approved applications for both categories.

46,300 PR applications were approved during the 12 months between April 2009 and March 2010, marking a 40% decrease from the 79,000 approvals granted in 2008. The processing time for PR applications continues to be approximately six months, a significant increase from the previous three-month timeline.

19,300 Singapore Citizenship applications were granted in the same period to March 2010, a more modest decrease from the 20,500 approvals in 2008.

#### Employment Pass Renewal applications

With effect from 15 June 2010, manually submitted renewal applications received less than two weeks before the pass expiry date will no longer be accepted for processing by the Ministry of Manpower. New pass applications will need to be submitted if this timeline is not adhered to.

This is a clear move to encourage further transition to the MOM's Employment Pass Online system which enables submission of renewal applications at any time before the pass expiry date.

#### Increased details required for Employment Pass applications

With effect from May 2010, an Employment Pass (EP) applicant is now required to include details of a spouse's education qualifications in the main application. The authorities advise that this information is intended to be used to assess ways to better facilitate entry of EP holders into Singapore, and would not impact on the pass assessment criteria for the main applicant.

### MALAYSIA

#### Age limit for Expatriate Position

In a bid to encourage employment of young foreign talent in Malaysia, the Malaysian Immigration Department (MID) announced in May 2010 that the age limit imposed on all applicants for expatriate positions has been abolished. This was previously set at a minimum age of 27 (for all industries except IT which was 23 years). The change is applicable to all industries.

#### Shortening of Cooling-off Period

An Employment Pass holder who wishes to cease their current employment to take up alternative Malaysian employment is now required by the MID to serve a Cooling-off Period (COP) of a consecutive three-month absence from Malaysia. This marks a 50% reduction from the previous mandatory six-month period. The COP is a measure designed by the MID to protect Malaysian employees by limiting the flexibility of foreign employees to change from one Malaysian employment to another.

It had recently been observed that there had been instances where the MID allowed the foreigner to be present in Malaysia while serving the COP. However the requirement that the individual must depart from Malaysia for the duration of this period is now being enforced more stringently. An application for endorsement of the new employer sponsored Employment Pass must only be submitted at the end of the individual's COP with proof of passport copies.

### Additional requirements for Professional Visit Pass

Professional Visit Pass (PVP) applicants are now required to submit a copy of their latest payslip with the foreign company as evidence of overseas employment and to validate that the foreigner is present in Malaysia to render services only on behalf of the overseas company. The measure is being implemented to deter PVP applications by foreigners who apply under the pretext of training, but enter for employment purposes.

## INDONESIA

### Visa on Arrival

A new regulation issued by the Indonesian Immigration Office has removed the availability of a seven-day 'visa on arrival'. Nationals eligible to apply for a visa on arrival are only now able to obtain a visa valid for 30 days, with the option to apply for a one-time extension of an additional 30 days.

The visa on arrival is available to nationals of approximately 64 countries, issued through designated entry points in Indonesia.

### Expatriate employment supervision

The Indonesian government has announced that supervision of employment matters both for local and expatriate employees will be increased. Further details are to be announced in due course.

The anticipated increase in the number of expatriate employees or business visitors to Indonesia due to the Asean-China Free Trade Area in force since early 2010 is thought to have been a contributing factor to the introduction of this measure.

A clash between local and expatriate employees in Batam in April 2010, which was investigated by a government special task force, may have further prompted the increased vigilance. There has also been speculation that the conflict occurred due to the perceived unfair employment terms and conditions between local and expatriate employees.

## AUSTRALIA

The Department of Immigration and Citizenship has announced a number of changes to the General Skilled Migration (GSM) programme in 2010, which includes:

### Revised Skilled Occupation List

On 1 July 2010 a revised Skilled Occupation List (SOL) is due to be implemented. The new list comprises 181 occupations, where previously it contained 408. The revision is intended to ensure closer alignment of the GSM programme with the workforce development strategy of Australia.

The new SOL will not apply to GSM applicants who, on 8 February 2010:

- held a Subclass 485 (skilled graduate) visa or had a pending subclass 485 visa application; and
- apply for a permanent or provisional onshore GSM visa by 31 December 2012 or who at the date of the announcement had a pending GSM visa application.

Non-GSM visas, such as Employer Nomination Scheme (ENS), Regional Sponsored Migration Scheme (RSMS) or Temporary Business Subclass 457 visas, will not be affected by the change.

### Temporary suspension of GSM on applications

To facilitate a smooth transition to the new SOL, the Australian Government has temporarily suspended the acceptance of certain GSM visa applications (Subclasses 175, 176 and 475) from 8 May 2010, and this is expected to remain in effect until the end of June 2010.

## PHILIPPINES

### Expanding coverage of the Alien Certificate of Registration Identity Card

The Philippine Government has introduced measures designed to increase monitoring of international traffic in the country's ports and threats of global terrorism and transnational crimes. These include a new regulation expanding the scope of Alien Certificate of Registration Identity Cards to include:

- Non-restricted foreign nationals previously granted a total authorised stay of 59 days as temporary visitors
- Temporary visitors granted a Special Study Permit (SSP)

- Temporary visitors granted Special Work Permit (SWP) excluding foreign athletes and performing artistes issued a SWP and whose stay does not exceed 59 days.

In addition, all applications for an extension of a temporary visitor visa (for example the SSP and

SWP) beyond the standard authorised stay of 59 days will require submission of proof of payment of all immigration fees and related charges.

The ACR Identity Card for the above categories would be valid for one year and must be surrendered to the immigration authorities before departing the Philippines.

## How PwC's Global Visa Services can help you

The Global Visa Services (GVS) team of PwC's International Assignment Services is a dedicated team specialising in the provision of immigration advice and assistance with visa requirements and applications for employees. Our global network of immigration specialists based in over 95 countries globally forms one of the largest immigration service providers of its kind in the world.

Please visit our website at [www.pwcias.com](http://www.pwcias.com). Our immigration page features a series of country immigration guides which currently include Australia, China, Hong Kong, India, Japan, Malaysia, Singapore, Taiwan, Thailand and Vietnam.

This guide is intended as a brief overview only – please contact us for further information and advice.

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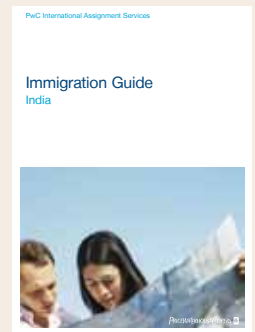
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