



No more visa run?

On 6 May 2015, the EU and the United Arab Emirates signed an agreement to an exemption from the required visa for short, ceremonial stays in Brussels. Since there is great uncertainty as to whether a visa run is still possible.

The agreement was forwarded immediately after it was signed to the European Parliament, which must give its approval before it is finally set in stone. In the meantime, there has been no information as to whether such consent has been made. However, the agreement has been made provisionally valid even without the consent of the European Parliament.

1. The new visa regime

The agreement (also called visa waiver) has been provisionally valid since 6 May 2015. Since then, citizens of the UAE can enter the Schengen area without visas and for up to **90 days within a 180-day period**. Travelers only need to be in possession of a valid passport and may not enter the country with the aim to engage in any paid activity or service in the target country. Because of this visa agreement, the EU's trade with the UAE, which currently stands at more than 45 billion Euros, is expected to intensify further.

The signed Agreement applies not only for UAE citizens travelling in the UAE, also for **citizen from Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, The Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Switzerland as well as for Bulgaria, Croatia, Cyprus, Romania, the Vatican, Andorra, San Marino and Monaco** traveling to the United Arab Emirates. Citizen from these countries can enter the UAE without a visa and are allowed to stay up to 90 days in a 180-day period.

According to the accompanying protocols and EU treaties, **Ireland and Great Britain** will not be obliged to enforce this Agreement. The visa regime for travel to these two EU Member States remains subject to their national legislation.

With the exception of Great Britain and Ireland, the Agreement for all other EU citizens allows visa-free stay in the UAE for 90 days within a 180-day period. This can be done, just as with a multiple entry visa, in one lump 90-day period, or split into several stays that total 90 days. However, the provisions of the Agreement does provide that for a visitor who remains for 90 consecutive days, they must then adhere to a waiting period of 90 days before they can re-enter the country without a visa. This means for all long-term tourists and job seekers in the UAE, who have normally just extended the current 30-day tourist visas through repeated visa runs will have to shorten their visa-free UAE stay to only 90 days followed by a departure for another 90 days.

2. The consequences of the visa waiver

This agreement could mean the end of the visa run. EU and UAE citizens will have to travel between these two areas every 90 days. However, the agreement does foresee the possibility that the UAE may extend the 90-day period within their own national laws.

In recent months, these new rules have been interpreted differently by various border controls. Some say that it is not possible to do a visa run to Oman and others only when the 90-day period has not yet been fully exploited. If you do a visa run before the 90-day expiration, you may still get a new entry stamp. Officially, this is only for the number of days remaining until the completion of the 90-day period. For example, if the visa run is done at day 88 of 90, the entry stamp will therefore only be valid for 2 days. Then, the 90-day period has been exhausted.

For some regular visas runners, there is considerable difficulty when applying for the residency visas, as the official 90-day period had expired several months earlier. Substantial financial penalties will be the result.

While some agencies still do visa runs, this new agreement limits their systems in a gradually way, so that a visa run will become increasingly difficult. Thus, there remains a great uncertainty about what happens after the 90 days for visa runners. **When in doubt think about your options: leaving for 90 days or incurring substantial fines.**

3. Possible solutions

Since the possibility of visa runs no longer exists, it is therefore strongly advised to provide clarity and, if necessary, to seek a **residency visa**. A residency visa can be applied for during the application for an ordinary employment relationship, the purchase of property, or the acquisition of company shares as a shareholder. Also, by starting your own business (such as a Free Zone Company) is another possibility for the ability to apply for a residency visa. Another measure implemented is often the sponsorship by family members who already have a residency visa.

Should you have any questions about the new visa regulations or the different options for a residency visa, you can always contact us. We are also happy to assist in obtaining an **employee visa**. There are companies who are willing to employ new workers. There are also Free Zone companies whose shareholders are willing to part with their shares, which provide the option for an **investor visa** for the new shareholder.

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