Global Employer Services
Immigration

The ICT Directive’s EU mobility impact for third country national Intra-Corporate transferees

One of the most closely followed topics in EU corporate immigration is intra-corporate transfers to and mobility within the European Union. Deloitte is currently undertaking a study on this subject. What follows is an overview of the implementation status of the EU Intra-Corporate Transferees Directive (ICT directive), a year since the official transposition deadline.
The EU Intra-Corporate Transferees Directive (ICT directive) needed to be transposed into the national law of 25 EU member states by 29 November 2016 (member states Denmark, Ireland and the UK have opted out of the directive).

Most of the 25 member states have already proceeded with implementation, however, the following EU member states are still expected to implement the directive this year: Finland, Greece, Poland, Portugal and Slovenia. Belgium and Sweden are expected to implement next year.

While most countries have implemented the ICT Directive into national law, this does not mean that all of the ICT Directive's benefits are already applicable in practice.

Background

The ICT directive, adopted in 2014, sets out a common framework for non-EU nationals to move to an EU member state under an intra-company transfer. The directive complements previous harmonisation initiatives, such as the EU Blue Card and Single Permit Directive.

The ICT directive facilitates the transfer of managers, specialists and trainees from outside of the EU to an entity within the same group in an EU member state. Furthermore, it facilitates the mobility of these intra-corporate transferees between Member States during their assignments. To enable the transfer to and mobility within the EU, the ICT Directive includes harmonised conditions for entry, residence and work, intra-EU mobility and certain guarantees to uphold labour and social security standards for such individuals.

Upcoming EU wide webinar

Deloitte’s study, which will soon be published, will be accompanied by an EU wide webinar which will highlight recent and upcoming changes regarding EU corporate immigration.

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