



XPATWEB

Work Permit & Expatriate Solutions

BESPOKE IMMIGRATION AND EXPATRIATE SERVICES FOR CORPORATES AND PROFESSIONALS



BUSINESS VISAS



IMMIGRATION AUDIT SERVICES



SHORT-TERM WORK PERMIT



EXPATRIATE & INTERNATIONAL TAX



LONG-TERM WORK PERMIT



INTERNATIONAL PAYROLL



WORK VISAS



COMPANY REGISTRATION



RESIDENCE PERMITS



AFRICA VISAS

BUSINESS OR WORK TRIP? A TARGET FOR IMMIGRATION INSPECTIONS IN MOZAMBIQUE

The number of LNG and construction projects has skyrocketed in the last 12 months leading to an increase in Immigration and Labour inspections in Mozambique. With this increase in the number of projects, companies, particularly foreign owned, are on the radar of both the Ministry of Labour, and the Department of Immigration. These companies are targeted for Immigration compliance in Mozambique by both Immigration and Labour departments through regular audits and inspections. Companies are, therefore, recommended to take the necessary precautions to ensure compliance due to the increasing number of penalties, fines, and suspensions issued. The Department of Immigration and the Ministry of Labour in Mozambique are two separate departments responsible for the compliance of foreign nationals in Mozambique. The Department of Immigration issues residence permits, visa extensions, and governs the use of visas issued by the Mozambican diplomatic missions abroad. The Labour Directorate, on the other hand, governs the issuance of work permits.

USE AND VALIDITY OF A BUSINESS VISA

Business visas for Mozambique can only be issued at the Mozambican diplomatic missions abroad and currently cannot be obtained upon arrival except by Angolan nationals. Even other nationalities that are part of the SADC region are recommended to apply for a business visa at a Mozambique consulate or embassy prior to attending meetings in Mozambique. These are generally issued with a validity of 90 days, single or multiple entry, and, in exceptional circumstances, may be issued for 180 days. Despite the validity of 90 days, the duration of each stay in-country cannot exceed 30 days. The Department of Immigration may extend a stay in-country in extraordinary circumstances; however, in practice, business travellers are required to exit and re-enter provided they have been issued multiple-entry visas.

THE BROAD DEFINITION OF WORK

Immigration inspectors are responsible for ensuring that foreign nationals obtain the appropriate visa type depending on the nature of their activities. Where activities have extended beyond that of business, that is, other than business meetings, attending conferences, or attending a training session, Labour inspectors may construe your activities as work. Labour inspectors are stringent in ensuring that any form of work activity whether it is working in an office behind a desk, conducting a training session, handling of equipment, auditing financial accounts, and so on, require a short-term work permit to accompany a business visa. As such, the definition of “work” is broad in Mozambique, and often determined at the discretion of the Labour inspectors. To avoid suspension of the business travellers, and the issuance of penalties and fines on the inviting Mozambican company, a short-term work permit can be applied for prior to travel.

HOW DOES ONE APPLY FOR A SHORT-TERM PERMIT

Short-term work permits in Mozambique are applied for at the Labour Directorate in the province where the work is expected to take place and can take up to 3 weeks to be processed. It is not endorsed in the applicant's passports and, as such, it can be applied well in advance for intended travel for work-related purposes. Short-term work permits can be valid for up to 90 days or 180 days in a calendar year for the non-oil and gas, and oil and gas sectors respectively. Document requirements and processes are straightforward and hassle-free.

TAKEAWAY

It is important to take note of the restrictions placed on business visas as well as short-term work permits in Mozambique. Individuals and companies are held accountable for their immigration compliance to the requirements of both the Department of Immigration and the Ministry of Labour and should ensure the appropriate visa type and work permits are in place to avoid immigration penalties, fines, and suspension of foreign nationals.

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