

# Legal 500

## Country Comparative Guides 2024

### Singapore

### Corporate Immigration

### Contributor

Deloitte Singapore

The Deloitte logo, consisting of the word "Deloitte" in a bold, sans-serif font, with a small green dot above the final 'e'. It is positioned within a white rectangular box.

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This country-specific Q&A provides an overview of corporate immigration laws and regulations applicable in Singapore.

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# Singapore: Corporate Immigration

## 1. What are the relevant government entities relating to immigration in your jurisdiction?

There are two main government entities in Singapore who handle immigration matters.

- Ministry of Manpower (MOM)
- Immigration & Checkpoints Authority (ICA)

The MOM is the ministry responsible for the development and implementation of labour policy relating to the Singapore workforce. The MOM issues work passes to foreigners seeking to work in Singapore.

The ICA is responsible for border control in Singapore and the administration of immigration and registration services, such as issuing passports and Identity Cards to Singapore citizens, and immigration passes and permits to foreigners (e.g., Permanent Residents, Student Passes, Long-Term Visit Passes, etc.)

## 2. What are the options available for sponsor-based employment in your jurisdiction and timelines involved in securing a work permit?

There are several options available for sponsor-based employment in Singapore depending on whether the applicant is deemed a professional, skilled, or semi-skilled worker, or a trainee or student.

### Employment Pass (EP)

The EP is a work pass for foreign professionals, managers and executives with a job offer in Singapore. A minimum fixed monthly salary of at least SGD 5,000 for all sectors (increases to SGD5,600 with effect from 1 January 2025), and SGD 5,500 for the financial services sector (increases to SGD6,200 with effect from 1 January 2025) is required to be paid to the EP holder. Also note that the minimum qualifying salary increases progressively with age.

In addition to meeting the EP qualifying salary, EP candidates are also required to pass a points-based system called Complementarity Assessment Framework ("COMPASS"). This will also apply to EPs expiring from 1 September 2024 and will therefore be relevant to EP renewal applications. The revised EP qualifying salary will also apply to the renewal of EPs that are expiring from 1

January 2026.

COMPASS is designed as a transparent system, to allow organisations to have clarity and predictability for workforce planning. It also enables employers to select high-quality foreign professionals, while improving workforce diversity and building a strong Singaporean core.

The EP candidate requires 40 points to pass the COMPASS framework, which scores applications on four foundational criteria. These applications can earn additional points under the bonus criteria if they meet the relevant qualifying conditions.

### COMPASS criteria

#### Foundational criteria – up to 20 points per criterion

C1. Salary (Individual) – relative to local professionals, managers, executives and technicians (PMET) salary norms for the sector and age;

C2. Qualification (Individual) – based on a candidate's qualification(s);

C3. Diversity (Firm-related) – whether a candidate improves the nationality diversity in the firm; and

C4. Support for local employment (Firm-related) – based on the local PMET share relative to industry peers.

### Bonus criteria

C5. Skills Bonus (individual) – for candidates in jobs where skills shortages exist (up to 20 points); and

C6. Strategic Economic Priorities Bonus (Firm-related) – for partnership with the government on ambitious investment, innovation, internalisation, or company and workforce transformation activities (up to 10 points).

### Exemptions from COMPASS

An EP candidate is exempt from COMPASS if they meet any of the following conditions:

- they earn at least SGD22,500 fixed monthly salary (similar to the prevailing Fair Consideration Framework (FCF) job advertising exemption);

- they are applying as an overseas intra-corporate transferee under the WTO's General Agreement on Trade in Services or an applicable free trade agreement to which Singapore is a party; or
- they are filling a short-term role for one month or less.

Under the FCF, companies are required to advertise the job on MyCareersFuture, an online job portal, for at least 14 consecutive days and consider all candidates fairly before submitting a new EP application.

A role will be exempt from the job advertising requirement if any of the following requirements are met:

1. The company has less than 10 employees (including both local and foreign employees);
2. The fixed monthly salary for the position is SGD 22,500 and above;
3. The role is to be filled by a local transferee;
4. The role is short term, i.e., not more than one month; or
5. The role is to be filled by a candidate applying as an Overseas Intra-Corporate Transferee (ICT).

Processing time after submission of application to Ministry of Manpower ("MOM"): Processed or given an update within 10 business days.

### **S Pass**

Foreign mid-level skilled workers who wish to work in Singapore may apply for an S Pass. Such individuals must have a job offer in Singapore and earn a fixed monthly salary of at least SGD3,150 for all sectors, excluding financial services sector and SGD3,650 for the financial services sector. This minimum qualifying salary will also apply to S Pass expiring from 1 September 2024. The qualifying salary will be adjusted again for implementation from 1 September 2025 and the details will be announced closer to the time. More experienced applicants are required to earn a higher salary to qualify for an S Pass. While it is optional to declare their qualification, it is recommended to do so to strengthen the application.

Similar to the EP application, companies are required to advertise the position on MyCareersFuture for at least 14 consecutive days before submitting a new S Pass application.

Companies are subject to a quota and levy for S Pass employees. The number of S Pass holders which a company can hire is limited by a quota according to the

sector which the company is classified under. In addition, the company must pay the levy for all S Pass holders.

Processing time after submission of application to Ministry of Manpower ("MOM"): Processed or given an update within 10 business days.

### **Work Permit (WP)**

A WP can be granted to semi-skilled or unskilled workers from approved source countries / regions to work in certain sectors. WPs are generally applied for sectors such as construction, manufacturing, marine shipyard, process and services sectors. The duration of a WP is generally two years, subject to the validity of the worker's passport, the security bond and the worker's employment period, whichever is shorter. The number of WP holders that a firm can hire is limited by a quota according to the sector under which the company is classified and each WP is subject to a levy, to be paid by the company.

Processing time after submission of application to MOM: Within one week for most cases

### **Training Employment Pass (TEP)**

Foreigners under the following categories who want to undergo training in Singapore may apply for a TEP, which is valid for up to three months and is not renewable. These applicants must be sponsored by a well-established Singapore-registered company.

#### **Undergraduates**

The training programme in Singapore must be part of the undergraduates' course of study. The applicant must be from an acceptable educational institution; or earn a fixed monthly salary of at least SGD3,000.

#### **Intra-company trainees**

Companies can bring employees from their foreign offices or subsidiaries to Singapore for professional or executive training. The trainees should earn a fixed monthly salary of at least SGD3,000 and possess recognised qualifications.

Applicants may not apply for a TEP if they have previously held a TEP for a similar training arrangement before.

Processing time after submission of application to MOM: Within three weeks for most cases

### **Training Work Permit (TWP)**

Companies can apply for TWPs for eligible unskilled or

semi-skilled foreign trainees or students undergoing practical training undergoing training in Singapore (refer to the categories below). The TWP is valid for up to six months and is not renewable. The number of TWP holders a company can hire is limited by a quota and subject to levy, to be paid by the company.

#### **Foreign employees**

A company can bring in semi-skilled or unskilled employees from related overseas companies to undergo training in Singapore.

#### **Foreign students**

A company can apply for TWPs for foreign students studying in educational institutions in Singapore for whom the in-company training is part of their course requirements.

Processing time after submission of application to MOM:

- Interim approval: one working day;
- Final outcome: Within three weeks after receiving the complete set of documents.

### **3. What are the primary options available for unsponsored work and investment in your jurisdiction?**

There are several options available as set out below:

#### **Personalised Employment Pass (PEP)**

The PEP is a personalised pass for high-earning EP holders or overseas foreign professionals. The pass is not employer sponsored and offers greater job flexibility than an EP. The duration of the PEP is up to three years, and it is non-renewable. An EP or S Pass will be required to continue working in Singapore if the PEP expires.

#### **Eligibility**

The following groups of foreigners are eligible for a PEP.

- An overseas foreign professional whose last-drawn fixed monthly salary overseas was at least SGD22,500. The last-drawn fixed monthly salary overseas should have been paid no more than six months prior to the application.
- Existing EP holders who earn a fixed monthly salary of at least SGD22,500.

The PEP holder is required to earn a fixed salary of at least SGD270,000 per calendar year (SGD144,000 per

calendar year if the application for the PEP was submitted before 1 September 2023) regardless of the number of months the holder is in employment, and the holder is required to declare the annual fixed salary to the Ministry of Manpower (MOM) by 31 January of the following year.

#### **Benefits – job flexibility**

PEP holders can generally take on employment in any sector and do not need to apply for a new pass when changing jobs.

PEP holders are also given the flexibility to stay in Singapore while unemployed for a continuous period of up to six months to search for new employment.

#### **Tech.Pass**

The Tech.Pass allows established tech entrepreneurs, leaders or technical experts to:

- start and operate one or more tech companies;
- be an employee in one or more Singapore-based companies at any time;
- be a consultant or mentor, lecture in local institutions of higher learning; and/or
- be an investor or director in one or more Singapore-based companies.

#### **Criteria**

Candidates must meet any two of the following criteria to be eligible for the Tech.Pass:

- have a last-drawn fixed monthly salary (in the last year) of at least SGD22,500;
- have at least five cumulative years of experience in a leading role in a tech company with a valuation or market capitalisation of at least USD500 million or at least USD30 million funding raised; and/or
- have at least five cumulative years of experience in a leading role in the development of a tech product that has at least 100,000 monthly active users or at least USD100 million annual revenue.

The pass holder will need to earn at least SGD240,000 in assessable income (this increases to SGD270,000 from 1 September 2024) or demonstrate total annual business spending of at least SGD100,000, together with fulfilling local hiring requirements and performing at least two of the listed roles at the time of renewal, to be eligible for a two-year renewal.

#### **EntrePass**

The EntrePass is available to individuals looking to start and operate a business in Singapore and meet the following criteria:

- they have started, or intend to start, a private limited company registered with the Accounting and Corporate Regulatory Authority (ACRA), that is venture-backed or owns innovative technologies (if the registered company is more than 12 months old as of the date of application, the applicant will be assessed according to the renewal criteria); and
- they have done at least one of the following –
  - raised funding for a past or current business;
  - been supported by a government-recognised or internationally renowned incubator or accelerator;
  - founded and sold a technology business;
  - hold intellectual property; and/or
  - have a research collaboration in Singapore.

#### **Duration and renewal of EntrePass**

The duration of a new pass is one year, and the duration of the first renewal is one year, followed by two years for each subsequent renewal.

An applicant is required to meet all the following criteria to be eligible for the renewal of an EntrePass.

#### **Passholder:**

- own at least 30% shareholding of the company; and
- have created an individual profile and claimed the company profile on Startup SG Network (SSN).

#### **Company:**

- be registered with ACRA as a private limited company;
- have demonstrated that the registered company is venture-backed or owns innovative technologies;
- have demonstrated ongoing business activity and progress;
- have submitted the latest financial statements; and
- have achieved at least the corresponding total business spending and local workforce criteria.

#### **Global Investor Program (GIP)**

Individuals willing to invest in Singapore can apply for permanent residency under the GIP.

A foreign investor who intends to start a business or invest in Singapore can apply for permanent residence in Singapore through the GIP. The GIP is administered by Contact Singapore, which is a division of Singapore Economic Development Board (EDB). The EDB has currently categorised the following 4 groups of qualifying applicants and has listed the criteria for each group:-

- Established Business Owners;
- Next-Generation Business Owners;
- Founders of Fast Growth Companies; and
- Family Office Principals

Individuals who satisfy the qualifying criteria will be required to invest based on the investment options available for the category. Successful applicants are required to fulfil the investment condition under the selected investment option, within six months from the date of the In-Principle approval letter. Upon making the investment and having the investment documents verified by EDB, the ICA will issue the Final Approval Letter to the applicant for his or her formalisation of their permanent residence status. The individual will be issued a Re-entry Permit (REP) which is valid for five years after the formalisation of the PR. This REP will be renewed if the REP conditions are met by the fifth year of PR status. The REP renewal conditions differ according to the investment options and the corresponding renewal duration (three to five years).

#### **Overseas Networks and Expertise Pass (ONE Pass)**

The ONE Pass is a personalised pass to attract and retain top talent in strategic areas in business, arts and culture, sports, science and technology, and academia and research. The ONE Pass is a five-year work pass that allows holders to concurrently start, operate, and work for multiple companies in Singapore at any one time. The pass holder does not need to reapply for a new pass if he or she changes jobs. In addition, the spouse will be able to work or operate a business in Singapore on a Letter of Consent (LOC).

Existing work pass holders and overseas candidates can apply if they meet either of the salary criteria below:

- Have earned a fixed monthly salary of at least SGD30,000, or its equivalent in foreign currency, within the last year.
- Will earn a fixed monthly salary of at least SGD30,000 under their future employer based

in Singapore.

The fixed monthly salary of at least SGD30,000 should come from one employer. Other sources of income may be considered on a case-by-case basis.

Additional conditions (to be demonstrated by applicant):

*Overseas candidate:*

- Applicant has been working for an established company for at least one year; or
- Applicant will be working for an established company in Singapore.

*Existing work pass holder:*

- Applicant has been working in Singapore for at least one year; or
- Applicant will be working for an established company in Singapore.

*Note: For a company to be considered established, it must have a market capitalisation or valuation of at least USD 500 million or an annual value of at least USD 200 million. Combined amounts from the entire global office can also be considered and will be assessed on a case-by-case basis.*

Individuals with outstanding achievements in the arts and culture, sports, science and technology, and academia and research can apply and qualify for the Pass, even if they do not meet the salary criterion.

The duration of the ONE pass is five years for first-time candidates and five years for subsequent renewals.

To be eligible for renewal, the pass holder must meet either of the following:

- Have earned a fixed monthly salary of at least SGD30,000 on average over the past five years in Singapore;
- Have started and is operating a Singapore-based company that employs at least five locals, each earning at least SGD5,000 (pegged to the EP minimum qualifying salary).

Duration of LOC for spouse to work as an employee:

- up to the expiry date of the dependant's pass;

Duration of LOC for spouse as business owners:

- first-time candidates: one year from the issue date or up to the expiry date of the dependant's pass, whichever is shorter; and

- subsequent renewals: up to the expiry date of the dependant's pass

The MOM will request the following details from the pass holders annually regarding professional activities and salary, to ensure that they take advantage of the flexibility accorded to them in order to contribute meaningfully and to assess their eligibility for renewal:

- employment;
- entrepreneurial activities;
- local employees (if any); and
- other professional activities, such as advisory or mentorship roles; professor, lecturer or adjunct lecturer roles in local educational institutions; and contributions to philanthropic causes.

#### 4. What are the requirements for becoming a sponsor of employment-based migrants and what are the role and reporting duties of sponsors?

Any registered Singapore entity can apply for work passes. As a work pass sponsor, the company is responsible in ensuring compliance with immigration laws and regulations and the well-being of the pass holder. In addition, the employer must be willing to undertake responsibilities for the stay, maintenance, and repatriation of foreign employees.

#### 5. Are applications filed electronically, or paper base? Is a physical visa/work permit document issued or is an electronic approval issued?

All applications and approvals are filled electronically. However, once the application is approved and the work pass is issued, the applicant will be issued a physical pass card.

#### 6. Is an in-person attendance/interview required as part of the visa/work permit application process? Is an individual required to enrol their biometrics (digital photo, fingerprint scan) as part of the visa/work permit process?

The pass holder will need to attend a biometrics session for the registration of fingerprints and photo (if required by MOM) after the work pass issuance to complete the immigration process.

## 7. What persons qualify as dependants? Can dependants work based on their dependant visa status? Are there any restrictions?

The following family relationships qualify as dependants and are eligible for the following pass type:

Dependant's Pass (DP):

- Spouse (legally married)
- Unmarried children under 21 years
- Unmarried, legally adopted children under 21 years

Long-Term Visit Pass (LTVP):

- Common-law spouse
- Unmarried disabled children aged 21 and above
- Unmarried stepchildren under 21 years of age
- Parents

DP holders tagged to EP, S Pass or PEP holders who wish to work in Singapore can get a work pass (EP, S Pass or WP) to do so, as the DP itself does not allow any working rights for the pass holder. The prospective employer must apply on their behalf, and the relevant qualifying salaries, quotas and levies of the respective work passes will apply.

A holder of a DP issued by the MOM who wishes to operate a business can apply for an LOC for DP holders who are business owners. DP holders who wish to work for an employer have the option of applying for a WP, in which case, both a DP and a WP will have to be held in conjunction.

DP holders who get an EP or S Pass will be granted the work and stay privileges associated with an EP or S Pass. As their stay in Singapore is no longer dependent on the main pass holder, they will no longer require a DP, and their DP will need to be cancelled before their EP or S Pass is issued.

DP holders who get a WP:

- are required to hold on to both the DP and WP, and the WP's validity period will be tied to that of the DP;
- can be of any nationality/citizenship (i.e., source requirements are waived);
- are not subject to the six-monthly medical examination, security bond or pregnancy restrictions; and
- do not need medical insurance from their

employers if they are already covered under a medical insurance plan that meets MOM's prevailing minimum mandatory insurance coverage requirement.

DP holders tagged to ONE Pass holders:

- if they are the spouse of the ONE Pass holder, they can work in Singapore with an LOC, acquired by their prospective employer by submitting an application to MOM on their behalf; or
- if they are the spouse of the ONE Pass holder, they can operate a business in Singapore; or
- if they are not the spouse of the ONE Pass holder, they will need to obtain a work pass to work for an employer in Singapore.

The validity of the DP will be tied to the validity of the ONE Pass.

The validity of an LOC is as follows:

LOC to work as an employee: Valid up to the expiry date of the dependant's pass;

LOC for business owners:

- First-time candidates: one year from the issue date or up to the expiry date of the dependant's pass, whichever is shorter; and
- Subsequent renewals: up to the expiry date of the dependant's pass.

LTVP holders tagged to ONE Pass holders:

- if they are the common-law spouse of the ONE Pass holder, they can work in Singapore with an LOC, acquired by their prospective employer by submitting an application to MOM on their behalf; or
- if they are not the common-law spouse of the ONE Pass holder, they will need to obtain a work pass to work for an employer in Singapore.

The validity of the LTVP will be tied to the validity of the ONE Pass.

## 8. What is the general time frame and processes for obtaining permanent residence and citizenship for sponsored and unsponsored business-related immigration?

**Permanent Residence (PR) application**

The processing time for PR applications in Singapore is generally six months and can vary depending on various factors, including the applicant's individual circumstances, the volume of applications received by ICA, and any changes in immigration policies or procedures.

The PR application must be submitted online. Applicants must complete the application form online via the MyICA portal. Upon receipt of the approval of the PR application, the applicant is required to complete PR formalities personally at the ICA building.

### **Singapore Citizenship application**

The Singapore Citizenship application and the requisite supporting documents must be submitted online. The processing time for Singapore Citizenship is generally 12 months or more. For children born overseas to Singapore citizens, the general processing time is within two months from receipt of complete documents. Upon receipt of the In-Principle approval, the applicant is required to complete the Singapore Citizenship Journey (SCJ), a mandatory programme for Singapore Citizenship applicants. Once the SCJ is completed, the applicant will receive the final approval letter indicating the appointment date and time for the Singapore Citizenship registration.

## **9. What productive type activities can a business visitor undertake and for how long?**

Business visitors entering Singapore are issued with a Short-Term Visit Pass (STVP) at the point of entry. They can participate in the following activities for the duration of the STVP in Singapore:

- Attend company meetings, corporate retreats or meetings with business partners;
- Attend study tours or visits, training courses, workshops, seminars and conferences as a participant; and
- Attend exhibitions as a trade visitor.

The above activities should not involve a contract of service or a contract for service with an employer in Singapore.

### **Work Pass Exemption (WPE)**

Business visitors can work in Singapore for a short time without a work pass for certain activities. However, the business visitors are required to notify MOM of the intention to work in an exempted activity after entering Singapore and before starting the activity. They are

allowed to perform a WPE activity for any number of visits, but up to a total of 90 days in a calendar year. Also note that the duration which the business visitor can perform a WPE activity during each visit to Singapore depends on the STVP issued by ICA. Request to extend the STVP for the purpose of performing a WPE activity will not be considered.

## **10. Can remote work be carried out from your country?**

Remote working without a work permit is allowed subject to the following conditions:

1. The individual is working for an overseas company while in Singapore;
2. The overseas company the individual is working for is a separate legal entity from any related office that it may have in Singapore and the work has no linkage to, nor any interaction with, the Singapore office; and
3. The individual is not meeting nor providing services to clients in Singapore.

The pass holder may still perform work for his/ her overseas employer remotely via telecommuting if all the above-mentioned requirements are met.

## **11. Are there any productive work / revenue generating activities that can be carried out as a visitor and without the need for a work permit? If so, what activities and for how long?**

Visitors entering Singapore are issued with a STVP at the point of entry. The duration of the STVP is issued at the point of entry into Singapore. They can participate in the following activities for the duration of the STVP in Singapore:

- Attend company meetings, corporate retreats or meetings with business partners;
- Attend study tours or visits, training courses, workshops, seminars and conferences as a participant; and
- Attend exhibitions as a trade visitor.

The above activities should not involve a contract of service or a contract for service with an employer in Singapore.

## **12. Is there a remote work or nomad visa**

### category in your jurisdiction? If not, how likely is it that this will be implemented in future?

Only as outlined above.

### 13. How easy is it to switch visa categories/jobs/employer from within country? And/or if made redundant, can the individual regularise their stay in another capacity and what is the timeframe allowable?

*Change of job / employer:*

EP / S Pass / WP:

The new employer will be required to submit a new work pass application subject to the labour market testing and COMPASS Framework (unless exempted). The application process is the same as an overseas applicant.

PEP:

The PEP holder or the employer will need to notify MOM within one week if he / she has:

- Started employment
- Left employment
- Changed employers

ONE Pass:

There is no need for the ONE Pass holder to reapply for a pass nor notify MOM if he / she changes jobs.

*Change of visa categories:* The employer / individual should first obtain the approval of the new visa application before cancellation of the existing visa to ensure the continuation of the right to work.

If the work pass holder is made redundant, the employer is required to cancel the work pass within a week after the last day of employment. If the individual is physically in Singapore at the point of pass cancellation, they will be issued with an STVP (90 days for an EP holder or 30 days for an S Pass holder). No work activities can be carried out during the STVP period.

Alternatively, the individual can consider applying for the following passes to continue remaining in Singapore, if they meet the eligibility criteria of the passes:

- PEP
- ONE Pass
- DP / LTVP

### 14. What common issues or concerns may arise for employers under business immigration in your jurisdiction?

The shift towards remote work may be a cause of concern for employers as remote work may not suit every industry. Thus, the employer will need to determine whether remote work fits with the organisational strategy and develop strategies to manage the risks that come along with remote work. This will then allow the employers to harness the shift towards remote work to its full potential.

In addition, employers may also encounter various issues and concerns related to business immigration, particularly when hiring foreign employees or managing their immigration compliance. Some common issues and concerns that employers may face include:

- Work Pass Eligibility and Requirements
  - EP Eligibility due to the COMPASS framework
  - S Pass Quota for candidates / employees who are not eligible for EP
- Processing delays from MOM especially for candidates / employees who are filling roles on the Shortage Occupation List
- Workforce Planning
- Impact of Changes in Immigration Policies
- Global Mobility and Cross-Border Issue
- Integration and Diversity Management

Overall, navigating business immigration in Singapore requires employers to stay informed about immigration laws and regulations, proactively address compliance issues and challenges, and develop strategies to attract, retain, and manage a diverse and talented workforce. Seeking guidance from immigration experts or legal advisors can help employers effectively manage these issues and ensure smooth operations.

### 15. Is there a fast track process / certification that business can obtain to expedite visa / permit processing?

There is currently no fast-track processes for visas / permits in Singapore.

### 16. What are the recent trends, both political and social that have impacted your jurisdiction with

## regard to immigration policy and law?

With the global competition for talent and Singapore's focus to strengthen itself as a global hub for talent, enhancements were made to Singapore's work pass framework to better attract top talent, and experienced tech professionals in areas of skills shortage.

The ONE Pass, which has been introduced from 1 January 2023, is targeted to attract top talent across all sectors. The pass also allows spouses to work on an LOC.

COMPASS framework, which was implemented with effect from 1 September 2023 for new EP applications, and for renewal applications where the EPs expire from 1 September 2024, encourages companies to build strong and diverse teams, with skilled foreign talents and Singaporeans working together and learning from each other. This point-based system also addresses the need for a more transparent framework as it increases visibility into the assessment criteria. It provides employers with a more calculated approach to assessing a candidate's eligibility for a Singapore EP.

## 17. Are there any new and / or anticipated changes impacting immigration law and / or policy in your jurisdiction?

From 1 January 2025, the qualifying salary for candidates outside the financial sector applying for an Employment Pass (EP) will be raised from SGD5,000 to SGD5,600. For candidates within the financial sector, the EP minimum qualifying salary will be increased from SGD5,500 to SGD6,200. These changes will also apply to EPs expiring from 1 January 2026. The increase is to ensure that the cost of hiring an EP holder remains benchmarked to the salaries of the top one third of local professionals, managers, executives and technicians (PMETs) by age.

With the increase in the EP qualifying salary, the cost to businesses to hire foreigners on EPs will increase. As such, it is recommended that companies:

- set up a robust hiring process to develop a strong local core and consider each foreign candidate carefully before offering them a position; and
- review work pass types for foreign employees with each salary adjustment, to ensure optimum use of the company's foreign workers' quota.

## 18. How do you see technology developing and evolving to support immigration process in the future?

Singapore is one of the most advanced countries globally, pioneering the use of technology across all regulated practices including immigration, with many jurisdictions looking to replicate the Singaporean immigration system. We expect this cutting-edge approach to continue, with increased focus on the connectivity between the tax and immigration authorities.

For example, the ICA announced a **New Clearance Concept (NCC)** to transform border clearance.

From May 2024, all foreigners arriving in Singapore, regardless of nationality, can use automated lanes at Changi Airport without the need for prior enrolment. By end 2024, arriving Singapore residents and all departing travellers will be able to undergo contactless immigration clearance at Changi Airport, Seletar Airport and Marina Bay Cruise Centre where they will not be required to present their passports at the automated lane.

The NCC is a paradigm shift in border clearance, moving from manual processing at counters to automated lanes for people (NCC Passenger), conveyances (NCC Conveyance), and goods (NCC Cargo). This was made possible through the use of biometrics and data, as well as streamlining and digitalising clearance processes.

Singapore aims to provide fuss-free experience for customers by re-designing their processes and leveraging digital, robotic, biometric and automation technologies.

## 19. What are the Right to Work requirements in your jurisdiction?

A right to work (RTW) check is mandatory in Singapore before a candidate can formally start employment.

Generally, an RTW check is performed by reviewing the applicable immigration document of the candidate. A brief summary of the most common RTW scenarios are provided below, listed by employee type and acceptable RTW documents:

- citizen – passport and/or National Registration Identity Card (NRIC);
- permanent resident – passport, Singapore blue Identity Card (IC) and re-entry permit;
- student/intern – passport, Student Pass, Student Visa, a letter from the university

confirming the number of hours allowed for work/internship; and

- foreign worker – passport, existing work pass or IPA letter.

## 20. What are the types of civil and criminal penalties employers may face for non-compliance with immigration rules i.e. employing an individual who does not have the Right to Work?

Under the Employment of Foreign Manpower Act (EFMA), employing a foreign employee without a valid work pass: a fine of between SGD5,000 and SGD30,000, or imprisonment for up to 12 months, or both may be imposed. For subsequent convictions, offenders face mandatory imprisonment of between one and 12 months, and a fine of between SGD10,000 and SGD30,000.

## 21. Are there labour market testing requirements in your jurisdiction and if so, what do they involve?

The FCF sets out requirements for all employers in Singapore to consider the workforce in Singapore fairly for job opportunities. Unless exempted, employers submitting EP and S Pass applications must first advertise on MyCareersFuture and consider all candidates fairly for job opportunities. The advertisement must be open for at least 14 consecutive days to allow before the employer can submit the EP application.

A role will be exempt from the job advertising requirement if any of the following requirements are met:

- the company has less than ten employees (including both local and foreign employees);
- the fixed monthly salary for the position is SGD22,500 and above;
- the role is to be filled by a local transferee;
- the role is short term, i.e., not more than one month; or
- the role is to be filled by a candidate applying as an overseas Intra-corporate Transferee (ICT).

## 22. Are there quota requirements, restrictions or a cap on the numbers of foreign nationals hired per company in your jurisdiction?

There is no quota imposed for the hiring of EP holders. However, the MOM may request for justification for hiring

foreigners, instead of locals for the said position.

Currently, foreign employee quota is only applicable to the hiring of WP and S Pass holders. Employers are limited by a quota based on the industry classification of the company and a foreign worker levy is required to be paid by the employer for their WP and S Pass holders.

## 23. Are there any exit procedures in your jurisdiction, if an individual is departing permanently?

Employers of work pass holders are required to cancel the work pass when the employment comes to an end. There is a requirement for the work pass to be cancelled within one week after last day of notice.

If the work pass holder has left Singapore permanently, the employer is required to cancel the EP within one week from the departure date, unless it has expired.

## 24. Are there any requirements for medical certificates or vaccinations for your jurisdiction?

Any foreign-born children below 12 years of age are required to have a vaccination certificate to show proof of vaccination against diphtheria and measles before applying for a DP. This proof can be obtained by applying to the Singapore Health Promotion Board.

Existing DP, LTVP and Student's Pass holders do not need this document.

## 25. Are there any language requirements for your jurisdiction?

There is no language requirement to apply for a work pass in Singapore. However, all documents required for a pass application need to be translated into English and submitted together with the original document to MOM.

## 26. What are the government costs associated with a typical employment based visa?

Employment Pass, Training Employment Pass, Personalised Employment Pass and ONE Pass:

- application fee – SGD105; and
- issuance fee – SGD225 plus multiple-journey visa of SGD30, if applicable.

S Pass:

- application fee – SGD105; and
- issuance fee – SGD100 plus multiple-journey visa of SGD30, if applicable.

Work Permit and Training Work Permit:

- application fee – SGD35; and
- issuance fee – SGD35.

## **27. Is a local contract of employment required in order to obtain a work based visa or work permit? Are there salary or other thresholds to be met?**

A local contract of employment is not required for the majority of work pass applications. Please refer to the above outline for the minimum salary requirements.

## **28. What are the maximum periods of stay for individuals on an employment based visa / work permit?**

For most of the work passes in Singapore, there is no maximum stay in Singapore.

However, for individuals who enter Singapore as an overseas Inter Corporate Transfer (ICT), they are only

allowed to enter into Singapore on a temporary basis. The period is strictly limited to the provision under the trade agreement.

## **29. Does your jurisdiction allow dual nationality?**

Singapore does not allow dual citizenship. Any Singaporean who has acquired the citizenship of another country should notify the ICA and renounce their Singapore citizenship accordingly.

## **30. What are the most positive aspects of your immigration system compared to the rest of the world?**

The Singapore immigration system is hugely advanced in the use of technology and clarity of available information. For the most part, this results in a clear, established and relatively inexpensive process to employ foreign nationals where no suitable local candidate has been identified.

Singapore's immigration system is regularly being updated in order to accommodate the changing needs of the government, employers and employees.

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