



WORKERS SUBJECT TO INTRA-CORPORATE TRANSFERS WITHIN THE SAME UNDERTAKING OR GROUP OF UNDERTAKING

Those foreign nationals who are posted to Spain within the framework of an employment or professional relationship or for professional training purposes with a company or group of companies established in Spain or in another country provided that they prove:

- a) The existence of a real business activity
- b) Higher or equivalent qualification, or where appropriate, a minimum professional experience of three years
- c) Existence of a previous and continuous employment or professional relationship of three months with one or more group companies
- d) Accreditation of the transfer by the company

NOTE.- The visa is not a mandatory procedure for foreigners included in the scope of this Law if they are legally in Spain, since in such a case they can choose to request the residence authorization without the need for a visa before the General Directorate of Migrations of the Ministry of Employment and Social Security. Its processing is carried out by the Large Business and Strategic Groups Unit

http://extranjeros.mitramiss.gob.es/es/UnidadGrandesEmpresas/ley14_2013/index.html

The Spanish Consulate General in Miami has full authority to evaluate and request additional documents from those initially submitted by the applicant.

PROCEDURE

In Spain, the company must process a residence authorization for intra-corporate transferee, in favor of the foreigner who wishes to hire in the Unit for Large Companies and Strategic Economic Sectors. (For information on documentation and procedure you can see the following link:

http://extranjeros.mitramiss.gob.es/es/UnidadGrandesEmpresas/ley14_2013/tripticos/triptico-traslado-empresarial-INGLES.pdf

Once the authorization is obtained, the applicant can apply for the visa, within the validity period of said authorization.

WHAT TO SUBMIT
(original and copy of all the documents requested)

1. **Two national visa application form** completed and signed.
2. **Two recent photographs** (US passport size) in color, centered, with a uniform and clear background, preferably white. Photographs with a dark background or with objects or people behind the head are not accepted.
3. **Passport or travel document** recognized with a minimum validity of one year
4. **Immigration status in the United States** (not applicable to US citizens): residence card, valid US student visa or US work permit (stamp on the passport) or "parole".
5. **Driver's license or Identity Card**, with the current address of the State of Florida, Georgia or South Carolina.
6. **Consular fee.** Payment must be made with MONEY ORDER (Non-refundable) addressed to: "CONSULATE GENERAL OF SPAIN"
7. **Certificate of criminal record** dated no more than three months before the application date, stating that applicant does not have criminal record in countries where it has resided for the past five years. Does not apply to under 18 years old

In the US you can request the one issued by the US Department of Justice- Federal Bureau of Investigation (FBI) or the one issued by the Department of Law Enforcement of your State of residence. We do not accept local police criminal certificates. This certificate is **valid for three months**

INFO FBI BACKGROUND CHECK DEPARTMENT OF STATE

<https://www.fbi.gov/services/cjis/identity-history-summary-checks>

INFO FLORIDA DEPARTMENT OF LAW ENFORCEMENT

<https://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx>

INFO GEORGIA BACKGROUND CHECK

<https://gbi.georgia.gov/services/obtaining-criminal-history-record-information-frequently-asked-questions>

You can obtain a copy of your Georgia criminal record from most sheriff's offices or police departments. Contact your local law enforcement agency for specific requirements for obtaining a copy of your Georgia criminal record. A local police certificate will be accepted as long as it indicates that the search was conducted at the state level, not just at the local or county level

INFO SOUTH CAROLINA BACKGROUND CHECK

<https://catch.sled.sc.gov/>

The criminal record, either the FBI or The Department of Law Enforcement, must be legalized with the **Apostille certification** and **translated into Spanish by a sworn/certified translator.** (Submit originals of criminal certificate, apostille and translation into Spanish, along with copies of all the documents).

Traducciones: **AMERICAN TRANSLATORS ASSOCIATION** <https://www.atanet.org/>

INFO DEPARTMENT OF STATE APOSTILLE

<https://travel.state.gov/content/travel/en/records-and-authentications/authenticate-your-document/apostille-requirements.html>

INFO FLORIDA APOSTILLE

<https://dos.myflorida.com/sunbiz/other-services/apostille-notarial-certification/>
<https://dos.myflorida.com/sunbiz/other-services/apostille-notarial-certification/>

INFO GEORGIA APOSTILLE

https://sos.ga.gov/index.php/Elections/great_seal

INFO SOUTH CAROLINA APOSTILLA

<https://sos.sc.gov/services-and-filings/apostilles>

If the applicant has spent six months or more during the last five years in another country/State, he/she must submit the police records from that country/State, legalized with the Apostille Certification and translated into Spanish. If the country is not part of the Hague Convention the document must be legalized by the Ministry of Foreign Affairs and then by the Spanish Consulate in that country.

8. **Residence authorization as workers displaced by intra-company movements** issued by the Large Business and Strategic Groups Unit, processed by the Company that hires in Spain

DOCUMENTATION TO BE PRESENTED BY FAMILY MEMBERS **(original and copy of all the documents requested)**

The following are considered relatives for this type of visa:

- a) Spouse or person with an analogous affective relationship.
- b) Children of the owner, or of the spouse or partner, minors or adults who, being financially dependent on the holder, have not formed a family unit for themselves.
- c) First-degree ascendants when they are under the responsibility of the owner or his spouse or partner.

Applications may be submitted jointly and simultaneously or successively to that of the investor.

In addition to the detailed documents of numbers 1 to 8, they must present the following:

9. **Accreditation of the family** or kinship bond or of the existence of the de facto union and, where appropriate, age and economic dependence.

- **Original marriage** certificate for the spouse.
- **Registration of the common-law partner relationship** or, if there is no registration, document that proves the validity of a common-law partner relationship for more than one year.
- **Original birth certificate** of the children.
- **Travel authorization** signed by both parents and certified copies of their personal identifications

The parent's travel authorization may be made:

- before a Notary, legalized or apostilled and officially translated into Spanish if it is written in a language other than Spanish or English;

- If either parent does not reside in Florida, Georgia or South Carolina, it can be done before the Consulate of Spain corresponding to their place of residence

In the case of minor children of divorced parents, they must also submit **the final divorce decree and Judge's sentence containing the custody** provisions of the minor granting custody to the parent who is processing the visa application, legalized or apostilled and officially translated into Spanish if it is written in a language other than Spanish or English.

IMPORTANT INFORMATION

If the certificates are from a foreign Civil Registry they must be legalized with the Apostille of the Hague or in those countries that are not part of the Hague Convention they must be legalized by the Ministry of Foreign Affairs and then by the Spanish Consulate in that country. In both cases, officially translated into Spanish if it is written in a language other than Spanish or English.

Legalization is not necessary if it is a certificate issued by a Civil Registry of a member country of the European Union, European Economic Area or Switzerland.

In the event of granting the visa, the foreigner, must pick it up personally within a maximum period of one month. If the collection is not made within the mentioned period, it will be understood that the interested party has waived the visa granted, and the procedure will be closed.

The visa is issued for one year or less if the duration of the residence authorization in Spain is less than one year and, during its validity, it is sufficient title to reside in Spain without the need to process the Foreign Identity Card