

No more jobs as a souvenir - the regime for importing and managing non-resident workers

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Law no. 10/2020 (Amendment to Law no. 21/2009 - Law on the hiring of non-resident workers) has recently been published. It will come into force on October 5, 2020.

As a result of such amendment, non-residents who wish to come work in Macau must have a permit to enter the territory for work purposes.

Administrative Regulation 26/2020 (Amendment to Administrative Regulation nº8/2010 – Regulation of the Law on the hiring of non-resident workers) amends Article 8 of the amended Regulation, clarifying the moment when the Immigration Police issues such permit.

The entry permit can be requested from the Migration Services of the Macao SAR by the employer in Macau, or by the employment agencies.

The process is as follows:

1. Accompanied by the hiring authorisation issued by DSAL, the employer/ representative of the employment agency goes to the CPSP to deliver the application.
2. When the application is approved, the employer is notified of the preliminary assessment result and the "Entry Title for Work Purposes" is issued.
3. When the non-resident worker enters Macau holding the travel document and the title mentioned above, the migration officer recognises the entrance for work purposes and provides him with the "Temporary Authorisation to Stay in the Quality of Worker".
4. The non-resident worker carries out the Title of Identification of Non-resident Worker formalities at the Pac On Migration Services Building, before the expiry of the "Temporary Authorisation to Stay as a Worker".

The employment relationship begins as soon as the contracting authorisation and the permanence authorisation are obtained. However, when a non-resident worker enters Macau from abroad with an entry permit for work purposes, it is not guaranteed that a provisional residence permit or official authorisation will be obtained.

The main result in the practice of the present amendments is that from now on it will not be possible to hire a non-resident worker that is presently in Macau with a tourist visa, as

the issuing of the “Entry Title for Work Purposes” presumes that the worker is not in Macau.

For more information on this subject and the specifics of your case, please contact **C&C Lawyers & Notaries**.



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