



# VISA RECOMMENDATION PROCEDURE



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### THE ROLE OF THE BOI

As an open economy, Sri Lanka takes the national competitiveness seriously in the efforts to continue to attract foreign direct investment, sustain her domestic investments and maintain her position in the global business environment.

The Government of Sri Lanka sees the private sector as the main driving force of the economic growth and development in the country, which the Government itself takes on the role of facilitating the business.

Being the Investment Promoting Agency of the country, the Board of Investment (BOI) plays a vital role to facilitate the companies to enhance the smooth operation of doing business in Sri Lanka.

As such, BOI recommends the requirement of visas of investors and skilled workers under identified categories.

### BOI POLICY ON VISA

The BOI recommends the different type of visas for Investors, dependents, and expatriate workers of BOI approved projects under sec. 17 & sec. 16 of the BOI law.

#### Company eligibility

Projects approved under Sec. 17 of the BOI law.

The BOI will facilitate visa on requirement of the companies after signing the agreement.

Projects approved under Sec. 16 of the BOI Law (normal laws.)

Projects approved under sec. 16, will be facilitated visa based on requirement of the company subject to fulfillment of set criteria.

#### Age Limit

Expatriate worker should be within age limit of 18 - 60 years with the required qualification & experience for the post.

(If age is over 60 years, the BOI will facilitate such cases if it is only for special requirement)



#### VISA CATEGORY / PROJECT TYPE & VALIDITY PERIOD

It is the responsibility of the company for the categorization of employment Designation /type & visa period. (Pls refer Page 6\*\*)

#### Investor / Shareholder Category

A person who holds shares of the company will be considered under Investor / shareholder category for the facilitation of visa. (Pls refer Page 6\*\*)

#### Expatriate Employee Categories

Expatriate employees' recommendation considers after verifying the qualifications, experience requirement and availability of local expertise in the industry.

The permitted Categories would be

- ✓ Director & Managerial
- ✓ Technical & Skilled workers

#### Contract basis for limited period (Temporary)

Contracted technical workers for a limited period will be considered for specific assignment after evaluation of nature and investment of mega projects.

#### TYPE OF VISA RECOMMENDATION

- ✓ Entry Visa / Multiple Entry Business Visa
- ✓ Residence Visa / Special Residence Visa
- ✓ Extension of Residence Visa
- ✓ Temporary Visa (maximum 03 months only)



Investors and expatriate employees should arrive in Sri Lanka using Entry Visa or business visa and within one month from the date of arrival entry visa to be converted to Residence visa with the recommendation of the BOI.

If the applicant leaves from the country within the Entry visa period (One month), no provisions are available to convert the same entry visa to Residence Visa, unless a fresh Entry visa application is submitted.

- ✓ The expatriate who arrives in Sri Lanka on tourist Visa will not be granted residence Visa under any circumstance.
- ✓ Multiple Entry Business Visa is recommended by the BOI only for Shareholders / Investors before the company registration if required.
- ✓ Multiple Entry/ Business Visa is recommended only for investors / Shareholders & Board of Directors for a period of one year (as per the form 1 / form 20 of the company registration).
- ✓ No transfers are allowed to expatriate workers with residence visa from company to company (except Group company & sister company). It is required to leave the country & arrive with new entry visa under respective company.
- ✓ If the residence visa is expired during out of Sri Lanka, it will lead to disqualify to continue the residence visa. In such case expatriate has to comply with the entry & residence visa procedure once again by leavening the country.
- ✓ Dependent visas will be considered only for the Investor / Director category. However Dependent of expatriate workers (top management of the company) will be considered on case by case basis by the BOI.
- ✓ Minimum of 6 moth's valid residence visa should be available for the sponsor for applying the dependent visa.
- ✓ Visas are not recommended for dependents over 18 years. However, dependants of investor & top management of projects approved under sec. 17 will be considered till 21 years on case by case basis.
- ✓ Dependent Visa cannot be converted in to any working visa category.
- ✓ No work rights for the dependent Visa holder in Sri Lanka.

### Visa Application Procedure

- √ The company should register with the On-Line visa system of the BOI for which documents mentioned under “required documents (\*)” below should be submitted.
- √ Each company will be given a “Password”
- √ Prior approval should be obtained for the expatriate cadre and all requests should be within the approved cadre.
- √ Each application should be made online followed by three (03) hard copies duly certified by company authorized person should be submitted only with the recommended documents below.

### Required Documents (\*)

The applicants under the above categories can apply for visa with following certified supporting documents by the enterprise to Visa Unit / Zone of BOI with adequate time period (at least prior one (01) month).

- √ Covering letter with company authorization to respective sector Head /Zone Head.
- √ On-Line submitted three (03) Original Visa Applications with Authorized signature & company endorsement. (**Authorization should be according to the Enterprise registration for visa system**).
- √ Copies of relevant pages of valid passport (Information page & Visa Page).
- √ Letter of recommendation from the company with justification of relevant visa requirement.
- √ Documents in support of employee’s qualifications (Academic, Professional and experience) profession / Trade.
- √ CV/Resume. (Only for Entry Visa).
- √ Married Certificate / Birth Certificate (for dependent entry visa submission)



**AUTHORIZED SIGNATORY FOR VISA REQUESTS**

- ✓ An authorized person from the company or
- ✓ An authorized person from a Secretarial firm approved by the company if the project is under implementation.

**For projects in commercial operation**

- ✓ An authorized person from the company.

Important: Secretaries are not allowed to sign the visa on behalf of the company.

**Visa category / Project type & Validity period \*\***

VISA CATEGORY	PROJECT TYPE & VALIDITY PERIOD	
Entry Visa	Sec 17 Projects	Sec 16 Projects
	01 month from the date of arrival	
Residence Visa	01 year from the date of arrival	
Extension of Residence Visa	02 years (Investors / Shareholders) (Sec.17 Projects)	01 year (Investors / Shareholders) (Sec.16 Projects)
	1 year (Employees & dependents)	
Multiple Entry Business Visa	01 year (Investors / Shareholders / Directors)	
Temporary Visa	3 months (Installation work - 3months - Expatriates only)	
Special Residence Visa	01 year (Investors on ETA Visa ) (Ex. Sri Lankan / Child born in Sri Lanka)	



#### RECOMMENDATION PROCESS

BOI officers validate, certify and recommend the completed application or reject the same with valid reasons.

BOI will hand over the recommended application to the enterprise to be submitted Ministry of Internal Affairs, Wayamba Development and Cultural Affairs for their recommendation. The application or applicant can be rejected by the Ministry.

The application recommended by the Ministry will be handed over to the enterprise to proceed the final recommendation by Department of Immigration and Emigration for granting the Visa.

#### VISA CANCELLATION PROCEDURE

- √ Enterprises to inform the BOI in writing for the visa cancellation of employees, if the work contract is terminated or the employee left the company.
- √ Accordingly, will update the system & inform the Department of Immigration and Emigration and the Ministry with a copy to the company for visa cancellation.