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THE TRANSFER OF RESIDENCE TO SWITZERLAND, CANTON TICINO

There are many reasons why Switzerland and in particular Canton Ticino, attract an ever-growing number of people, who transfer their residence there and see migration as a concrete and valuable opportunity. Here are a few:

- High competitiveness. Switzerland can, in fact boast to be listed, in the past few years, among the World top positions in terms of competitiveness, according to the ranking released annually by the World Economic Forum;
- A strategic position in the centre of Europe;
- A high quality of life;
- Political stability, the certainty of the rule of law and the possibility of being able to benefit from a collaborative relationship between the taxpayer and the public administration;
- Social peace;
- A multilingual and highly qualified workforce;
- A favourable fiscal system;
- An efficient infrastructure and transport system;
- The protection of the private sphere.

The transfer of residence to Switzerland is subject to different conditions according to whether non-EU/EFTA or EU/EFTA citizens are concerned.

What follows concerns EU/EFTA citizens:

In accordance with the Agreement on the Free Movement of Persons, which was signed by the European Union and Switzerland in the summer of 1999 and entered into effect on 1 June 2002 – besides the additional protocols that were the natural consequence that followed the enlargement of the EU – Swiss citizens and citizens of EU/EFTA member states have the right to freely choose the country (among those of the contracting parties) in which to live and work.

The Agreement on the Free Movement of Persons and its relevant protocols, facilitate therefore, the living and working conditions of EU/EFTA citizens in Switzerland provided they have a valid employment agreement, they are self-employed or provide the evidence to have adequate financial means, should the applicant not be engaged in a gainful activity.

To move one's residence to Switzerland signify shifting one's centre of personal, economic and vital interests, including the family nucleus. It is therefore necessary to make an effective transfer of all that concerns an individual person.

The applicant must state on the cantonal application form that he/she will stay in Switzerland for at least 6 months. In addition, the migration authority may require a separate written declaration in which the applicant undertakes to designate Switzerland as the centre of his or her interests and permanent residence for at least six months within a year

To obtain residence in Switzerland, it is necessary to satisfy certain fixed requisites that are:

- The attainment of a residence permit;
- To have at disposal adequate housing (rental agreement / ownership) ;
- To have the financial means necessary to maintain the personal livelihood (such financial means being income and/or assets are to be discussed with the migration office for each case and yearly availability can be indicated roughly being a minimum disposable of CHF 38'000 for singles respectively CHF 60'000 for married couples) or, where the person is in employment, to present a copy of the employment contract issued by a Swiss employer.

Regarding the first point, it should be pointed out that there are various types of permits issued by the competent authorities in Switzerland, namely:

- Residence permit B: is issued to an EU/EFTA citizen who:
 - intends to engage in a gainful activity as an employee, having an employment contract that will last for a minimum period of one year or for an indeterminate time;
 - intends to engage in an independent gainful activity and is able to show that this activity will be carried out in an effective and durable manner;
 - without undertaking any gainful activity, has sufficient financial means to sustain himself or herself.
- Settlement permit C: is issued to an EU/EFTA citizen who has lived in Switzerland on a permanent basis, usually for at least 5 years. The bearer of such a permit can be compared to a Swiss citizen except that he or she does not have the right to vote and is absolved from doing military service.
- Permit for cross border commuters G: is issued to an EU/EFTA citizen who has an employment contract issued by a Swiss employer and who therefore intends to work in Switzerland without transferring his or her residence there;
- Temporary residence permit L: is issued to an EU/EFTA citizen who intends to stay in Switzerland for a limited period to engage in a gainful activity as an employee and has an employment contract that will cover a maximum of 364 days, or, if he or she will not be engaged in a gainful activity but will be studying, having a health cure or looking for work etc. It cannot be issued for the purpose of working as a self-employed person.

Further to the requirements mentioned above, those who want to transfer their residence to Switzerland must have (within 3 months from the date of migration into Switzerland) a private medical insurance that complies with Swiss federal law on health insurance (LAMal). This means that those who have obtained a residence permit must enrol in a recognised health and accident insurance scheme and will therefore be obliged to pay the relevant monthly premiums.

At certain conditions (retired person enjoying a foreign state pension), the applicant can be exonerated from enrolling in a Swiss health and accident insurance.

For further information on the above, please do not hesitate to contact us

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