European Commission

Migratory Pathways for Start-Ups and Innovative Entrepreneurs in the European Union

EMN Synthesis Report for the EMN Study 2019

December 2019

EMN
European Migration Network

Disclaimer

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The study was part of the 2019 Work Programme for the EMN.

Suggested citation

European Migration Network (2019). Migratory pathways for start-ups and innovative entrepreneurs in the EU. Brussels: European Migration Network.

Explanatory note

This Synthesis Report was prepared on the basis of national contributions from 25 EMN NCPs (AT, BE, BG, CY, CZ, DE, EE, ES, FI, FR, HR, HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, SE, SI, SK and UK) according to a common template developed by the EMN to facilitate comparability.

National contributions were based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources, reports and information from national authorities. Statistics were sourced from Eurostat, national authorities and other (national) databases. The listing of Member States in the Synthesis Report is based on the availability of information provided by the EMN NCPs in the national contributions.

It is important to note that the information contained here – specifically the contributions from the EMN NCPs - refers to the situation in the Member States up to and including September 2019. More detailed information may be found in the available national contributions and it is strongly recommended that these are consulted as well.

EMN NCPs from other Member States could not participate in this study (for a variety of reasons) but have contributed to other EMN activities and reports.

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EXECUTIVE SUMMARY

This Synthesis Report presents the main findings of the EMN Study on Migratory Pathways for Start-ups and Innovative Entrepreneurs in the European Union (EU). The Study is timely, given the recent proliferation of admission schemes (including visas and/or residence permits) for innovative entrepreneurs and start-up founders in many EU Member States. The Study explores in a comparative perspective the national and legal policy frameworks for the admission of start-ups and innovative entrepreneurs from third countries. Recognising that special admission schemes are only one means of attracting start-ups, the Study explores a wider variety of policy measures and factors affecting the attraction of start-up founders and entrepreneurial individuals from non-EU countries.

KEY POINTS TO NOTE

1. **Fostering innovation and entrepreneurship is a national policy priority in the vast majority of Member States**. This is due to the perceived beneficial impact of entrepreneurship on economies, including job creation; fuelling economic growth and investment; and boosting competitiveness in the globalised knowledge economy.
2. In 17 Member States, attracting innovative entrepreneurs and start-ups from non-EU countries forms part of a **general strategy to promote a vibrant entrepreneurial culture**. In the rest of the Member States, although fostering innovation and entrepreneurship is a general priority, they do not focus on attracting entrepreneurs from third countries.
3. **Thirteen Member States have specific admission schemes in place** (mainly residence permits and/or visas) for start-up founders and innovative entrepreneurs from third countries. With the exception of Ireland, Italy, the Netherlands, Spain and the United Kingdom, the majority of the schemes are still in their infancy, having been introduced in the last three years.
4. A special visa and residence permit to admit third-country national **start-up employees** currently exists in Cyprus, Estonia, France and Portugal. In the Netherlands, a pilot scheme for key personnel will be introduced in 2020.
5. **The design and set up of the start-up schemes differ significantly across the Member States,** with a wide variation of admission conditions relating to both the business and the start-up founder. Common to all schemes, however, is that they target a specific type of business, i.e. those that are innovative, scalable and/or with an added value for the national economy and business environment.
6. From those thirteen Member States which have a specific scheme in place, eleven Member States require **submission of a business plan**. The business plan typically includes information related to the business activity, product or service, market analysis and sources of financing, and is evaluated by a special committee.
7. In 2018, the highest **number of applications** for start-up schemes was recorded in Estonia (783), followed by Spain (305); Lithuania (178); the Netherlands (127); Finland (108); Italy (92); Ireland (42) and Cyprus (7). In terms of the **number of residence permits/visa issued**, in 2018, the number was the highest in the UK (1,160 entrepreneur long-term visas issued and 315 graduate entrepreneur visas); followed by France (524 'talent' passports issued), Estonia (422 visas and residence permits issued for entrepreneurs or start-up employees), Spain (104) and the Netherlands (92). The remaining eight Member States issued less than 50 permits each.
8. The existence of a special visa or residence permit to facilitate the immigration of start-up founders and innovative entrepreneurs from third countries has been considered a good practice in some Member States. Although most of the schemes are in their infancy, **having a specific admission channel is considered to have helped to attract international start-ups and talent**.
9. **Member States without a specific scheme use other channels to admit start-up founders.** Member States that do not have a specific start-up scheme in place reported that they most commonly admit start-up founders from third countries through long-term visas and residence permits for **self-employment and business activities**, followed by employment and gainful activities; investor permits and/or for the purposes of studies and research. Due to lack of statistics, there is limited quantitative evidence on the extent to which Member States without a specific scheme are successful in attracting

innovative start-ups from third countries. Some qualitative evidence suggests that some Member States, such as Germany and Sweden, attract entrepreneurial individuals via existing admission channels.

10. One of the most important 'pull' factors for founders/employees is the Member State's start-up scene and the presence of **hubs and locations with well-developed ecosystems** where start-ups can develop and grow. **Socio-economic factors** at play include cost of living, salary levels, housing and quality of life. **Cultural differences**, however, are reported in some Member States to act as a deterrent, for example, due to third-country nationals not being used to the business culture of the Member State.
11. **Migration-specific incentives to attract start-up founders and innovative entrepreneurs** include: online application systems, fast-track and shortened processing times, reduced documentary requirements, and assistance and support from relevant institutions with the immigration process.
12. **Access to funding and investments (e.g. micro-loans) is available for start-ups in most Member States**. Funding is available through both state and private sector actors, often provided in cooperation.
13. **Common challenges in attracting start-ups and entrepreneurs** experienced at macro level by Member States include global competition for talent, comparable opportunities in domestic and other markets, and lack of incubators and accelerators. Challenges at micro level include burdensome administrative procedures and lengthy application times.

1. SCOPE OF THE STUDY

This Study focuses on 'start-ups' and 'innovative entrepreneurship'. Innovative start-ups are distinct from general self-employment, which falls outside the scope of the Study. Although the focus of the Study is start-ups and innovative entrepreneurs, it explores all migratory channels (e.g. residence permits and visas) through which start-ups and innovative entrepreneurs can be admitted. Start-ups and innovative entrepreneurs can be admitted on different types of visas and/or residence permits, including special permits (where these exist in Member States), general permits for the self-employed, investors or highly skilled migrants. Due to varying terminology between participating Member States, the terms 'visas' and 'residence permits' refer to the means to allow entry and stay for a certain period of time for setting up a business/start-up. The term 'scheme' can be used in a broader context, including with regard to admission under a particular visa/residence permit and any additional benefits it may provide.

2. AIMS OF THE STUDY

The overall aim of this Study is to provide an overview of the migratory pathways available for start-ups and other innovative entrepreneurs coming to the EU. The Study identifies the factors and prerequisites for attracting and retaining start-up founders and innovative entrepreneurs from third countries, as well as examining the different admission pathways available, including specific start-up schemes. The Study also explores the role of cities, regions and particular locations as entrepreneurial hubs in attracting start-up founders and employees from third countries.

3. METHOD AND ANALYSIS

The information used in this Synthesis Report came primarily from secondary sources provided by 25 EU Member States. National contributions were based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources, reports and information from national authorities. In some Member States, primary data collection through interviews with national stakeholder was carried out. Statistics were provided by national authorities. Not all countries have special admissions schemes and most of those that do are still in their infancy, resulting in a scarcity of statistics.

4. BUSINESS ENVIRONMENT FOR START-UPS IN THE EU MEMBER STATES

EU Member States aim to create a supportive business environment for entrepreneurs and start-ups (including Member State nationals and EU nationals), most commonly through providing financial support and reducing administrative burdens for new start-ups or entrepreneurs. Supportive environment and infrastructure of start-up hubs and ecosystems have been established to a varying degree across the Member States. Universities and public and private institutions are typically the main contributors to these hubs and ecosystems, generally serving as business 'angels', private investors and incubators or accelerators. Cities and regions play a significant role in creating and supporting entrepreneurial ecosystems and hubs.

Most Member States can point to examples of support provided to start-ups or entrepreneurs. The scale of the support and the degree of success of the start-ups varies across Member States.

5. NATIONAL LEGAL AND POLICY FRAMEWORK FOR ADMISSION OF START-UPS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

Attracting start-ups and innovative entrepreneurs from third countries is a policy priority in 17 Member States and is reflected in national policies, strategies and action plans. The remaining Member States have no specific policy focus on attracting entrepreneurship from third countries.

Thirteen Member States have a special admission scheme for start-up founders and innovative entrepreneurs from third countries. In 12 of these schemes, the national legislation provides for a special visa and/or residence permit to facilitate the immigration of start-up founders and innovative entrepreneurs from third countries. The exception is Ireland where the Start-up Entrepreneur Programme (STEP) targets high-potential start-ups and successful applicants are issued with a general residence permit. Although the rationale for introducing specific routes for the admission of start-ups and entrepreneurs is similar across Member States, the design, objectives and specific admission conditions of their schemes differ substantially. The UK was the first country to introduce a specific scheme in 2008, followed by Ireland in 2012, Spain in 2013, Italy in 2014 and the Netherlands in 2015.[1]

A special visa and residence permit to facilitate the immigration of third-country national start-up employees currently exists in Cyprus, Estonia, France and Portugal. In the Netherlands, a pilot scheme will be introduced in 2020 for key start-up personnel.

6. ADMISSION CONDITIONS FOR START-UPS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

Of the 13 Member States that have specific schemes in place for the admission of start-ups and migrant entrepreneurs, the design and admission conditions of those schemes differ significantly. Admission conditions require a business plan for innovative and scalable business (11 Member States), a minimum level of capital (five Member States), and/or participation in a sponsorship or support scheme (eight Member States). Conditions related to the start-up founder include proof of sufficient resources (11 Member States), insurance (seven Member States), a certain level of qualification (five Member States) and/or language skills (three Member States). The average processing time of applications is around one month in most Member States, although some are reported to take up to three months to issue a decision on the application. Bureaucratic obstacles and language barriers are the main challenges in the application process.

7. MEASURES FOR ATTRACTING START-UPS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

Most Member States do not grant preferential access to permanent residence for start-up founders and entrepreneurs and simply apply the standard rules (in accordance with EU provisions). Nevertheless, exceptions apply in certain cases.

In addition to specific admission schemes, other incentives to attract start-up founders and innovative entrepreneurs include: an online application process; shortened processing times; reduced documentary requirements; and assistance and support with the immigration process from relevant institutions.

Co-working and dedicated spaces/facilities for start-ups are available in all Member States. These include work-spaces that are financed (or co-financed) by municipalities and made available to start-ups. About half of the Member States have consultation services to help with networking/accessing networks on offer, with co-working spaces used to host different education and networking events for start-up founders or entrepreneurs.

Overall, Member States appear to provide good access to incubation and accelerator support programmes for start-ups. Tax incentives for the start-up business exist in just under half of the Member States, usually as part of the general rules that are also apply to third-country national start-up founders and entrepreneurs. These include a reduced corporate tax rate or no corporate income tax on reinvested profits, or other tax incentives (e.g. tax relief for start-up investors, reduction in social security contributions, allowances on personal income tax and support for the attraction of highly qualified employees, tax exemption on dividends for stockholder start-up staff members, equity to buy or a bonus-prize).

1 In addition to the start-up scheme, the self-employment scheme (based on a points system) was already introduced in 2007 and can also be used by start-ups and innovative entrepreneurs.

8.RENEWAL OF RESIDENCE PERMITS/VISAS AND RETENTION OF START-UPS AND INNOVATIVE ENTREPRENEURS

Special measures to retain start-up founders and innovative entrepreneurs appear to be limited across the Member States. A simplified renewal process exists in 10 Member States, whereby a new assessment (of the business) may not be required to extend a permit and other requirements may also be eased. The possibility to apply for renewal or schedule an appointment online is available in three Member States.

Tax relief measures are in place for start-up founders and entrepreneurs in seven Member States. These include tax benefits for start-up investors (including founders) as well as supports to attract highly qualified employees. Other retention measures include specialised services for family members, such as career counselling for the spouses of start-up founders (among other top specialists) in Estonia, or the 'first employee rule' that exempts start-ups from paying social contributions for their first employee in Belgium.

9.BARRIERS AND GOOD PRACTICES IN ATTRACTION AND RETENTION OF START-UPS AND ENTREPRENEURS

Although Member States' approaches vary substantially, they report common barriers in attracting and retaining innovators from third countries. Some of the barriers noted relate to burdensome administrative or bureaucratic procedures, or a lack of access to growth financing, while logistical challenges may result from lack of foreign representation in third countries, for example. More significant are the difficulties in attracting and retaining highly skilled professionals. This stems partly from Member States competing with one another – and indeed with third countries – for talent. It also points to policy discrepancies, where the intention to attract and retain innovators and entrepreneurs is frustrated by restrictive policies and a lack of special provisions for this special group of migrants.

Although abuse of special admission schemes for start-ups and entrepreneurs has been noted in several cases (for example, in Ireland), instances of fraud are rare and are not considered a barrier to either the desirability or effectiveness of such schemes.

The provision of expert tailored support is considered good practice by several successful schemes (the Netherlands' Point of Entry, the one-stop-shop National Business Centre in the Slovak Republic, Luxembourg's House of Entrepreneurship, etc.). Public-private collaboration, whether through funding or other support (e.g. co-working spaces) is also recognised as good practice (for example, goAustria, Start-up Estonia, TechQuartier Frankfurt and Rising Start-up Spain).

10.TRENDS IN TAKE-UP OF SPECIAL VISAS AND RESIDENCE PERMITS

In 2018, the highest number of applications for start-up schemes was recorded in Estonia (783), followed by Spain (305); Lithuania (178); the Netherlands (127)[2]; Finland (108); Italy (92); Ireland (42) and Cyprus (7).

In Austria, Cyprus, Estonia, Finland and Lithuania, these related to the first stage application where the business plan was evaluated and there is a separate application process for a visa or residence permit. In those Member States, the highest number of start-ups were recognised in Estonia (245), followed by Lithuania (41); Finland (34) and Cyprus (5). In the remaining Member States, there is no separate application. There was one application for a temporary residence for business purposes (followed by a positive decision) granted to an innovative project in the Slovak Republic, which has no special scheme in place.

With regard to positive decisions, the number of residence permits and visas issued in 2018 was highest in the UK (1,160 entrepreneur long-term visas issued and 315 graduate entrepreneur visas); followed by France (524 relevant Talent passports issued); Estonia (422 total long-term visas residence permits issued for entrepreneurs or start-up employees); Spain (104) and the Netherlands (92). The remaining eight Member States issued less than 50 permits each in 2018. In Austria, no residence permits were granted under the start-up scheme.

Applicants of the largest numbers of permits in 2018 were nationals of the Russian Federation (top 1 in Cyprus, Estonia, Finland and Lithuania), India (top 1 in Ireland and top 2 in the Netherlands) and Iran (top 1 in the Netherlands and top 2 in Estonia). Top nationalities in 2018 granted permits included Russian Federation, India, USA and China.

No data was available on the survival rates of start-ups after 3 or 5 years of operating a business. There is also a lack of data on the economic results of start-ups, such as job created; investment generated; annual turnover; taxes generated or other success measures.

2 This number concerns first permits, and does not include change of status. In the Netherlands, start-ups also have the possibility to apply for a residence permit for general self-employment. Nevertheless, there is no data available on this number or on the number of start-up employees that apply for another permit. Therefore, the above-mentioned data only consists of the applications for the start-up residence permit and do not necessarily contain all start-up founders and employees that apply for a residence permit in the Netherlands.

1. INTRODUCTION

1.1. RATIONALE AND POLICY CONTEXT OF THE STUDY

Recent years have seen a proliferation of admission schemes for 'start-ups' and 'innovative entrepreneurs', both within the EU and globally. Such schemes provide incentives to attract innovative entrepreneurs from third (i.e. non-EU) countries to start their business in the country of destination. The notions of 'start-up' and 'innovative entrepreneurship' relate to an environment where individuals are motivated to innovate, create new products or services, and take risks. Entrepreneurship can have a beneficial impact on the economy, through job creation, innovation and investment. Start-up admission schemes thus generally aim at fuelling economic growth, innovation, and making the country more competitive in the globalised knowledge economy.

According to the European Commission,[3] if the EU is to remain a globally competitive player it needs to find better ways to attract migrant innovative entrepreneurs and support those already present in the EU. Although there is no EU-level instrument for attracting start-ups, the EU nevertheless plays an active role in this field, with attracting and retaining start-up founders and employees from third countries forming part of the objective of upgrading the single market.[4] The Competitiveness Council, in its Conclusions adopted on 27 May 2016 (9510/16), invited both the Commission and interested Member States to explore whether a European start-up visa scheme could provide added value at EU level, boost cross-border expansion of start-ups, and improve the EU's attractiveness for innovators, while respecting national competences. Although the primary rationale is rooted in an economic policy perspective, attracting start-ups is also in line with the broader objectives of EU migration policy, such as tackling demographic change and satisfying labour market needs.

1.2. STUDY AIMS

The overall aim of this Study is to provide an overview of the migratory pathways available to start-ups and other innovative entrepreneurs in the EU. More specifically, the Study aims to:

- Describe the processes and requirements for obtaining a start-up visa/residence permit or other type of residence permit/visa for innovative entrepreneurs.
- Examine the incentives in place in EU Member States to attract and retain third-country national start-up founders/ employees or other innovative entrepreneurs.
- Provide a statistical overview of the number of third-country national start-up founders/employees present in EU Member States from 2014-2018, their origins and acceptance rates.
- Outline the challenges and good practices in EU Member States in the attraction and retention of third-country national start-up founders/ employees or other innovative entrepreneurs.

1.3. KEY DEFINITIONS AND SCOPE OF THE STUDY

This Study specifically focuses on 'start-ups' and 'innovative entrepreneurship'. Although definitions in the literature vary, broadly speaking, a 'start-up' is a business less than five years old that aims to create, improve and expand a scalable, innovative, technology-enabled product with high and rapid growth. An innovative entrepreneur is someone who creates a (radically) new product/service or provides a new solution through a viable business model to meet a marketplace need or problem. 'Innovation' can be defined in this context as new expertise that an

3 ICF report commissioned by European Commission (2016). 'Admission of migrant entrepreneurs'. Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/legal-migration-policy/volume_ii_-_admission_of_migrant_entrepreneurs_en.pdf

4 European Commission (2015). Upgrading the Single Market: more opportunities for people and business. Communication of 28 October 2015. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2015%3A550%3AFIN

entrepreneur brings to the market, whether through a new or improved product, a new method of production, a new market, a new source of supply or the reorganisation of management.[5]

Important actors which typically facilitate and provide financial or other type of support to start-ups are business angels, private investors, and incubators or accelerators. Business angels are understood as individuals who invest their money in the initial phase of start-ups, in exchange for a share in the business. Incubators and accelerators are organisations designed to accelerate the growth and success of entrepreneurial companies through an array of business support resources and services that could include physical space, capital, coaching, common services, and networking connections. Incubators 'incubate' or generate innovative or generate innovative and promote ideas for a new business, while accelerators tend to 'accelerate' the development and growth of an existing business.

Start-ups and innovative entrepreneurs can be admitted on different types of visas and/or residence permits, including special permits where these exist in Member States, or general permits for the self-employment, investors or highly skilled. This EMN Study specifically focuses on 'start-ups' and 'innovative entrepreneurship'. This is distinguished from general self-employment, which falls outside of the scope of the Study. While concentrating on start-ups and innovative entrepreneurs, the Study explores all migratory channels (e.g. residence permits and visas) through which start-ups and innovative entrepreneurs can be admitted.

Some Member States have introduced specific start-up schemes, while others do not have special schemes in place but seek to attract entrepreneurs via other entry pathways. In the US, for example, no special visa exists but the attraction rates for start-ups and innovative entrepreneurs are high. This shows that the existence of a tailored legal framework is only one of several factors in attracting start-ups and innovative entrepreneurs, and that an entrepreneurial culture and supportive environment as well as availability of financial capital may play a more decisive role. The Study thus also seeks to identify the factors and prerequisites for attracting and retaining start-ups and innovative entrepreneurs from third countries.

Finally, the Study examines the role of cities, regions and particular locations as entrepreneurial hubs and ecosystems in attracting start-up founders and employees from third countries. Major European cities, such as Berlin, Stockholm and Madrid, attract entrepreneurs from all over the world due to their fast-growing start-up scene and successful infrastructure for financing and funding such enterprises. 'Ecosystem' (also known as a hub) is understood as an environment or "ecosystem" made of private and public players, which nurture and sustain start-ups and entrepreneurs, making the action of entrepreneurs easier. For example, the existence of prior ventures, the availability of start-up financing mechanisms, a patent system and a culture tolerating failure all facilitate the creation of new firms.

The countries participating in the study use a variety of terms and, for the purposes of the Study, 'visas' and 'residence permits' are used to refer to the means to allow entry and stay for a certain period of time for setting up a business/start-up. The term 'scheme' can be used in a broader context, including to refer to admission under a particular visa/residence permit and any additional benefits that may be provided.

1.4. STRUCTURE OF THE REPORT

In addition to this introduction (Section 1), this EMN Synthesis Report contains the following sections:

- Section 2: Contextual overview of the business environment to start up a business in the Member States;
- Section 3: National legal and policy framework for admission of start-ups and innovative entrepreneurs from third countries;
- Section 4: Admission conditions for start-ups and innovative entrepreneurs from third countries;
- Section 5: Attracting start-ups and innovative entrepreneurs from third countries;
- Section 6: Renewal of residence permits/ visas and retention measures for start-ups and innovative entrepreneurs.

5 ICF report commissioned by European Commission (2016)

2. CONTEXTUAL OVERVIEW OF THE BUSINESS ENVIRONMENT FOR START-UPS IN EU MEMBER STATES

To provide context for the rest of the Study, this section focuses on national policies and practices for fostering start-ups ***in general***, including start-ups set by the nationals of the respective Member State and EU nationals. The remaining sections of the Study (Sections 3, 4, 5 and 6) focus on national policies and practices for start-ups and innovative entrepreneurs ***from third countries only***.

Fostering start-ups and innovative entrepreneurs is typically a national policy priority, with most Member States[6] having specific policies or strategies in place. Each Member State has a strategy document dedicated to start-ups, innovative entrepreneurs or outlining the policies that affect those businesses. Member States have several measures in place to encourage start-ups and innovative entrepreneurs, with common measures being to provide **financial support** and **to reduce administrative burdens** for new start-ups or entrepreneurs.

Estonia, Latvia and Lithuania have a legal definition for a 'start-up' company, while the remaining Member States do not.[7] However, many Member States reported using working definitions to identify start-ups.[8] In those working definitions, 'start-ups' are generally defined by the **length of time the company has been established**.[9] Other defining characteristics include being a **small or micro enterprise,**[10] having high **potential for rapid growth**[11] or introducing a **new or innovative product or service.**[12] (see Annex 4 for more details).

In France and Luxembourg, an 'innovative enterprise' and in Italy 'innovative start-up' are defined in legal terms. Most Member States have not defined an 'innovative entrepreneur' unequivocally.[13] In several cases an 'entrepreneur' is a definition established by law, policy or decree,[14] whereas, 'innovative' tends to be defined in draft legislation or as a working definition.[15] Portugal has introduced some differentiated legal definitions of entrepreneurship: 'qualified and creative entrepreneurship', 'female entrepreneurship', 'youth entrepreneurship', 'seed projects' and 'spin offs'. (see Annex 4 for more details)

2.1. SETTING UP A BUSINESS

All Member States have certain requirements for starting up a business, which vary depending on the type of legal entity or activity of the business. The types of requirements include:

- **Individual must be aged 18 or over** to start up the business.[16]
- **Trade registration**:[17] companies are required to register as, for instance, a sole trader, limited company or partnership.
- **Minimum starting capital:**[18] the requirement for a minimum starting capital varies significantly, from only BGN 2 (€1) in Bulgaria to over €12,000 in Luxembourg. In Finland, the applicant must have funds of around €1,000 per month to support themselves and be deemed to have access to sufficient resources and funding.
- **Register with the social security system**:[19] businesses are required to set up social security contributions to ensure payments are delivered on time.
- **Registration with tax authorities:** all Member States require new businesses to register with the tax authorities, although at different times. In the United Kingdom, for example, applicants must register for corporation tax within three months of starting the business.

6 AT, BE, BG, CZ, CY, DE, EE, ES, FI, FR, HR, HU, IE, IT, LU, LT, LV, MT, NL, PL, PT, SE, UK.
7 AT, BE, BG, CY, CZ, DE, ES, FI, FR, HR, HU, IE, LU, MT, NL, PL, SE, SI, SK, UK.
8 BE, CZ, DE, ES, FI, FR, HR, HU, IE, LU, SE, SI, UK.
9 No longer than three years: HR, SK. No longer than four years: BE. No longer than five years: AT, FI, IT, LU, SI. No longer than six years: IE, FR, SE. No longer than 10 years: DE, ES. UK – length of time not stated. Newly founded business: CZ.
10 BE, HU, LT, LU, SK.
11 CZ, DE, EE, ES, FI, FR, HU, LT, LU, SE, SI, SK, UK.
12 CZ, DE, ES, IE, IT, LU, LT, SE, SI, SK, UK.
13 AT, BE, BG, CZ, DE, ES, FI, HR, HU, IE, IT, LT, LV, NL, PL, SE, SK, UK.
14 AT (by law), ES (by law), FI (by law), UK (policy document).
15 AT, BE, BG, EE, ES, FI, HR, HU, IT, LT, SE, UK.
16 BE, CZ, DE, IE, LT, SE, SK. In CZ, it is possible to set up business from age 16 with the consent of parents or guardian. Then the court will hear the business plan and decide on the basis of his / her testimony. In LT, it is possible to set up business from age 16 if the minor is recognised as a fully emancipated by the court.
17 AT, BE, BG, CZ, DE, EE, FI, FR, HU, IE, LT, LU, LV, NL, MT, PL, PT, SE, SI, SK, UK.
18 BG, CZ, HR, LT (depending on the legal entity), LU, MT, SE, SI, SK.
19 BE, CZ, EE, ES, FI, FR, HU, IE, LT, LU, NL, PL, PT, SE, SI, UK.

- **Physical presence in the country:**[20] In Luxembourg, the company must be physically based in the country. Similarly, in Lithuania, each company must have a legal registration address in the country. In Italy, innovative start-ups must have their headquarters in Italy, or in another EU/EEA Member State, provided that they have a production facility or a branch in Italy.
- **Residence condition**:[21] to set up a business, business owners must be based in the Member State or in the EU/EEA. For example, in Finland, the requirement is that at least one of the company's board of directors must be permanently resident in Finland, and in addition must be an EU national. In Belgium, there is no residence condition as such, but for certain actions (such as opening a bank account - which is a requirement in Belgium for starting up a business - residence conditions are in place. In Estonia, if the founder of the business is an e-resident, they do not have to be resident in the country.
- Set up of a **business bank account**:[22] for example, in Hungary, all businesses must open a bank account.
- **Proof of basic knowledge of business management**:[23] in Belgium (apart from in the Flanders Region), individuals are required to have a basic knowledge of business management and need to provide proof of this through a diploma, showing evidence of practical experience, or by taking a test.
- **Business plan**:[24] the business plan is a vital strategic and communication tool to structure and plan the project.

The associated **costs of registering** a business vary depending on the type of business, the nature of its activity and whether companies used administrative support, such as consulting a notary. Indicative costs of registering a private limited company in Member States ranged from around €13[25] to €2,000[26]. Many Member States reported that indicative costs were under €100[27] or around €100-200[28]. In some countries, costs were reduced (in Poland, for sole traders) or waived (in Portugal) where registration took place online. In some Member States, such as Spain, the cost of registering a business was the **responsibility of the municipality** and thus varied between the different regions. In Slovenia, when the application was done through a one-stop-shop 'e-Vem' portal [29] , there was no cost, but when a notary was involved the cost was between €300 and €500. Similarly, in the Slovak Republic the approximate costs to establish a company ranged from €300 to €600.

The **length of time it takes to set up a business** varies in each of the Member States, depending on the definition and activity of the business. For instance, in the Netherlands, the time it takes to set up a business varies from 48 hours to several weeks, depending on the type of business. The time it takes to set up a business **in practice** varies between less than a day (Estonia, Poland) to around one month (Belgium,[30] Czech Republic, Italy).[31] In Estonia, the minimum time to register a company and receive confirmation was about three hours, but it was reported that actual times may vary, and if an individual was receiving assistance from a notary, it may take up to three days. Other Member States reported between two to three working days[32] and six to eight working days,[33] whilst in Spain, the average reported length of time taken to set up a business was estimated at 12.5 days.

Most Member States identified administrative and structural barriers to setting up a business, and many reported that the findings of evaluations encourage the reduction of **administrative and bureaucratic obstacles** for businesses.[34] For example, in Spain, the Strategic Framework on SMEs 2030 recommended that the process to set up a business should be **simplified** and **less time-consuming**.[35] The Czech Republic, is planning to introduce ' Trade Package' in 2020 which aims to simplify the business environment and make it easier to start-up a business.

Other barriers highlighted relate to the context or policies within Member States. In Belgium, the requirement to demonstrate basic **knowledge of business management** is perceived as a barrier, and since 2018, is no longer required in the Flanders region. The United Kingdom reported **barriers for women setting up businesses,** resulting in a government agenda to increase the number of female entrepreneurs by 2030. Czech Invest, a Business and Investment Development Agency identified the **inability to set up a business online** as a major barrier for start-ups and entrepreneurs in the Czech Republic.

20 CY, CZ, EE, LU, LT, SK.
21 BE, FI, IE, LU, SI, SK.
22 BE, CZ, EE, FI, HU, HR, LT, LU, LV, MT, PL, PT, SI.
23 BE (but not in Flanders Region).
24 FI, LU, SK.
25 UK - £12 (€13.41) to register online and £40 (€44.72) by post.
26 AT (with two or more partners).
27 BE, FR, LT, NL, UK.
28 CY, CZ, EE, IE, IT, LU, SE.
29 See more; https://www.spiritslovenia.si/en/spirit-slovenia/enterpreneurship-innovation-technology-development
30 In Belgium, the official time it takes to set up a business is around 3-5 days
31 BE, CZ, IT – in Italy there were varying time frames depending on the province. For example, in Verona there were average waiting times of less than a day, whereas in Naples there were long waiting times of up to 185 days.
32 FI, FR, HR, LT, LV, MT, SI.
33 AT (this is the official time but in practice may take longer), DE, HU, SE, SK, UK.
34 AT, BE, ES, FR, HR, HU, LT, LV, NL, SE, SI, SK.
35 Ministry of Industry, Trade and Tourism. 'Strategic Framework in Policy SME 2030'. https://industria.gob.es/es-es/Servicios/MarcoEstrategicoPYME/Marco%20Estrat%C3%A9gico%20PYME.pdf , last accessed on 6 August 2019.

2.2. SUPPORT FOR START-UP BUSINESSES AND ENTREPRENEURS

All Member States have established **hubs and ecosystems**, where both public and private stakeholders support and develop start-ups and entrepreneurs. The main contributors to these hubs and ecosystems are **universities** and **public institutions** and **private businesses**, which generally serve as business angels,[36] private investors, and incubators or accelerators.[37]

Some Member States reported that **universities** provide support for primarily student or researcher-led start-ups and entrepreneurs.[38] This support includes advice, funding and space or labs for entrepreneurs. In Austria, for example, the Vienna University of Economics and Business offers services and advice for entrepreneurs, while Finland's Aalto University has its own start-up community, **'A-Grid'**. In Luxembourg, the University of Luxembourg operates its own incubator and offers a Master of Entrepreneurship and Innovation. In the Czech Republic, many universities have established business incubators providing consultation of business plans and mentoring, such as xPORT of the University of Economics, InQbay of the Czech Technical University, Point One of the University of Life Sciences and GreenLight of the Technical University of Ostrava. In the Netherlands, universities have similar programmes in which they closely work together with the accelerators and incubators. Examples are the ECE (Erasmus centre for entrepreneurship) and ACE (Amsterdam Centre for Entrepreneurship). In Germany, over the past 20 years about 140 professorships and department chairs of entrepreneurship and innovation as well as many so-called entrepreneurial offices at Universities around the country have been established. The latter provide counsel but often act as incubators and accelerators, which are, amongst others, financed by the Federal Ministry of Economic Affairs and Energy via the EXIST – University-Based Business Start-Ups-Programme.

Outside of the university sector, **incubators and accelerators** have been developed within most Member States.[39] In Ireland, there are several examples of privately and publicly supported hubs, such as the **Health Innovation Hub,** the **Marine and Renewable Energy Research Centre,** the **Digital Hub** and **New Frontiers**.[40] Similarly, in Sweden, the Agency for Economic and Regional Growth funds and organises the incubator programme, **Start-up Sweden**, which is aimed at digital start-ups. Other Swedish government agencies, such as **Vinnova, Almi** and **Rise,** are closely engaged with developing and supporting incubator systems. In the Slovak Republic, the **National Business Centre** provides 'one-stop-shop' support. In Germany, the BMW Digital Hub initiative supports digital-based start-ups in 12 regions, where established companies work together with innovative start-ups. Incubators tend to vary in the type of support they provide. Most of the Member States identified several types of support that start-ups and entrepreneurs can receive within the hubs and ecosystems. **Co-working space** was identified in most cases, which provides start-ups with access to affordable office space. Other types of support include **consulting and mentoring, training and workshops, events and networking opportunities,** and **investment opportunities**.

There are many examples of events encouraging younger individuals into the start-up and entrepreneur community. In Finland, the annual start-up and tech event **'Slush'** is student-driven. In Sweden, the annual **Tekla Festival** aims to promote young girls' interest in technology and the entrepreneurial community. In Latvia, two start-up and technology conferences are organised each year, **Techchill** and **Digital Freedom Festival**. In Germany, several Länder implement events or programmes to encourage 'young talents' to engage in entrepreneurship, such as the **Start-up BW Young Talents** initiative in Baden-Württemberg. Since 2016, Portugal has hosted the **Web Summit,** one of the largest annual technology events in the world. In Lithuania, the Start-up Fair is an annual international start-up event that not only represents several dozens of local and foreign start-ups, investors, accelerators' representatives seeking for promising start-ups, but the whole ecosystem as well.

2.3. ROLE OF CITIES AND REGIONS

Most Member States report that **cities and regions** play a significant role in creating and supporting entrepreneurial ecosystems and hubs.[41] As reported by Germany, most start-up hubs and ecosystems are operated mainly at local and regional level, making it possible to establish a closer link between the founders and start-up entrepreneurs and the main players in the local economy. The cities and regions in Member States tend to **provide support and financing mechanisms** for start-ups and to work alongside public and private organisations to **establish ecosystems** that allow start-ups to grow within the region. In France, the city of Lyon and the Auvergne Rhône-Alpes Region provide financial support for the **Foundation of the University of Lyon's 'Lyon Start-up' project**. This four-month programme offers accelerated entrepreneurship training, networking opportunities with global experts, group workshops, 'pitch' training and competition. The city of Amsterdam has established its own incubator programme, the 'Start-up in Residence programme'. It connects start-ups and scale-ups with key social challenges in Amsterdam. The Programme offers start-ups among others an intensive training programme,

36 Individuals who invest their money in the initial phase of start-ups, in exchange for a share in the business.
37 Incubators and accelerators are organisations designed to accelerate the growth and success of entrepreneurial companies through an array of business support resources and services that could include physical space, capital, coaching, common services, and networking connections. *Incubators 'incubate' or generate innovative and promote ideas for a new business, while accelerators tend to 'accelerate' the development and growth of an existing business.*
38 AT, BE, CY, CZ, DE, EE, ES, FI, IE, IT, LU, LT, LV, NL, SE.
39 AT, BE, CY, CZ, DE, IT, EE, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, NL, PL, SE, SI, SK, UK (referred to as catapult centres).
40 National entrepreneur development programme for early-stage start-ups.
41 AT, BE, BG, CZ, DE, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, NL, PT, SE, UK.

as well as the support of professional coaches or mentors. Other cities that have played a significant role in supporting entrepreneurial ecosystems are **Stockholm**, **London** and **Berlin**. In Stockholm, several 'unicorns'[42] have developed, with the city being the home of many start-up hubs, such as The Factory, SUP46, Things and Epicenter. In Slovenia, start-ups and innovative enterprises have been fostered in several technology parks at the level of city and region, for example the Technology park in Ljubljana or in the Pomurje and Primoska regions.

To encourage start-ups in their areas, cities **may offer co-working spaces at a low cost and/or spaces where entrepreneurs can develop and test their products on a real-life scale.** These are designed to speed up the development process. For example, in France, the **'Nantes City Lab'** (an experimentation laboratory based in Nantes) contains a range of equipment and data for start-ups to develop and accelerate their concepts. In Belgium, Antwerp has created the **'Start-up Village'**, which provides affordable space for start-ups and networking opportunities between start-ups, companies, mentors and investors. Other examples include the Sofia municipality's '**Accelerator Start-up Sofia'** in Bulgaria, the **Helsinki Business Hub** in Finland, the **Lazio Start-up Programme** in Italy, **1535° Creative Hub** and the **Luxembourg City Incubator** in Luxembourg and **Start-up Lisboa** or **Scaleup Porto** in Portugal. JIC (South Moravian Innovation Centre) was the first non-private start-up incubator in the Czech Republic. Since 2014, it has supported over 229 companies, mainly start-ups, which have received investment of more than CZK 200 million (€7.8 million) and with turnover CZK 3,2 billion (€125 million). In 2016, Prague decided to open own incubation centre called Prague Start-up Centre. Six incubated companies received investment over CZK 110 million (€4.3 million) in 2017.

2.4. START-UP SECTORS AND INDUSTRIES TARGETED FOR START-UP SERVICES

Half of the Member States do not target any specific sectors or industries for start-up services.[43] However, they do recognise that certain industries and sectors are more popular for start-ups or are seen to be more attractive than others. This may be due to the funding opportunities available and previous success rates of certain industry sectors. For example, in Spain and Ireland, whilst there was no stated goal to attract start-ups in a particular industry, many start-ups have developed within the information and communication sector. In Hungary, the main sectors that have been successful in attracting start-ups are information and communication, human health (particularly medicine and chemistry) and transportation.

Some Member States reported an investment trend towards start-ups and entrepreneurs in sectors that address contemporary global challenges, such as climate change, antibiotic resistance and advanced technological change. In Sweden, for example, companies focusing on data analysis, machine learning and artificial intelligence (AI) have increased, while a start-up tackling climate change, Altered Company (founded in 2015 in Stockholm), has developed a water nozzle that reduces water usage by up to 98%. Although no specific targets were set by Member States, several reported on the importance of the **technology sector**.[44] For example, the Estonian government has funded specific industries, such as **cyber technology**, **cleantech** and **education technology.** Italy was open to all sectors, although there is a concentration within the technological sector, such as start-ups related to software production or research and development. Similarly, Sweden reported that most start-ups are within the technology sector.

Other Member States reported a more targeted approach for investment towards start-ups in specific industry sectors.[45] In Germany, these included the digital sector, financial and insurance services. Innovative key technologies (e.g. artificial intelligence) play an increasingly important role as well as sustainable and green technologies. In Lithuania, they include, *inter alia,* the **financial technological** sector, ICT, **life sciences** and **laser technologies.** In Austria, targeted industries are **mathematics**, **information**, **natural science** or **technology**. Nine sectors were targeted as part of the 'top sector policy' in the Netherlands,[46] including **life sciences and health**, **high technology** and **energy.** Six sectors are targeted in Portugal under the '*Iniciativa Indústria* 4.0', the national strategy for the digital economy: **agrifood**, **automotive industry**, **tourism**, **cybersecurity**, **finance** and **fashion**. In Luxembourg, 10 sectors are considered 'innovative sectors',[47] especially **space**, **ICT**, **cleantech**, **health sciences and technologies** and **fintech**.

42 A unicorn is a privately held start-up company that is valued at over one billion euro.
43 BE, CZ, ES, FI, HU, IE, IT, MT, NL, SE, SK, UK.
44 AT, BE, CY, DE, EE, ES, FI, PL.
45 AT, BG, DE, FR, LT, LU, LV, NL, PL.
46 The nine sectors in the Netherlands are: horticulture and parent materials; agriculture and food; water; life sciences and health; chemical; high technology; energy; logistics; the arts. The top sector policy is not aimed at start-ups specifically but towards businesses in general. However, in practice, the Netherlands have hubs around these technologies. The start-up ecosystem can be found around these hubs and are often (but not only) the tech side of the top sectors. There are start-ups on topics like creative industries, fintech, lifesciences/medtech, logistics, foodtech, energytech but also more impact driven start-ups.
47 These sectors are: space; ICT; finance; automotive; logistics; cleantech; health sciences and technologies; manufacturing; creative industries; wood.

3. NATIONAL LEGAL AND POLICY FRAMEWORK FOR ADMISSION OF START-UPS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

3.1. EXTENT TO WHICH ATTRACTING START-UPS FROM THIRD COUNTRIES IS A POLICY PRIORITY

Attracting start-ups and innovative entrepreneurs from third countries is a policy priority in 17 Member States (at the time of the Study).[48] This priority is commonly reflected in national strategies, such as the 'Start-up package' in Austria, the Cyprus Start-up Plan in Cyprus, the *Grand Plan d'Investissement* in France, the National Policy Statement on Entrepreneurship in Ireland, Start-up-Delta (renamed Techleap.NL since 1 July 2019) headed by the special start-up envoy (Prince Constantijn van Oranje) and the Ambitious Entrepreneurship Action Plan in the Netherlands, the Strategy for Responsible Development in Poland, and 'Start-up Portugal' in Portugal. These national strategies outline the rationale for attracting foreign entrepreneurs, such as tackling the shortage of skilled workers (Austria), creating high-value jobs, bringing foreign capital and contributing to the state budget through tax receipts (Estonia), and promoting innovation and competitiveness on the international scene (France). Latvia wishes to attract start-up founders in order to establish companies operating in industries with high added value and whose principal activity is the creation of innovative products and services. In some Member States, this priority has received high level political commitment. Speaking at Viva Technology conference in France in 2017 (which brought together start-ups and global leaders in innovation), President Emmanuel Macron announced the goal of making France the leading nation in hyper-innovation, and a country of revolutionary entrepreneurship and innovation.

The remaining eight Member States[49] participating in this Study do not see attracting entrepreneurs and start-ups from third countries as a specific national priority. They do not focus on innovative entrepreneurship from third countries but, rather, focus on promoting a vibrant start-up culture more generally. In Germany, although not a specific policy priority, start-ups from third countries were given political consideration, for example through the financing of programmes at federal level.

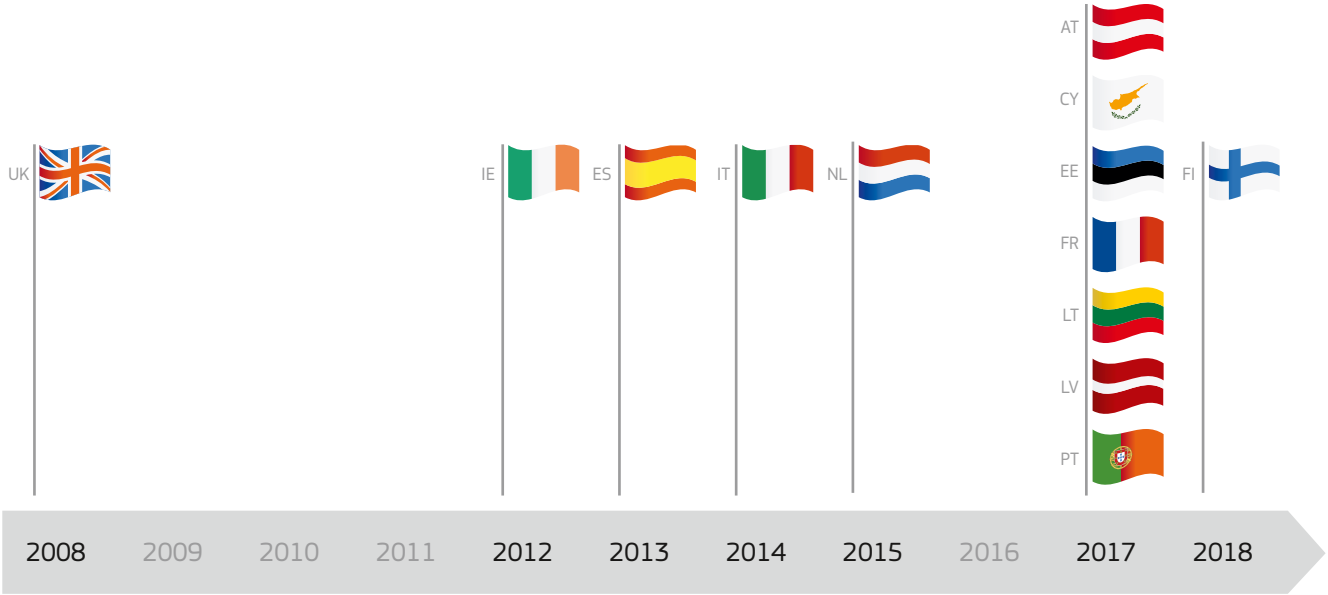
3.2. EXISTENCE OF SPECIAL START-UP SCHEMES

Thirteen Member States have introduced a special admission scheme for start-up founders and innovative entrepreneurs from third countries.[50] These schemes see innovative entrepreneurs admitted on different types of visas[51] or residence permits.[52] In 12 Member States, the national legislation provides for a special **visa**[53] and/or **residence permit**[54] to facilitate the immigration of start-up founders and innovative entrepreneurs from third countries. In addition, in Ireland, a Start-up Entrepreneur Programme (STEP) targets high-potential start-ups and successful applicants are issued with a general residence permit (see Annex 1 for an overview of the schemes).

Member States with a special admission scheme are those for whom attracting start-ups from third countries is a policy priority (see Section 3.1), with the exception of Bulgaria and Poland. The rationale for introducing start-up schemes is in line with the objectives of policy priorities, i.e. to boost internationalisation and innovation within the

48 AT, BG, CY, EE, ES, FI, FR, IE, IT, LT, LV, MT, NL, PL, PT, SI, UK.
49 BE, CZ, DE, HR, HU, LU, SE, SK.
50 AT, CY, EE, ES, FI, FR, IE, IT, LT, LV, NL, PT, UK.
51 'Short-stay visa' is defined as the authorisation or decision of an EU Member State with a view to transit through or an intended stay on the territory of one or more or all the EU Member States of a duration of no more than 90 days in any 180-day period (EMN Glossary, version 6.0) In terms of short stay visas, the UK operates differently to the Schengen Area. In the UK - which is outside the Schengen Area - a standard visitor visa usually permits people to stay for up to six months (rather than 90 days) over a 180 day period. 'Long-stay visa' means an authorisation issued by a Member State, as provided for in Article 18 of the Schengen Convention or issued in accordance with the national law of Member States not applying the Schengen acquis in full (EMN Glossary, version 6.0).
52 'Residence permit' is defined as 'an authorisation issued using the format laid down in Regulation (EC) No 1030/2002 entitling its holder to stay legally on the territory of a Member State' (EMN Glossary, version 6.0).
53 EE, ES, FR, IT, PT, UK.
54 AT, CY, EE, ES, FI, FR, LT, LV, NL, PT.

Figure 1 Timeline of introduction of start-up schemes



knowledge economy. In some countries, microeconomic changes are also at play. For example, in Finland, the business scene has undergone a historical shift from a playing field dominated by few large companies to a dynamic business ecosystem dominated by multiple small enterprises. Now, in Finland most new jobs are created by small and medium-sized enterprises, especially in technology and innovation-based growth, which account for most of the economy's productivity gains. Special schemes have also been established in Member States to better target specific groups of third-country nationals. For example, in Austria, a separate admission track for start-up founders became necessary after it was recognised that the previous provisions applying to the admission of young entrepreneurs intending to start a business were overly restrictive.

Although the rationale for introducing specific routes for the admission of start-ups and entrepreneurs are very similar across Member States (see Section 3.1 above), their design, objectives and specific admission conditions differ substantially (see Section 4 below). Most of the schemes were introduced in the last three years. The UK was the first country to introduce a specific scheme for start-ups in 2008 under the Tier 1 route, followed by Ireland in 2012, Spain in 2013, Italy in 2014 and the Netherlands in 2015.[55] Seven[56] out of the 13 Member States introduced their start-up scheme in 2017.

A special visa and residence permit to facilitate the immigration of third-country national start-up employees currently exists in Cyprus, Estonia, France and Portugal. In the Netherlands, a pilot scheme will be introduced in 2020 for key start-up personnel.[57] The French Tech Visa, introduced in 2017 and based on an accelerated and simplified procedure for obtaining a 'Talent Passport',[58] can be obtained by both start-up founders and start-up employees (French Tech Visa for founders or French Tech Visa for employees). Portugal has a dedicated program for start-up founders, 'Start-up Visa', and another for international talent employed by start-up founders, 'Tech-Visa'. The timeline of introduction of the various start-up schemes is shown in figure 1, above.

No specific schemes are in place in the remaining 11 countries.[59] There, potential entrepreneurs and start-ups can apply via general admission routes for self-employment, investor and gainful activity. In Poland, a residence permit for business activity can be granted on the condition that the business is highly innovative, even if it is not yet generating income. In the Slovak Republic, third-country nationals seeking to establish an innovative business can apply for temporary residence for the purposes of their business and must submit their innovative project business plan as proof.

Planned changes in law, policy and/or practice for start-ups or other innovative entrepreneurs from third countries are reported by eight Member States.[60] In most cases, the changes are amendments to the admission conditions or application procedures for existing schemes,[61] typically

55 In addition to the start-up scheme, the self-employment scheme (based on a point system) was already introduced in 2007 and can be used by start-ups and innovative entrepreneurs. If the entrepreneur is considered to be innovative, it results in extra points.
56 AT, CY, EE, FR, LT, LV, PT.
57 For more information, see: https://www.rijksoverheid.nl/documenten/kamerstukken/2019/07/01/tk-verblijfsregeling-voor-essentieel-personeel-van-start-ups
58 The French Tech Visa is an accelerated and simplified procedure for obtaining the 'Talent Passport', a multi-year residence permit. This scheme targets 3 types of international tech talents: start-up founders, international talents employed by these start-ups, as well as foreign investors. The **French Tech Visa for Founders** allows foreign start-up founders incubated in a French Tech labelled incubator to develop their project in France. They are eligible for a **'Talent Passport'** residence permit for **an innovative economic project**, valid for a period of up to four years and renewable. The **French Tech Visa for Employees** facilitates the recruitment of international talent by companies which are based in France and are recognised as innovative by the Ministry of the Economy. They are thus eligible for the **'Talent Passport'** residence permit for **qualified employee / innovative company**, which is valid for a period of up to four years and is renewable.
59 BE, BG, CZ, DE, HR, HU, LU, PL, SE, SI, SK.
60 BE, BG, DE, ES, FR, IE, LV, NL, SI.
61 FR, IE, LV, NL.

intended to make admission schemes more accessible and to optimise the application process.

Three Member States noted that there are plans in place to introduce specific start-up schemes.[62] In Bulgaria, an inter-institutional working group has been tasked with assessing the possibility of introducing a start-up visa, after which draft laws will be proposed for public discussion and the proposal evaluated. In Belgium, the Flemish Region has begun preparatory works to change the existing legislation on self-employed activities by streamlining the various administrative processes that are now regarded as obstructing by foreign investors, such as visas, work permits and proof of professional competence with a specific focus on start-ups and scale-ups. In Sweden, following the outcome of the 2018 parliamentary elections, a cross-party agreement stated that a special residence permit was to be introduced, aimed at highly skilled job-seeking migrants or those intending to start a company in Sweden. An inquiry will be launched in 2019 for this purpose, with new rules planned to take effect from 1 January 2021.[63]

3.3. TRENDS IN START-UP VISAS AND RESIDENCE PERMITS ISSUED

It is difficult to determine the number of start-up founders granted a residence permit in total across the European Union, as those countries without a specific start-up scheme were unable to provide statistics. Statistics on the number of start-up founders granted a residence permit were by the 13 Member States with a specific scheme (see Annex 3).

In 2018, the highest number of applications for start-up schemes was recorded in Estonia (783), followed by Spain (305); Lithuania (178); the Netherlands (127)[64]; Finland (108); Italy (92); Ireland (42) and Cyprus (7).

It should be noted that in Austria, Cyprus, Estonia, Finland and Lithuania, these related to the first stage application where the business plan was evaluated and there is a separate application process for a visa or residence permit. In those Member States, the highest number of start-ups were recognised in Estonia (245), followed by Lithuania (41); Finland (34) and Cyprus (5). In the remaining Member States, there is no separate application. There was one application for a temporary residence for business purposes (followed by a positive decision) granted to an innovative project in the Slovak Republic, which has no special scheme in place.

With regard to positive decisions, the number of residence permits and visas issued in 2018 was highest in the **UK** (1,160 entrepreneur long-term visas issued and 315 graduate entrepreneur visas); followed by **France** (524 relevant Talent passports issued); **Estonia** (422 total long-term visas residence permits issued for entrepreneurs and start-up employees); **Spain** (104) and the Netherlands (92). The remaining eight Member States issued less than 50 permits each in 2018. In Austria, no residence permits were granted under the start-up scheme.

Ireland's unique position of utilising a pre-existing residence permission for start-up founders and their families rather than a start-up specific visa regime has already been noted. In utilising that system, 2018 saw Ireland receive 42 applications for its scheme with 18 of those being successful, resulting in 19 residence permissions being issued (family members included).

In terms of change over time, for those Member States[65] which provided longitudinal data for 3 years or more, the general pattern is of a steady increase, albeit with some differences year-on-year. The highest increase over time can be observed in France, followed by the UK.

Nationals that applied for the largest numbers of permits in 2018 were from the Russian Federation (top 1 in Cyprus, Estonia, Finland and Lithuania), India (top 1 in Ireland, and top 2 in the Netherlands) and Iran (top 1 in the Netherlands and top 2 in Estonia). The nationals granted the highest number of permits were from Russian Federation, India, USA and China.

In terms of key sectors, in Estonia, the start-ups granted a positive decision were chiefly concentrated in the information technology and communication, and financial and insurance sectors. In Finland, the most common sectors were information technology, gaming, health, education and the environment. (see also Section 2.4)

No data was available on the survival rates of start-ups after 3 or 5 years of operating a business. There is also a lack of data on the economic results of start-ups, such as job created; investment generated; annual turnover; taxes generated or other success measures.

62 BE, BG, SE.

63 The cross-party agreement *'Utkast till sakpolitisk överenskommelse mellan Socialdemokraterna, Centerpartiet, Liberalerna och Miljöpartiet de gröna'* is available at: https://www.liberalerna.se/wp-content/uploads/utkast-till-sakpolitisk-occ88k-s-c-l-mp.pdf (last accessed 22 April 2019).

64 This number concerns first permits, and does not include change of status. In the Netherlands, start-ups also have the possibility to apply for a residence permit for general self-employment. Nevertheless, there is no data available on this number or on the number of start-up employees that apply for another permit. Therefore, the above-mentioned data only consists of the applications for the start-up residence permit and do not necessarily contain all start-up founders and employees that apply for a residence permit in the Netherlands.

65 FR, IE, IT, NL, ES, UK

4. ADMISSION CONDITIONS FOR START-UPS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

This section provides an overview of the admission conditions for start-ups and innovative entrepreneurs from third countries. Section 4.1. focuses on admission conditions in the Member States with specific start-up schemes, from both the business (business plan) and personal perspectives (admission and residence of the entrepreneur/start-up founder). Section 4.2 examines the admission conditions in Member States without specific schemes for start-ups. Annex 2 illustrate routes to admission in each Member State by using four fictional scenarios.

4.1. ADMISSION CONDITIONS IN MEMBER STATES WITH SPECIFIC START-UP SCHEMES

As highlighted in Section 3, 13 Member States[66] have introduced specific schemes for the admission of start-ups and migrant entrepreneurs. A common similarity across all of these schemes is that the business must satisfy certain criteria relating to innovation, scalability and/or added value for the national economy. However, this 'innovation' requirement is manifested in practice in different designs and admission conditions of the start-up schemes across Member States. These include: points-based systems; minimum levels of capital; presenting a business plan; working with a facilitator or participating in an incubator or an accelerator and/or a combination of these requirements. The table 1 summarises the admission conditions related to the business and to the start-up founder in each of the Member States. These are examined in more detail in the following sections.

4.1.1. Business-related admission conditions

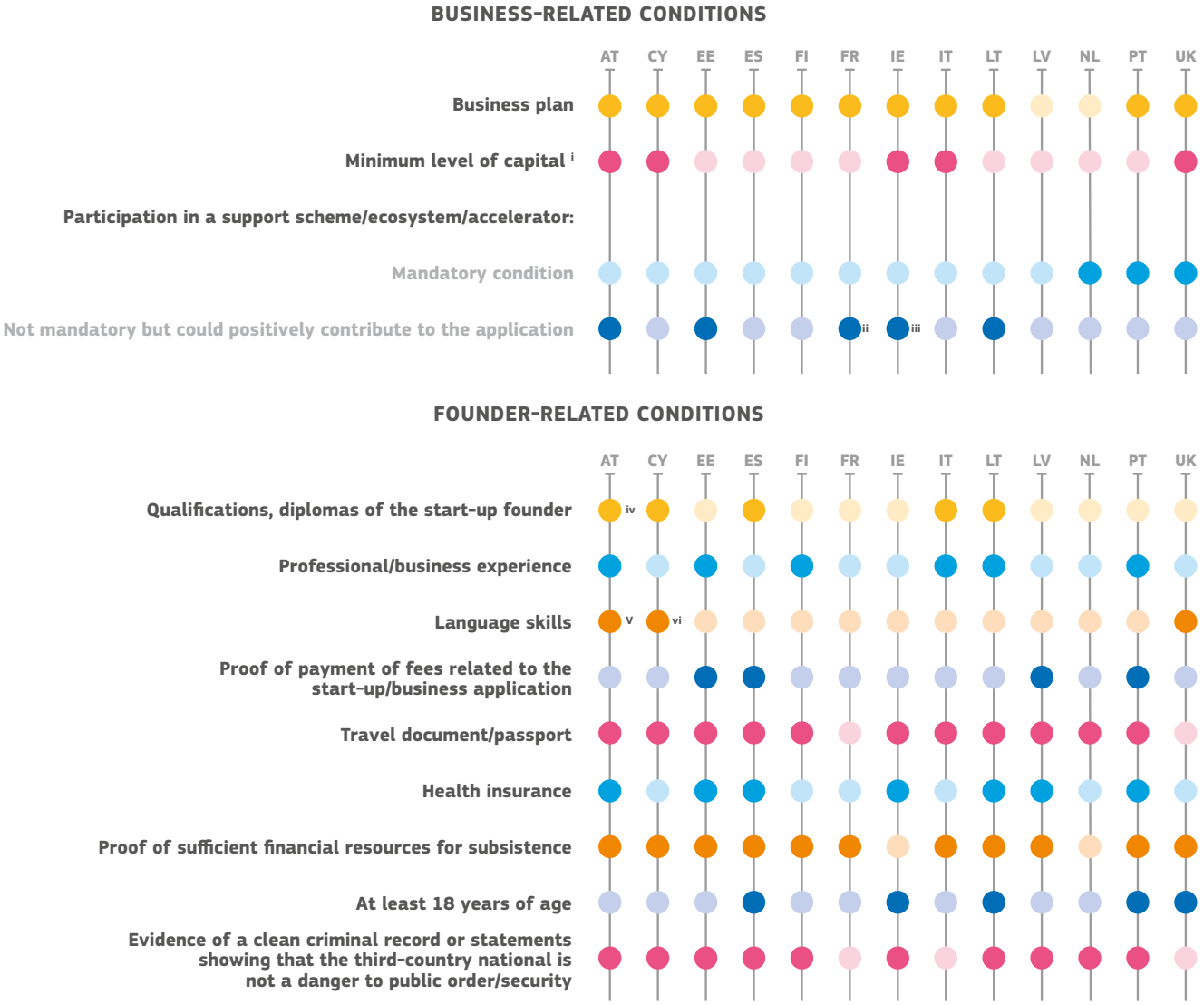
In those Member States with start-up schemes in place, certain specific business conditions need to be met. The business must be ***innovative, scalable*** and/or ***with an added value for the national economy and business environment***. Table 2 presents how the requirement for innovation is expressed in the 13 Member States with start-up schemes.

To assess the innovative nature of the business, start-ups are required to submit a **business plan** in 11 out of the 13 Member States where specific schemes are in place.[67] The business plan typically includes information related to the business activity, product or services, market analysis and the sources of financing. Along with the business plan, applicants are required to provide evidence of their patents, trademarks and/or intellectual property. Italy advises that the business plan be accompanied by a short presentation, a so-called 'pitch deck'.[68] Most countries provide a specific business plan template to be completed by the applicant. The remaining two Member States which do not require a business plan are Latvia and the Netherlands. Latvia has no requirement for a business plan as such, but applicants are obliged to submit a free-form application presenting descriptive information on the innovative product they plan to create or develop and on the planned commercial activities. In the Netherlands, a 'step-by-step' plan must be submitted which has some similarities to a business plan.

A minimum amount of capital is an admission condition in five Member States. In Cyprus, the minimum amount is set at €20,000; in Austria, Cyprus, Italy and Ireland at €50,000, while in the United Kingdom, it is set at £50,000 (approx. €58,100). Austria also requires at least half of the capital to be in the form of owner equity, while the other half can be in the form of loan assurances, amounts pledged by business angels, venture capital or grants. In Ireland, the funding also needs to be secured through one or a combination of the following sources: own resources, business loan, business angel, venture capital funding or a grant from an Irish state agency, and the applicant is also required to provide evidence (in the form of a letter from the applicant's bank, for example) that the funding can actually be transferred (given that certain jurisdictions have control over money transfers). Other Member States have no minimum funding requirement but applicants may need to outline, as part of their

66 AT, CY, EE, ES, FI, FR, IE, IT, NL, LV, LT, PT, UK.
67 AT, CY, EE, ES, FI, FR, IE, IT, LT, PT, UK.
68 A short presentation typically used by start-ups to describe the business model that the company intends to pursue, the characteristics of its innovation and its growth potential to investors and by a business plan that includes detailed estimates of costs and revenues expected for the business project, with particular attention paid to the nature of research and development activities.

Table 1 Overview of business-related and founder-related admission conditions



Source: EMN NCP reports
Note: Fully coloured circles indicate the existence of the admission condition in the Member States

i CY: €20,000; AT, IE, IT: €50,000; UK: £50,000 (€56,084).
ii In France, the company has to meet one of three listed criteria to be qualified as innovative. One of them is the participation in a support structure dedicated to innovative companies.
iii IE intends to enhance their start-up programme in 2020 by offering a 12-month permission for early stage entrepreneurs to attend an accelerator programme.
iv This criterion is not obligatory but is evaluated within the points system.
v This criterion is not obligatory but is evaluated within the points system.
vi Greek and English.

business plan, how the start-up intends to obtain funding.[69]

Co-operation with a pre-approved business support provider is a necessary condition in the Netherlands, Portugal and the United Kingdom. Ireland is planning to introduce in 2020 a 12-month permission specifically to prepare a STEP application with an accelerator or an incubator with the intention to make this an integral part of the overall STEP scheme. In Austria, Estonia, France and Lithuania, this is not a necessary condition but can be assessed as part of the application process. In the Netherlands, one of the main conditions for start-ups is working with a **pre-approved facilitator**, which could be an accelerator or an incubator programme, providing the start-up entrepreneur with a tailored package of mentoring/ business support. Furthermore, start-ups must submit a cooperation agreement with the application.[70]

69 For example in Lithuania, Portugal and Spain.
70 This applies specifically to start-ups that make use of the specified residence permit for start-ups, which are exempted from the requirement of a business plan. For other start-ups and innovative entrepreneurs in the Netherlands (that make use of the general self-employment residence permit, cooperation with a facilitator is not required, but a business plan is required instead.

Table 2 Innovation requirements

Austria	The applicant must submit a plausible business plan to develop and bring to market innovative products, services, processes or technologies within the framework of a newly established undertaking. The applicant must submit documents verifying the innovative character of the business.
Cyprus	The enterprise must be innovative. To be considered as innovative the enterprise's research and development costs must represent at least 10% of its operating costs, in at least one of the three years preceding the submission of the application, as certified by an external auditor.
Estonia	A start-up must demonstrate a scalable business model. There must be at least one minimum viable product (MVP) or prototype, as the expert Committee does not assess products/companies at the idea stage. The Committee assesses whether the business has growth potential, whether the business model is innovative and replicable, and the added value for the Estonian business environment.
Finland	The start-up must have an innovative scalable business model with market and growth potential as an international business.
France	The start-up must obtain a certificate from the Ministry of Economy, acknowledging its innovative nature.
Ireland	The start-up must be international and innovative rather than an ordinary commercial venture seeking to service the domestic economy. The start-up must also have high potential for growth.
Italy	The innovative aspect of a business is determined according to the presence of at least one of the following criteria: ■ research and development (R&D) and innovation spend is at least 15% of annual costs or turnover (the larger value is considered). Newly established start-ups that have not filed their first accounts must provide a forecast of R&D expenditure. ■ employs highly qualified personnel (at least one-third PhD holders and students or researchers, or at least two-thirds Masters' graduates) ■ is the owner, depositary or licensee of a registered patent, or the owner of a registered software.
Latvia	The applicant must comply with the definition of a start-up company, namely, it produces (or plans to produce) innovative product or service, or a scalable business model is applied for the implementation.
Lithuania	Start-up activities must be related to the introduction of new technologies or other innovations that are significant to the economic and social development of Lithuania and should have a potential for scaling up. Certain industries specifically mentioned include, *inter alia,* biotechnology, nanotechnology, information technology, mechatronics, electronics, financial technology and laser technology.
The Netherlands	The service or product must be innovative which is assessed on the basis of the following three aspects, of which at least one aspect must be applicable: 1) The product or service must be new for the Netherlands; 2) New technology has been used in its production, distribution and marketing and 3) There is an innovative organisational structure and working method.
Portugal	The assessment of the start-up is based on the following criteria: innovation, growth potential, scalability, likely continuation of the company in Portugal after the programme, as well the potential for qualified job creation, turnover volume, asset value and internationalisation.
Spain	The innovative activity must demonstrate added value for the Spanish economy, innovation and investment opportunities. Although not mandatory, job creation is also considered.
United Kingdom	Each business proposal is assessed against the following criteria: innovation, viability and scalability.

Table 3 Processing times for decisions on the start-up

Member State	Maximum processing time	Average processing time
AUSTRIA	3 weeks (part of the maximum 8-week processing time for the residence permit)	No information provided
CYPRUS	3 weeks	15 calendar days
ESTONIA	10 working days	No information provided
FINLAND	No maximum processing time	4 weeks
FRANCE	No maximum processing time	3-4 months (approx.)
IRELAND	No maximum processing time	No information provided
ITALY	1 month	No information provided
LATVIA	15 working days	No information provided
LITHUANIA	1 month	1 month
THE NETHERLANDS	No maximum processing time	No information provided
PORTUGAL	90 days	No information provided
SPAIN	10 days	No information provided
UNITED KINGDOM	Varies depending on the authorised body	No information provided

Member States have also different requirements in terms of the stage of the company's development. Some Member States allow start-ups at seed or idea phase;[71] others only after the company has been registered and has begun business activity.[72] Other Member States allow both.[73] In Estonia, the expert Committee will not assess companies in the idea stage – there has to be at least a minimum viable product (MVP) or a prototype to demonstrate. Idea phase applications will be rejected without being reviewed. In Austria, the company behind the start-up must not be more than five years old.

4.1.2. Founder-related admission conditions

In all the 13 Member States with specific start-up schemes, there are certain conditions in relation to the start-up founder. In some cases, as part of the evidence for assessment, start-up founders must provide proof of relevant qualifications and diplomas[74] and/or professional and business experience.[75] Language skills are also required in Cyprus (Greek and English) and the United Kingdom and are examined as part of the points-based system in Austria. Other common admission requirements include proof of payment of the required fee,[76] proof of sufficient financial resources for subsistence,[77] travel document/passport,[78] age (at least 18 years old[79]) and evidence related to the non-existence of a criminal record or statements showing that the third-country national is not a danger to public order/security.[80]

4.1.3. Application process

Application submission and responsible authorities

Across the Member States, a range of different authorities are responsible for assessing **the eligibility of the business applications** under the various schemes. In most cases, the public authority dealing with business/start-up/innovation issues[81] undertakes the assessment, while in other Member States[82] the responsibility lies with the respective ministries or other bodies without an innovation/start-up orientation. In Estonia, the expert committee comprises of representative organisations of the start-ups, including public and private bodies. In Austria, the Public Employment Service is the competent authority. In Ireland, the ultimate decision is taken by the Irish Minister for Justice and Equality (following a recommendation by an evaluation committee consisting of several authorities and chaired by the immigration authorities). In the United Kingdom, the business idea must be endorsed by an approved body, depending on the type of business and the type of visa (start-up or innovator).

In the majority of Member States, following a positive decision on the business plan, third-country nationals are then able to submit an application for a visa/residence permit.[83] Depending on the Member State, this could be

71 IE, IT, FI, LV, LT, PT.
72 AT, ES, LT.
73 CY, FR, LV, NL, PT, UK.
74 AT, CY, ES, IT, LT.
75 AT, EE, IT, LT, PT.
76 EE, ES, IE, LV, PT.
77 AT, CY, EE, ES, FR, FI, IT, LT, LV, NL, PT, UK.
78 AT, CY, EE, ES, IE, IT, FI, LT, LV, NL, PT.
79 ES, IE, LT, PT, UK.
80 AT, CY, EE, ES, FI, IE, LT, LV, NL, PT.
81 AT, CY, ES, FI, IE, IT, LT, LV, NL, PT.
82 FR, IE.
83 CY, EE, ES, FI, FR, IE, LT, NL, UK.

to a foreign representation of the Member State[84] in the country of origin of the third-country national or in a neighbouring third country; or to the immigration authority/office in the Member State, if the applicant is already present in the country.[85] In Italy and Latvia, the business evaluation follows the application for a visa/residence permit. In Spain, the assessment for issuing a residence permit (the aspects relating to the right of residence) and the assessment of the start-up itself (the business aspects) are delivered simultaneous as part of a one-stop-shop. In other countries, such as Estonia, Finland and Lithuania, there is a two-tiered process whereby the business is assessed first by public or private actors operating in the area of investment and economic development which is then followed by an assessment of the residence application of the start-up founder by the immigration authorities. In the Netherlands, the assessment for issuing a residence permit and the assessment of the start-up itself are combined in a single procedure. The immigration authority (IND) decides if a residence permit is granted, for which it asks advice on the business evaluation from an executive authority (RVO) falling under the Ministry of Economic Affairs and Climate Policy. Cooperation with a facilitator is required in order to receive the residence permit. The RVO partly bases its advice on the selection and assessment that facilitators (the market party) already make when they decide that they see enough potential in a start-up to act as their mentor.

Application processes are managed online,[86] in person,[87] or both.[88] In Ireland, the application form can also be sent by post.

Average time to make a decision on whether the start-up qualifies for the scheme

In five out of the 13 Member States with specific scheme, there is no maximum processing time on whether the start-up qualifies under the scheme. In the remaining Member States, the maximum processing time as provided by law ranges from 10 days in Estonia and Spain, to 15 working days in Lithuania, three weeks in Austria and Cyprus, one month in Latvia and Italy, and 90 days in Portugal. In practice, only limited information was available on the average processing time. In Cyprus, this is 15 days; one month in Latvia and in Ireland 3-4 months. Table 3 shows the maximum and average processing times for decisions on whether a start-up qualifies, by Member State.

Some Member States reported that there is no interim period between the assessment decision and the registration of the company/application for the residence permit.[89] The eligibility statement indicating the positive assessment decision is required for the residence permit application and is valid for:

- Two months in Finland;
- Three months in Lithuania and the United Kingdom;
- Six months in Italy;
- Five years in Estonia.

With regard to the processing time for start-up visa/residence permit applications, Table 4 below shows the maximum processing time set in legislation and the average processing time in practice.

Table 4 Processing time for start-up visa/residence permit applications

Member State	Maximum processing time	Average processing time
AUSTRIA	8 weeks	No information provided
CYPRUS	3 weeks	10 calendar days
ESTONIA	10 – 30 days (visa)[90] 2 months (residence permit)	Less than 30 days (visa) 2 months (residence permit)
FINLAND	No maximum	1 month
FRANCE	No maximum processing time	3-4 months[91]

84 CY, EE, FI, FR, LT (until 1st of September 2019), LV, NL,
85 CY, EE, ES, FI, FR, IE, IT, LT, LV, NL (if the third-country national is already in the Member State as a regular migrant).
86 CY (via email), EE (for the first stage), ES, FR, IE, IT, LT, UK (depending on the approval body).
87 AT, FR, IT, LV, UK (depending on the approval body).
88 FI, NL (an online application can be made by the facilitator).
89 AT, IE, LV.
90 If the visa is submitted to the foreign representation - 30 days. If applying for a visa at the Police and Border Guard Board service point - 10 days.
91 The Stamp 4 residence permission attached to the start-up founder scheme in Ireland can be quickly issued. The recommendation of the Evaluation Committee and decision of the Minister for Justice and Equality is what can delay its issuing. The residence permission will be decided concurrently to the time taken to come to a decision on the application to the Irish scheme, 3-4 months, as set out above in Table 3.

Member State	Maximum processing time	Average processing time
IRELAND	No information provided	Less than 3 months
ITALY	1 month - for receiving an ISV Certificate of No Impediment or '*Nulla Osta* ISV' Within 3 months of the date of issue of the ISV Certificate- for receiving a 1-year visa After collection of the visa – 180 days to move to Italy and apply for a 1-year self-employment residence permit	No information provided
LATVIA	2 months	1 month
LITHUANIA	30 days	30 days
THE NETHERLANDS	90 days	7 weeks[92]
PORTUGAL	30 days	No information provided
SPAIN	20 days	18 days
UNITED KINGDOM	3 weeks	No information provided

It should be noted that Latvia and Lithuania offer a fast-track process at an additional cost. In Latvia, the application for start-up residence permit for additional costs might be processed in 10 working days for €200 and in 5 working days for €400. In the case of Lithuania, decisions under the accelerated procedure are issued within one month and the cost is €240 in comparison with €120 under the general procedure.

Duration of the visa/residence permit

In most Member States, visas/residence permits are valid for one[93] or two[94] years. In Estonia, the temporary residence permit for start-up enterprises or for employment in a start-up may be issued for up to five years and the long stay visa may be issued for up to one year. In Spain, there are two options: the one-year visa for prospective business and the two-year residence permit for innovative entrepreneurs. In the United Kingdom, the innovator visa is valid for three years while in France, the permit lasts for four years. These visas/residence permits are renewable in all Member States except the United Kingdom.[95]

4.1.4. Challenges and good practices in admission of start-up founders and entrepreneurs

Challenges in the admission of start-ups and innovative entrepreneurs under specific schemes were highlighted by almost all Member States which have introduced such schemes. They noted that the main challenges for third-country nationals are the bureaucratic obstacles, including difficulties in opening a bank account[96] and lengthy processing times.[97] Language barriers were also identified as a challenge: in some cases, important information is only available in the national language(s) and/or application documents must be submitted in the national language(s).[98] In Austria, the requirement of a

92 This is an estimation based on experience and therefore not generated from figures.
93 BG (expected to have a one-year duration), CY, ES, IT (from the time of application), LT, LV, NL (if the start-up is successful, the residence permit can be extended for two years).
94 AT, ES, FI, IE, UK (start-up visa).
95 Start-up visas only.
96 AT, EE, LT, NL.
97 AT, FI, FR,
98 EE, LV, LT, NL.

minimum of €50,000 capital, with no use of the capital able to be made during the application process together with additional expenses (e.g. legal assistance expenses) was identified as a challenge from the perspective of the applicant. Similarly, in Latvia, an evaluation revealed that the strict conditions on capital requirements had resulted in a small number of successful applications. Finland reported an issue with insufficient representation in third countries: in cases where Member States' networks of diplomatic missions in third countries were small, start-ups could struggle to submit their applications as well as logistical challenges for some applicants living in remote areas in large countries such as China and Russia.

On the other hand, national stakeholders in some Member States[99] have encountered challenges in issuing permits for start-up personnel considered crucial to the success of the business. In Austria, third-country employees e.g. often fail to meet the salary requirements because start-ups are unable to afford the minimum salaries specified by the law. In Lithuania, there are no special provisions allowing established start-ups to bring their staff, although a new start-up employee visa scheme is expected to address the problem.

According to the 2018 OECD evaluation report[100] on the Italian Start-up Act, the two most important challenges in Italy were found to be the scarcity of risk capital investments and the weakness of the internal market for innovative goods and services. A lack of growth potential in the internal market has also been identified as a concern in Lithuania. Spain reported that their main challenge was to determine which business plans were innovative, viable and offered real potential for growth.

Member States identified a number of good practices related to their admission schemes for innovative entrepreneurs and start-ups. The existence of a special visa or residence permit to facilitate the immigration of start-up founders and innovative entrepreneurs from third countries has been considered a good practice in some Member States; having a specific admission channel has helped to attract international start-ups and talent.[101] The involvement of employment/commercial authorities in the assessment of applications has also been considered as a good practice.[102] (see example of working with facilitators in the Netherlands in the box below). Some Member States[103] also highlighted the possibility to submit applications online as a good practice (see example of e-residency in Estonia in the box below).

Box 1: Estonian and Dutch National Reports

Estonia: e-residency Estonia

Estonia's e-residency programme is a government-issued digital identity and status that enables foreign nationals to establish and conduct a business, regardless of their physical location. The digital ID card can be used in online environments for personal identification and digital signature. Foreign nationals can establish and manage a business with a base in Estonia (and thus in the EU), as there is no need to be personally present in the country to establish a start-up. The digital ID card does not contain a photo and cannot be used as a physical ID document, nor does it confer an automatic right to reside in Estonia.

The Netherlands: Working with a facilitator

One of the key conditions of the Dutch start-up scheme is that the applicant must cooperate with a pre-approved supervisor/coach: a facilitator.[104] Such cooperation must be set out in a signed contract between the starting entrepreneur and the facilitator. The facilitator offers a coaching package tailored to the starting entrepreneur's needs. For example, the facilitator may help with business operations, marketing, research and seeking investors for setting up the innovative enterprise. The facilitation scheme is considered by experts as a good practice - the facilitator acts as a mentor, which enables the selection of start-ups by a market representative rather than a government body. The facilitator is knowledgeable about the market and is well placed to select start-ups that demonstrate sufficient potential for investment. It is nevertheless important for government supervision of the facilitator in order to prevent abuse of this position.

4.2. ADMISSION CONDITIONS IN MEMBER STATES WITHOUT A SPECIFIC SCHEME FOR START-UPS

4.2.1. Types of start-up founder visas/residence permits, requirements and responsible authorities

Member States that do not have a specific start-up scheme in place reported that third-country nationals are likely to be admitted through admission channels (i.e. long-term visas and residence permits) for self-employment and business activities;[105] employment and gainful activities[106] and/or investor permits.[107] Table 5 below illustrates the types of visa and residence permits typically issued to start-up founders in the Member States which do not have a specific scheme. In Sweden, the residence permit for self-employed persons is not a migratory path

99 LT, NL.
100 https://www.mise.gov.it/index.php/en/news/2038715-italian-start-up-act-online-the-oecd-report
101 EE, FR, IT.
102 AT, EE, ES, IE, LT, LV, NL.
103 EE, IE, IT, LT, LV, NL.
104 Several recognised facilitators can be found on the website of RVO. For more information see: https://english.rvo.nl/subsidies-programmes/residence-permit-foreign-start-ups/where-find-facilitator
105 CZ, DE, HR, PL, SK, SE, SI (single permit).
106 BE, HU, MT.
107 LU.

that is normally used by third-country national start-up founders to establish themselves in Sweden; start-up founders are rather admitted on grounds of remunerated activities or for the purpose of study, likely due to the requirements of significant previous experience from the industry and experience from running a business.

Table 5 Types of visas and residence permits typically issued to start-up founders

Belgium	Professional card (for business owners) and Long-stay D visa
Croatia	Residence and work permit for the purpose of self-employment
Czech Republic	Residence permit for the purpose of business activities[108] and long-term visa
Germany	Self-employment residence permit
Hungary	Residence permit for the pursuit of gainful activity
Luxembourg	Self-employed' residence permit or an 'investor' residence permit
Malta	EU Single permit
Poland	Temporary residence permits for the purpose of pursuing business activity
	Temporary residence permits for third-country nationals (TCN) whose purpose of stay is performing a function in the management board of a limited liability or joint-stock company that s/he formed or whose shares s/he took up or acquired, or conducting the affairs of a limited or a joint-stock partnership as a general partner or acting in the capacity of a procurator
	Permanent residence permit – if the TCN founding a start-up belongs to an eligible category due to specific links with Poland (Pole Card holder or being of Polish origin)
Slovakia	Temporary residence for the purpose of business
Slovenia	EU Single Permit
Sweden	Residence permit for self-employed persons; remunerated activities; study purposes

Admission conditions

Like those Member States with a specific scheme, admission conditions in the 12 Member States without a specific scheme can be divided into business-related and founder-related conditions (see Table 6 below). In Belgium, Germany and Luxembourg, the applicant needs to demonstrate **an added economic value** of the business for the Member State. For example, in Belgium, this depends on the discretion of the particular Region and may include meeting an economic need of the Region, creating employment opportunities, investment, the economic impact on companies in the Region, promotion of export, the innovative or specialised nature of the activity, etc. The social, cultural or sportive nature of a project can be considered as well. The Flemish Region for example focusses on the need of a detailed business plan and the profitability of the project. Other requirements include providing a **business plan** and **registration in trade registers**. **Minimum capital** is required in seven Member States ranging from HRK 200,000 (approx. €26,800) in Croatia to €30,000 in Slovenia for the single permit for foreign representatives to €50,000 to 20 million in Luxembourg for investor's permit. In Slovakia, a proof of financial guarantee for the business is required amounting to at least 40 times the statutory life minimum (€8,202.80). In Croatia, Slovenia and Sweden, the applicant needs to be a **majority shareholder** holding at least 51% of shares.

The most common admission conditions relating to the start-up founder include proof of sufficient resources, possession of a travel document/passport and evidence of clean criminal record. In Belgium, Germany, Luxembourg and Sweden, qualifications and diplomas as well as professional business experience of the start-up founder is considered. Language skills (English and Swedish) are considered in Sweden.

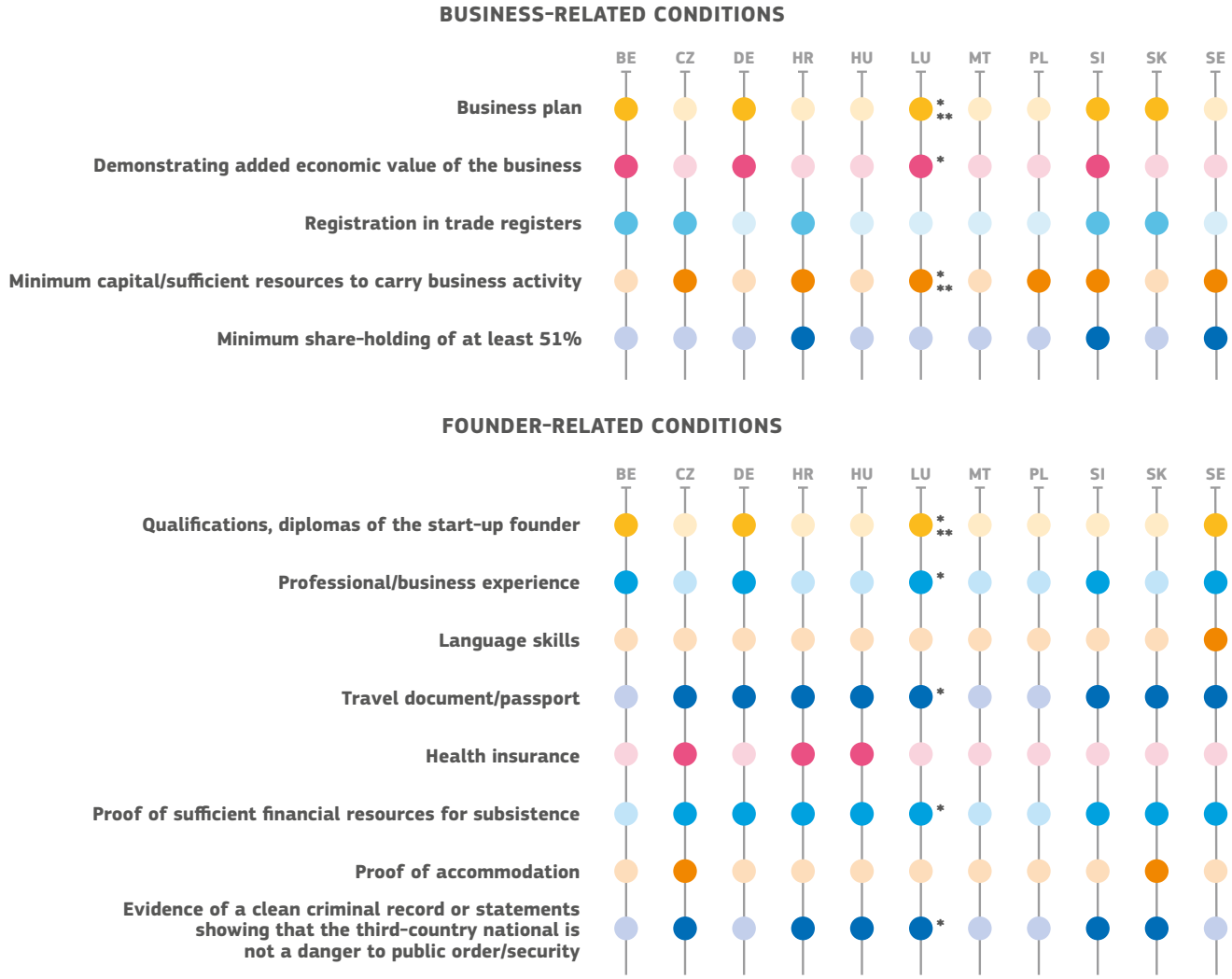
Different types of authorities are responsible for granting residence permits in Member States without specific start-up visas/permits: such as Ministries of the interior,[109] immigration directorates/offices,[110] local authorities,[111] or the police.[112] In Belgium, the regional services of economic migration grant the professional card while the federal Immigration Office remains responsible for the residence authorisation.

Employment of third-country national employees

In all Member States without a specific scheme for start-ups,[113] the start-up founder is able to employ third-country nationals under the general national employment schemes for third country workers. All Member States except Denmark, Ireland and the United Kingdom[114] also allow highly skilled workers to apply for the EU Blue Card; although in Cyprus, the quota for EU Blue Cards has been set to zero. In Luxembourg, employees of innovative start-ups need to fulfil the normal conditions for a salaried worker, for example, holding the necessary professional qualifications required for the job, pass the labour market test and propose an activity serving the national interests. In Sweden, such processes were employer-driven. More specifically, the employer needs to advertise the vacancy via specific channels, offer a minimum net salary, provide insurance and consult the relevant trade union on the terms of employment. In Germany, on

108 Residence permit is issued only in case the foreign national has continuous stay of more than 5 years on the territory of the Czech Republic and wants to change his status into business.
109 CZ.
110 BE, DE, HU, LU, MT, SE.
111 PL.
112 HR (permit issued by civil servants, not police officers), SK (Department of Foreign Aliens Police requests also the opinion from the Ministry of Economy of the Slovak Republic to identify whether the submitted business plan actually serves to innovative project implementation).
113 BE, CZ, DE, HR, HU, LU, MT, PL. SE, SI, SK.
114 Denmark, Ireland and the UK have not opted in the EU Blue Card Directive and do not apply the EU Blue Card.

Table 6 Admission conditions in Member States without a specific scheme



Source: EMN NCP reports
Note: Fully coloured circles indicate the existence of the admission condition in the Member States
LU* - self-employed worker residence permit; LU** - investor residence permit

1 March 2020 the Skilled Immigration Act will enter into force, further liberalising skilled labour immigration to Germany. With regard to start-ups, it is of particular importance, that IT-specialist will not have to hold proof of vocational training - three years' professional experience will suffice if a certain salary level is reached.

Factors/conditions that encourage start-ups and innovative entrepreneurs to use specific immigration routes

Three Member States without a specific visa/permit for start-ups and innovators have particular measures in place to encourage start-ups and innovative entrepreneurs to use specific immigration routes. In the Czech Republic, a special fast-tracking migration project ('Welcome Package for Investors') includes start-up founders and their close family members. In the Slovak Republic, a third-country national launching an innovative project can access multiple advantages: the level of financial guarantee is lower than for a regular applicant, the statutory period between application and decision is shorter, and the profitability of the business (necessary for the permit to be renewed) is lower. In Germany, the conditions to set up a start-up are more favourable for academics and researchers that wish to establish a start-up related to their studies.[115] The remaining Member States have no specific incentives in place.

115 Third country nationals who successfully completed their studies at a state or state-recognised university or a comparable educational institution in Germany or who hold a temporary residence permit as a researcher or scientist may be issued a temporary residence permit for self-employment purposes by way of derogation from the otherwise applicable prerequisites: the review if an economic interest or a regional need applies, the activity is expected to have positive effects on the economy and the third country national has personal capital or an approved loan to realise the business idea (Section 21 sub. 2a of the Residence Act).

Processing time and duration of visa/permit

The maximum processing time for residence permit applications according to Member States' national legislation, varies and can be from 30,[116] 60,[117] 70,[118] to 90 days.[119] Belgian, German and Swedish legislation sets no maximum time, while Czech Republic and Sweden report an average time of 65 and 330 days, respectively. In Belgium, processing times vary between the Regions, from 2- 17 months for the professional card and 1-8 months for the entry visa and residence permit.

The duration of the visa and residence permit also varies between Member States. In four Member States,[120] residence permits are granted for three years. In the Slovak Republic the residence permit is granted for presumed length of business but for a maximum of 3 years. Germany also grants residence permits for up to three years. The Czech Republic, Sweden and Slovenia issue their permits for two years, while Belgium and Croatia limit them to one year. All Member States allow permits to be renewed.

4.2.2. Challenges and good practices

Five Member States[121] without a special scheme or visa/permit in place identified challenges in admission of start-ups and innovative entrepreneurs. All five noted the long processing times for applications as a challenge. Germany also reported that various administrative and bureaucratic hurdles present challenges for third-country nationals wishing to set up a start-up, as do language barriers. In Poland, staff of migration authorities are responsible for evaluating applications and assessing their eligibility with regard to innovation, despite lacking this knowledge themselves and this not being their core competence. Sweden reported that the requirement for investment capital and evidence of sufficient means presents a challenge for some applicants, as does the requirement for significant previous experience, as these potential business founders tend to be quite young and might not have ready capital at their disposal.

Good practices were identified in four Member States.[122] For example, Luxembourg's House of Entrepreneurship represents a good practice. Established by the Chamber of Commerce as a one-stop shop for entrepreneurship, it offers a consolidated range of services to new or future entrepreneurs (among others). It operates a system for foreign start-ups that are of interest for the national economy, closely supporting these companies or founders to proceed through the immigration process as smoothly as possible.

Box 2: Swedish National Report

With regard to start-up employees, the Association of Swedish Engineering Industries entered into a certification agreement with the Migration Agency in 2018. The certification mechanism, which is a general scheme and not specifically for tech firms or start-ups, allows a certified employer organisation to submit applications for work permits on behalf of its member companies, provided that they in turn fulfil the certification criteria. A certification agreement allows the Migration Agency to follow a prioritised procedure for applications for work permits from companies that are members of the organisation. A certification agreement also includes applications for work permits from international students in Sweden and accompanying family members. Under such agreements, the Migration Agency commits to process first-time applications within 10 days and renewals within 20 days. Applications from certified employers are examined according the same criteria and conditions as any other applications for a work permit. The Migration Agency invites certified employers to an annual meeting, which serves as a venue to exchange experiences and share information. According to an evaluation by the Migration Agency, 96% of applications from certified employers are granted and 88% of applications in technology sector occupations are processed within the certification system. However, the Migration Agency only processed 70% of applications within the stipulated 10 days, due to the volume of applications and the large number of incomplete applications.

The Swedish single point of contact website, 'verksamt.se', is also recognised as good practice. It presents all relevant information for business founders (owners) in an easily accessible manner, in both Swedish and English. It was awarded the web service award (WSA) in 2017, as the best website in the public information category.

116 SI ((for single permit 30-60 days), SK (maximum is 30 days, however, this period is suspended while the submitted business plan is evaluated by the Ministry of Economy of the SR (approx. 1 month).
117 AT, HR, PL, SI (30-60 days).
118 HU.
119 CZ, LU.
120 HU, LU (in practice: one and a half to three years for independent workers, depending on the individual case and the opinion issued by the consultative commission for independent workers), PL.
121 BE, DE, LU, PL, SE.
122 BE, HU, LU, SE.

5. ATTRACTING START-UPS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

5.1. SPECIFIC MEASURES TO ATTRACT START-UP FOUNDERS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

The majority of Member State measures to attract start-up founders and innovative entrepreneurs do not specifically target third-country nationals. About one-third of Member States have specific measures,[123] with the remainder usually applying general measures aimed at boosting talent and the economy and targeting all start-up founders and entrepreneurs.[124]

Where available, special measures that aimed to attract start-up founders and entrepreneurs from third countries are in the form of:

- **Dedicated programmes and/or financial support:**[125] the goAustria programme was implemented under the Global Incubator Network (GIN) as part of Austria's start-up national strategy, and is a measure aimed at attracting start-up founders; the French Tech Ticket programme aims to attract young foreign talent with start-up projects, offering grant support of €45,000 per project; Germany's Future Hamburg Award focuses on digital or industry-based business models and offers the winner a comprehensive start-up support package; Spain's flagship programme for foreign start-ups and entrepreneurs with an innovative project is Rising Start-up Spain.
- **Specialised information services, resources or websites:**[126] Invest Cyprus' Launch in Cyprus website provides information on Cyprus' ecosystem promoting starting up a business; Business Finland's Start-up Kit is a compilation of relevant information about moving to and starting a company in Finland (both for those already in the country and prospective start-up entrepreneurs); Germany's Welcome app is for people interested in setting up their own business and self-employed persons in Berlin and there are several *Länder* information websites for international start-up founders (e.g. Bavaria or Baden-Württemberg); the Netherlands' general website contains information (in English) on doing business, with a special 'Netherlands Point of Entry', where foreign entrepreneurs can receive special assistance and online sessions on how to set-up a start-up; the Portuguese database Start-upStart-up Hub is a community-oriented platform mapping start-upstart-ups, incubators and tech hubs (which includes information on the various supports and initiatives available in Portugal) and Fast track to land in Portugal, a centralised information point for all types of support for the entrepreneurship ecosystem.

Some of these initiatives provided start-up founders and entrepreneurs with further assistance in applying for residence permits.[127]

5.2. ACTORS INVOLVED IN ATTRACTING AND ENCOURAGING START-UPS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

A host of actors are: involved in supporting Member States' start-up ecosystems, including private sector actors,[128] such as privately funded incubators and accelerators, and co-working spaces; universities and higher

123 AT, DE, ES, FI, FR, IT, LT, NL, PL.
124 BE, BG, CZ, EE, LV, HR, HU, IE, LU, LV, SE, SK, UK.
125 AT, ES, FR, LT, LU.
126 CY, DE, EE, ES, FI, FR, LT, LU, NL.
127 FR, LU, NL.
128 AT, BE, CZ, DE, EE, ES, FI, HR, HU, FR, IE, LT, LU, LV, NL, PL, PT, SE, SK, UK.

education institutions;[129] local and regional authorities;[130] and (sometimes) others.[131] These efforts to attract and encourage start-ups rarely focus exclusively on start-up founders and entrepreneurs from third countries.

5.2.1. Cooperation with the private sector in attracting and encouraging start-ups and innovative entrepreneurs from third countries

Public-private cooperation to attract start-up founders and entrepreneurs from third countries is present in about half of the Member States.[132] Public-private partnerships have been established within the framework of start-up programmes,[133] for example, goAustria, Start-up Estonia, TechQuartier Frankfurt, the Irish STEP programme, Rising Start-up Spain, Start-up Slovenia, where the national business/ enterprise agencies cooperated with private incubators and accelerators. Such cooperation could be part of the start-up policy of the Member State in some cases. In the Netherlands, for example, the IND and the RVO work with facilitators – which can be private businesses - to help start-ups with their residence permit applications, as well as with business operations, mentoring, seeking investors, etc. Some Member States have privately driven initiatives to attract start-ups,[134] for example, the start-up and tech event Slush, which aimed to promote Finland as an attractive destination for start-ups.

5.3. RIGHTS AND INCENTIVES TO ATTRACT START-UPS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

As third-country nationals (a recognised/special category of migrants in some Member States), start-up founders and innovative entrepreneurs enjoy certain rights and incentives.

5.3.1. Rights

Under EU rules, third-country nationals are entitled to permanent residence after five years of continuous and legal residence in a Member State, so most Member States do not grant any preferential access to permanent residence for start-up founders and entrepreneurs, but apply these standard provisions.[135] Nevertheless, certain exceptions do apply in some cases, such as the facilitated access for start-up founders and entrepreneurs to permanent residence in Finland (after four years on a continuous residence permit) and Sweden (upon applying for renewal of the permit after two years).

In general, start-up founders and entrepreneurs from third countries do not have access to employment, except after a period of time/a specific residence permit,[136] after obtaining a work permit,[137] or in the following cases: in Estonia, start-up founders with a residence permit for enterprise can be employed, provided that the requirements for receiving the residence permit are continuously met; in Ireland, the 'Stamp 4' residency permit gives the holder the right to work or start a business but this is contrary to the intention behind the programme (i.e. to have them work in their start-up rather than other employment); similarly, in Spain and the United Kingdom, start-up founders (and entrepreneurs in the case of Spain[138]) can be employed (but in Spain the start-up has to be their primary activity).

In line with the Family Reunification Directive (2003/86/EC),[139] family members can accompany start-up founders and entrepreneurs from third countries,[140] subject to certain conditions specified in the Directive such as financial means to support the family.[141] In about a third of Member States family members were allowed to apply for family reunification together with sponsors,[142] and to accompany them to the country immediately or shortly after. Family members were usually allowed to access the labour market,[143] and this access was (in many cases) automatic,[144] except in a couple of instances where this was subject to a work or residence permit.[145]

One-third of Member States grant access to additional rights for start-up founders and entrepreneurs.[146] These include access to social benefits in line with other third-country nationals[147] (except in the United Kingdom, where there is no recourse to most public funds for this

129 AT, CZ, DE, EE, ES, FI, FR, IE, IT, LT, LU, LV, NL, PT, SE, SK.
130 AT, BE, CZ, DE, EE, ES, FI, FR, HR, IE, IT, LT, LU, LV, NL, PT, SK, UK.
131 AT, CY, EE, FI, FR, IE, LT, LU, LV, PT, SK, UK.
132 AT, BE, DE, EE, ES, FI, IE, LT, LU, LV, NL, PL, PT, UK.
133 AT, DE, EE, ES, IE, NL, SI.
134 FI, IE.
135 AT, BE, CZ, EE (standard rules apply for a permanent residence permit), FR, HR, HU, LT, LU, LV, PT, SK, UK (start-up visa holders).
136 AT, SE (permanent residence), SK (permanent residence).
137 BE, CZ, HR, HU, NL, PL.
138 There is no access to employment for innovators in the UK.
139 Family Reunification Directive (2003/86/EC), https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:251:0012:0018:en:PDF
140 AT, BE, CY, CZ, DE, EE, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, NL, SE, SI, SK, UK.
141 AT, BE, DE, ES, FI, LT, LU, LV, NL, SE, SI, SK.
142 BE, CZ, EE, ES, IE, LT, LV, SK.
143 AT, BE, CZ (only with a long-term residence permit for the purpose of family reunification), DE, EE, ES, FI, FR, HR, HU (intention to work must be reported to the competent authorities), IE, LT, LV, NL (they have the same indication of work status, i.e. entrepreneur), PL, SI, SK.
144 AT, BE (in addition, a specific exemption for foreign nationals who assist or replace their spouse in the exercise of their independent professional activity: no professional card is needed in such cases), DE, EE, ES, FR, IE, LT, LV, SE (if the residence permit issued for a self-employed person is of at least six months' duration), SK, UK.
145 BE (if family members wish to take up self-employed activities, there is a need to obtain a professional card), IT, LU (must apply for ancillary activity or a residence permit for salaried workers), NL, SK (for the first 12 months after obtaining a residence permit for the purpose of family reunion they need work permit, after 12 months they have free access to labour market).
146 AT, BE, CY, EE, ES, FR, HU, IE, LV, SE, UK.
147 BE, CZ, EE, ES, FI, FR, HU, IE (available in practice), LV, NL.

group of migrants), as well as access to public services, such as basic or higher education[148] and/or healthcare.[149] Other rights afforded specifically to start-up founders and entrepreneurs include, for example, assistance in returning to work in the event of involuntary loss of employment for those holding a "talent passport," residence permit, and carrying out a salaried professional activity in France.

5.3.2. Incentives

Apart from special schemes and visas/residence permits,[150] about one-third of Member States apply other incentives to facilitate the admission of third-country national start-up founders or entrepreneurs.[151] These include: the possibility to apply online;[152] shortened processing times;[153] reduced documentary requirements,[154] for example, lower financial guarantees required for start-ups in the Slovak Republic; and assistance and support by relevant institutions with the immigration process,[155] for example, the Netherlands Point of Entry at the RVO in the Netherlands, and the Luxembourg Chamber of Commerce.

General access to funding and investments (e.g. micro-loans) is available for start-ups in most Member States.[156] Funding is available through both state and private sector actors, often provided in cooperation. In some Member States, such as Belgium, funding is chiefly available at the regional level and through cities, while in others, particularly Poland and Lithuania, EU funding plays an important role in supporting start-ups financially, through accelerators and incubator programmes.

Co-working and dedicated spaces/facilities for start-ups in general are available in all Member States.[157] These include work spaces financed (or co-financed) and made available to start-ups by municipalities or other public sector organisations[158] and/or the private sector.[159] About half of the Member States offer consultation services/facilitators' help in networking/accessing networks, with co-working spaces playing an active host to different education and networking events for start-up founders or entrepreneurs.[160]

Across the Member States, there appears to be good overall access to incubation and accelerator support programmes for start-ups.[161] In Germany, access to and availability of such programmes varies substantially between the 16 *Länder*. Again, this type of support is funded from both public and private sources, with some private-sector providers highly active at international level. Universities play an integral role in offering this type of start-up support in some Member States,[162] for example, the publicly funded Academic plus Business (AplusB) programme in Austria, which enables start-up teams of university professors, staff and students to commercially exploit university research findings; Germany's EXIST – University-Based Business Start-Ups programme[163] financed by the Federal Ministry for Economic Affairs and Energy and the ESF, which supports students, graduates and scientists in preparing innovative technology and knowledge-based start-up projects by providing grants, and funding both the resource development necessary to prove the technical feasibility of start-up ideas based on research, and the preparation necessary to launch a business; and the incubator of innovative enterprises of the Politecnico di Torino I3P in Italy, supporting the birth and development of start-ups with high technological intensity and growth potential, having been founded by both university researchers and students, and external entrepreneurs. Training programmes for start-ups are available throughout as well,[164] and are often a feature of incubator and accelerator support (as opposed to stand-alone training).

General rules on tax incentives apply to start-up founders and entrepreneurs from third countries in about half of the Member States.[165] These include: reduced corporate tax rate or no corporate tax due on reinvested profits,[166] or other tax incentives, such as tax relief for start-up investors,[167] reduction in social security contributions,[168] allowances on personal income tax and support for the attraction of highly-qualified employees,[169] tax exemption on dividends for stockholder start-up staff members and the equity to buy or a bonus-prize.[170]

Financial support to cover administrative and/or staff costs is provided by some Member States.[171] In Austria, for example, start-ups are exempted from the fees and charges normally due for official procedures, purchases of property, etc.

Finally, other special incentives were provided by a number of Member States,[172] such as: e-residency;[173] local initiatives, such as dedicated reception of start-ups (such as in Grenoble);[174] the possibility to work for equity (e.g.

148 CZ, ES, FI, NL, SE, UK.
149 BE, CZ, FI, HU, NL, SE, UK.
150 AT, CY, EE, ES, FI, FR, IE, LT, NL.
151 EE, ES, FI, FR, IE, IT, LT, LU, NL, PL, SK.
152 EE, ES, IE, IT, LT, NL.
153 ES, LT, PL, SK.
154 EE, ES, PL.
155 EE, ES, LT, LU, LV, NL.
156 AT, BE, DE, EE, ES, FI, FR, HU, IE, IT, LT, LU, LV, NL, PL, PT, SK, UK.
157 AT, BE, CZ, DE, EE, ES, FI, FR, HU, IE, IT, LT, LU, LV, NL, PL, PT, SE, SK, UK.
158 AT, BE, CZ, DE, HU, LU, PT, SE.
159 NL.
160 AT, BE, CZ, DE, EE, ES, FI, FR, HU, IE, IT, LT, LU, LV, NL, PL, PT, SK.
161 AT, BE, CY, CZ, DE, EE, ES, FI, FR, HU, IE, IT, LT, LU, LV, NL, PL, PT, SK, UK.
162 AT, BE, CZ, DE, ES, IE, IT, LU, NL.
163 https://www.exist.de/EN/Programme/About-EXIST/content.html
164 AT, BE, CZ, DE, EE, ES, FI, HU, IE, IT, LT, LU, LV, NL, PL, PT.
165 AT, BE, CY, ES, FR, HU, IE, IT, LT, LV, NL, PL, PT, UK.
166 AT, EE, FR, LT (start-ups are exempt from corporate tax during their first year of operation).
167 BE, CY, HU, IT, UK.
168 ES, FR.
169 LT (tax relief for employees who have retained company shares acquired through options for more than three years), LV, NL.
170 PT.
171 AT, ES, FI, FR, HU, IT, LV, PT, UK.
172 EE, FR, IT, LU, NL.
173 EE.
174 FR.

stock options);[175] investor care;[176] and networks of start-up officers.[177]

5.4. TARGETED MEASURES FOR INNOVATIVE ENTREPRENEURSHIP AND START-UPS FOR THIRD-COUNTRY NATIONALS ALREADY PRESENT IN A MEMBER STATE

Eleven Member States have specific measures or programmes to foster entrepreneurship/start-ups and thereby support the labour market entry of third-country nationals already present in the territory.[178] Some of these measures are due, in part, to the high number of new arrivals of third-country nationals, particularly beneficiaries of international protection in the 2015-2016 period. Most commonly, programmes such as TOGETHER: AUSTRIA Start-ups Pilot, the Start-up Refugees programme in Finland,[179] the Start-Up Your Future programme similarly helping refugees to set up a business in Germany,[180] and regional initiatives in Sweden, such as Business Incubation 2020 and Start-up Sthlm (both supported through EU funding), are all examples of initiatives designed to promote self-employment and migrant entrepreneurship among newly arrived third-country nationals, offer practical support (e.g. mentoring in the process of implementing start-ups' business ideas), and identify and exploit the skills and potential of migrants to contribute to the local economy/labour market.

Other types of measures to encourage entrepreneurship/start-ups include the concept of hybrid entrepreneurship (foreseen under the proposal of the revised Blue Card)[181] in the Netherlands, which allows highly skilled migrants, students and scientific researchers to start their own business, in addition to having a job. University graduates are also allowed to start business activities during their so-called orientation year (which allows them to spend the year after graduation in the country to find a job or start a business).

5.5. PROMOTIONAL ACTIVITIES AND DISSEMINATION OF INFORMATION TARGETING START-UP FOUNDERS AND INNOVATIVE ENTREPRENEURS

Around half of the Member States have made efforts to carry out promotional activities (at home and abroad) and to disseminate information for start-ups and entrepreneurs, although such activities do not always target third-country nationals specifically.[182] Member States most commonly hold or attend start-up fairs and events[183] in the framework of their missions abroad[184] to promote their start-up ecosystems. Examples of such events include the Finnish Talent Boost Summit and Slush, Viva Technology in France, the START.UP! Germany Tour and the Dutch Start-up Fest.

Dissemination of information for start-ups and entrepreneurs can be in the form of websites (e.g. Cyprus' Launch in Cyprus website which provides targeted information to start-ups wanting to launch in the country, Germany's 'make-it-in-germany.com/en, existenzgruender.de/EN *and* wir-gruenden-in-deutschland.de/' which provides specific, general and multi-language information on starting business in Germany for third-country nationals and entrepreneurs; Luxembourg's innovation portal (innovation.public.lu); the Netherland's business.gov.nl website). Information booklets can also target international start-ups/entrepreneurs, for example those prepared by the Austrian Business Agency (ABA), while other promotional materials focus on the country's branding, such as in the Netherlands and Luxembourg.[185]

Information campaigns have been carried out by a small number of Member States, for example the Start-up City Vienna campaign in Austria, and the EU-funded 'Realise a Dream in Croatia', which aims to promote innovative entrepreneurship among the general public in Croatia and active inclusion of women in entrepreneurship.

Finally, some Member States use specific hashtags to promote their start-up ecosystems on social media,[186] for example #launchincyprus, #estonianmafia and #startinlatvia.

5.5.1. National/regional branded start-up schemes

At the time of the study, there were very few national/regional branded start-up schemes in the EU.

175 IT.
176 LU.
177 NL.
178 DE, EE, ES, FI, FR, IE, IT, LV, NL, SE.
179 https://start-uprefugees.com/about/
180 https://www.start-upyourfuture.de/en/set-up-your-own-business/
181 https://ec.europa.eu/home-affairs/what-is-new/news/news/2016/20160607_1_en
182 AT, BE, CY, CZ, DE, EE, ES, FI, FR, HR, IE, LT, LU, LV, NL, PL, SK (general).
183 AT, BE, CY, CZ, DE, EE, ES, FI, FR, IE, IT, LT, LU, LV, NL.
184 BE, DE, EE, ES, FR, IE, LT, LU.
185 AT, NL, LU.
186 EE, LV.

Branded schemes aim to attract visibility through attractive brand name; promotional materials and/or promotional activities abroad. Four examples are detailed below.

- France: French Tech is a label awarded to cities known for their start-up ecosystem, as well as a shared brand that can be used by innovative companies. It was launched in 2013 by the Ministry of Economy and Finance to promote innovative and dynamic territories in terms of creating companies with high growth potential. Since June 2016, the label has also been awarded internationally. The name 'French Tech' refers to all those who work in or for start-ups in France. Each start-up can be considered part of French Tech and display the national logo (a pink cockerel) and that of its city, certified by the French Tech Mission. The French Tech Logo can be downloaded free of charge from the official French Tech website.[187]
- Latvia: Magnetic Latvia Start-up is the brand name developed by the Investment and Development Agency in 2017 to be used for communication in the international environment. Information support is provided to start-ups under this brand name, promoting the visibility of the Latvian start-up ecosystem abroad.
- The Netherlands: Holland Branding (Dutch Spirit) for start-ups was developed, tested and used in 2018 at start-up fairs abroad (e.g. Web Summit in Lisbon, Slush in Helsinki). A toolkit was developed, with promotional materials in the form of illustrations, facts, videos and presentations.
- Portugal: sine 2017 the national strategy Start-up Portugal comprises an umbrella and logo brand strategy in some programmes (Start-up Visa, Start-up Hub, Start-up Voucher, Start-up DNA Line).

5.5.2. Evaluations of the effectiveness of promotional activities

There have been no evaluations of the effectiveness of the above-mentioned promotional activities for start-ups and entrepreneurs. Nevertheless, some Member States have recorded an increase in the number of foreign start-ups in recent years, notably Estonia. For example, some 174 start-up founders and 483 start-up employees relocated to Estonia in 2018, in comparison to 107 start-up founders and 167 start-up employees the year before.

5.6. FACTORS AFFECTING THE ATTRACTION OF START-UP FOUNDERS/EMPLOYEES

A multitude of factors affect the attraction of start-up founders/employees, both positively and negatively. One of the most important 'pull' factors for founders/employees is the Member State's start-up scene and the presence of hubs and locations where start-ups can develop and grow. About half of the Member States considered this to be the case in their country.[188] Ireland notes its generally business-friendly environment and English-speaking workforce, while France points to 'Station F', considered the largest start-up campus in the world.

Socioeconomic factors – particularly high/low cost of living, salary levels, housing and quality of life – play a role in more than half of the Member States,[189] with a clear divide between those with high living standards that both attracts and deters start-ups, and those with a lower cost of living, where this generally attracts start-ups.[190] For example, Belgium believes that its more affordable cities (in comparison to hubs such as London or Amsterdam) are an important factor in attracting start-ups.

Cultural and historical ties also play a role in attracting start-up founders/employees from specific third countries in about one-third of Member States,[191] for example, in attracting start-up founders/employees from Latin America to Spain. Cultural differences, however, are reported in some Member States[192] to act as a deterrent, for example, due to third-country nationals not being used to the business culture.

Other factors reported by Member States as attracting start-ups include: installation of big corporations in research or other fields,[193] logistics and infrastructure,[194] opportunities for personal professional development,[195] ease of setting up a business,[196] digital public services,[197] low amounts of 'red tape',[198] tourist reputation,[199] capacity for innovation and research,[200] sectoral specialisation,[201] access to a talent pool[202] and access to social services, such as healthcare.[203]

187 https://www.lafrenchtech.com/fr/
188 AT, BE, DE, ES, FR, HU, IE, LT, LU, LV, NL, PL, SE, UK.
189 AT, BE, CY, CZ, DE, EE, ES, FI, HU, IE, LT, LU, LV, NL, SE, UK.
190 BE, CY, CZ, EE, ES, HU, LT, LV.
191 BE, CY, ES, FR, LT, NL, SE.
192 HU, NL.
193 LU.
194 BE, LU. In LU, state of the art technology (tier IV data centres), optic fibre, and good logistical infrastructure are a plus for attracting companies.
195 AT.
196 EE, IE, LT.
197 EE, FI.
198 FI.
199 FR.
200 FR, LU.
201 FR, LT (fintech), LU (space, fintech, cleantech, ICT).
202 CY.
203 LU, NL.

Box 3: 'Snowball effect' of start-up hubs

The 'snowball effect' means that certain cities in the Netherlands, such as Amsterdam, Eindhoven, Wageningen and Enschede, are known as places where many start-ups are established. These places are known within their respective sectors (Eindhoven for tech, for example), both at home and abroad. The snowball effect increases the likelihood that start-ups will choose these places (because start-ups are already present). This enhances the region - and the Netherlands as a whole - as a potential start-up destination.

The snowball effect also holds true for other Member States. In Germany, for example, there is competition between the *Länder* and regions, as some internationally well-known networked urban areas (such as Berlin and Frankfurt) have advantages in attracting start-ups compared to many less known *Länder* and regions.

Source: Dutch and German national reports

Box 4: Sweden's attractiveness for entrepreneurs

The OECD recently published its 2019 ranking of 'talent attractiveness' based on a number of indicators.[204] Among entrepreneurs, Sweden ranks fourth overall, behind Canada, Switzerland and New Zealand. A closer look at the indicators used reveals that Sweden is top ranked under 'family environment', which suggests that family-friendly policies serve as a point of attraction for migrants in this category.[205] Some stakeholders note that gender equality in Sweden is a potential pull factor for young women and couples where both parties intend to pursue a career.

Source: Swedish national report

5.7. MAIN CHALLENGES IN ATTRACTING START-UPS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

One of the most common challenges experienced by Member States in attracting start-ups and entrepreneurs is the discrepancy between policy makers' intentions to attract highly skilled third-country nationals on the one hand, and the often restrictive policies or absence of special provisions in place for this group of migrants, on the other hand.[206] Some Member States also reported that administrative procedures tend to be burdensome or too long.[207]

In general, none of the measures or incentives available for domestic start-ups/ entrepreneurs were aimed specifically at start-up founders and entrepreneurs from third countries. Some Member States reported that they found themselves in competition with one another, as well as with third countries, to stand out as attractive to start-ups.[208] Other challenges identified by Member States included: lack of incubators and accelerators;[209] small size of the domestic market;[210] availability of funding;[211] administrative processes such as lengthy visa processes, lack of a fast-track visa for start-ups, etc.;[212] and difficulty in retaining foreign students.[213]

204 Tuccio, M. (2019). 'Measuring and assessing talent attractiveness in OECD countries'. *OECD Social, Employment and Migration Working Papers*, No. 229, OECD Publishing, Paris. Available at: https://doi.org/10.1787/b4e677ca-en.
205 See OECD webpage: The OECD Indicators of Talent Attractiveness, available at: http://www.oecd.org/migration/talent-attractiveness
206 AT, BE, CZ, LU, LV, SE.
207 AT, BE, CZ, DE, IT, LT, LU.
208 DE, ES, FI, FR, LT, NL.
209 CZ.
210 FI.
211 CY.
212 BE, DE.
213 BE, FI.

6. RENEWAL OF RESIDENCE PERMITS/VISAS AND RETENTION MEASURES FOR START-UPS AND INNOVATIVE ENTREPRENEURS

This section explores the possibilities for renewal of residence permits/visas granted to start-up founders and innovative entrepreneurs, as well as retention measures.

6.1. RENEWAL OF START-UP VISAS/RESIDENCE PERMITS

Most Member States provide for the possibility to renew start-up visas /residence permits,[214] although countries that have only recently introduced this migratory pathway[215] have limited practical experience as of yet.

6.1.1. Renewal period and renewal options

In addition to the one[216] or two[217] years initially provided, start-up visas/residence permits may be granted for a further one,[218] two,[219] three[220] or four[221] years, often in five-year instalments.[222] An exception is Estonia, where the temporary residence permit can be extended for up to 10 years at a time.

Some Member States allow for multiple renewals of the start-up visa/residence permit.[223] In other cases, for example Austria, when the Red-White-Red (RWR) Card for start-up founders expires, founders are more likely to apply for a change of purpose of stay in order to obtain a RWR Card Plus permit. In Germany, an unlimited residence permit can be granted after three or five years (depending on the type of self-employment).

Often, start-up founders and entrepreneurs are obliged to apply for renewal within a specific timeframe, for example no more than 30 days,[224] or at least 60[225] days before the expiry of the valid visa/permit. Exceptions are the Czech Republic and the Slovak Republic, where a third-country national can submit a renewal request no later than the final day of legal residence in the country, and Spain, where it is possible to apply for renewal up to 90 days after the permit has expired.[226]

6.1.2. Main requirements for renewal of an initial start-up visa/residence permit

To renew a start-up visa/residence permit, start-up founders and innovative entrepreneurs must continue to meet the conditions of issue of the initial visa/permit, for example, complying with regulatory, tax and social obligations and proving that their start-up remains viable.[227] Some Member States reported that renewal applications are handled on a case-by-case basis[228] and some of the requirements for renewal differed regionally.[229] Other conditions for renewal included proving sufficient income[230] or language proficiency.[231] Some Member States also take

214 AT, BE, CY, CZ, DE, EE, ES, FI, FR, HU, IE, IT, LT, LU, NL (although, strictly speaking, this does not concern a renewal but allows for a special, eased scheme), SE, SK.
215 AT (2017), CY (2017), EE (2017), FI (2018), LT (2017), LV (2017).
216 BE, CY, CZ, IT, LT, NL.
217 AT, BE, ES, IE, SE.
218 BE, LT, PT.
219 AT, BE, CZ, ES, FI, IT, NL (although this is not specifically an extension of the residence permit for start-ups (which is valid for one year), a third-country national can move on to the self-employment scheme via a special, eased scheme).
220 BE, HU, IE, LT, LU (investor/self-employed permits).
221 FR.
222 IE.
223 BE, CZ (residence permit), ES, FI, IE, IT, LT, LU, NL (although this is not specifically an extension of the residence permit for start-ups (which is valid for one year), a third-country national can move on to the self-employment scheme via a special, eased scheme), PT, UK (applicable for Innovator Visa only). In LT, since 26 July 2019 start-ups have the possibility to renew their temporary residence permit twice so that a third-country national can reside in the country for three years on this ground. In IT (up to 60 days prior to its expiry date (and one year since the day of application at the post office)), the residence permit for self-employment may be renewed for a maximum of two years. It is then renewable on expiry and can be extended for a further two years. After five years, the non-EU citizen can apply for a residence permit for long-term residents, which has no expiry term. In SK, renewal of the residence permit is possible for indefinite times.
224 SE.
225 BE (at least 90 days), CY (at least 30 days), EE, FR, HR, IT, LT (or at least 30 days under accelerated procedure), LU (investor/self-employment).
226 The filing of the application for renewal shall extend the validity of the permit until termination of the procedure. This is also the case in the event that the application is filed within 90 days of expiry of the previous permit.
227 AT, BE, CY, CZ, EE, ES, FI, FR, IE, LU, SE, SK. In LT, before applying for renewal of a temporary residence permit, start-ups must submit an updated business plan to the responsible institution and obtain approval of the plan.
228 BE, IE, LU.
229 BE.
230 BE (although regional authorities in BE also tend to consider that a start-up is not necessarily profitable in the first few years), CZ, LT, NL, SE, SK.
231 EE (applies only to start-up employees).

into account the start-up/entrepreneur's contribution to the country's economy in their decision-making process.[232]

6.1.3. Actual establishment of a business and extension of a residence permit

About half of the Member States reported checking the actual establishment of a start-up/business when deciding on the extension of a residence permit.[233]

Member States may check that the start-up is still registered in the company register,[234] or may require proof that the start-up has met its tax obligations[235] or proof of company profit for the previous tax year.[236] Other Member States, such as Belgium, check the company address of the start-up and perform the necessary verifications where there is any doubt about the information provided to the authorities.

6.1.4. Procedures for third-country nationals with start-up visas/residence permits

Where a business ceases to be a start-up, for example, because it develops into a successful company, this does not have any impact on the residence permit or its renewal in about a third of Member States.[237] For example, in Estonia, a business is considered a start-up for up to 10 years. In three Member States, these third-country nationals are obliged to apply for a change of status,[238] such as self-employment in the Netherlands, or the innovator route in the UK. Some Member States reported that they considered such situations on a case-by-case basis.[239]

If a start-up fails, the founder or entrepreneur may lose their right of residence (and the permit to stay will be withdrawn),[240] unless the third-country national applies for a change of status,[241] for example, for the purpose of employment, self-employment or other lawful activities such as study and family reunification (otherwise, the right of residence lapses).[242] Some Member States allow the third-country national to present a new business plan and attempt another start-up if the initial business has not been successful.[243]

Once the business plan has been approved, start-up founders and entrepreneurs must notify the authorities of any substantial changes. The start-up is then reassessed in order to prove that the founder/entrepreneur continues to meet the requirements for the permit.[244] Failure to communicate a substantial change of business direction may result in a more difficult renewal process,[245] or a revoked permit in some cases.[246] Slight changes to a start-up's business plan are generally acceptable, and in some cases, are even allowed within the residence permit, i.e. they do not affect its validity.[247]

6.1.5. Retention measures for start-up founders and innovative entrepreneurs

Generally, special measures to retain start-up founders and innovative entrepreneurs appeared to be limited across Member States. A simplified renewal process exists in 10 Member States,[248] whereby a new assessment (of the business) may not be a prerequisite for an extended permit.[249] Other requirements may also be eased in some cases.[250] The possibility to apply for renewal or schedule an appointment online is available in four Member States.[251]

Tax relief measures are in place for start-up founders and entrepreneurs in seven Member States.[252] These include tax benefits for anyone who invests in a start-up, including founders[253] or support to attract highly qualified employees.[254] For example, tax relief of 30-45% (depending on the size of the start-up) is available in Belgium. Similarly, in Italy, up to 30% of the capital invested in a start-up can be deducted. The Netherlands supports start-up founders/entrepreneurs via a facility that reimburses staff costs, for both EU and overseas personnel, at the rate of 30%. However, these credits do not specifically pertain to start-ups from third countries (and can also be used by Dutch start-ups).

Other retention measures, where available,[255] include specialised services for family members, such as career counselling for the spouses of start-up founders in Estonia, or the 'first employee rule' which exempts start-ups from paying social contributions for their first employee in Belgium. In Finland, the Hidden Gems programme, facilitated by universities in the city of Tampere, aims to promote growth and international activities of regional

232 BE, NL, SK.
233 BE, CY, CZ, DE, EE, ES, FI, FR, HR, HU, IE, IT, LT, LU, NL, SE, SK.
234 CZ, DE, EE, HR, LT, LU, NL.
235 BE, CY.
236 CY, EE, HR, SK.
237 AT (the company behind the start-up must not be more than five years old), BE, CZ, DE, ES, IE, LT, LU, SE.
238 EE, NL, UK.
239 FI, IE.
240 AT, BE, CY, CZ, DE, EE, LT, LV.
241 AT, BE, CY, CZ, DE, EE, ES, FI, HR, HU, IE, IT (depending on conversion quotas defined by the annual flow decree), LT, LU, NL, PT, SE (exceptional reasons), SK.
242 AT, BE, CZ, DE, EE, HU, IE, LT, LV, SE, SK, UK.
243 CY, DE, ES, IE, LU (case by case), LV, NL (a facilitator must agree on this, since cooperation with a facilitator is required). A business plan is not part of the requirements, but a step-by-step plan is), UK.
244 BE, EE, IE, LT, LU, UK.
245 BE, IE.
246 AT, FI, LU.
247 BE, FI, EE, HU, IE, LT, LU, LV, PT, SK.
248 AT (somewhat simplified), EE, ES, FI, FR, IE, NL, SK, UK.
249 EE, ES, FI.
250 NL (points system) If the start-up has a supporting declaration of the facilitator, the start-up receives enough points to be qualify for the regular entrepreneur residence permit with a validity of 2 years.
251 FI, FR, LT (since October 2019), SE.
252 AT, BE, FR, IT, LV, NL, UK.
253 BE, IT, LV, NL.
254 LV, NL.
255 BE, CY, EE, ES, FR.

industries and businesses by enabling them to tap into the 'hidden' expertise of expatriates' spouses.

6.2. CHALLENGES IN RETAINING START-UPS AND INNOVATIVE ENTREPRENEURS

The challenges associated with retaining start-ups and innovative entrepreneurs are often interlinked. They include:

- Outdated legislation and long application process (including processing time) for the renewal of the start-up permit, as well as language difficulties.[256]
- Lack of access to growth funding,[257] lack of capacity for start-ups to scale beyond a certain size, for example due to lack of talent, expertise and a market locally,[258] and so using host countries as stepping-stones to move to a larger market or hub for their industry.[259]
- Lack of tax incentives tailored to third-country nationals[260] and to encourage start-up investment.[261]
- Difficulties in retaining highly skilled foreign professionals and students.[262] Students who wish to start their own business in France, for example, experience administrative barriers and difficulties in obtaining information, according to university representatives. Indeed, students are generally encouraged to create their own business at the end of their studies, but it is not possible to start a business with a long-stay visa or a residence permit as a student.[263]
- Lack of labour market freedom for the family members of start-up founders/entrepreneurs, who may have the same work status indication (as the start-up founder/entrepreneur).[264]

6.3. MISUSE OF THE MIGRATORY PATHWAY FOR START-UPS AND INNOVATIVE ENTREPRENEURS

A small number of Member States reported that the migratory pathway for start-up founders and innovative entrepreneurs has been misused in the past,[265] for example, to gain permanent residence,[266] access to the Schengen area[267] and even nationality.[268] Ireland reported incidences of business plans being submitted solely for the purposes of acquiring residence permission, with the applicant taking no steps to then progress the business. Ireland also reports that the mandatory €50,000 has, on occasion, been placed in an account temporarily and then withdrawn once the financial criterion had been passed. Similarly, applications involving fake companies have been received in Sweden. In Belgium and Ireland, although no formal data are available, such misuse of this migratory pathway is not believed to be widespread.

6.4. SURVIVAL RATES OF START-UPS LAUNCHED BY THIRD-COUNTRY NATIONALS

Member States have little information on the survival rates of start-ups launched by third-country nationals.[269] In some cases it is too early to assess the chances of survival,[270] but others point to the lack of special schemes for start-up founders and entrepreneurs as a contributing factor in the lack of data.[271] Nevertheless, some indications/observations are available in a small number of Member States.[272] In France, the three-year survival rate is reported to be lower for innovative companies created by foreign entrepreneurs: 58 % of companies founded by third-country nationals are still in business after three years,[273] compared to 68% of companies created by French nationals.[274] In Italy, 3.2% of innovative start-ups (325 out of just over 10,000) were made up of partners from third countries. In 2017, about 15% of start-ups founded by foreigners had a turnover of more than €100,000. Excluding recently established companies that had not filed a balance sheet, the percentage

256 BE, DE, IT, SE.
257 AT, EE, IE, LV, NL.
258 EE, LT.
259 LT, NL.
260 BE.
261 AT.
262 FI, FR.
263 FR, HU.
264 NL.
265 BE, IE, SE.
266 BE.
267 SE.
268 BE.
269 BE, CZ, IE.
270 CY, FI, IE, LT, LV.
271 BE, CZ, LU.
272 ES, FR, IT, LV.
273 The INSEE Siné survey. Figures were obtained from the 2006, 2010 and 2014 surveys. Each survey sample covered about 25% of the businesses created during the year.
274 Bureau des études *économiques* thématiques (P3E2), General Directorate for Enterprise (DGE), Ministry of the Economy and Finance, May 2019.

of companies with a 'significant' turnover reached 33%. In Latvia, one in ten start-up companies survives.[275]

6.5. EVALUATION OF NATIONAL SCHEMES FOR START-UP FOUNDERS AND INNOVATIVE ENTREPRENEURS FROM THIRD COUNTRIES

About one-third of Member States have evaluated or produced research reports on their national schemes for start-up founders and entrepreneurs.[276] These studies recommended (or prompted) reducing red tape, for example shortening the process to obtain a RWR Card (Austria), introducing a comprehensive start-up visa covering not only start-up founders and co-founders, but also employees from third countries wishing to work for start-ups (Austria and the Netherlands), and simplification of the process of obtaining a permit as an innovative entrepreneur, through a one-stop shop/greater coordination between the units involved (Spain).

275 Why do start-up companies go bankrupt in Latvia? https://medium.com/@dagnijalejia/k%C4%81p%C4%93c-latvij%C4%81-bankrot%C4%93-startupi-2514d721d2ce
276 BE, EE, ES, FI, FR, IT, LV, NL.

7. CONCLUSIONS

This Study explored the national policies and practices in place in Member States to attract and retain start-up founders and innovative entrepreneurs from third countries. The Study is timely, given the recent proliferation of admission schemes (including visas and/or residence permits) for innovative entrepreneurs and start-up founders in many EU Member States.

In about half of the Member States, attracting start-ups and innovative entrepreneurs from third countries is recognised as a policy priority and is part of comprehensive national strategies to promote vibrant entrepreneurial culture.

While all Member States recognise the beneficial economic and societal impacts of fostering entrepreneurship, only half of the EU Member States identify attracting foreign entrepreneurs from third countries as part of their policy strategies and action plans. Around half of the Member States (13 Member States) have introduced specific admission schemes (residence permits and/or visas) for start-up founders and innovative entrepreneurs. A special visa and residence permit to facilitate the immigration of third-country national start-up employees currently exists in Cyprus, Estonia, France and Portugal. In the Netherlands, a pilot scheme will be introduced in 2020 for key start-up personnel.

Most specific start-up schemes have been introduced in the last three years, and thus remain in their infancy.

Eight Member States introduced start-up schemes in the last three years, while only those of the United Kingdom (2008), Ireland (2012), Spain (2013), Italy (2014) and the Netherlands (2015) predate this timeframe. The effects and impacts of such schemes are still being assessed.

The design and set up of the schemes differ significantly across the Member States.

Member States have adopted different set ups for their schemes, including points-based systems (e.g. Austria); sponsor-driven systems (e.g. the Netherlands) as well as assessment of business plans on discretion of a committee or a panel. In line with this, there is a wide variation in the admission conditions attached to the business and the start-up founder. Common across all schemes, however, is that they target specific type of businesses that are innovative, scalable and/or with an added value for the national economy and business environment. In 11 Member States, a business plan must be submitted and evaluated by a special committee. Business plans typically include information on business activity, product or services, market analysis and the sources of financing.

Member States without a specific scheme use existing channels to admit start-up founders.

Member States that do not have a specific start-up scheme in place reported that third-country nationals most commonly admit start-up founders through long-term visas and residence permits for self-employment and business activities; followed by employment and gainful activities; investor permits and/or for the purposes of studies and research. The most common criteria for granting a residence permit for self-employment is a minimum capital requirement. Like those Member States with a specific scheme in place, Member States without a specific scheme in place also in most cases require an applicant to demonstrate the innovation of their business and/or an added value to the national economies. There is limited evidence of the extent to which Member States without a specific scheme are successful in attracting innovative start-ups from third countries.

Having a specific admission scheme in place is only one possible measure in Member States' 'toolboxes' for attracting entrepreneurs.

Other incentives to attract start-up founders and innovative entrepreneurs include access to funding and investments (e.g. micro-loans), as well as the general attractiveness of specific industries and locations (such as cities and regions). The existence of hubs and ecosystems is seen as an important 'pull' factor. Universities and public institutions are often the main contributors to these hubs and ecosystems, generally serving as business angels, private investors, and incubators or accelerators. Cities and regions play a significant role in creating and supporting entrepreneurial ecosystems and hubs.

Other immigration-related incentives to attract start-up founders and innovative entrepreneurs include the option to apply online, shortened processing times, reduced documentary requirements, and assistance and support with the immigration process, from relevant institutions.

Most Member States do not grant preferential access to permanent residence for start-up founders and entrepreneurs. Rather, the standard rules (in accordance with EU provisions) apply. Nevertheless, certain exceptions do apply in some cases, such as facilitated access to permanent residence.

Common challenges in attracting start-ups and entrepreneurs experienced by Member States include

(at macro level) the global competition for talent, comparative opportunities in domestic markets and lack of incubators and accelerators, and (at micro level), burdensome administrative procedures and lengthy application times.

Common challenges in retaining start-ups and innovative entrepreneurs include lengthy application processes, a lack of access to growth financing and opportunities to scale up the business, and difficulties in retaining highly skilled foreign professionals and students. There has been limited evidence of misuse of specific start-up schemes as a migratory channel.

There is a lack of data on the survival rates as well as economic results generated of such start-up schemes. No data was available on the survival rates of start-ups after 3 or 5 years of operating a business. There is also a lack of data on the economic results of start-ups, such as job created; investment generated annual turnover; taxes generated or other success measures. Better monitoring and evaluation of the economic results of such schemes is needed for future policy response.

Future outlook

The recent proliferation of start-up schemes across EU Member States indicates increasing efforts to attract innovative entrepreneurs as part of the global competition for talent. Member States have started addressing the micro level challenges identified in terms of introducing fast-track application processes and branding and promoting their national schemes to target audiences of innovative entrepreneurs in third countries, often from specific industries. The macro level challenges require strategic policy approaches in improving the business and entrepreneurial environment. At EU level, attracting and retaining start-up founders and employees from third countries is part of the objective of upgrading the single market. Although there is no EU-level migratory instrument dedicated to attracting start-ups, there are opportunities for Member States to exchange experience, lessons learned and good practices in their efforts to attract and retain entrepreneurial talent.

ANNEX

ANNEX 1: OVERVIEW OF SPECIFIC START-UP SCHEMES IN PLACE IN MEMBER STATES

Table A1.1

MS	Name of scheme	Type of scheme	Entry into force	Rationale/aim	Main elements
AT	Red-White-Red Card for start-up founders	Residence permit	2017	Previous provisions for young entrepreneurs were overly restrictive; part of the "start-up package" to further strengthen Austria as a location for start-ups.	Validity: two years, possibility to extend for two years. Requirements: submission of a business plan, including innovative character of the product or service; evidence of investment capital (min. € 50.000; certain set of skills, professional experience and language skills. Applicants must meet the general requirements and other admission criteria based, among other things, on a points system. Furthermore, to obtain an RWR Card for start-up founders, applicants must additionally meet special requirements such as to submit a plausible business plan for founding and operating the undertaking; to provide evidence of at least €50,000 in capital for starting the company; or to develop and to bring to market innovative products, services, processes or technologies within the framework of a newly established undertaking.
CY	Cyprus Start-Up Visa	Residence permit	2017	This scheme falls within the general rationale for introducing a Start-up Plan. This means that businesses and third-country nationals that fall under the Plan enjoy certain benefits provided for by the plan.	Validity: max. 1 year (possibility to extend for a second year) Requirements: After entering Cyprus, founders are required to submit certain documents to the Civil Registry and Migration Department. No third-country national can be admitted if she/he constitutes a thread to national security and/or public health. After arrival via an entry permit the following documents are required: valid passport, insurance, proof of residence, proof of financial means (in case of self-employment), employer´s liability insurance.
EE	Visa for engagement in start-up enterprise	Visa	2017	Practical need to provide more flexible regulation for TCN start-up founders and employees Also aim to create a more favourable environment for start-ups as the previous legislation in place was considered a obstacle in this regard.	Validity: max. 1 year (possibility to extend up to 548 days within 730 consecutive days). It is possible to issue a short-term or long-term visa to start-up founders as well as start-up employees. Family members are also eligible for a long-term visa. Founders: Visa for establishing a start-up in Estonia can be issued without the prior registration of the start-up in Estonia. Requirements: reduced funds to cover the expenses in Estonia which are 0.03 times of the subsistence level for every day spent in EE. Employees: Requirements: Short-term employment registration. As an exception from the general rule, the general salary criteria for short-term employment does not apply in case of employment in a start-up company.

MS	Name of scheme	Type of scheme	Entry into force	Rationale/aim	Main elements
EE	Residence permit engagement in start-up for enterprise	Residence permit	2017	Same as above.	Validity: Up to five years with possibility of extension For those third-country nationals that have established a start-up enterprise in EE; such persons are not included in the immigration quota and general obligation to invest does not apply. Family members are also eligible for a residence permit, Requirements: need for favourable assessment of the business plan by expert Committee.
EE	Residence permit for employment in a start-up company	Residence permit	2017	Same as above.	Validity: Up to five years with possibility of extension For those third-country nationals who are being employed in an Estonian start-up. In this case the residence permit is not subject to the immigration quota it may be issued without meeting the requirement for permission of the Estonian Unemployment Insurance Fund and without the requirement for the amount of remuneration to be paid to a TCN.
ES	Visa to develop an enterprise activity	Visa	2013	To contribute to the internationalisation of the Spanish economy by simplifying the migration requirements for those interested in starting an innovative business.	Validity: one-year period to make preliminary arrangements for developing an enterprise. Since 2015, family members are eligible for a visa or residence permit, including their domestic partner, financially dependent children of age and dependent relatives in ascending line
ES	Residence permit for entrepreneurs	Residence permit	2013	Same as above.	Validity: two years. Possibility for renewal for two-year periods. Requirements: innovative activity. Since 2015, family members are eligible for a visa or residence permit, including their domestic partner, financially dependent children of age and dependent relatives in ascending line
FI		Residence permit	2018	The purpose is to facilitate immigration and entrepreneurship for international professionals to ensure a dynamic business ecosystem. It was found that most of the economy's productivity gains were a result of an increasing number of technology- and innovation-based growth enterprises.	Validity: two years with possibility of extension Requirement: need for favourable assessment of the business plan by Business Finland; Right to family reunification.
FR	French Tech Visa	Visa/ residence permit	2017	Part of the "French Tech" initiative launched in 2013 to accelerate the growth of digital start-ups located in France and to make France more attractive in the global race for innovation. Considered an important tool to facilitate the hiring of foreign talent.	Accelerated and simplified procedure for obtaining the Talent Passport (see below) The French Tech visa targets **three categories of international talent** eligible for the Talent Passport: start-up founders wishing to set up in France, high-level employees recruited for key positions in certain start-ups or scale-ups, and investors. Requirements (French Tech visa for Founders): existence of an innovative economic project; recognition of the project by a public body; sufficient means of subsistence with resources corresponding to the minimum wage.
FR	"Talent passport" residence permit	Residence permit	2016	Aiming to promote and improve France's attractiveness to foreign talent, the Law on the Rights of Foreigners in France of 7 March 2016 created the multi-annual "talent passport" residence permit, particularly for highly qualified employees, researchers, entrepreneurs and investors.	Validity: up to four years and renewable. Right to family reunification

MS	Name of scheme	Type of scheme	Entry into force	Rationale/aim	Main elements
IE	STEP	Path to residence permission for migrant start-up founders and family	2012	To facilitate entry for migrant start-ups to Ireland. The programme provides access to a pre-existing residence permission rather than itself representing a start-up visa.	Validity: Two years initial residence permission but this can be renewed for further periods. Requirements: €50,000 initial investment fun; good character of founder; health insurance; Right to family reunification.
IT	Italia Start-up Visa	Visa	2014	To allow a free flow of talent and skills by simplifying the self-employment visa procedure for third-country nationals wishing to start an innovative start-up in Italy.	Entirely digitised and centralised procedure with possibility to be carried out in English. Requirements: financial resources of minimum € 50,000 and business plan.
LT	Start-up visa Lithuania	Residence permit	2017	To establish more favourable conditions for the admission of third-country nationals who could contribute to creating social and economic wellbeing for the state, increasing the country's competitiveness and expanding the start-up ecosystem.	Validity: one year with possibility of one-year extension two times (three years in total). Requirements: business plan, legal activities have to be related to the introduction of new technologies or other innovations that of significance for the economic and social development of Lithuania; potential to scale; no requirement to invest a particular amount of capital into the company.
LV	Residence permit for start-up founders	Residence permit	2017	To facilitate the establishment of start-up companies in Latvia and attract start-up founders from third countries by facilitating the procedure to enter the country.	Validity: max. three years. Requirements: submission of a free form application describing the product and planned commercial activities in next three years, (planned) production of an innovative product or service, within three months after a positive decision for granting a temporary residence permit, the third-country national has to be registered as a member of the board of directors in a capital company no longer than one year ago and within the scope of planned activities. The total investment of the company must reach at least € 30,000 within 12 months after the issuance of the residence permit, or a progress report on the company's activities must be submitted to show the development of the innovative product.
NL	Entry scheme for start-ups	Residence permit	2015	Part of the Ambitious Entrepreneurship Plan launched in 2014, which recognises that start-up founders contribute to the prosperity and competitive position of the Netherlands. Simple entry procedures as provided by the start-up scheme is a means to that effect.	Validity: one year. Requirements: the entrepreneur must be assisted by a reliable mentor (facilitator) in the Netherlands; submission of step-by-step plan outlining the business and the innovative nature of the product or service; registration in the Commercial Register of the Chamber of Commerce. Next to this, the entrepreneur must meet general conditions (long term means available, possession of a valid passport or other travel document, filling in an antecedents certificate and undergoing a medical examination for tuberculosis).
UK	Start-up or Innovator visa	Visa	2008, revised scheme in 2019	The new route aims to attract talented entrepreneurs and make the visa process faster and smoother for entrepreneurs coming to the UK. The previous visa route was exclusively for graduates.	**Start-up visa** Validity: max. two years, no possibility of extension. Requirements: must be endorsed by a UK higher education institution or business organisation; must show an innovative business idea. Possibility for family reunification and to work in another job. **Investor visa** Validity: max. three years, extension possible for three-year periods. Requirements: must be endorsed by a UK higher education institution or business organisation; must show an innovative business idea; minimum £ 50.000 in investment funds. Possibility for family reunification and to work in another job. Slightly higher threshold in terms of skills required and level of investment than for start-up visa holders.

ANNEX 2: CASE STUDY SCENARIOS

Case studies scenarios

This section illustrates the findings of the previous chapters to better understand possible admission options, depending on the situation of start-up founders, their employees, or innovative entrepreneurs based on four hypothetical case-studies. Specifically, information on possible migration pathways, specific conditions applied, and processing times are included in Tables 1-3. For detailed information on the existing pathways and procedures to be followed, please refer to the relevant section (Section 4) and to the national reports.

The four hypothetical case studies were the following:

Case study 1 - TCN outside the EU, has not set up business yet: Start-up business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.

Vihaan is a highly skilled professional from India with a Master's degree from University of Delhi, currently living in Delhi. For the past few months he has been working in an IT company there, but he plans to start his own business in the near future. He already has a business plan for a service-based app that he thinks could do well in your Member State. His goal is to come to your Member State and start his company there. What is the process that Vihaan would have to go through to build his start-up in your Member State?

Case study 2 - TCN already in the EU, working as a highly skilled employee: highly skilled third-country national who came on an EU Blue Permit or an alternative national permit for highly skilled workers working for a company in a certain industry; after two years of working for the company wants to start his/her own business.

Amel is a Tunisian citizen working for "B Solutions", a biotech company on an EU Blue Card permit or an alternative permit for highly skilled workers arranged through her employer. After having worked for the company for two years, she feels that she is ready to take on a new challenge. She would like to start her own business in the same sector and set up a company that offers high-tech solutions to recycle waste in a new, innovative ways, remaining in the Member State. What are her possibilities?

Case study 3 - TCN outside of EU, registered company: start-up just started, registered company outside the EU would like to set up

Sergey from Minsk, Belarus owns a company "Icomp Technologies", a manufacturing company which has just launched the production of electronic components in IoT (Internet of Things) technology sector. The company has already shipped some experimental production to third country markets, such as Japan and Malaysia, and, based on the initial success it was decided to reallocate company's headquarters to France for further business development. What is the process that Sergey would have to go through to move the headquarters? Are there any additional provisions for other staff members aiming to reallocate to the Member State?

Case study 4 -TCN already in the EU, PhD or master student.

Auri is a Dominican PhD student in biotechnology at a French university. In parallel with her studies (outside her PhD student contract), Auri researched fermentation and revealed yet unknown characteristics of the investigated ferment. Auri discovered that the reaction between the researched ferment and a specific enzyme could have a particular effect on humans' skin regeneration. She was approached by a potential investor who saw the potential of the discovery in the medical cosmetology sector. Auri would like to register a company in France and undertake further necessary research to receive patents and start the production of agents as a next stage. What are her possibilities?

Table A2.1 What are the migratory pathways available?

Member State	Case study 1 - Vihaan TCN outside of the EU, has not yet set up a business: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 – Amel TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 - Sergey TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 - Auri TCN already in the EU, PhD or master student.
Austria	Apply for an RWR Card for start-up founders at the competent authority representing Austria in another country.	Apply for an RWR Card Plus that allows the third-country national to become self-employed and start a business.	Relocate the company's headquarters, apply for an RWR Card for start-up founders at the competent authority representing Austria in another country.	Apply for a change of purpose of stay to obtain another residence title, for example, an RWR Card for start-up.
Belgium	Apply for a professional card which is the basis for a long-term visa and then apply for a residence permit in Belgium.	Apply for a professional card and then change status from an employee into self-employed'.	Apply for a professional card which is the basis for a long-term visa and then apply for a residence permit in Belgium.	If Auri is residing in Belgium on a temporary legal basis, she will need to apply for a professional card, as in the case of Amel. If Auri has a residence status of unlimited duration, she can set up her business without the need of a professional card application.
Bulgaria	Vihaan would need to apply to obtain a Freelance Work Permit (FWP). If later he wants to hire employees, he would need to change the grounds for his residence. In all cases visa is needed for the entry to Bulgaria and later the residence permit is issued.	Amel has to change her grounds for residence – from EU Blue card (no national Work Permit /WP/ is available in her case) to a FWP.	Sergey would need to re-establish his business as a new entity under the Bulgarian/EU legislation. In this case he would apply for a residence permit, not a work-related one.	Auri would need to establish her business as a new entity under the Bulgarian/EU legislation. In this case she would apply for a residence permit, not a work-related one.
Croatia	Vihaan can apply for residence and a work permit on the basis of established a company/craft and seeking to work as self-employed in a company he owns or in a company in which he holds a share of more than 51%. Other conditions as prescribed by immigration rules for specific residence status apply.	Amel can apply for residence and a work permit on the basis of established a company/craft and seeking to work as self-employed in a company she owns or in a company in which she holds a share of more than 51% or own craft. Other conditions as prescribed by immigration rules for specific residence status apply.	Sergey can apply for residence and a work permit on the basis of established a company/craft and seeking to work as self-employed in a company he owns or in a company in which he holds a share of more than 51% or own craft. Other conditions as prescribed by immigration rules for specific residence status apply.	Auri can apply for residence and a work permit on the basis of establishws a company/craft and seeking to work as self-employed in a company she owns or in a company in which she holds a share of more than 51% /own craft. Other conditions as prescribed by immigration rules for specific residence status apply.
Cyprus	Vihaan will have to apply his business plan for an initial approval by the Ministry of Finance. Once this is granted, he will have to start his own company here in Cyprus or be registered to the Social Insurance Company as self-employed person. Simultaneously he will have to be registered in regard to migration procedures, and he can either obtain an entry permit by the Civil Registry and Migration Department or can obtain a visa by the Ministry of Foreign Affairs. Upon arrival, Sergey can apply for a residence permit per the Start-up Visa Scheme.	This fictional scenario cannot be addressed by Cyprus since no experience exists in regards to EU Blue Card as Cyprus has set the EU Blue Card quota to zero.	Sergey will have to apply for an initial approval by the Ministry of Finance. Once this is granted, Sergey can either obtain an entry permit by the Civil Registry and Migration Department or can obtain a visa by the Ministry of Foreign Affairs. Upon arrival, Sergey can apply for a residence permit per the Start-up Visa Scheme.	In regard to migration procedures, employment of Auri in her own or in any other company without leaving Cyprus would be possible if the relevant requirements of Directive (EU) 2016/801 were met. In a different case, Auri would have to depart from Cyprus and follow the procedures provided for from the Cyprus Start-up Plan or follow other procedures foreseen in the EU/ national migration legislation and policy for employment of third-country nationals in Cyprus.

Member State	Case study 1 - Vihaan TCN outside of the EU, has not yet set up a business: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 – Amel TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 - Sergey TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 - Auri TCN already in the EU, PhD or master student.
Czech Republic	Vihaan is required to set up his business (e.g. a limited liability company) in the Czech Republic. A company comes into existence by virtue of its registration in the Commercial Register. Vihaan himself has to be registered there as a business owner. He can either register his company in person (he is allowed to apply for a short-term visa) or with the help of a private legal service provider. Vihaan may subsequently apply for a long-term visa for the purpose of business at the embassy of the Czech Republic in New Delhi and come to the Czech Republic if his application is approved. A visa can be granted for up to 12 months. Before his visa expires, Vihaan is allowed to apply for a residence permit.	Amel is required to set up her business (e.g. a limited liability company) by registering it in the Commercial Register and register herself there as well as a business owner. As a Blue Card holder, she would be allowed to switch her status into business only after completing 5 years of residence in the Czech Republic. Since she does not meet this condition yet, she may – as a registered business owner - conclude a labour contract between her company and herself as its employee. Before doing it, she would be required to report a new job vacancy to the Labour Office and the vacancy would have to pass the labour market test. Thereafter, Amel could change her job and report this fact to the Ministry of the Interior within 3 days. She will remain in the Czech Republic as a Blue Card holder employed by her own company.	Sergey is required to set up his business in the Czech Republic by registering his company in the Commercial Register. He and his registered key personnel would be allowed to apply for long-term visas for the purpose of business at the embassy of the Czech Republic in Belarus. Sergey's company may apply for inclusion into the governmental fast-tracking migration project. Sergey would be required to submit (i) an affidavit declaring a target to create at least 50 job vacancies in the following three years and a contract on the purchase of land or a contract on leasing of non-residential premises for business or (ii) a confirmation of acceptance of the application for investment incentives granted by the Czech Business and Investment Development Agency "CzechInvest" according to the amount of invested capital and other criteria.	Auri can set up her business and still proceed with her study at the university. After completing her studies, Auri is allowed to apply for a residence permit for the purpose of job-searching or starting a business granted to former researchers and students. As a holder of this permit, she would be subsequently allowed to switch her status into business.
Estonia	Apply for the assessment by the expert committee and after a positive decision apply for a start-up visa or a residence permit. Vihaan could apply for e-residency and in case of positive decision establish a company in Estonia online.	In case Amal continues to work in the biotech company, she can engage in doing business at the same time. She can start her own company while still employed in the biotech company. If she wishes to quit working in the biotech company she can register her business and apply for an assessment for her start-up by the expert Committee.	Sergey should make an application to the expert Committee to assess whether his company is a viable start-up and after a positive decision apply for a start-up visa or a residence permit.	If she continues her studies, she can register a company in parallel and engage in doing research. In case the period of validity of her residence permit for study has expired, she can stay in Estonia for 270 days from the expiry date and during that time she can apply for a new residence permit. This could be a temporary residence permit issued for settling permanently in Estonia. She can also apply for a new temporary residence permit for enterprise related to start-ups. .
Finland	A normal start-up permit application process would apply in this case.	A normal start-up permit application process would apply in this case. Amel will initiate the process in Finland.	If the company headquarters were to be transferred to Finland and the company profits were to accumulate in Finland, a start-up permit could be issued. However, a start-up permit can only be issued to company founders.	A normal start-up permit application process would apply in this case.

Member State	Case study 1 - Vihaan TCN outside of the EU, has not yet set up a business: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 – Amel TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 - Sergey TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 - Auri TCN already in the EU, PhD or master student.
France	Vihaan must apply to the competent French consular service in India. Vihaan should first apply for either a long-stay visa "entrepreneur/self-employed" (valid for one year) or for a long stay visa "talent passport" - "business creation" (stay longer than 12 months) or for a long stay visa equivalent to residence permit "talent passport" or "business creation" (stay 4-12 months).	Amel has to change her status to: multi-year talent passport enterprise creation residence permit or innovative project to be approved and then apply for multi-year talent passport for innovative economic projects residence permit. temporary entrepreneur/self-employed residence permit.	Sergei must apply to the competent French consulate in Belarus. Sergey should transfer the company's headquarters in France, register the company and then apply for a residence permit depending on his role in the company: apply long stay visa and then the talent passport-"business creation" residence permit apply long stay visa and then the talent passport-"company director" residence permit, if he is a legal representative apply a long stay visa equivalent to a residence permit - "entrepreneur/self-employed", valid 1 year.	Auri could obtain the status of Student Entrepreneur in order to start a business when she is continuing her studies. Otherwise she should first complete her studies and change her status for one of the following residence permits authorising her to set up a business: temporary "job-seekers or business creation" residence permit multi-year "business creation talent passport" residence permit temporary "entrepreneur/self-employed" residence permit
Germany	Vihaan must apply to the German mission abroad in India (embassy or consulate). Before submitting an application, he must clarify whether his service belongs to a trade or a liberal profession. It is important that he has drawn up a financial plan in addition to the business plan describing his start-up project. It must become clear from this that he is making sufficient profit with his project (or can show his own income) in order to be able to provide for himself and, if necessary, his family independently in Germany. Once he has completed and reviewed his business and financial plan and can name the place where he would like to live in Germany and register his company. He must complete the necessary documents for the application for a national visa and prepare all documents. He must then make an appointment with the German mission abroad and submit his application together with all documents there. Then he has to wait and see if his application is be approved.	Amel is in possession of the Blue-Card with which she can work in Germany but is not allowed to start her own business. For a self-employed activity she needs another residence permit. If she wants to apply for self-employment as a side-line first and does not want to immediately start the adventure of self-employment, she needs a permit from her employer for a side-line. If she wants to apply immediately for full-time self-employment, it depends on a) whether she has successfully completed her studies at a state or state-recognised university or comparable educational institution in Germany and at the same time has shown that her studies are close to professional independence, or b) neither is given and she has completed her studies abroad with the comparability mentioned above **and** has drawn up a financial plan in addition to the business plan describing her start-up project. It must become clear from this that she is making sufficient profit with her project (or can show her own income) in order to be able to provide for herself and, if necessary, her family independently in Germany.fulfills all conditions Vihaan has to fulfill.	Sergey has two options, depending on his personal life situation: a) Sergey wants to move his business to Germany and also live in Germany: in this case he has to take the same steps in Case Study 1, although he is already self-employed and runs a company. B) Sergey wants to move his business to Germany but continues to live in Minsk: in this case he can enter Germany with a business visa and start a business as an investor. As legal form he chooses a GmbH, in which he carries the majority as a partner. He appoints a managing director and travels back to Minsk. As the majority shareholder, he can determine the direction of the company, while his managing director, who lives in Germany, manages the company.	Auri has a residence permit for the purpose of her PhD. This means that she is not allowed to work as a self-employed person - neither as a full-time employee nor as a side-line. She now has the following possibilities: - She does not wish to complete her PhD. Then she can file an application for self-employment as a side-line with her competent foreigners' authority. She would thus extend her residence title, she must complete the necessary national visa forms and documents, as well as write a business and financial plan. The business plan must clearly show that she does not endanger her doctorate due to her self-employment and that she does not pursue her self-employment more than 15 hours per week and she must also prove that she has the formal qualifications. After a positive decision and with the extension of the residence title she take the formal steps to register (register) her self-employment. - She wants to complete her doctorate and immediately take the step into full-time self-employment. Then the same possibilities and requirements apply as in Case Study 2 for Option B. However, such a step would have to be thoroughly questioned, since the doctoral degree should be the main focus, since this was the original purpose of the stay in Germany.

Member State	Case study 1 - Vihaan TCN outside of the EU, has not yet set up a business: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 – Amel TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 - Sergey TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 - Auri TCN already in the EU, PhD or master student.
Hungary	Vihaan may apply for a residence permit in India for the purpose for the pursuit of gainful activity, at the Hungarian Consulate.	Amel may apply for a residence permit for the pursuit of gainful activity at the competent regional directorate of the Office of Immigration and Asylum, according to her place of accommodation.	If moving the headquarter to Hungary and registering the company: In the meantime, Sergey can enter and stay in Hungary if in possession of a valid business visa. After the registration of the Hungarian company, Sergey shall apply for a residence permit at the Hungarian consulate.	Auri shall register her company and then apply for a residence permit for the pursuit of gainful activity at the competent regional directorate of the Office of Immigration and Asylum, according to her place of accommodation.
Ireland	Vihaan would be a candidate for the Start-up Entrepreneur programme (STEP), albeit at a very early stage.	In Amel's situation, she would be residing in the State on a critical-skills permit. After two years on that permit she could reside without needing an employment permit. Therefore, Amel would not need to make an application to STEP as she would be in possession of an alternative immigration permission allowing her to operate a business in Ireland.	Sergey would be a candidate for STEP albeit at a very early stage.	Upon graduation, Auri can apply for a Graduate Permission, Stamp 1G which gives the successful applicant two years to look for employment in Ireland and to take up work without an employment permit. Auri could also make an application under STEP.
Italy	Vihaan may apply for an Italia Start-up visa.	Amel may apply for Italia Start-up Hub.	Sergey may apply for an Italia Start-up visa.	Auri may apply for Italia Start-up Hub.
Lithuania	Vihaan may apply for a Start-up Visa in Lithuania. First, he needs to submit a business plan for assessment. If the business plan is approved, Vihaan can apply for a temporary residence permit on the ground of a start-up.	Amel may apply for a Start-up Visa. She needs to submit a business plan for assessment. If the business plan is approved, Amel can apply for a new temporary residence permit on the ground of a start-up. If Amel was able to combine the two activities –working at the biotech company (thus continuing to comply with the requirements under which the temporary residence permit was obtained) and setting up a company – then she would not have to apply for a new temporary residence permit.	Sergey may apply for a Start-up Visa. He needs to submit a business plan for assessment. If the business plan is approved, Sergey can apply for a new temporary residence permit on the ground of a start-up. Alternatively, Sergey could establish a company in Lithuania as a representative office or branch of "Icomp Technologies". Then Sergey and his staff members could be transferred to Lithuania and receive temporary residence permits as intra-corporate transferees.	Auri may apply for a Start-up Visa. She needs to submit a business plan for assessment. If the business plan is approved, Auri can apply for a new temporary residence permit on the ground of a start-up. If Auri was able to combine the two activities –studying for her PhD and setting up a company – then she would not have to apply for a new temporary residence permit. If Auri is a master's student, then she is allowed to work only 20 hours per week.
Luxembourg	Vihaan has to apply for an independent/ self-employed authorisation of stay.	Amel may apply for a self-employed/ independent worker authorisation of stay and residence permit in Luxembourg. As she is already in the territory and is a holder of the EU Blue Card residence permit, she can apply first for the business permit to the Directorate of Small and Medium Sized Enterprises of the Ministry of the Economy and then for a self-employed/independent authorisation of stay at the Directorate of Immigration of the Ministry of Foreign and European Affairs. She also can apply as an investor.	Sergey must follow the same procedure to obtain the self-employed/ independent worker residence permit and the business permit. The only difference is that instead of registering a new company, he must create a new company that will act as a branch in Luxembourg. Another possibility will be to apply for an investor residence permit if Sergey fulfils the conditions of the immigration law regarding this residence permit.	In this case, there can be a change of status from a student residence permit to a self-employed residence permit. The residence permit is valid for 9 months (non-renewable).. If, during this time period, the third-country national student creates an enterprise, then the original authorisation of stay and residence permit will be changed for an authorisation of stay and a residence permit as an independent worker.

Member State	Case study 1 - Vihaan TCN outside of the EU, has not yet set up a business: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 – Amel TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 - Sergey TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 - Auri TCN already in the EU, PhD or master student.
Latvia	Vihaan has the right to request a temporary residence permit.	Amel's status of stay in Latvia should be changed, that is, she should request a temporary residence permit as for a start-up company founder.	Sergey should request a residence permit in relation to a start-up company, and within a three months period from the day of receipt of the residence permit, the company should be registered in Latvia. An application can be submitted either in Embassy or in Latvia.	Auri, as a PhD or Master's student, may register a company without changing her student status in the country, and may also perform company operational management activities (students of PhD or Master's studies are granted unlimited access to the labour market.)
The Netherlands	Vihaan can make a choice between two residence permits, provided he meets all conditions. Both residence permits come under the general residence purpose 'work on a self-employed basis'. For both permits he must also apply for a provisional residence permit (MVV), unless he comes under an exemption category, but third-country nationals of Indian nationality are in principle required to have a provisional residence permit. Vihaan can also apply first for a short-stay visa to enter the country and explore possible facilitators, where he can also submit an application for the start-up residence permit.	Amel can apply for a start-up residence permit or the more general residence permit for self-employed persons. For the residence permit for starting entrepreneurs she must however have found a facilitator in the Netherlands that is willing to mentor her. Amel no longer needs to apply for a provisional residence permit or visa, because she already resides in the Netherlands with a valid residence permit. In addition, Amel can choose to continue working further at the company as a highly skilled migrant and perform entrepreneurial activities alongside this.	Sergey can apply for a residence permit for start-ups (to obtain this, however, he must find a mentoring party (facilitator) in the Netherlands that is willing to mentor him) or the more general residence permit for self-employed persons. For both permits he also needs to apply for a provisional residence permit (MVV) (unless he is comes under an exemption category, but persons of Belarussian nationality are initially subject to the obligation to have a provisional residence permit) or a short-stay visa as far as the start-up residence permit is concerned, in order to enter the country.	Auri can apply for a residence permit for start-ups, for which she must however find a mentoring party (facilitator) in the Netherlands, or the more general residence permit for self-employed persons. If however Auri maintains her main purpose of stay, and still finishes her PhD in the Netherlands as a 'researcher', she may perform entrepreneurial activities at the same time. In addition, Auri can apply for the residence permit 'orientation year for highly educated persons' ', if she finishes her PhD before she sets up a business.
Poland	Vihaan can apply for a visa for business activity, register the business and then apply for a residence permit for the purpose of business activity, otherwise he can enter as an employer and obtain a residence permit.	Amel can register her business and then apply for a residence permit for the purpose of business activity.	Sergey can obtain a work permit, apply for a visa for the purpose of work and a temporary residence permit for the purpose of performing work by a foreigner delegated by a foreign employer.	Auri possesses a temporary residence permit for the purpose of studies; she can register her business, then obtain a temporary residence permit for the purpose of business activity or subsequently a temporary residence permit for the purpose of studies and pursuing business activity aside.
Portugal	Vihaan will have to submit an application under the Start-up Visa Program, submitting his project to a certified incubator in the Start-up Visa portal. If the application is approved, Vihaan will need to apply for a visa under the Start-up Visa Program through the Portuguese Consular Services Platform (https://www.vistos.mne.pt/en/vido-de-visto/solicitar-pedido-de-visto). After granted the visa and entering the national territory, he will apply for the residence permit at *Serviço de Estrangeiros e Fronteiras* (Immigration and Borders Service) by prior booking at the Contact Center.	Amel will have to apply for the change to the entrepreneur scheme by submitting his project to a certified incubator in the Start-up Visa portal. With the approval of the project he will apply at *Serviço de Estrangeiros e Fronteiras* (Immigration and Borders Service), by prior booking at the Contact Center.	To qualify for the Start-up Visa Program, Sergei will need to register his company in Portugal and to submit an application to the Program by submitting his project to a certified incubator in the Start-up Visa portal. If the application is approved, Sergei will have to apply for a visa under the Start-up Visa Program through the Portuguese Consular Services Platform: (https://www.vistos.mne.pt/en/served-vista/solicitar-pedido). After granted the visa and entering the national territory, he will apply for the residence permit at *Serviço de Estrangeiros e Fronteiras* (Immigration and Borders Service) by prior booking at the Contact Center. Other workers will have to enter Portugal under the normal visa and residence permit regime to work.	Auri may apply for a residence permit to set up his company (Article 122 (1) (p) of the Immigration Law) at Serviço de Estrangeiros e Fronteiras (Immigration and Borders Service) by prior booking at the Contact Center.

Member State	Case study 1 - Vihaan TCN outside of the EU, has not yet set up a business: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 – Amel TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 - Sergey TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 - Auri TCN already in the EU, PhD or master student.
Sweden	In order to go through with his plan to reside in Sweden as self-employed, Vihaan needs to apply for a residence permit for self-employment before entering the country and then await the decision in his country of origin (country of residence).	Amel must apply for a residence permit as self-employed person.	Sergey must apply for a residence permit as self-employed person.	Auri must apply for a residence permit as self-employed person.
Slovenia	Vihaan can apply for a visa for the purpose of business activity or a single permit for the purpose of business activity. He may submit the application at the Slovenian embassy abroad or at the responsible authority in Slovenia. He may register his business through e-VEM portal.	Amel may register her business through e-VEM portal and apply for a single permit for business activities.	Sergey may apply for a visa for the purpose of business activity or a single permit for the purpose of business activity or for a temporary residence permit based on state interest. He may submit the application at the Slovenian consular representation abroad or at the responsible authorities in Slovenia. He may register his business through platform e-VEM. Other staff members will need to apply for relevant type of permit (such as family members, employee, etc.).	Auri may either retain her temporary residence for the purpose of study, which allows her to continuing with innovative project/performing business. She may decide to change and apply for a single permit for the purpose of business activity or a temporary residence permit based on state interest. She may also register her business through e-VEM.
Slovak Republic	Vihaan can implement his innovative project (start-up) if he is granted a temporary residence for the purpose of business. He must submit the application for a residence permit at the Slovak embassy abroad.	If Amel wants to launch a start-up, she needs to request a change in her purpose of residence, i.e. from EU Blue Card temporary residence to the temporary residence for the purpose of business.	Sergey can launch a new commercial company in the Slovak Republic. He can be the sole owner/shareholder of the company or be the owner and statutory authority (act on behalf of the company) at the same time. To own a commercial company, he does not need any kind of residence permit. If he wants to be a statutory authority of a company, he must obtain a temporary residence for the purpose of business. He must submit the application for a residence permit at the Slovak embassy abroad.	Auri has two possibilities: either she retains the temporary residence for the purpose of study, which also allows her to perform business (and implement an innovative project), or she submits a request to have her permit changed to the temporary residence for the purpose of business. If Auri chooses the first option and launches a business without changing her temporary residence for the purpose of study to one for the purpose of business, it will not be necessary to evaluate the innovativeness of her business plan.
Spain	Vihaan is a clear candidate to obtain an entrepreneur's permit, as he apparently meets all the requirements.	Amel could get her permit either through the entrepreneurs' scheme or the third-country national self-employed scheme.	Sergei should apply for an entrepreneur's residence permit.	She could apply for the entrepreneur's permit or she could opt for the self-employed scheme.
United Kingdom	Vihaan could qualify for a start-up or Innovator visa, depending on his circumstances.	As a highly skilled worker in the UK with a visa sponsored by her employer, Amel would be eligible to switch to a start-up or Innovator visa, depending on her circumstances.	Sergey, as the owner of an established business looking to relocate to the UK, would be suitable for an Innovator visa.	As a third-country national PhD student, Auri would be in the UK on a Tier 4 General student visa. She could apply to change her visa to a start-up visa.

Table A2.2 Would the person qualify for the residence permit and if yes, under what specific condition?

Member State	Case study 1 TCN outside of the EU, has not set up business yet: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 TCN already in the EU, PhD or master student.
Austria	- Because of a lack of details, it is not possible to decide whether the person meets the requirements. For obtaining an RWR Card for start-up founders applicants must meet general and specific requirements set out in the Settlement and Residence Act.-	To be issued an RWR Card Plus, Amel would have to meet the requirements for the permit as set out in the Settlement and Residence Act, in addition to having held an EU Blue Card for two years. It should also be confirmed that she had been employed for 21 of the previous 24 months at a job meeting the major requirements for the residence title.	Because of a lack of details, it is not possible to decide whether the person meets the requirements. For obtaining an RWR Card for start-up founders applicants must meet general and specific requirements set out in the Settlement and Residence Act.	Because of a lack of details, it is not possible to decide whether the person meets the requirements. For obtaining an RWR Card for start-up founders applicants must meet general and specific requirements set out in the Settlement and Residence Act.
Belgium	Yes: Vihaan would most likely qualify for a professional card. Through his business plan and supporting documents, Vihaan will need to show the viability of his company, the availability of sufficient funds, the possibility to support himself (and accompanying family members if applicable) and in addition he will need to show the economic benefit of his project to the specific Region where he wishes to set up his business.	Yes: it is very likely that Amel would qualify for the permit. She will need to show the viability of her company, the availability of sufficient funds, the possibility to support herself (and accompanying family members if applicable) and in addition she will need to show the economic benefit of her project to the specific Region where she wishes to set up her business. The economic benefit of her project can be shown through investments, plans of employing locals, opportunities for other/local business owners, etc. In addition, Amel will need to show that she is in legal stay in order to be allowed to file the application in Belgium.	Yes: Sergey would most likely qualify for the permit and be allowed to set up his business in Belgium. He will need to show the viability of his company, the availability of sufficient funds, the possibility to support himself (and accompanying family members if applicable) and in addition he will need to show the economic benefit of his project to the specific Region where he wishes to set up his business. As he already has an established company, it should be easier to provide proof of experience and financial figures for the future years. If the company in Belarus is financially healthy and he can show an economic benefit for the region, the professional card should be delivered.	Yes, it is very likely that Auri would qualify for the permit. She will need to show the viability of her company, the availability of sufficient funds, the possibility to support herself (and accompanying family members if applicable) and in addition she will need to show the economic benefit of her project to the specific Region where she wishes to set up her business. The economic benefit of his project can be shown through investments, plans of employing locals, opportunities for other/local business owners, etc. In addition she will need to show that she is in legal stay in Belgium and that her legal status is compatible with a professional card in order to be allowed to file the application in Belgium.
Bulgaria	Yes, Vihaan would qualify for a FWP if he presents a business plan.	Yes, Amel would qualify for a FWP if she presents a business plan.	Yes, if he proves the conditions for residence.	Yes, if she proves the conditions for residence.
Croatia	Can apply for residence and a work permit on the basis of established a company/craft and seeking to work as self-employed in a company he owns or in a company in which he holds a share of more than 51%/craft. Other conditions as prescribed by immigration rules for specific residence status apply.	Too little information to give an answer.	Can apply for residence and a work permit on the basis of established a company/craft and seeking to work as self-employed in a company he owns or in a company in which he holds a share of more than 51%/craft. Other conditions as prescribed by immigration rules for specific residence status apply.	Too little information to give an answer.
Cyprus	Yes, under the condition that his business plan will be approved by the Ministry of Finance. With regard to migration procedures, Sergey can either obtain an entry permit by the Civil Registry and Migration Department or can obtain a visa by the Ministry of Foreign Affairs. Upon arrival, hr can apply for a residence permit per the Start-up Visa Scheme. In the case of paid employment at the time of application, the company must be registered in the Department of Registrar of Companies and Official Receiver.	This fictional scenario cannot be addressed by Cyprus since no experience exists with regard to EU Blue Card as Cyprus has set the EU Blue Card quota to zero.	Yes, under the condition that his business plan will be approved by the Ministry of Finance. With regards to migration procedures, Sergey can either obtain an entry permit from the Civil Registry and Migration Department or can obtain a visa from the Ministry of Foreign Affairs. Upon arrival, Sergey can apply for a residence permit as per the Start-up Visa Scheme. In the case of paid employment at the time of application, the company must be registered in the Department of Registrar of Companies and Official Receiver.	Maybe, depending on the migratory pathway Auri chooses. If she chooses the Start-up Visa scheme, then yes, under the condition that her business plan will be approved by the Ministry of Finance. With regard to migration procedures, she can either obtain an entry permit by the Civil Registry and Migration Department or can obtain a visa by the Ministry of Foreign Affairs. Upon arrival, Auri can apply for a residence permit as per the Start-up Visa Scheme. In the case of paid employment at the time of application, the company must be registered in the Department of Registrar of Companies and Official Receiver.

Member State	Case study 1 TCN outside of the EU, has not set up business yet: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 TCN already in the EU, PhD or master student.
Czech Republic	Vihaan would qualify only for a long-term visa for the purpose of business. He has to register his new business in the Czech Republic.	Amel would have to keep the status of a Blue Card holder. She has to register her new business in the Czech Republic and create a job vacancy for herself.	Sergey (and his key personnel) would qualify only for a long-term visa for the purpose of business. Sergey has to register his new business in the Czech Republic.	Auri would qualify only for a long-term residence permit for the purpose of job-searching or starting a business granted to former researchers and students. She could switch her status into business later.
Estonia	If Vihaan can show more than just an idea of the service-based app to the start-up expert committee, she could qualify for a visa. Start-up Committee does not accept start-ups that are only in an idea phase.	Yes, the person would qualify if the criteria is fulfilled. If the start-up Committee approves her start-up, she can apply for a temporary residence permit for enterprise related to start-up.	Yes: A positive decision is likely. First he has to apply for an assessment from the expert Committee, then he can apply for a start-up visa and come to Estonia and register the company here. After the company is registered, he can apply for the residence permit for enterprise related to start-ups. Alternatively, he could apply for the e-residency and register the company in Estonia while being abroad. After the company has been registered in Estonia and the Committee has approved his start-up, he can apply for the residence permit at once.	
Finland	Yes, if the business criteria are fulfilled, Vihaan will qualify. If Business Finland accepts his business plan and gives a positive statement, Finnish Immigration Service will then review the following criteria: ▪ Valid passport ▪ No prescription of prohibition of entry ▪ Not considered danger to public order and security ▪ Not a danger to public health ▪ Not a danger to Finland's international relations ▪ Applicant has secure means of support (at least 1000e per month) for living costs	Yes, if the business criteria are fulfilled, Amel will qualify.	Yes, if the business criteria are fulfilled, he will qualify.	It depends; in order to qualify, the company has to have a team of at least two people. A single person does not qualify as a start-up company
France	Yes (depending on the long-stay visa – see table 4), if he provides documents proving the economic viability of his project, proof on own resources and sufficient investment.	Yes (depending on the residence permit – see table 4), if the criteria related to business, sufficient resources and investment are fulfilled.	Yes (depending on the residence permit – see table 4), if the criteria related to business and income are fulfilled.	Yes (depending on the residence permit – see table 4), if documents proving the economic viability of the project and sufficient resources are provided.

Member State	Case study 1 TCN outside of the EU, has not set up business yet: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 TCN already in the EU, PhD or master student.
Germany	Yes, if: (1) the CV shows that the person has entrepreneurial skills and knowledge, (2) the business plan shows the business idea, and (3) the financial plan shows that the person can earn enough income to support himself (and his family). It always depends on the business plan and the financial plan – in some cases it is important that the company is of significant importance for economic development. However, this is mostly the case with start-ups or innovative companies.	Yes, if: (1) the CV shows that the person has entrepreneurial skills and knowledge, (2) the business plan shows the business idea, and (3) the financial plan shows that the person can earn enough income to support himself (and his family).	Yes, if: (1) the CV shows that the person has entrepreneurial skills and knowledge, (2) the business plan shows the business idea, and (3) the financial plan shows that the person can earn enough income to support himself (and his family).	Yes, if: (1) the CV shows that the person has entrepreneurial skills and knowledge, (2) the business plan shows the business idea, and (3) the financial plan shows that the person can earn enough income to support himself (and his family).
Hungary	Yes if the purpose of stay means that Vihaan plans to lawfully perform work in a self-employed capacity for remuneration, or to engage in any gainful activity in the capacity of being the owner, can be verified. If he is an executive officer of a for-profit business association, cooperative or some other legal entity, or a member of the executive, representative or supervisory board of such entity, the purpose of entry and residence shall be considered verified.	Yes if the purpose of stay means that Amel plans to lawfully perform work in a self-employed capacity for remuneration, or to engage in any gainful activity in the capacity of being the owner, can be verified. If Amel is an executive officer of a for-profit business association, cooperative or some other legal entity, or a member of the executive, representative or supervisory board of such entity, the purpose of entry and residence shall be considered verified.	Yes if the purpose of stay means that Sergey plans to lawfully perform work in a self-employed capacity for remuneration, or to engage in any gainful activity in the capacity of being the owner, can be verified. If Sergey is an executive officer of a for-profit business association, cooperative or some other legal entity, or a member of the executive, representative or supervisory board of such entity, the purpose of entry and residence shall be considered verified.	Yes if the purpose of stay means that Auril plans to lawfully perform work in a self-employed capacity for remuneration, or to engage in any gainful activity in the capacity of being the owner, can be verified. If Auri is an executive officer of a for-profit business association, cooperative or some other legal entity, or a member of the executive, representative or supervisory board of such entity, the purpose of entry and residence shall be considered verified.
Ireland	TCN would be required to have the €50,000 seed funding and to meet the criteria as set out in the application. Being of good character and having a suitable business proposal.	TCN would apply to Department of Business Enterprise and Innovation (DEI) for a Letter of Support having completed 21 months on a Critical Skills Employment Permit. This then allows them to acquire a Stamp 4 residence permission which permits them to work without the need for an employment permit and also allows them operate their own business in the State.	TCN would be required to have the €50,000 seed funding and to meet the criteria as set out in the application including being of good character and having a suitable business proposal.	TCN would be required to have the €50,000 seed funding and to meet the criteria as set out in the application. Being of good character and having a suitable business proposal.
Italy		Yes, Amel falls into the category of non-EU citizens who are already in Italy, in possession of a regular residence permit for which it is possible to change the type ("conversion") during the period of validity or at the expiration and who intend to start, alone or in a team, an innovative start-up on the Italian territory. In order to be eligible for the programme, the applicant must demonstrate a financial availability for the purposes of the business project, whether personal or granted by third parties, of not less than €50 000.		Yes, Auri falls into the category of non-EU citizens who are already in Italy, in possession of a regular residence permit for which it is possible to change the type ("conversion") during the period of validity or at the expiration and who intend to start, alone or as a team, an innovative start-up in Italy.

Member State	Case study 1 TCN outside of the EU, has not set up business yet: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 TCN already in the EU, PhD or master student.
Lithuania	Yes, the person could qualify for a temporary residence permit on the ground of a start-up if (s)he: a) first, obtained a positive decision of the Start-up Lithuania confirming that the lawful activities foreseen in the business plan are related to the introduction of new technologies or other innovations that are significant to the economic and social development of Lithuania, that the person has the necessary qualifications, financing and business plan to carry out these activities, and that the presence of the person is necessary for the activities of this company b) second, submitted all the necessary documents (incl. positive decision of the Start-up Lithuania) for a temporary residence permit.	Please see Case Study 1.	Please see Case Study 1.	Please see Case Study 1.
Luxembourg	Yes however, the applicant must a) provide proof of required qualifications to carry out the planned activity and, where applicable, be registered on the respective professional lists or registers; b) where applicable, ensure that he fulfil the conditions set out by law to access the professions of craftsman, trader, industrialist and certain liberal professions; c) provide proof that he has sufficient resources to carry out the desired activity; d) ensure that the activity carried out serves the interests of the country in terms of economic benefit or social or cultural interest. Once he enters the country, in the following three days he has to register at the municipality where he is going to reside and then apply within three months for a residence permit at the Directorate of Immigration, including a copy of the temporary authorization of stay, the receipt registration with the Municipality, the medical certificate , the proof of adequate accommodation and the proof of payment of the fee for the residence permit application.	Yes. Amel may apply for a self-employed/independent worker authorisation of stay and residence permit. As she is already in the territory and is holder of a Blue Card residence permit, she can apply inside the territory (not need to apply from Tunisia nor request a visa): a) for the business permit to the Directorate of Small and Medium Sized Enterprises of the Ministry of the Economy and b) for a self-employed/independent authorisation of stay at the Directorate of Immigration of the Ministry of Foreign and European Affairs. In any case she must fill the same conditions as Vihaan (see first column). She also can apply as an investor but she will be obliged to fulfil all the conditions of article 53bis of the Immigration Law.	In this case, Sergey must follow the same procedure to obtain the self-employed/independent worker residence permit and the business permit that Vihaan followed. The only difference is that instead of registering a new company, he has to create a new company that will act as a branch in Luxembourg. In any case she must fill the same conditions as Vihaan (see first column). Another possibility will be to apply for an investor residence permit if Sergey fulfils the conditions of article 53bis of the Immigration Law. Once he enters the country, in the following three days he has to register at the municipality where he is going to reside and then apply within three months for a residence permit at the Directorate of Immigration, including a copy of the temporary authorization of stay, the receipt registration with the Municipality, the medical certificate , the proof of adequate accommodation and the proof of payment of the fee for the residence permit application.	In this case, there can be a change of status from a student residence permit to a self-employed residence permit. The Immigration Law authorises the third-country national student who finishes its Master or PhD to apply one month before finishing his/her studies for an authorisation of stay and a residence permit for private reasons (job search or creation of enterprise). The residence permit is valid for 9 months. If, during this time period, the TCN student creates an enterprise, then the original authorisation of stay and residence permit will be changed for an authorisation of stay and a residence permit as an independent worker. In any case she must fill the same conditions as Vihaan (see first column).

Member State	Case study 1 TCN outside of the EU, has not set up business yet: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 TCN already in the EU, PhD or master student.
Latvia	Yes - the person would qualify, if he would submit all necessary documents and an opinion of the Investment and Development Agency of Latvia would be received regarding compliance of the product with the definition of the innovative product.	Yes, if the planned activity corresponds with the concept of a start-up company and innovative product.	Yes, if the planned activity corresponds with the concept of a start-up company and innovative product.	Yes, the person would qualify, if she would submit all necessary documents and an opinion of the Investment and Development Agency of Latvia would be received regarding compliance of the product with the definition of the innovative product.
The Netherlands	Yes, Vihaan would qualify for both residence permits if he were able to meet the conditions for admission under the start-up residence permit and the conditions for admission under the residence permit for self-employed persons.	Yes but in order to obtain one of these residence permits, Amel must meet the applicable conditions for the residence permit for start-ups or the conditions for the residence permit for self-employed persons.	Yes, Sergey would quality for these residence permits if he meets the conditions for the residence permit for start-ups and for the residence permit for self-employed persons.	Yes but in order to obtain one of these residence permits, Auri must meet the applicable conditions for the residence permit for start-ups or the conditions for the residence permit for self-employed persons.
Spain	Yes, apparently Vihaan meets the requirements to get the 1-year visa for preliminary arrangements and start his innovative activity, if this is of special economic interest for Spain, and provided he also meets the rest of migratory requirements we don't have information about (health insurance, sufficient financial resources, fees payment)	Yes, provided he meets the requirements mentioned in the law related to the activity she wants to carry out (the sectorial legislation, nothing to do with her condition as a migrant), and the rest of migratory requirements. All in all, they are: not being illegally in Spain, no criminal records, no entry bans in Spain, comply with the requirements for opening and running the projected activity, possess the required professional qualification or accredited experience, sufficient for the professional activity, as well as, where appropriate, the memberships required, Be able to prove that the planned investment is sufficient and if applicable, the creation of jobs; and being able to prove that she has sufficient financial resources for her maintenance, apart from the necessary funds to run the activity.	Yes, apparently Sergey meets the requirements to get the 1-year visa for preliminary arrangements and start his innovative activity, if this is of special economic interest for Spain, and provided he also meets the rest of migratory requirements we don't have information about (health insurance, sufficient financial resources, fees payment).	Yes, provided apparently Auri meets the requirements to get the 2-year residence permit for innovative entrepreneurs, if this is of special economic interest for Spain, and provided she also meets the rest of migratory requirements we don't have information about (health insurance, sufficient financial resources, fees payment).
Sweden	No, his work experience is too short, and he has no experience in running his own business.	No, following a 2016 Migration Court of Appeal ruling exceptional circumstances need to be at hand to grant such an application after entry. Hence, the main rule in the Aliens Act which states that an application for a residence permit shall be submitted and granted before entry, applies. However, provided she leaves Sweden and applies from her country of origin (country of residence), the application is likely to be granted provided that she fulfils the requirements.	*It is not possible to respond due to too little information.*	Yes, as long as she remains a student she is entitled to run her business based on that residence permit. In order to change her status she needs to apply for a residence permit as a self-employed person, and this application can be submitted in Sweden. The conditions are that she has completed at least 30 ECTS credits or one term of postgraduate education. Provided that she fulfils the requirements such an application is likely to be granted.
Slovenia	As a TCN, Vihaan would qualify for a single permit for the purpose of business activity, if he would be able to meet the required conditions for admission and register his business through e-VEM.	Amel would qualify for a single permit for purpose of business activity, if she would be able to meet the required conditions for admission and register her business through e-VEM. In exceptional cases, she could apply for a temporary permit and fulfils all required conditions if responsible state authorities recognised his business as "state interest".	Sergey would qualify for a single permit for purpose of business activity, if he would be able to meet the required conditions for admission and register his business through e-VEM. In exceptional cases, he could apply for a temporary permit and would fulfil all required conditions if the responsible state authorities recognised his business as in the "state interest".	If Auri remains a student she would be entitled to perform her own business based on that residence permit.

Member State	Case study 1 TCN outside of the EU, has not set up business yet: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 TCN already in the EU, PhD or master student.
Slovak Republic	Yes, the permit is granted if the applicant (Vihaan) submits all legally specified documents. During the decision process regarding the application for temporary residence, the administrative authority takes into account the public interest. It also takes into account the opinions of the respective diplomatic mission regarding the residence permit and Ministry of Economy regarding the submitted business plan Ministry of Economy regarding the submitted business plan.	Yes, the permit is granted if the applicant (Amel) submits all legally specified documents. During the decision process regarding the application for temporary residence, the administrative authority takes into account the public interest. It also takes into account the opinions of the respective diplomatic mission regarding the residence permit and Ministry of Economy regarding the submitted business plan.	The temporary residence for the purpose of business is granted by the Department of the Aliens Police, usually assigned based on the applicant's place of living. Yes, the residence permit will be granted if Sergey submits all legally specified documents. During the decision process regarding the application for temporary residence, the administrative authority takes into account the public interest. Within the decision process, it also takes into account the opinion of the Ministry of Economy regarding the submitted business plan to identify whether it actually pertains to an innovative project. In the opinion, the Ministry of Economy takes into account the positive fact that Sergey already owns a successful company implementing an innovative project.	The temporary residence for the purpose of business is granted by the Department of the Aliens Police, usually allocated based on the applicant's place of living. Yes, the residence permit will be granted, if Auri provides all necessary documents. During the decision process regarding the application for temporary residence, the administrative authority takes into account the public interest (. It also takes into account the opinion of the Ministry of Economy regarding the submitted business plan.
United Kingdom	To qualify for a Start-up visa or innovator visa, Vihaan must: ▪ Have his business plan endorsed by an approved body ▪ Be at least 18 years old ▪ Meet the English language requirement ▪ Be able to prove he has enough personal savings to support himself whilst in the UK ▪ Must have had at least £ 945 in his bank account for 90 consecutive days before applying.	To qualify for a Start-up visa, Amel must: ▪ Have her business plan endorsed by an approved body ▪ Be at least 18 years old ▪ Meet the English language requirement ▪ Be able to prove she has enough personal savings to support herself whilst in the UK ▪ Must have had at least £ 945 in her bank account for 90 consecutive days before applying. If she applies for an innovator visa, Amel must have at least £ 50 000 in investment funds. The funding can come from any source.	To qualify for an innovator visa, Sergey must: ▪ Have his business plan endorsed by an approved body ▪ Be at least 18 years old ▪ Meet the English language requirement ▪ Be able to prove he has enough personal savings to support himself whilst in the UK ▪ Must have had at least £ 945 in his bank account for 90 consecutive days before applying. Although Sergey is the owner of an established business, he would still need to have at least £ 50 000 in investment funds. The funding can come from any source. Sergey would not investment funds if the business is already established and has been endorsed for a previous visa.	As a TCN PhD student, Auri would be in the UK on a Tier 4 General student visa. She could apply to change her visa to a Start-up visa. She would not be eligible for an Innovator visa. To qualify for a Start-up visa, Auri must: Have her business plan endorsed by an approved body[277] Be at least 18 years old Meet the English language requirement[278] Be able to prove she has enough personal savings to support herself whilst in the UK Must have had at least £945 in her bank account for 90 consecutive days before applying[279]

277 A list of approved bodies can be accessed here: https://www.gov.uk/government/publications/endorsing-bodies-start-up The criteria on which approved bodies assess the applicant's business or business idea can be accessed here: https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-w-immigration-rules-for-workers#part-w5-specific-requirements--start-up
278 The English language requirement is detailed here: https://www.gov.uk/start-up-visa/knowledge-of-english
279 https://www.gov.uk/start-up-visa/eligibility

Table A2.3 How long would it take for a person to obtain the permit?

Member State	Case study 1 TCN outside of the EU, has not set up business yet: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 TCN already in the EU, PhD or master student.
Austria	Maximum eight weeks from the application submission	Maximum six months from the application submission	Maximum eight weeks from the application submission	Maximum eight weeks from the application submission
Belgium	Between four and eight months	There is no legally determined timeline for this kind of applications. In practice four – six months.	There is no legally determined timeline for this kind of applications. In practice four - eight months.	There is no legally determined timeline for this kind of applications. In practice four-six months.
Bulgaria	- 30 days for the FWP (if all the required documents are supplied correctly); - 35 days for obtaining a visa Type D; - A maximum of 30 days for obtaining the plastic residence permit (could be shorter depending on the urgency and the payment of the respective higher fee for it – three days for express issuance, 10 days for urgent issuance).	- 30 days for the FWP (if all the required documents are supplied correctly); - 35 days for obtaining a visa Type D; - A maximum of 30 days for obtaining the plastic residence permit (could be shorter depending on the urgency and the payment of the respective higher fee for it – 3 days for express issuance, 10 days for urgent issuance).	- 35 days for obtaining a visa Type D; - A maximum of 30 days for obtaining the plastic residence permit (could be shorter depending on the urgency and the payment of the respective higher fee for it – three days for express issuance, 10 days for urgent issuance).	- 35 days for obtaining a visa Type D; - A maximum of 30 days for obtaining the plastic residence permit (could be shorter depending on the urgency and the payment of the respective higher fee for it – three days for express issuance, 10 days for urgent issuance).
Czech Republic	Long-term visa for the purpose of business: approximately 65 days.	New residence permit would not be needed.	Long-term visa for the purpose of business: approximately 65 days.	Long-term residence permit for the purpose of job-searching or starting up a business: approximately 60 days.
Cyprus	Three weeks for the entry permit and three weeks for the residence permit.	Not applicable, as the quota for the EU Blue Card quota is set to zero "0"	Three weeks for the entry permit and three weeks for the residence permit.	It varies, depending on the migratory pathway Auri chooses. See Table 4. For the Start-up Visa Scheme, three weeks for the entry permit and three weeks for the residence permit.
Estonia	10 working days for the expert Committee´s decision if there is no need for additional information. Following a positive decision 30 days for the long-stay visa at a foreign representation.	10 working days for the expert Committee´s decision if there is no need for additional information. If the start-up Committee approves her start-up, she can apply for a temporary residence permit for enterprise related to start-up, which will take up to two months.	10 working days for the expert Committee´s decision if there is no need for additional information. Following a positive decision 30 days for the long-stay visa at a foreign representation. Or the process of e-residency for 6-8 weeks followed by a temporary residence permit for enterprise related to start-up, which will take up to two months.	10 working days for the expert Committee´s decision if there is no need for additional information. If the start-up Committee approves her start-up, she can apply for a temporary residence permit for enterprise related to start-up, which will take up to two months.
Finland	If there is no need for additional information requests from the applicant, the applicant could get his decision in less than a month. If additional documents are required, the process could be done in one-two months.	If there is no need for additional information requests from the applicant, the applicant could get his decision in less than a month. If additional documents are required, the process could be done in one-two months.	If there is no need for additional information requests from the applicant, the applicant could get his decision in less than a month. If additional documents are required, the process could be done in one-two months.	If there is no need for additional information requests from the applicant, the applicant could get his decision in less than a month. If additional documents are required, the process could be done in one-two months.
France	The processing time depends on the consulates/prefectures and the workload of the services at the period concerned. Maximum duration: three months.	The processing time depends on the consulates/prefectures and the workload of the services at the period concerned. Maximum duration: three months.	The processing time depends on the consulates/prefectures and the workload of the services at the period concerned. Maximum duration: three months.	The processing time depends on the consulates/prefectures and the workload of the services at the period concerned. Maximum duration: three months.

Member State	Case study 1 TCN outside of the EU, has not set up business yet: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 TCN already in the EU, PhD or master student.
Germany	There is no legally binding timeline. As processing may vary from case to case and by country of origin, it is not possible to specify the average processing time.	There is no legally binding timeline. As processing may vary from case to case and by country of origin, it is not possible to specify the average processing time.	There is no legally binding timeline. As processing may vary from case to case and by country of origin, it is not possible to specify the average processing time.	There is no legally binding timeline. As processing may vary from case to case and by country of origin, it is not possible to specify the average processing time..
Croatia	Maximum processing time set in legislation is 30 days from the date of completed application/60 days if it is necessary to conduct an inquiry procedure.	Maximum processing time set in legislation is 30 days from the date of completed application/60 days if it is necessary to conduct an inquiry procedure	Maximum processing time set in legislation is 30 days from the date of completed application/60 days if it is necessary to conduct an inquiry procedure	Maximum processing time set in legislation is 30 days from the date of completed application/60 days if it is necessary to conduct an inquiry procedure
Hungary	The competent immigration authority shall adopt a decision concerning the application within 21 days (maximum of 70 days).	The competent immigration authority shall adopt a decision concerning the application within 21 days (maximum of 70 days).	The competent immigration authority shall adopt a decision concerning the application within 21 days (maximum of 70 days).	The competent immigration authority shall adopt a decision concerning the application within 21 days (maximum of 70 days).
Ireland	3 – 4 months	A letter of support would be needed from Department of Business, Enterprise and Innovation to confirm they are eligible to change their permission. Department of Business, Enterprise and Innovation advise that individuals should apply four months in advance for this letter.	3 – 4 months	3 – 4 months
Italy	Maximum four months	Maximum one month	Maximum four months	Maximum four months
Lithuania	Usually evaluation of a business plan should not take more than 15 working days. If the person has received an invitation from a venture or private equity fund, the evaluation process should not take more than five working days. A temporary residence permit on the ground of a start-up is issued within 2 months (or within 1 month under the accelerated procedure).	Please see Case Study 1	Please see Case Study 1	Please see Case Study 1
Luxembourg	Maximum three months after reception of complete application.	Maximum three months after reception of complete application.	Maximum three months after reception of complete application.	Maximum three months after reception of complete application.
Latvia	Processing of the application requires 30 days (or five or ten working days – fast track option), and after a positive response, the temporary residence permit may be received within two-ten days.	The time period for review of submitted documents for requesting a temporary residence permit is 30 days (or five or ten working days – fast track option). The time period for processing of applications corresponds with the time period determined in the law - if the person has paid the State fee for review of documents within 30 days, then the decision usually is made on the 30th day. The production of a residence permit (eID card) may last two or ten working days (depending on the amount of the paid State fee).	The time period for review of submitted documents for requesting a temporary residence permit is 30 days (or five or ten working days – fast track option). The time period for processing of applications corresponds with the time period determined in the law - if the person has paid the State fee for review of documents within 30 days, then the decision usually is made on the 30th day. The production of a residence permit (eID card) may last two or ten working days (depending on the amount of the paid State fee).	The time period for review of submitted documents for requesting a temporary residence permit is 30 days (or five to ten working days – fast track option). The time period for processing of applications corresponds with the time period determined in the law - if the person has paid the State fee for review of documents within 30 days, then the decision usually is made on the 30th day. The production of a residence permit (eID card) may last 2 or 10 working days (depending on the amount of the paid State fee).

Member State	Case study 1 TCN outside of the EU, has not set up business yet: Start-up at business plan stage, has not registered the company in the Member State, wants to apply from outside the EU.	Case study 2 TCN already in the EU, working as a highly skilled employee: Highly skilled third-country national who came on an EU Blue Card or an alternative national permit for highly skilled workers working for a company in a certain industry; after 2 years of working for the company wants to start his/her own business.	Case study 3 TCN outside of EU, registered company: Start-up just started, registered company outside the EU would like to set up in the Member State.	Case study 4 TCN already in the EU, PhD or master student.
The Netherlands	The IND is required by law to take a decision on Vihaan´s application for a start-up residence permit within 90 days, provided the required documents have been submitted. There is a possibility however to extend this period. The current estimated processing time for the start-up residence permit is usually seven weeks. In cases where the facilitator has not (yet) been recognised by the Netherlands Enterprise Agency, this takes longer.	The current estimated processing time for the start-up residence permit is usually seven weeks.	The IND is required by law to take a decision on Sergey's application for a start-up residence permit within 90 days, provided the required documents have been submitted. There is a possibility however to extend this period. The current estimated processing time for the start-up residence permit is usually seven weeks. In cases where the facilitator has not (yet) been recognised by the Netherlands Enterprise Agency, this takes longer.	The IND is required by law to take a decision on Auri's application for a residence permit for start-ups within 90 days, provided all documents requested have been submitted. There is however a possibility to extend this period. The current estimated processing time for the start-up residence permit is usually 7 weeks. In cases where the facilitator has not yet been recognised by the Netherlands Enterprise Agency, this takes longer.
Spain	10 days for the visa and 10 days for the activity report.	30 days for the entrepreneurs' permit (20 + 10) or three months for the self-employed scheme.	10 days for the visa and 10 days for the activity report.	Maximum 30 days.
Sweden	Approximately 13 months.	Approximately 13 months.	Approximately 13 months.	Approximately 13 months.
Slovenia	35 days for obtaining a visa Type D and 30 days to obtain single permit.	Three days for registration if TCN apply through platform e-VEM. 35 days for obtaining a visa Type D and 30 days to obtain single permit or residence permit.	35 days for obtaining a visa Type D and 30 days to obtain single permit.	Three days for registration if TCN apply through portal e-VEM and 30 days more in case TCN apply for a single permit for purpose of business activity.
Slovak Republic	The police department grants the temporary residence for the purpose of business within 30 days after the complete application is received.	The police department grants the temporary residence for the purpose of business within 30 days after the complete application is received.	The police department grants the temporary residence for the purpose of business within 30 days after the complete application is received.	The police department grants the temporary residence for the purpose of business within 30 days after the complete application is received.
United Kingdom	Within three weeks of submission.	Within eight weeks of submission.	Within three weeks of submission.	Within eight weeks of submission.

ANNEX 3: STATISTICAL ANNEX

Table A3.1 Number of applications submitted to the relevant authority/committee

	Type of application	2014 Total	2014 Of which female	2015 Total	2015 Of which female	2016 Total	2016 Of which female	2017 Total	2017 Of which female	2018 Total	2018 Of which female
CY	First stage application	N/a	N/a	N/a	N/a	N/a	N/a	**7**	1	**7**	0
EE	First stage applications submitted to the start-up committee	N/a	N/a	N/a	N/a	N/a	N/a	**325**	N/i	**783**	N/i
FI	First stage applications to Business Finland	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	**108***	N/i
IE	The decision on whether a start-up qualifies, is part of the decision of the residence permit and there is no separate application.	**23**	4	**50**	17	**163**	73	**157**	61	**42**	17
IT	The decision on whether a start-up qualifies, is part of the decision of the residence permit and there is no separate application.	N/a	N/a	**61****	16**	**97**	30	**135**	51	**92**	22
LT	First stage applications to evaluate the business plan	N/a	N/a	N/a	N/a	N/a	N/a	**126**	N/i	**178**	N/i
NL***	The decision on whether a start-up qualifies, is part of the decision of the residence permit and there is no separate application.	N/a	N/a	**55**	11	**70**	21	**79**	22	**127**	30
SK	No start-up scheme The decision on whether a business plan qualifies as innovative project is part of the decision of the residence permit and there is no separate application.	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	**1**	0
ES	The decision on whether a start-up qualifies, is part of the decision of the residence permit and there is no separate application.	**129**	37	**179**	51	**375**	121	**368**	103	**305**	101

Please note that statistics on number of applications for AT, FR, LV, PT and UK is not available.
N/a: Not applicable; **N/i**: No information/data
*FI: Residence permit scheme for start-up entrepreneurs introduced on 1st of April 2018, data on applications for an eligibility statement from Business Finland from 1st April to 31st of December 2018.
**IT: The Italian Start-up Visa (ISV) programme (italiastart-upvisa.mise.gov.it) was launched by the Italian Ministry of Economic Development on 24st June 2014. Data form June to 31st December 2014.
*** NL: This number concerns first permits, and does not include change of status. In the Netherlands, start-ups also have the possibility to apply for a residence permit for general self-employment. Nevertheless, there is no data available on this number or on the number of start-up employees that apply for another permit. The data only consists of the applications for the start-up residence permit and do not necessarily contain all start-up founders and employees that apply for a residence permit.

Table A3.2 Number of start-ups that have been recognised after first stage application (applicable only in some Member States)

	2017	2018
AT	0	0
CY	0	5
EE	140	245
FI	N/a	34
LT	24	41

Table A3.3 Number of TCNs who have been granted visas/ residence permits for start-up/entrepreneurship

	2014	2015	2016	2017	2018
AT				0	0
CY - Temporary residence permit				0	6
EE - Temporary residence permit for conducting business at a start-up				36	82
EE - Temporary residence permit working at a start-up				73	248
EE- Long term visas, where the purpose of the trip is indicated as engaging in start-ups				71	92
FI*					18
FR** -"Talent passport" residence permit, with the mention "qualified employee/ innovative company"			12	165	410
FR** -"Talent passport" residence permit, with the mention "business creation"			2	27	57
FR** -"Talent passport" residence permit, with the mention "innovative economic project"			2	109	57
IE	14	28	61	33	19
IT		40***	65	53	45
LT				12	28
LV				0	9
NL**		14	23	55	92
PT					8
SK					1
ES	69	91	90	158	104
UK - Graduate Entrepreneur Visa	175	129	169	225	315
UK - Entrepreneur Visa		918	812	974	1,160

Data has not been provided for Portugal.
**FI: Positive eligibility statement (i.e. the business plan fulfils the criteria for applying for a residence permit for a start-up entrepreneur)
** FR: Until 2016, the residence permit "skills and talents" was intended for third-country nationals who, because of their skills and talents, could make a significant and lasting contribution to the economic development or influence of France and their country of origin. It was intended for different categories of people, including start-ups or innovative business founders, without the possibility to assess the share of these permits delivered to start-ups founders or employees. The "talent passport" residence permit was created in 2016.
***IT: The Italia Start-up Visa (ISV) programme (italiastart-upvisa.mise.gov.it) was launched by the Italian Ministry of Economic Development on 24st June 2014. Data form June to 31st December 2014.
**** NL: This data only concerns first permits. There were also approved applications for change of status (7 (2015), 5 (2016), 19 (2017) and 29 (2018). Furthermore, start-ups also have the possibility to apply for a residence permit for general self-employment. Nevertheless, there is no data available on this number or on the number of start-up employees that apply for another permit. The data only consists of the applications for the start-up residence permit and do not necessarily contain all start-up founders and employees that apply for a residence permit.

Table A3.4 Top nationalities applied for start-up visa/residence permit and granted start-up visa/residence permit (2017)

	APPLIED						GRANTED					
	Top 1		Top 2		Top 3		Top 1		Top 2		Top 3	
	Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number
EE temporary residence permit for conducting business at a start-up	**Russian Federation**	15	**India**	9	**Turkey**	9	**Turkey**	8	**Russian Federation**	7	**India**	7
EE temporary residence permit working at a start-up	**Ukraine**	15	**India**	9	**Russian Federation**	8	**Ukraine**	13	**Russian Federation**	7	**India**	7
EE Long term visas, where the purpose of the trip is indicated as engaging in start-ups	**Russian Federation**	14	**India**	12	**Belarus**	10	**Russian Federation**	14	**India**	11	**Belarus**	10
FR[280]							**Morocco**	77	**Tunisia**	26	**Brazil**	25
IE	**China**	102	**Russia**	16	**USA**	9	**Russia**	10	**Ukraine**	>5	**USA**	>5
IT	**China**	44	**Russia**	19	**USA**	8	**China**	19	**Russia**	16	**USA**	7
LT	**Russian Federation**		**Ukraine**		**South Korea**		**Russian Federation**		**Ukraine**			
NL	**India**		**Russian Federation**		**Iran**		**India**		**Russian Federation**		**South Africa**	
ES	**Venezuela**		**USA**		**Colombia**		**USA**		**Venezuela**		**Argentina**	
UK - Entrepreneur Visa							**China**		**United States**		**India**	
UK - Graduate Entrepreneur Visa							**China**		**India**		**United States**	

280 These data concern the issuance of first residence permits in 2017 on the ground of "Talent passport" residence permit, with the mention "qualified employee/ innovative company", "business creation" and "innovative economic project".
In France the **AGDREF** application (management software for files on foreign nationals in France (*Application de gestion des dossiers des ressortissants* étrangers *en* France) provides the number of residence permits issued (per year, ground, nationality and type of document) but it is not possible to obtain reliable data on the number of applications.

Table A3.5 Top nationalities applied for start-up visa/residence permit and granted start-up visa/residence permit (2018)

	APPLIED (residence permit/visa)						GRANTED (residence permit/visa)					
	Top 1		Top 2		Top 3		Top 1		Top 2		Top 3	
	Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number
CY	**Russian Federation**						**Russian Federation**					
EE temporary residence permit for conducting business at a start-up	**Russian federation**	20	**Turkey**	11	**Iran**	7	**Russian federation**	25	**Turkey**	11	**India**	9
EE temporary residence permit working at a start-up	**Russian federation**	43	**Ukraine**	39	**India**	25	**Russian federation**	42	**Ukraine**	37	**India**	24
EE Long term visas, where the purpose of the trip is indicated as engaging in start-ups	**India**	26	**Iran**	16	**Turkey**	11	**India**	22	**Pakistan**	11	**Turkey**	10
FI	**Russian Federation**	42	**Ukraine**	37	**India**	24	**Russian Federation**	14	**Thailand**	>5	**Kosovo**	>5
FR[281]							**Morocco**	202	**Tunisia**	108	**USA**	21
IE	**India**	15	**USA**	11	**Russia**	5	**USA**	9	**South Korea**	>5	**India**	>5
IT	**Russia**	28	**China**	14	**USA**	7	**Russian Federation**	22	**China**	11	**USA**	5
LT	**Russian Federation**		**Ukraine**		**Australia**		**Russian Federation**		**Ukraine**		**South Korea**	
NL	**Iran**		**India**		**USA**		**India**		**USA**		**Iran**	
SK	**Bosnia and Herzegovina**	>5	**Serbia**	>5			**Serbia**	>5				
ES	**Venezuela**		**USA**		**Colombia**		**USA**		**India**		**Venezuela**	
UK- Entrepreneur Visa							**China**		**Pakistan**		**India**	
UK - Graduate Entrepreneur Visa							**China**		**India**		**United States/ Nigeria**	

281 These data concern the issuance of first residence permits in 2018 on the ground of "Talent passport" residence permit, with the mention "qualified employee/ innovative company", "business creation" and "innovative economic project".
In France the **AGDREF** application (management software for files on foreign nationals in France (*Application de gestion des dossiers des ressortissants* étrangers *en* France) provides the number of residence permits issued (per year, ground, nationality and type of document) but it is not possible to obtain reliable data on the number of applications.

ANNEX 4: DEFINITIONS OF START-UP COMPANY AND INNOVATIVE ENTREPRENEURS

Table A4.1

Member State	Definition of start-up company	Legal or working definition
Austria	**No legal or working definition**, but start-up companies are required to 'develop innovate products, services, processes or technologies within the framework of the start-up and launch them on the market' from Article 24 paragraph 2 of the Act Governing the Employment of Foreign Nationals. Additionally, the legislation states that a start-up must be less than five years old. In the 2018 SME report, the Federal Ministry of Digital and Economic Affairs defines start-ups as 'innovative new companies displaying exceptional growth potential or corresponding development that are able to make a major contribution to ensuring a dynamic national economy' (2018a: 86-87).	None
Belgium	A working definition of a start-up was developed by the Federal Public Service Economy, SME's, Self-employed and Energy, where the following requirement were necessary to define a start-up: ▪ Micro-enterprise or small enterprise; ▪ Recently established; ▪ Established less than four years ago; ▪ Minimum capital increase of €50,000 implemented over a period of 4 years; ▪ Annual turnover of €25,000 reached at least once over a period of 4 years.	Working definition
Bulgaria	None	N/A
Croatia	Different working definitions, i.e. start-up company which is younger than two or three years before submitting the business application.	Working definition
Czech Republic	A working definition which requires start-up companies to be: a newly founded business; the potential for rapid growth; and a new or innovative product or service.	Working definition
Cyprus	None	N/A
Estonia	The Aliens Act defines a start-up company as a business entity belonging to a company registered in Estonia, which is starting activity with the purpose to develop and launch such a business model with high global growth potential, innovative and replicable that shall significantly contribute to the development of the Estonian business environment.	Legal definition
Finland	The Ministry of Economic Affairs and Employment defines start-up (aka growth enterprise) based on the OECD and the EU: a growth enterprise as a business that initially employs at least 10 people and in which the average annual growth in the number of employees over the next three years is more than 20 per cent.	Working definition
France	The Ministry of Economy provides the following definition: 'a start-up is a young company with a global ambition seeking a business model that will ensure strong and rapid growth. It accelerates innovation in all sectors of activity; its value is based in whole or in part on digital technology such as health technologies (medTech), green technologies (cleanTech), biotechnologies (bioTech), finance (finTech) or in industrial companies'.	Working definition
Germany	A working definition has been defined by the *Bundesverband Deutscher* Start-ups e.V: Start-ups are younger than 10 years (age); Have a (planned) employee/sales growth and/or (growth course); Are (highly) innovative in their products/services, business models or technologies (degree of innovation). In an official announcement of the BMBF in the Federal Gazette, the definition of start-up is used: ▪ Start-ups are young companies that have been on the market for less than five years, have innovative technologies or business models and show or aim for significant growth in their workforce or turnover. ▪ Start-ups are drivers of innovation in many areas of life and the economy and make a significant contribution to economic dynamism and structural change; ▪ Start-ups are important building blocks here and develop new business models, have above-average growth potential and are attractive employers - even across borders: (30% of their employees come from abroad),	Working definition

Member State	Definition of start-up company	Legal or working definition
Hungary	The Digital Start-up Strategy defines start-ups as 'micro or small enterprises with large growth potential in the global market, which can be interpreted in terms of product, organization, business model or service innovation and are requiring external investment'.	Working definition
Ireland	'Start-up' is not defined in legislation but a set of criteria as to what a High Potential Start-Up (HPSU) can be found in the Department of Justice and Equality's policy document setting out the guidelines for Ireland's start-up programme (STEP). A HPSU is a venture that: ▪ Introduces a new or innovative product or service to international markets; ▪ Is capable of creating 10 jobs in Ireland and realising €1 million in sales within three to four years of starting up; ▪ Led by an experienced management team; ▪ Headquartered and controlled in Ireland; ▪ Less than six years old.	Working definition
Italy	Article 25 of Law Decree 179/2012 on 'further urgent measures for the growth of the country' defines an innovative start-up as a joint-stock company, also incorporated as a cooperative, under Italian law or Societas Europaea (SE), whose shares or quotas are not listed on a regulated market or on a multilateral trading system. They include, therefore, both the SRL (including the new form of simplified limited liability company or reduced capital company), as well as the companies limited by shares, the limited partnerships limited by shares, and the cooperative societies.	Legal definition
Lithuania	Amendments to the law on Small and Medium-Sized Business Development defined a start-up as: A start-up is a micro or small enterprise with large and innovation-based business development potential that has been registered with the Register of Legal Entities for no longer than five years.	Legal definition
Luxembourg	According to the Government, the Luxembourg Chamber of Commerce and Luxinnovation, the working definition of a start-up is: an independent for-profit organisation, which is younger than five years and is aimed at creating, improving and expanding a scalable, innovative, technology-enabled product with high and rapid growth.	Working definition
Latvia	Law on Aid for the Activities of Start-up Companies defines a start-up company, the meaning of which, for the purpose of the law, is: a capital company with a high growth potential the basic activity of which is related to the development, production or improvement of scalable business models and innovative products.	Legal definition
The Netherlands	Different definitions are used and therefore there is no universal definition which is adopted. The Chamber of Commerce provides a definition of a start-up, but this is not a definition that is used at national level. The definition of a start-up is 'concisely stated, a start-up is a company with an innovative idea in which a scalable and reproducible product or service is made, produced by using new technology. Scalable and reproducible means that the product is made once and can constantly be sold again. It is easier and cheaper not to make a different product for each customer'.	N/A
Poland	No definition but use EU definitions.	N/A
Portugal	The legal framework does not include a legal definition of "start-up". However, from the concepts established in Ordinance No. 57-A/2015 of 27 February, the concept of "start-up" can be described as a high value-added business initiative in its early stages (idea, seed or start-up phases).	Working definition
Spain	The public consultation on start-ups define them as 'recently created companies, usually founded by entrepreneurs, technology-based, innovative and with a high potential for rapid growth'.	Working definition
Sweden	Various definitions are used. The government's dedicated webpage has the following definition: 'start-ups are stand-alone, young, innovative businesses with growth ambition and a competitive, scalable business model with a potential to grow internationally. Often, the scalable business model builds on digital technology and/or intangible assets. These businesses are knowledge-intensive and are developing new concepts and products in the interface between the goods and services sectors which distinguishes start-ups from most other young companies.	Working definition
Slovenia	Two documents providing official definition of "Start-up" company. Investment Promotion Law (Official Gazette Republic of Slovenia, no. 13/2018) and the Regulation on Registration of Companies with High Innovation Potential and Innovative "Start-up" Companies" (Official Gazette republic of Slovenia, (44/2018). "An Innovative Star-up is Company is independent for-profit company, which developing or marketing innovative product, service or business model with high potential".	legal definition
Slovak Republic	No definition of a start-up company, but base it on the EU definition	N/A

Member State	Definition of start-up company	Legal or working definition
United Kingdom	The term 'start-up' is typically applied to young, innovative firms with growth ambition, often operating under conditions of significant uncertainty such as an unproven technology or a new business model. In this usage, start-ups are usually a special subset of small and medium-sized enterprises (SMEs), but the terms are not synonymous.	Working definition

Member State	Definition of an innovative entrepreneur	Legal or working definition
Austria	Entrepreneur is defined in Austrian Commercial Code as 'an entrepreneur is an individual who runs a business'. Innovative is defined by explanatory notes on draft legislation, where services or products 'are to be introduced to Austria for the first time and a corresponding demand is to be expected, a new type of access or a creative approach is selected, for example, by combining different products or sectors (interdisciplinary approach), or the start-up creates new products in the social or ecological sector, or accepts social or ecological responsibility'.	Legal definition of entrepreneur
Belgium	None	N/A
Bulgaria	The Innovation Strategy for Intelligent Specialization of the Republic of Bulgaria 2014-2020, adopted by Council of Ministers Decision 857/2015, updated by Decision 384/2017 defined innovation as: 'the introduction of a new or significantly improved product (product or service) or production process, a new marketing method or a new organizational method in business practice, work organization or external relations that create market benefits and this increases the competitiveness of companies. "Innovative activities" are carried out by entrepreneurs who use existing knowledge and technology to develop and distribute new products and practices. An ecosystem that promotes entrepreneurship creates the conditions for identifying business opportunities and facilitates access to the 'raw materials' needed for their development'.	Working definition
Croatia	None	N/A
Czech Republic	None	N/A
Cyprus	None	N/A
Estonia	None	N/A
Finland	There is no specific definition of "innovative entrepreneur" as it is not a commonly used term in Finland. The preferred term is "start-up entrepreneur" or "growth entrepreneur". A start-up entrepreneur has only been defined in the Finnish Alien's Act with reference to the residence permit process. Section 47 g of the aliens' act defines a start-up entrepreneur as follows: ▪ 'A growth entrepreneur (start-up entrepreneur) is a foreigner, whose purpose is to act full-time in a position of responsibility in a company registered in Finland, whose business model and the individual qualifications of the staff fulfil the conditions set by the innovation funding centre Business Finland for the funding of early-stage innovative rapid growth companies'.	Legal definition of entrepreneur
France	The Ministry of Economy and Finance and the Ministry of the Interior, published a decree on 28 February 2019 which sets out the criteria for qualifying an innovative company as part of a procedure for granting access to residency to third-country nationals under the "talent passport" residence permit scheme. The new article D. 313-45-1 of CESEDA provides as follows: 'I. For the purposes of paragraph 1 of Article L. 313-20, the public body competent to recognise the innovative nature of a company is the ministry in charge of the economy. II. An innovative company within the meaning of these same provisions is a company that meets one of the following criteria: ▪ Paragraph 1: the company is or has been a beneficiary of public support for innovation over the last five years and appears on a list drawn up by order of the Minister of the Economy; ▪ Paragraph 2: the company's capital is partly held by a legal entity or an alternative investment fund the main purpose of which is to finance or invest in innovative companies whose shares are not listed. The list of these legal entities and investment funds is established by order of the Minister of the Economy; ▪ Paragraph 3: the company is or has been supported over the past five years by a support structure dedicated to innovative companies. III. - When it meets one of the criteria set out in II, the Minister of the Economy issues a certificate to the company recognising its innovative nature. IV. - Implementation of the criteria mentioned in II shall be subject to a joint annual inspection by the Ministry of the Interior and the Ministry of the Economy.'	Legal definition

Member State	Definition of an innovative entrepreneur	Legal or working definition
Germany	None	N/A
Hungary	None	N/A
Ireland	The National Policy Statement on Entrepreneurship in Ireland (2014) defines entrepreneurship as an individual's creative capacity to identify an opportunity and pursue it in order to produce new value or economic success.	Working definition
Italy	An 'innovative start-up' is a new company whose business model is characterized by a strong component of technological innovation. According to the provisions of the law (Decree Law 179/2012, art. 25, paragraph 2), an innovative start-up is a company with share capital, also incorporated as a cooperative, unlisted, meeting the following requirements: ▪ It is newly established or has been in existence for less than 5 years; ▪ Has its head office in Italy, or in another member country of the European Union or in States party to the Agreement on the European Economic Area, provided that it has a production site or branch in Italy; ▪ Has an annual production value of less than €5 million; ▪ Does not distribute and has not distributed profits; ▪ Has as its exclusive or prevailing business purpose the development, production and marketing of innovative products or services with high technological value; ▪ Does not consist of a merger, a division into companies or following the transfer of a business or branch of a business; Finally, the innovative content of the business is identified by the possession of at least one of the following criteria: ▪ A 15% quota of the higher value between turnover and annual costs is attributable to research and development activities; ▪ the total workforce is made up of at least 1/3 of PhD students, PhD students or researchers, or at least 2/3 of partners or collaborators in any capacity in possession of a master's degree; ▪ the company is the owner, custodian or licensee of a registered patent (industrial patent) or owner of an original registered computer program.	Working definition of innovative
Lithuania	There is no specific definition of "innovative entrepreneur" but in 2017, the Ministry of Economy and Innovation defined a start-up activities as: 'activities related to the introduction of new technologies or other innovations that are significant to the economic and social development of the Republic of Lithuania – the introduction of new or substantially improved products (goods or services) or processes, or new marketing or organisational methods, which will have a positive impact on the economic and social development of the Republic of Lithuania in the fields of biotechnology, nanotechnology, information technology, mechatronics, electronics, laser technology and other, in the practice of private legal entities or state and municipal institutions and bodies of the Republic of Lithuania'.	Working definition of innovative
Luxembourg	The amended Law of 17 May 2017 on the Promotion of Research, Development and Innovation provides a legal definition for 'innovative enterprise'. An innovative enterprise: ▪ Can demonstrate, by means of an evaluation carried out by an external expert, that it will in the foreseeable future develop products, services or processes which are new or substantially improved compared to the state of the art in its industry, and which carry a risk of technological or industrial failure; or ▪ Whose research and development costs represent at least 10 % of its total operating costs in at least one of the three years preceding the granting of the aid or, in the case of a start-up enterprise without any financial history, in the audit of its current fiscal period, as certified by an external auditor.	Legal definition
Latvia	None	N/A
Netherlands	None	N/A
Poland	No definition but use EU definitions.	N/A

Member State	Definition of an innovative entrepreneur	Legal or working definition
Portugal	Ordinance No. 57-A/2015 of 27 February, as subsequently amended, establishes in its Article 2(ee) the legal definition of "Qualified and creative entrepreneurship" for the purpose of regulating competitiveness and internationalisation within the policy framework for the creation of an economic environment that fosters entrepreneurship: ▪ 'Qualified and creative entrepreneurship' means high value-added business initiatives whose effects can change the productive profile of the economy, i.e. leading to the creation of companies with qualified human resources, companies operating in sectors with strong growth dynamics, sectors with greater technology and knowledge intensity or companies that value the application of R&D results in the production of new products and services. This ordinance comprises a set of definitions that may be useful for the conceptual delimitation of the relevant legal concepts in the scope of entrepreneurship, namely: ▪ 'Female entrepreneurship' means projects in which the entrepreneur or group of female entrepreneurs meets one of the following requirements: ▪ Directly or indirectly hold a share in the capital that is 50% or higher and keep that share for at least two years after the completion of the project; ▪ Perform executive duties in the company and maintain them for at least two years after the completion of the project; ▪ 'Young entrepreneurship' means a project where the young person or group of young participants are between 18 and 35 years old and meet one of the following conditions: ▪ Directly or indirectly hold a share in the capital that is 50% or higher and keep that share for at least two years after the completion of the project; ▪ Perform executive duties in the company and maintain them for at least two years after the completion of the project; ▪ 'Company' means any entity that, regardless of its legal form, is engaged in an economic activity through the competitive offer of goods or services on the market. Such entities are those which carry out an artisanal activity or other activities on an individual or family basis, or partnerships or associations which regularly carry on an economic activity; ▪ 'Seed projects' means those which are in the study, evaluation and development phases of the business initiative and which precede the start-up phase; ▪ 'Spin-offs' means new companies created with the aim of valuing the application of R&D results by exploiting new technology or innovative products or services. This company is born from an existing organisation, such as a public or private research centre, a university or a company, which accommodates and supports the new business initiative.	Legal definition of qualified and creative entrepreneur
Spain	Support to Entrepreneurs and their Internationalization (Act 14/2013) defines 'entrepreneurial activity' in article 70.1 as: ▪ 'Entrepreneurial activity will be deemed to be any innovative activity of special economic interest for Spain that, as such, has obtained a favourable report issued by the relevant Economic and Commercial Office of the geographic area or by the Directorate-General for International Trade and Investments'.	Legal definition of entrepreneur
Sweden	A 2016 inquiry, *Entreprenörskapsutredningen*, provides working definitions of innovative and entrepreneur.	Working definition of innovative and entrepreneur
Slovenia	None	N/A
Slovak Republic	Legislation does not explicitly define an 'innovative business'. However, Act No. 290/2019 Coll. – Small Business Act , Section 2, Letter g) refers directly to Article 2, Paragraph 80 of Regulation (EU) No. 651/2014 , which defines innovative enterprise. In the context of the reference, an innovative enterprise is a business enterprise obliged to generate basic capital and reside in the SR; it must not be established earlier than 36 months previously; it is managed by natural persons who have established it; and it is an innovative business, microbusiness, small, or medium business.	Working definition
United Kingdom	Uses various definitions of innovative and entrepreneur.	Policy document defining entrepreneur

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Cyprus www.moi.gov.cy

Czech Republic www.emncz.eu

Denmark https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/authorities/denmark_en

Estonia www.emn.ee

Finland www.emn.fi

France https://www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM

Germany www.emn-germany.de

Greece http://emn.immigration.gov.gr

Hungary www.emnhungary.hu

Ireland www.emn.ie

Italy www.emnitalyncp.it

Latvia www.emn.lv

Lithuania www.emn.lt

Luxembourg www.emnluxembourg.lu

Malta https://homeaffairs.gov.mt/en/mhas-information/emn/pages/european-migration-network.aspx

Netherlands www.emnnetherlands.nl

Poland www.emn.gov.pl

Portugal http://rem.sef.pt

Romania www.mai.gov.ro

Slovakia www.emn.sk

Slovenia www.emm.si

Spain http://extranjeros.empleo.gob.es/en/redeuropeamigracion

Sweden www.emnsweden.se

United Kingdom https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/authorities/united-kingdom_en

Norway www.emnnorway.no