

Legal requirements for foreign operators in the Faroe Islands

The general rule in the Faroese Aliens Act is, that a work permit is required for all types of work in the Faroe Islands, including unpaid work, with no minimal period for exemption.

However, this rule does not apply to citizens of Nordic countries, who may live and work in the Faroe Islands without needing a residence or work permit (Section 1 in the Aliens Act).

In short, all foreign tourism providers operating in the Faroe Islands (bus-companies, tour-providers, guides etc.) must hold a valid work permit to operate legally. Below you will find additional information on the rules that apply for different groups and the work permit application process.

About Tourist guides on the Faroe Islands

According to current practice, tasks performed by non-Nordic 'tourist guides' in the Faroe Islands, require a valid work permit (see article 13, subsection 1 of the Aliens Act.). Tourist guides employed by a Faroese company or foreign company can apply for a residence and work permit in accordance with the applicable regulations.

Normally, self-employed and independent tourist guides cannot assume to be granted a residence and work permit according to the applicable rules, as most tourist guides don't employ others and only make use of the local business community in a limited extent.

Nevertheless, in certain cases, an individual and concrete assessment may justify granting permission to independent tourist guides. The guide must, however, be able to document that their business has an innovative concept, that contributes to growth and jobs creation in the Faroe Islands and that establishing the business locally serves the interest of Faroese industry.

About tourist bus drivers

According to current regulations, staff in foreign vehicles are exempt from needing a work permit, when operating in international traffic. This exemption also extends to tourist bus drivers, but only to the extent that the driving is between abroad and to/from the hotel at the destination. In the Faroese context, this means transport from the ferry to the hotel.

According to Article 34, subsection 1, no. 3 of the Aliens Act, driving beyond the initial transport to the hotel requires a work permit.

This means that all foreign bus companies who plan to transport passengers around the Faroe Islands, need to apply for work permits for all foreign staff. This also applies for shorter tours lasting a few hours within the country.

About residence and work permit as a self-employed person

A residence and work permit can be granted for self-employment in the Faroe Islands. A condition for obtaining a residence permit as a self-employed person is, that there are business and

employment considerations that favour such a permit. According to practice, the company must have an innovative business idea that contributes to growth and job creation in the Faroe Islands, and there must be special Faroese business interests in the establishment of the company locally.

Normally, you cannot expect to receive a residence permit if your company operates within retail, trade, restaurants and minor import and export companies.

About voluntary work

According to practice, work in return for board and residence does not meet the customary wage standards of the Faroese labour market. It will therefore not be possible to obtain a residence and work permit based on an agreement, where a foreigner performs work (unskilled or skilled) in exchange for board and lodging.

It is also not possible, according to current practice, to obtain permission as an independent or freelancer to perform skilled and/or unskilled work independently.

As a general rule it is therefore not possible to receive a residence and work permit for the purpose of voluntary work, or work in exchange for board and lodging.

However, Article 9, Section 4 of the Aliens Act allows for residence and work permit in special cases. This is the case for volunteer work in areas like i.e. environment, art, culture, work with children, youth, elderly, sports and leisure activities.

Visit Faroe Islands annual Closed for Maintenance initiative falls under this provision with work permits for voluntourists being granted in accordance with Article 9, Section 2, no. 4 of the Aliens Act.

The general application process

Applications for residence and work permits can be submitted to Útlendingastovan using one of the following methods: sending directly to our email-address, via local Danish representations abroad, or through the Faroese police.

An application for a residence and work permit for third-country nationals, or to a non-pre-approved company has a process time up to 3 months. Application for a residence and work permit according to the EU scheme for a pre-approved company has a process time within up to 1 month.

Applications for residence and work permits in the Faroe Islands are free of charge. Danish embassies and local visa stations abroad may, however, require local fees for their services.

More guidance on the application process can be found on the website www.utlendingastovan.fo.