



MINISTRY
FOR EMPLOYMENT, SOLIDARITIES
AND WOMEN'S CONDITION

NOTE 2

*Department for Employment, Vocational
Training and Integration (SEFI)*

Subject: Work permits for foreigners

Attachments: 6

In order to work in French Polynesia, any person of a nationality other than French (including nationals from the European Union) must obtain a work permit issued by the Ministry responsible for employment.

The employee who holds a work permit has the same rights as a French Polynesian employee.

A work permit is not a residence permit (cf. Doc 6).

Any work permit is granted for:

1. a specified term;
2. a specified employee;
3. a specified professional category or profession;
4. a specified geographic area.

In considering an application for a work permit, the following points are in particular taken into account:

1. the current employment situation or foreseeable in the short term, in the profession the foreign worker will exercise;
2. conditions of regularity of the employer regarding employment and social protection legislation;
3. the conditions of employment and remuneration proposed to the foreign worker, which must be the same as the ones for French Polynesian workers.
4. the family status of the foreigner in French Polynesia.

I. **The various types of work permits:**

a. **For a company established in French Polynesia:**

- A 1-year renewable work permit is issued, with an employment contract under French Polynesian law (article Lp. 5321-4 of the Labour Code).

On an exceptional basis, the work permit may be issued for a term of 5 years, renewable, to persons durably settled in French Polynesia, i.e. who have built with French Polynesia manifest professional, economic or family connections, which they can justify. (Article Lp. 5321-5 of the Labour Code)

b. **For a company established outside French Polynesia:**

- a 6-month work permit is issued, for short-term missions;

- the work permit is issued for the maximum term of 6 months. It may not be renewed. But a new application may be lodged.

II. **Documents required for a work permit application:**

a. For a company established in French Polynesia:

The work permit is issued for the term of one year, renewable. On an exceptional basis, this term may be extended to 5 years for persons durably settled in French Polynesia.

Documents to be provided by the company:

- an application letter explaining the reasons why a foreigner is needed; to be sent to the Minister responsible for Employment (cf. Doc 1);
- a copy of the employment contract, obligatorily written in French, initialled and signed by both parties (cf. Doc 2);
- a register of employees indicating the list of national employees, the list of foreign employees with a work permit, the positions occupied and their qualifications (cf. Doc 3)
- a copy of the collection orders issued by CPS over the last three months preceding the application;
- SEFI registration form for a job offer (cf. Doc 4) ;
- a valid certificate of registration in the territorial directory of companies (downloadable on www.ispf.pf).

Documents to be provided by the foreign national or employee:

- a copy of the passport;
- two recent ID photos;
- any documents as evidence for training, degrees and work certificates, resumes, etc., And their translations into French;

For a 5-year work permit:

- any document justifying that the foreigner has durably settled in French Polynesia (residence card, marriage certificate, family status record, title deeds, etc.);
- a copy of the valid residence permit, if necessary.

b. For a company established outside French Polynesia:

For a temporary mission no longer than 15 days, please provide:

- 1 “Temporary mission” Form original correctly filled in (cf. Doc 5)
- 1 ID photo of the foreign national (to be glued on the form).
- 1 copy of the passport of a foreign national. For a temporary mission longer than 15 days up to 6 months maximum, please provide: 1 copy of the passport of the foreign national;
- 2 ID photos of the foreign national;
- 1 certificate of the employer established outside French Polynesia or of the host company established in French Polynesia exactly specifying:
 - the identity, birth date and place of birth, nationality, address and position of the foreign worker;

- the identity and the details concerning the employer established outside French Polynesian, if necessary;
- the identity and details of the host company in French Polynesia;
- the reasons, the nature and duration of the temporary mission and entrusted to the foreign employee;
- the commitment stating that the foreign worker remains paid by the employer established outside French Polynesia and that the employment conditions and salary offered to him during the term of this mission are identical or better than the ones of a national worker for a given position

Reference texts: Articles Lp. 5321-1 and following and A.5321-1 and following of the Labour Code.