

Q & A ON STR VISA

The availability of adequate and apposite manpower is an important component for achieving national, corporate and individual goals. Sometimes, the requisite skills are not available locally and companies find it inevitable to hire expatriates to bridge the skills gap. Though with attendant capital flight implications and a contributory factor to unemployment, the employment of expatriates in Nigeria is inevitable in within certain sectors of the economy. As a growing economy with huge infrastructural deficit, Nigerian has come to depend on foreign enterprises and expertise to provide critical infrastructure that will contribute to national development.

However, there are laid down procedures for the employment of expatriates in Nigeria. To stem the possibility of abuse, the Nigerian Immigration Act and the Regulations thereunder contain ample provisions for the regulation of employment of expatriates in Nigeria. Following approval and grant of Expatriate Quota (EQ), the next step is to apply for an STR (Subject to Regularization) Visa. Highlighted below are frequently asked questions as well as answers with respect to the STR visa.

Q: What is the meaning of “STR”?

A: STR means “Subject To Regularization”. It is also referred to as “Short Term Residency” in other jurisdictions.

Q: What is an STR Visa?

A: This is the type of visa issued to foreigners seeking to take up employment in Nigeria. Section 8 (1), of the Immigration Act provides that “no person, not being a citizen of Nigeria, may take up employment in Nigeria other than employment with the federal or state government without the consent of the Comptroller-General of Immigration”. This class of visa enables an expatriate to take up paid employment upon being placed under the EQ of the employing company. The STR visa is issued in line with the date specified on the Expatriate’s letter of employment.

Q: What is the rationale behind the issuance of STR Visa?

A: Government policy on the issuance of STR Visa is hinged on the need to ensure availability of requisite skills in Nigeria and to ensure the transfer of technology and know-how to Nigerians.

Q: Is there any distinction between an STR Visa and Expatriate Quota?

A: Yes. Whilst an EQ grants approval to a Company to reserve some designated job positions for expatriates and specifies the number of such positions, an STR Visa is the entry permit with which a particular expatriate employee that has been placed on the EQ can come into Nigeria for the purpose of assuming any of the positions stated in the EQ

Q: Who qualifies for the grant of STR Visa?

A: Expatriates who possess the requisite skills and who have been placed on the EQ of a Company, Firm or Organization duly registered in Nigeria.

Q: Who issues the STR Visa, and where?

A: An STR Visa is issued abroad by the Nigerian Embassy, Mission or High Commission in the home or country of residence of the expatriate. The visa is issued at Nigerian mission without reference to the Comptroller-General of Immigration and upon application by the Company seeking to employ the Expatriate. The Company is required to assume immigration responsibilities on behalf of the expatriate staff and state this in the application letter. Upon approval of an STR Visa, a “Brown Pack” containing vetted and certified documents (listed below) is issued to the Expatriate for submission at the Nigerian Immigration Service (NIS).

Q: What are the conditions to be satisfied before issuance of an STR Visa?

A: An applicant for an STR visa must satisfy the Issuing officer that there exist an available slot on the applicant Company’s EQ and that he possesses the skill required for position. In addition, applicants must avail the approving officer of the following documents:

- Valid passport with minimum of 6 months validity
- Letter of employment
- Copies of Letter of Acceptance
- Credentials of the applicant
- Duly completed form IMM 22
- Curriculum Vitae or Resume
- Board Resolution – for CEOs
- Copy of the Expatriate Quota Certificate
- Current Passport photographs;
- Online payment of Visa fees at <http://www.immigration.gov.ng>
- Copies of Birth Certificate and marriage certificates where applicable;

Q: How is an STR Visa issued?

A: STR Visa is issued by stamping the Entry Visa (STR) on the applicant’s International Passport and issuing the related “Brown Pack” by the relevant Nigerian Embassy or High for onward submission to the Nigerian Immigration Service in Nigeria.

Q: What is the timeline for processing STR Visa?

A: The processing timeline depends on the Nigerian Embassy or High Commission. However a timeline of 10 working days is often applicable.

Q: Can an STR be granted to dependents of the Principal applicant?

A: Yes. STR Visas can be granted to dependents of the Principal Expatriates upon application by the principal and provision of proof that the dependents are either spouses, children or parents as the case may be.

Q: What is the duration of an STR Visa?

A: The STR visa is issued for a 90 day period during which an application must be made to the Comptroller-General of Immigration, to regularize the stay in Nigeria of the prospective employee to enable the employee assume the requisite employment. The validity period of the STR visa cannot be extended.

Q: What is “Regularization”?

A: Regularization is the process of officially converting an STR Visa into a Combined Expatriate Residence Permit and Aliens Card (CERPAC) which guarantees the expatriate the right to work and reside in Nigeria. It involves the submission of the “Brown Pack” to the NIS which culminates in the issuance of the CERPAC to the applicant/Expatriate. The following documents (duly vetted by the Nigerian Embassy or High Commission that issued the STR) are required to be submitted to the Comptroller General of Immigration for the regularization of the STR Visa

- Application letter from the employer requesting Regularization of stay and accepting Immigration Responsibility (**IR**) on behalf of the expatriate
- Letter of Employment
- Acceptance of offer of Employment
- Form **IMM22** with three (3) Passport –size photographs
- Quota Approval
- Copies of Credentials
- Valid Passport with **STR** visa and photocopies of the relevant pages

Q: Does an STR Visa allow for multiple entries?

A: No. An STR visa is a single entry visa which expires on the expatriate’s first entry into Nigeria.

Q: What rights does an STR Visa confer?

A: Once Regularized into a CERPAC, a beneficiary of the STR Visa would be entitled to live and work in Nigeria for an initial period of between 1-2 years, subject to further extensions and the validity of the EQ on which the Expatriate is placed.

Q: Does the STR Visa serve the same purpose as a Temporary Work Permit (TWP)?

A: No. Whilst the TWP applies to expatriates deployed to Nigeria to carry out specialized short term assignments (without the right of full time residency and employment) and does not require to be supported by an approved EQ, an STR Visa once regularized is a confirmation of the expatriate’s employment status and empowers the beneficiary to take up paid employment in Nigeria on a long term basis.

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