

Introduction

This country guideline provides general information on the most common corporate immigration processes for South Korea. Please note that immigration processes in every country are subject to frequent change, and also that each case is assessed on its own merits. Therefore, this guideline should be taken as providing general information only. Cases to South Korea are handled by our Hong Kong Regional office. For specific, detailed advice, please contact your representative.

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Immigration Categories

A brief description of corporate immigration categories by assignment type follows. The appropriate immigration category or status for your employees will depend on their specific details and on your company. The most common categories for corporate transfers in our experience are the D-7 visa application and the D-8 visa application. The appropriate visa type is determined by the company type of the local Korean sponsoring entity. For details on non-typical categories not listed below (investors, special programs), please contact your representative.

- **D-7 Visa:** Intra-company transfer to a Korean branch office or liaison office
- **D-8 Visa:** Intra-company transfer to a Korean subsidiary

Typical Process Overview

The following process overview is applicable to the application processes for the D-7 and D-8 visas, as noted below. Approximate overall processing time from the time the first step is submitted to the time the employee is legal to work in South Korea is approximately six (6) to seven (7) weeks. However, note that lead time for document gathering at the

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start of the process should be factored in, as should processing time for completion of post arrival formalities. For the D-8 visa, applications are made post-arrival. Average processing time for each individual step is noted below.

D-7 Visa: Intra-company transfer to a Korean branch office or liaison office

Step One: Application for Visa Issuance Confirmation Number (VICN)

Processing Time: Seven (7) to ten (10) working days

The application for pre-approval for the D-7 visa is submitted in Korea to Immigration Office in Seoul.

Step Two: D-7 visa filing at Korean Embassy (Consular)

Processing Time: Usually two (2) to four (4) working days; times may vary depending on consulate

Once the Visa Issuance Confirmation Number (VICN) is issued, the D-7 application can be made at any overseas Korean Consulate.

Step Three: Alien Registration Card

Processing Time: Up to four (4) weeks

After three (3) days of entry and within ninety (90) days of arriving in Korea with the D-7 visa, an application for an ARC is made at the Immigration office. Foreign nationals aged seventeen (17) or older are required to appear in person to complete the required fingerprinting process. We can arrange for accompaniment services to attend the appointment with the applicants. The assignee's original passport is returned upon filing of the application. Applicants must defer travel until their ARC is issued.

D-8 Visa: Intra-company transfer to a Korean subsidiary

Step One: Submission of Visa Application

Processing Time: Up to four (4) weeks

This is a post-arrival process. Visa-waiver nationals enter Korea with a 'visa on arrival'. After a three (3) day waiting period in Korea and within thirty (30) days of arrival, an application may be lodged at the Immigration Office in Seoul or other location in Korea to change status from visitor to the D-8 work visa category. Nationals requiring visas to enter as visitors must obtain visitor visas prior to arrival.

Step Two: Alien Registration Card

Processing Time: Up to four (4) weeks; this step occurs simultaneously with Step One

An application for an Alien Registration Card (ARC) is lodged at the Immigration Office in Seoul simultaneously with the D-8 Visa application. Foreign nationals aged seventeen (17) or older are required to appear in person to complete the required fingerprinting process. We can arrange for accompaniment services to attend the appointment with the applicants. The D-8 Visa status is indicated on the ARC. No separate visa endorsement is made in the passport. The assignee's original passport is returned upon filing of the application. Applicants must defer travel until their ARC is issued.

Typical Documents Obtained

Following the application processes for the D-7 and D-8 visas described above will result in obtaining of the following immigration documents. Typical validity is noted next to each document name. For details on the renewal process, please see the next section, “[Renewal](#).”

- **D-7 visa:** One (1) year
- **D-8 visa:** One (1) year

Renewal

Renewal is possible. Renewal processes take one (1) to two (2) weeks; please allow one (1) to three (3) weeks for document gathering.

Deregistration

South Korea has no deregistration process upon departing the country. The foreign employee is simply required to surrender the original Alien Registration Card (ARC) to the immigration control at the airport, at the time of final exit/departure from the country. The immigration authorities update their records and the visa lapses in due course.

Dependents

Dependent immigration status approval depends on the immigration status of the principal applicant. Where the principal applicant is in South Korea with either a D-7 or a D-8 visa, the following rules apply for dependents:

- **Minimum age (spouses):** Not applicable
- **Maximum age (children):** Twenty (20)
- **Unmarried partners:** No
- **Same sex partners:** No
- **Non-traditional dependents (e.g. parents):** No
- **Work authorization granted?** No

Application Materials

Application materials vary depending on the immigration category being applied for and on the specifics of the case. We will advise you in detail regarding your specific case; however, general application materials for D-7 and D-8 visas are noted below.

- General application materials include: copy of diploma(s), current resume (C.V.), corporate contracts, and corporate registration certificates.
- All documentation must be submitted in English. If the original document is in another language, it must be translated into English.

Business Visitors

- **Name of visa granted:** Short-Term Business Visa (C-3).
- **Duration of stay:** Normally up to a maximum of ninety (90) days from date of arrival in South Korea; however, may vary based on nationality.
- **General activities permitted:** International conferences, negotiating contracts, attending conventions, conferences, attending business meetings. Business travelers must not undertake the same activities as they carry out in the course of their usual jobs in their home country.

Change of Status

It is standard procedure for D-8 visa applicants to arrive on visitor status and to then change to working status. However, D-7 visa applicants may not change status while in the country.

Salary and Payroll

Salary and payroll requirements vary depending on the immigration category and on the specifics of the case. In South Korea, salaries should meet the standards for the position, region and experience level. Additionally, payroll location will affect the immigration process. Please your representative for more details for your specific situation.

Qualifications

Qualification requirements will vary from case to case and will depend on the immigration category under which the application is made. However, in general, the immigration authorities do expect to see an undergraduate or graduate degree, plus relevant experience. In some situations, a strong case may be made for applicants without a degree, provided their level of experience and industry specific qualification is high. Please contact your representative for more details.

Red Flags

In our experience, the following points are important to note at the start of the process. If any of the below situations apply to you, contact your representative immediately for further detailed advice.

- Absence of degree
- Absence of relevant experience
- Insufficient compensation
- Unmarried partners (who will not be eligible for dependent status)
- Nationals of eighteen (18) certain countries may need to provide certificates showing they are free from tuberculosis when applying for a Korea visa

Penalties for Non-Compliance

The government of South Korea takes immigration non-compliance very seriously. Penalties for non-compliance may include fines, deportation, and imprisonment.

Any person who works beyond the permitted scope of sojourn and a company who hires such a person may each be subject to imprisonment of up to three (3) years or a fine of up to KRW twenty (20) million. Usually, a fine is imposed in proportion to the length of period during which a violation existed. For more details, please contact your representative.

Bilateral Agreements

South Korea is not a member of any bilateral agreements pertinent to immigration other than the issuance of Working Holiday visas to nationals of twenty-one (21) countries which in turn allows South Koreans to undertake limited work in those locations, generally for one year. This applies to people aged eighteen (18) to thirty (30) who are unaccompanied by dependents. A holder of this visa is restricted in that they may not work in any occupation.

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