

## Circular #17

- 29 October 2004 -

1. In instances where an Insurer or Broker wishes to recruit a foreign national for employment (on permanent, temporary or contractual basis) or on a consultancy, and such Insurer or Broker intends to obtain a recommendation from the IBSL which may be presented to the Controller of Immigration & Emigration for the purpose of obtaining a Resident Visa for such foreign national, such Insurer or Broker shall present an application to the IBSL. The application shall contain the following information:
  - Name and permanent address of the relevant foreign national.
  - Details relating to the educational & professional background and area of expertise, (his CV shall be attached.)
  - Certified copy of the relevant page of the Passport of the foreign national containing details of date of birth etc.
  - The purpose for which such person is to be recruited, the designation and job function.
  - A brief statement indicating the justification for recruitment of such foreign national.
  - Proof that attempts were previously made to either internally promote or recruit a Sri Lankan national who could perform the desired job function and that such attempts did not yield successful results. (Copies of newspaper advertisements placed in local print media and an affidavit from the relevant recruitment personnel that there were no suitable local applicants or that those who were interviewed did not meet with expected standards would be necessary.)
  - Date on which the employment/consultancy is scheduled to commence and duration of such employment/consultancy.
  
2. Attached to the application referred to in paragraph 1 above, the applicant shall present a written undertaking that, prior to the end of the term of employment/consultancy of such foreign national (which period shall not ordinarily exceed one year), every meaningful measure will be taken to fill the vacancy that would be created by the foreign national ceasing to serve the applicant, either through internal promotion or through the recruitment of a Sri Lankan national.
  
3. The application referred to in paragraph 1 above shall be presented to the IBSL at least 6 weeks prior to the expected date of arrival of the relevant foreign national.

4. The IBSL will not favourably consider a request for a recommendation in respect of a foreign national who is already resident or staying temporarily in Sri Lanka or who has already arrived in Sri Lanka and staying on a tourist visa.
5. Following the receipt of the application, the IBSL will take steps to process the application within 2 weeks, and make a request to the Ministry of Finance to recommend to the Controller of Immigration & Emigration to favourably consider the issuance of a Resident Visa to the relevant foreign national. If the IBSL decides not to make such a request, the IBSL shall communicate such decision to the applicant within 3 weeks of the receipt of the application.
6. The IBSL shall not ordinarily entertain an application seeking a request from the IBSL to the Controller of Immigration & Emigration for an extension of a Resident Visa. However, the applicant may for exceptional reasons to be submitted by such applicant, present a special application for such request. In such instance, the applicant shall satisfy the IBSL with relevant documentary proof, that all possible steps were taken to recruit a Sri Lankan national to fill the relevant vacancy and that all such measures did not yield positive results.
7. 7. The IBSL shall not in any event make a recommendation to the Controller of Immigration & Emigration enabling the extension of a Resident Visa for a period that would exceed 2 years.
8. These guidelines shall not apply in the following cases:
  - an Insurer or Broker whose majority shareholding is by a foreign company and the Resident Visa is required for the Chief Executive Officer of such Insurer/Broker
  - the Resident Visa is required for a foreign national who possesses expertise in a particular field or fields that may be identified by the IBSL from time to time.
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Dr. Dayanath C. Jayasuriya

**CHAIRMAN**

**INSURANCE BOARD OF SRI LANKA**

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