

I think my employer is about to start making redundancies. I am from the UK. I am worried that I will have to leave the UAE. What happens to my visa?

The normal situation if your employment is terminated in the UAE is that your employer will need to cancel your visa as your sponsor. You will then have 30 days to leave the UAE from the date your visa is cancelled and you will not be able to return for six months.

Last week an announcement was made by the Ministry that it wishes to table a new law allowing expatriates who have been made redundant to remain in the UAE for three to six months. With or without the change the overall position is that without employment you will not be able to remain in the UAE in the medium term.

Our understanding is that this new measure is designed to assist employees with finding new work by providing a longer breathing space. If you are able to find new employment, your current employer should provide a 'No Objection Certificate' and your new employer will apply for a transfer of the sponsorship – where technically the old visa is cancelled and a new visa granted.

If you are having difficulty finding work, ask your employers if they will allow you to work out your notice period rather than being paid in lieu. This will give you extra time to find a new job, though of course your lump sum payment will be less on termination – which could cause you problems if you are out of work for some time. You will be entitled to a flight home but check your contract to see if you are entitled to repatriation of your belongings.

Another issue that may have an impact is your tax position in the UK. You will need specialist advice on this; but ordinarily if you have not been out of the UK for a full tax year, your earnings on your return could be subject to UK tax.

There are steps you can take to make sure that you are ready – get your CV written up to include your Gulf experience now and make enquires with agencies as to the state of the job market in your sector.

Courtesy Neil Crossley, partner and Head of Employment, DLA Piper Middle East.

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