

ADVANT Altana | Beiten | Nctm

EU BLUE CARD AND TRANSNATIONAL SECONDMENT

欧盟蓝卡及跨国派遣

CHINA ROADSHOW

17 MARCH 2025 – 21 MARCH 2025



EU BLUE CARD

欧盟蓝卡

EU BLUE CARD: WHAT IS IT?

什么是欧盟蓝卡?

EU BLUE CARD: is a work and residence permit for “highly qualified workers”
欧盟蓝卡是: 一种工作和居留许可, 允许高素质劳动者在签发国生活和工作



HIGHLY QUALIFIED WORKERS

高素质劳动者

In order to be recognized by Italy, the higher professional qualification, attested by the country of origin, shall fall within certain categories (namely: level 1, 2 and 3) as defined by the Italian National Statistical Institute.

- Level 1: members of national institutions, company executives
- Level 2: intellectual, scientific and highly specialized professions
- Level 3: technical professions in science, business activities and public services

为了在意大利也得到认可，高素质劳动者所获得的高等专业资格，应当属于意大利国家统计局所定义的特定类别。具体而言，一共有三种类别。

- 第一类：国家机构成员、公司高管
- 第二类：自然科学和社会科学领域的专家、工程师
- 第三类：制造业、生命科学、管理学、公共服务领域专业人员

EU BLUE CARD: TERM

欧盟蓝卡：期限

Two years / 2年

➤if the employment contract is open term

若签订非固定期限劳动合同

Employment term + 3 months / 雇佣期 + 3个月

➤if the employment contract is fixed term

若签订固定期限劳动合同

EU BLUE CARD: MANDATORY REQUIREMENTS

欧盟蓝卡：必备材料

A valid work contract or binding job offer / 劳动合同或聘书

➤ a highly qualified job position; a duration of at least 1 year

高素质工作职位；聘用期限至少为一年

➤ salary equal to or higher than the relevant salary threshold defined by the Member State (in 2023 in Italy: Euro 24,789.93)

约定薪资必须大于等于签发国规定的门槛（意大利2023年规定的年工资为：24,789.93欧元）

Valid travel document & proof of sickness insurance / 旅行证件、疾病保险证明

➤ may need to present an application for a visa or a visa

可能需提供签证/申请签证的证明

EU BLUE CARD: PROCEDURE

欧盟蓝卡：申请程序

Single Desk for Immigration / 移民统一服务平台

- The request for the EU Blue Card is submitted by the Italian employer through Single Desk For Immigration using the Ministry of the Interior's IT system.

意大利雇主需要通过移民统一服务平台，在意大利内政部的系统上注册

Application form / 申请表

- The employer should fill out the work permit application form for the EU Blue Card

意大利雇主注册后，可填写欧盟蓝卡工作许可申请表

EU BLUE CARD: COST OF THE PROCEDURE

欧盟蓝卡：申请费用

EU Blue Card fee / 欧盟蓝卡费用

- The initial EU Blue Card fee costs € 100 euro.
首次申请：100欧元
- The cost for each renewal amounts to € 100 euro.
每次延期：100欧元

Administrative Costs / 杂项行政费用

- €30 for the sending of the postal kit; €16 for the tax stamp; and €30.46 for issuance costs
邮寄费30欧元、税费16 欧元和签发费30.46欧元

EU BLUE CARD: ADDITIONAL INFORMATION

欧盟蓝卡：补充信息

Advantages / 优点

➤ Apply for family reunification, registration to the National Health Service free of charge

申请家庭团聚，免费登记国家卫生服务

➤ Always possible to change from study residence permit to EU Blue Card.

学习居留许可可以随时转为欧盟蓝卡

18 months of legal residency / 18个月合法居留

➤ Work in another European Union Member State

合法居留满18个月后，才能前往另一欧盟成员国工作，而且必须仍从事高素质职业

TRANSNATIONAL SECONDMENT 跨国派遣

TRANSNATIONAL SECONDEMENT: DEFINITION

跨国派遣的定义

Transnational secondment: a company established in another EU or non-EU Member State posts one or more workers to Italy in favour of another company

跨国派遣：一个非意大利公司，向意大利派遣一名或多名劳动者，为一个意大利公司服务。

- The employment relationship must continue between the posted worker and the foreign posting company.

劳动者与非意大利公司之间的雇佣关系必须保持存续（雇佣关系一般情况下将受中国法管辖）。

- The work activity carried out in Italy must necessarily have limited duration and must be performed in the interest of and on behalf of the posting company, on which the typical obligations of an employer continue to be mandatory.

劳动者在意大利进行的工作必须是有期限的、为派遣公司服务并代表派遣公司进行；雇主也必须承担发工资、缴社保等典型义务。

TRANSNATIONAL SECONDEMENT: DURATION

跨国派遣：期限

Differ on a case-by-case assessment / 具体情况具体分析

- The posting shall last as long as persist the interest of the posting party, also based on the nature of the activity specifically carried out

根据派遣公司的情况、临时工作的具体内容判定

Cannot exceed 18 months / 上限18个月

- Long-term secondments: exceeding 12 months, up to a maximum of 18 months

长期派遣：12-18个月

INTANGIBLE RIGHTS OF SECONDED WORKERS IN ITALY

被派遣劳动者在意大利的权利

Posted workers must be guaranteed at least minimum levels of working and employment conditions set by legislative provisions and collective agreements in Italy.

派遣公司必须保证派遣人员至少能够：享有意大利法律、集体协议规定的最低工作条件。

- i. maximum working and minimum rest periods / 最长工作时间、保障休息时间
- ii. minimum length of paid annual leave / 享有带薪年假
- iii. minimum remuneration, including overtime pay / 最低薪酬、加班费
- iv. health, safety and hygiene at work / 工作场所的健康、安全和卫生
- v. protective measures / 孕妇、青年等群体的保护措施
- vi. equal treatment between men and women / 男女待遇平等

TRANSNATIONAL SECONDEMENT: MANDATORY REQUIREMENTS

跨国派遣：所需材料

Contracts / 劳动合同、商业合同

- Employment contract between the posted employee and the Chinese company

派遣员工与中国公司之间的劳动合同

- Commercial contract between the Chinese company and the Italian company

中国公司与意大利公司之间的商业合同，其中必须规定派遣员工提供的劳务

Interest of the posting company / 派遣公司的利益

- Specific, relevant, concrete and persist throughout the duration of the secondment

具体的、与员工提供的劳务相关、在整个派遣期间存续

TRANSNATIONAL SECONDEMENT: PROCEDURE

跨国派遣：程序

Apply for registration / 申请注册

- Following the procedure indicated in a guide provided by the Ministry of Labour

派遣公司按照意大利劳动部规定的程序申请注册 <https://servizi.lavoro.gov.it>

Communication form and posting notices / 派遣通知

- sent by midnight of the day preceding the start of the posting period

派遣期开始前一天的午夜前发送通知

- long-term posting: specify the reason for the long duration

长期派遣：说明原因

MAIN DIFFERENCES

跨国派遣 VS 欧盟蓝卡主要区别

Transnational Secondment 跨国派遣	EU Blue Card 欧盟蓝卡
Transnational secondment is temporary 跨国派遣是临时性的	The EU Blue Card work permit implies a stable, medium/long-term employment relationship of at least one year's duration 欧盟蓝卡意味着至少一年的稳定、中长期雇用关系（劳动部官方指南支撑）
The PRC employer and the PRC employee's employment contract is regulated by Chinese Law 中国员工仍将与中国雇主挂钩，其雇用合同适用中国法律	Allowing the employer to enter in an employment relationship, ruled by Italian Law, with an Italian company 劳动者能够与意大利公司建立适用意大利法律的雇用关系

CROSS-BORDER EMPLOYMENT FOR EXPERTS IN GERMANY

德国涉外用工简介

1. CHECK LIST - CROSS BORDER EMPLOYMENT 涉外用工要点

OVERVIEW OF RELEVANT LEGAL AND FACTUAL ISSUES IN
CROSSBORDER EMPLOYMENT
法律和实践要点



CHECK LIST - CROSS BORDER EMPLOYMENT

涉外用工要点

Overview 概览



CHECK LIST - CROSS BORDER EMPLOYMENT

涉外用工要点

OVERVIEW OF RELEVANT LEGAL AND FACTUAL ISSUES IN CROSSBORDER EMPLOYMENT

法律和实践要点

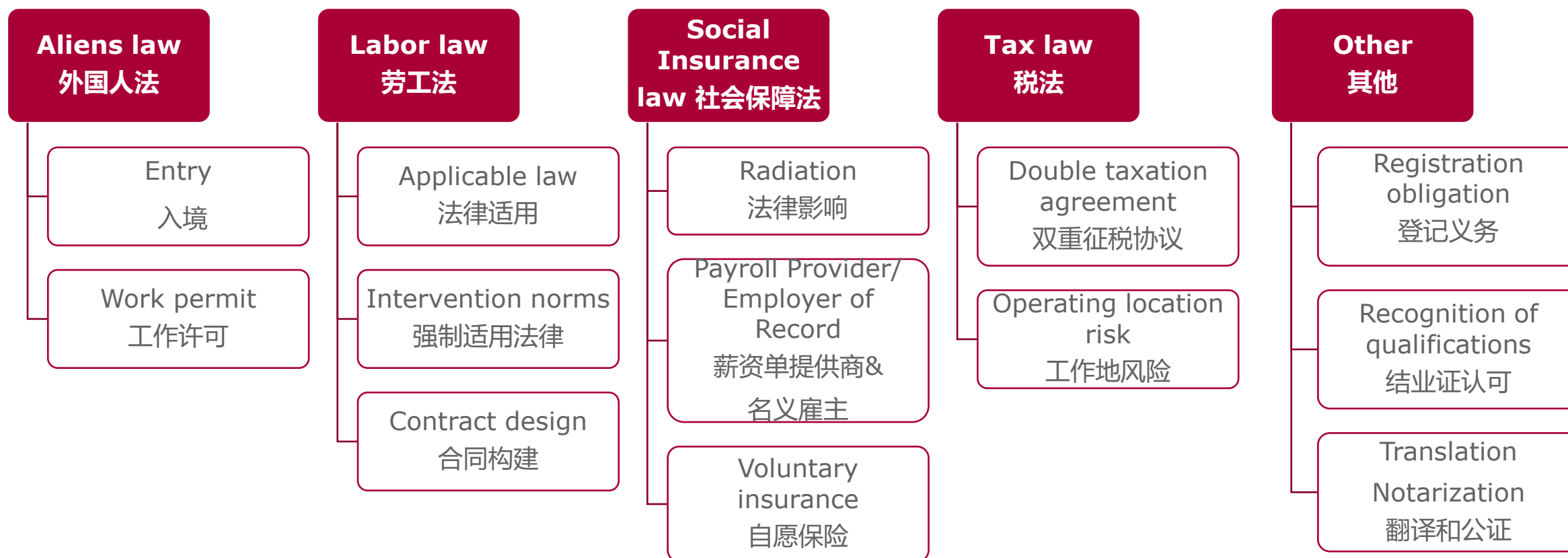


CHECK LIST - CROSS BORDER EMPLOYMENT

涉外用工要点

OVERVIEW OF RELEVANT LEGAL AND FACTUAL ISSUES IN CROSSBORDER EMPLOYMENT

法律和实践要点



CHECK LIST - CROSS BORDER EMPLOYMENT

涉外用工要点

Aliens Law 外国人居留法



CHECK LIST - CROSS BORDER EMPLOYMENT

涉外用工要点

Aliens Law 外国人居留法

- Blue card EU – 蓝卡
- Skilled workers with a university education – 高校毕业的专业人才
- (Mobile) ICT Card – 企业内部人员调度
- Skilled workers with professional training – 职业技能专业人才
- Stay for the recognition of foreign professional qualifications – 职业技能认可居留
- Residence permit for educational purposes (vocational training, studies, research) 教育目的的居留 (职业教育, 学习, 研究)

CHECK LIST - CROSS BORDER EMPLOYMENT

涉外用工要点

Labor Law 劳动法

Contract design 合同构建

- Permanent residence
长期居留
- Temporary employment
非全职用工
- Work from abroad
在国外提供工作
- Cost take-over by the employer
雇主承担费用

Intervention norms 强制适用条款

- Compliance with national minimum requirements (MiLoG, ArbzG, ANÜ, MuSchG...
保证当地最低法律要求 (如母亲保护, 最低工资等)

CHECK LIST - CROSS BORDER EMPLOYMENT

涉外用工要点

Social Insurance Law and Tax Law 社会保险法和税法

Social Insurance Law 社会保险法

- Applicable law
法律适用
- Social security law (EU / agreement / law)
社保法适用协议
- Practical implementation
实践执行
- Voluntary additional services
自愿的额外保险

Tax Law 税法

- Double taxation agreement
多重税收协议
- Operating location risk
工作地危险
- Employer of Record
名义雇主
- Income tax liability
收入赋税义务

CHECK LIST - CROSS BORDER EMPLOYMENT

涉外用工要点

Others 其他



2. CURRENT EMPLOYMENT OPPORTUNITY FOR FOREIGN PROFESSIONALS

常见的几种涉外用工种类



CURRENT EMPLOYMENT OPPORTUNITY FOR FOREIGN PROFESSIONALS

常见的几种涉外用工种类

Blue Card 蓝卡

- German or a foreign university degree (an IT specialist or a manager in the IT sector without a formal educational qualification).
拥有德国或外国大学学位（或未取得正式学位的 IT 专家或IT 行业管理人员）。
- a concrete job offer in a company in Germany.
有德国公司的具体工作机会。
- Gross annual salary at least 48,300 euros (in 2025). Bottleneck occupations at least 43,759.80 euros (in 2025)
(2025 年) 年薪总额至少为 48,300 欧元, 紧缺职业则至少 43,759.80 欧元。
- Advantage: A legal entitlement to the EU Blue Card: Facilitation of family reunification: faster access to a settlement permit.
优势：获得欧盟蓝卡的合法权利；促进家庭团聚；更快获得定居许可。

CURRENT EMPLOYMENT OPPORTUNITY FOR FOREIGN PROFESSIONALS

常见的几种涉外用工种类

Skilled Workers 专业人才

- Foreign qualification recognized
外国学历得到承认
- A concrete job offer
具体的工作机会
- Approval from the Federal Labor Agency
联邦劳工局的批准

CURRENT EMPLOYMENT OPPORTUNITY FOR FOREIGN PROFESSIONALS

常见的几种涉外用工种类

ICT Card 企业内部人员调度

- Intra-corporate transfer (ICT)
公司内部调动 (ICT) 。
- companies based outside the EU to deploy their employees flexibly in the EU.
总部设在欧盟以外的公司可在欧盟境内灵活调配员工
- Managers and specialists, trainees
管理人员, 专家和培训人员
- Requirements: six months of employment; proof of professional qualifications; consent from the Federal Labor Agency
工作六个月; 专业资格证明; 联邦劳动局批准
- Advantage: Mobility to other EU Member States; legal entitlement to the issue of the ICT card in Germany.
优势: 可在欧盟其他成员国通行; 要求 ICT 卡的合法权利

CURRENT EMPLOYMENT OPPORTUNITY FOR FOREIGN PROFESSIONALS

常见的几种涉外用工种类

Works Supply Contract 设备安装合同签证

- Posted to Germany for up to 90 days within a period of twelve months
在 12 个月内派驻德国最多 90 天。
- to set up and install, maintain or repair, dismantle, etc. machines, systems and programs for electronic data processing.
安装和装配、维护或修理用于电子数据处理的机器、系统和程序，拆卸等。
- No approval from the Federal Employment Agency for employment, only notification
不需要联邦就业局的同意，通知就可以。
- Consent may be granted for persons for longer than 90 days and up to a period of three years
劳工局可以签发超过 90 天且最长为三年的同意书。

3. THE “ACT ON THE FURTHER DEVELOPMENT OF THE IMMIGRATION OF SKILLED WORKERS” 德国《专业人才移民法更新》



THE "ACT ON THE FURTHER DEVELOPMENT OF THE IMMIGRATION OF SKILLED WORKERS"

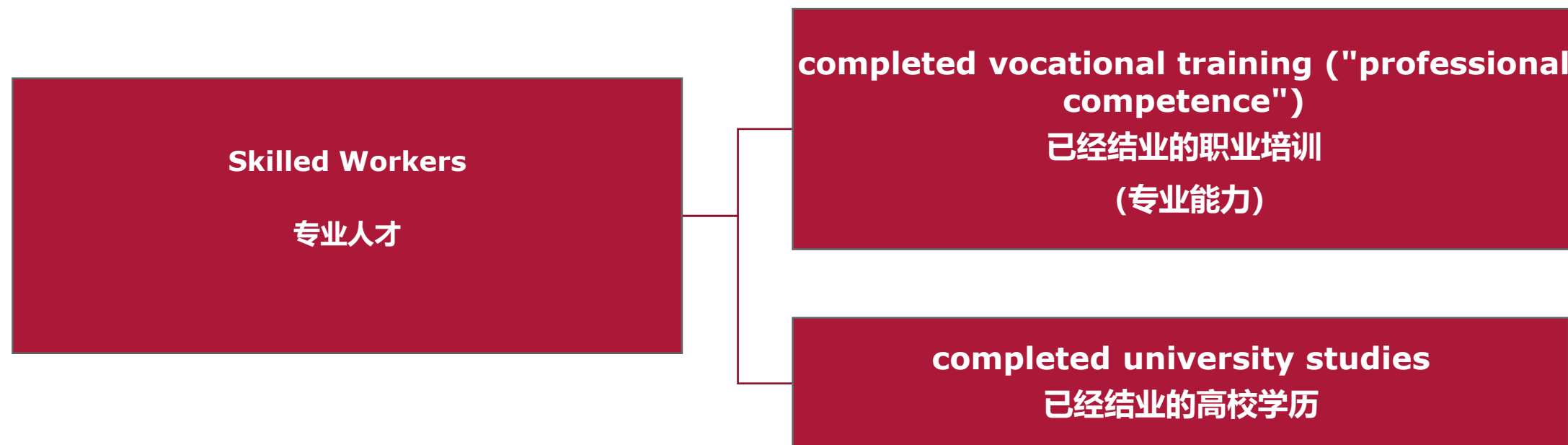
《专业人才移民法》概览

- Since March 2020: The Skilled Immigration Act has been in force. The aim: to facilitate the recruitment of qualified skilled workers from third countries in line with the needs of the economy.
自 2020 年 3 月起：《专业人才移民法》开始生效。目的：根据经济需求，促进从第三国招聘合格的技术工人。
- Since 18.11.2023: The "Act on the Further Development of Skilled Immigration" new paths for the immigration of skilled workers from third countries.
自 2023 年 11 月起，《进一步发展专业人移民法》为第三国技术劳工移民开辟了新的途径。

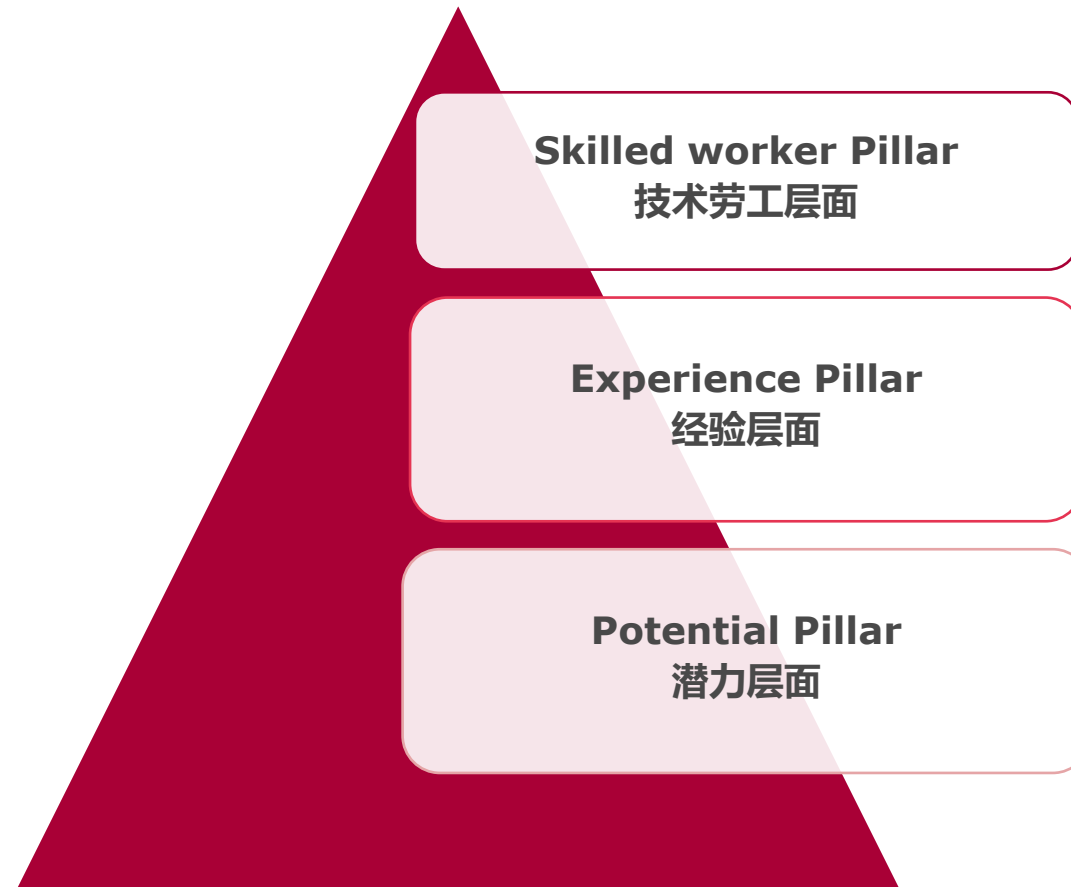
THE "ACT ON THE FURTHER DEVELOPMENT OF THE IMMIGRATION OF SKILLED WORKERS"

《专业人才移民法》概览

Skilled Workers 专业人才概念



THE “ACT ON THE FURTHER DEVELOPMENT OF THE IMMIGRATION OF SKILLED WORKERS” 《专业人才移民法更新》



THE “ACT ON THE FURTHER DEVELOPMENT OF THE IMMIGRATION OF SKILLED WORKERS” 《专业人才移民法更新》

Skilled Worker Pillar 专业技术人才方面

- Reduction in minimum salary thresholds for Blue Card (€ 48.300 or € 43.759,80 for bottleneck occupations)min
降低蓝卡最低工资门槛（48.300欧元或紧缺职业43.759,80欧元）
- Expansion of the list of bottleneck occupations
扩大紧缺职业的清单
- Applicable to any skilled work
适用于任何有技术性的工作

THE “ACT ON THE FURTHER DEVELOPMENT OF THE IMMIGRATION OF SKILLED WORKERS” 《专业人才移民法更新》

FROM MARCH 2024!
从2024年3月开始实行!

Experience Pillar 经验人才方面

- Residence permit without a qualification recognized in Germany
NEW: Extension to all professions (previously only certain IT sectors)
无德国承认学历的居留许可
新：扩展至所有职业（之前仅适用于某些 IT 行业）
- Requirements:
申请条件
 - Professional qualification (at least 2 years of training) recognized in the country of origin
原籍国认可的专业资格（至少 2 年培训）
 - at least 2 years of professional experience
至少 2 年的职业经验
 - Mindestverdienstgrenze (neu: Herabgesenkt auf 45%) oder Tarifgebundenheit
最低收入门槛（新：下调至 45%）或集体协议
- Short-term contingent employment with collective bargaining agreements
有集体谈判协议的短期临时雇佣

THE “ACT ON THE FURTHER DEVELOPMENT OF THE IMMIGRATION OF SKILLED WORKERS” 《专业人才移民法更新》

NEW FROM JUNE 2024!
从 2024年6月开始生效!

Potential Pillar 潜力人才方面

- Introduction of an opportunity card for residence during job search
推出求职期间居留机会卡
- Specialists without further requirements
技术人才无其他要求
- in other case of Requirements :
其他情况下的先决条件:
 - Qualification
专业能力
 - Sprachkenntnisse: Deutsch (A1) oder Englisch (B2)
语言技能: 德语 (A1) 或英语 (B2)
 - At least 6 points in the new points system (criteria: Qualifications, language skills, professional experience, connection to Germany and age)
在新的计分系统中至少获得 6 分 (标准: 学历、语言技能、职业经验、与德国的联系紧密度和年龄)

THE “ACT ON THE FURTHER DEVELOPMENT OF THE IMMIGRATION OF SKILLED WORKERS” 《专业人才移民法更新》

GENERAL NEW FEATURES 普遍更新

- Entitlement to the issue of residence permits for skilled workers (previously only for Blue Card)
技术工人有权要求签发居留证（以前仅适用于蓝卡持有者）
- Easier change of employer for Blue Card holders (possible without the approval of the Federal Employment Agency; but notification requirement and suspension option in the first 12 months)
蓝卡持有者更容易更换雇主（无需联邦就业局同意即可更换雇主；但需要通知雇主，并可在头 12 个月内暂停雇主资格）
- Facilitated cross-border working within the EU
在欧盟范围内更容易跨境工作

CONCLUSION

总结

- Facilitations
更简便
- New possibilities
新机会
- Process is not necessarily accelerated
程序不一定会加速
- Duration remains difficult to predict
办理时间目前还不能预期

SPEAKERS

演讲人

CARLO GEREMIA

詹瑞铭



Legal Counsel 法律顾问

FOCUS ON / 业务领域

- China Desk / 中国事务部
- Corporate and Commercial / 公司及商业事务
- Mergers and Acquisitions / 并购
- Intellectual Property / 知识产权
- Dispute Resolution / 争议结局

LANGUAGES / 工作语言

Italian | English | Mandarin

意大利语 | 英语 | 中文

T +86 138 1897 1006 (China / 中国)
E +39 328 8819091 (Italy / 意大利)
Carlo.Geremia@advant-nctm.com

ADDITIONAL INFORMATION / 补充信息

Carlo Geremia is a Counsel of ADVANT Nctm in Shanghai and one of the few Italian arbitrators of the Shanghai Arbitration Commission. His practice focused on cross-border investments, corporate, commercial, and regulatory matters between China and Italy.

詹瑞铭是昂帆安启建在上海的法律顾问，也是上海仲裁委员会为数不多的意大利籍仲裁员之一。他的执业领域侧重于中国和意大利之间的跨境投资、公司、商业和监管事务。

He has managed many corporate transactions in China, including the corporate organization in China of groups such Sampierana (CNH Industrial), Ferriere di Stabio, IMQ, COMEM, NICE and Unifrutti. He has a solid and proved experience in advising and assisting primary international and Chinese groups in Italy, such Dongfang, Zhongya, and Chongqing Machinery.

他负责过许多在中国的公司交易，服务对象包括但不限于 Sampierana (CNH Industrial)、Ferriere di Stabio、IMQ、COMEM、NICE 和 Unifrutti等集团。他在为意大利的主要国际集团和中国集团（如东方集团、中亚集团和重庆机电股份有限公司）提供咨询和协助方面拥有丰富的经验。

Electric Co., Ltd.

LUKAS YU

于璐



Legal Counsel 法律顾问

FOCUS ON / 业务领域

- China Desk / 中国事务部
- Corporate and Commercial / 公司及商业事务
- Mergers and Acquisitions / 并购

LANGUAGES / 工作语言

German | English | Mandarin

德语 | 英语 | 中文

T +49 89 35065 1226

E Lukas.Yu@advant-beiten.com

ADDITIONAL INFORMATION / 补充信息

Lukas Yu is a Chinese legal counsel at ADVANT Beiten's Munich office and member of the China Practice. He focuses on advising Chinese companies about their market entry and business activities in Germany. Furthermore, he advises German companies on their activities in China.

于璐是昂帆百达律师事务所慕尼黑办事处的中国法律顾问和中国业务部成员。他主要负责为中国公司进入德国市场和在德国开展业务活动提供咨询。此外，他也为德国公司在中国开展经营活动提供咨询。

In 2008, Mr. Yu received his LL.M. degree on German Law at the Ludwig-Maximilians-University Munich, Germany. In 2009, Lukas Yu obtained his Chinese legal qualification. Before joining ADVANT Beiten in 2014, he gained practical experience from the internships at various international law firms both in China and Germany.

2008 年，于璐在德国慕尼黑路德维希-马克西米利安大学获得德国法法学硕士学位。2009 年，他获得中国法律职业资格。在 2014 年加入昂帆百达之前，他曾在中国和德国的多家国际律师事务所实习，积累了丰富的实践经验。

BEIJING

Suite 3130, 31st Floor
South Office Tower
Beijing Kerry Centre
1 Guang Hua Road
Chao Yang District
100020 Beijing, China
beijing@advant-beiten.com
T: +86 10 85298110

BERLIN

Lützowplatz 10
10785 Berlin, Germany
berlin@advant-beiten.com
T: +49 30 26471-0

BRUSSELS

Avenue Louise 489
1050 Brussels, Belgium
brussels@advant-beiten.com
T: +32 2 6390000

DUSSELDORF

Cecilienallee 7
40474 Dusseldorf, Germany
dusseldorf@advant-beiten.com
T: +49 211 518989-0

FRANKFURT

Mainzer Landstrasse 36
60325 Frankfurt/Main, Germany
frankfurt@advant-beiten.com
T: +49 69 756095-0

FREIBURG

Heinrich-von-Stephan-Strasse 25
79100 Freiburg im Breisgau, Germany
freiburg@advant-beiten.com
T: +49 761 150984-0

GENOA

Via Roma 10
16121 Genoa, Italy
genoa@advant-nctm.com
T: +39 010 8531407

HAMBURG

Neuer Wall 72
20354 Hamburg, Germany
hamburg@advant-beiten.com
T: +49 40 688745-0

LONDON

40 Bruton Street
London, W1J 6QZ, United Kingdom
london@advant-nctm.com
T: +44 20 73759900

MILAN

Via Agnello 12
20121 Milan, Italy
milan@advant-nctm.com
T: +39 02 725 511

MOSCOW

Turchaninov Per. 6/2
119034 Moscow, Russia
moscow@advant-beiten.com
T: +7 495 2329635

MUNICH

Ganghoferstrasse 33
80339 Munich, Germany
munich@advant-beiten.com
T: +49 89 35065-0

PARIS

45 Rue de Tocqueville
75017 Paris, France
paris@advant-altana.com
T: +33 1 79 97 93 00

ROME

Via delle Quattro Fontane 161
00187 Rome, Italy
rome@advant-nctm.com
T: +39 06 6784977

SHANGHAI

Room 4102
Hong Kong New World Tower
No. 300 Middle Huaihai Road
200032 Shanghai Shi, China
shanghai@advant-nctm.com
T: +86 21 60906337

