



## PUBLIC ADVISORY #11

7 April 2020

### Advisory on Labor Regulations and Suspension of Deadlines in Police Immigration Proceedings in Spain

The Philippine Embassy wishes to inform the public that the Spanish government has announced the **suspension of the deadlines regarding immigration procedures handled by the police within Spain's national territory, as of 31 March 2020**, as a consequence of Royal Decree 463/2020 of 14 March 2020.

The Embassy advises the public to take note of the following points in particular:

- Documents whose processing, authorization and issuance fall within the competence of the immigration and border police units and whose validity has expired during the current exceptional situation will be accepted.
- The expiration periods of stay in national territory will be suspended for third-country nationals whose return is not possible as a consequence of the coronavirus-related health emergency, and which are accredited.

The original document (in Spanish) issued by the General Commissariat of Immigration and Borders under the Directorate-General of the Police, as well as the Embassy's unofficial translation of the same, are attached for reference.

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With regard to labor concerns, the Embassy informs the public that the Public Service for State Employment (SEPE) of the Spanish Ministry of Labor and Social Employment (MITRAMISS) has announced the following on its official website [<http://sepe.es/HomeSepe>]:

**People affected by ERTes (expediente de regulación temporal de empleo) do not have to apply for unemployment benefits.** Your company will take care of this when the ERTE is approved. **If you are affected by an ERTE, DO NOT submit a request or make an appointment.** The improper use of these channels makes it difficult to attend to and provide the service.

**If you are unemployed BUT NOT DUE TO AN ERTE, please be reminded that during the State of Alarm the deadlines for submitting applications are suspended.**

**SUBSIDY FOR PERSONS EMPLOYED AT HOME AND EXCEPTIONAL SUBSIDY FOR THE END OF TEMPORARY CONTRACT:** SEPE will establish the procedure for its processing within one month. You will be informed shortly about how and when to request it.

Please see the COVID-19 section of the SEPE website for more information: <http://www.sepe.es/HomeSepe/COVID-19.html>





### **Medidas relativas a la suspensión de plazos en los procedimientos policiales de extranjería por aplicación del Real Decreto 463/2020, de 14 de marzo.**

El Real Decreto 463/2020, de 14 de marzo, por el que se declara el estado de alarma, establece en su disposición adicional tercera la suspensión de los plazos administrativos y la disposición adicional cuarta la suspensión de los plazos de prescripción y caducidad.

En aplicación de dichas disposiciones adicionales y con el fin de evitar un perjuicio en los derechos de los interesados y afectados, así como de la propia Administración en los procedimientos de extranjería, se han adoptado las siguientes medidas de aplicación durante el periodo de actual excepcionalidad, relativo a aquellos procedimientos de extranjería que competen a las unidades policiales de extranjería y fronteras:

1. En dichos procedimientos serán aceptados aquellos documentos, cuyo trámite, autorización y concesión compete a las unidades policiales de extranjería y fronteras, y cuya vigencia haya expirado durante la actual situación de excepcionalidad.
2. Se procederá a la suspensión de los plazos de expiración de las estancias en territorio nacional, de nacionales de terceros estados cuyo retorno no es posible a consecuencia de la emergencia sanitaria derivada del coronavirus, y así quede acreditado.
3. Igualmente se procederá a suspender, durante la vigencia del Real Decreto 463/2020, de 14 de marzo, los términos de caducidad de los siguientes documentos:
  - Manifestación de voluntad de presentar solicitud de protección internacional.
  - Resguardo de presentación de solicitud de protección internacional.
  - Documento acreditativo de la condición de solicitante de protección internacional.
4. Los plazos para la interposición de recursos administrativos frente a resoluciones policiales de procedimientos de competencia de la Comisaría General de Extranjería y Fronteras, quedan suspendidos en aras a evitar una situación de indefensión del particular.

Madrid, 31 de marzo de 2020.

**[UNOFFICIAL TRANSLATION]**

MINISTRY OF THE INTERIOR

DIRECTORATE-GENERAL  
OF THE POLICE

GENERAL COMMISSARIAT OF  
IMMIGRATION AND BORDERS

**Measures related to the suspension of deadlines in police immigration procedures by application of the Royal Decree 463/2020, of March 14.**

The Royal Decree 463/2020, of March 14, by which the state of alarm is declared, establishes in its third additional provision the suspension of administrative deadlines and in its fourth additional provision the suspension of prescription and expiration periods.

In application of these additional provisions and in order to avoid prejudice to the rights of the interested and affected parties, as well as of the Administration itself on the immigration procedures, the following measures have been adopted for implementation during the current exceptional period, regarding those immigration procedures that fall within the competence of the immigration and border police units:

1. In the said procedures, those documents whose processing, authorization and issuance fall within the competence of the immigration and border police units and whose validity has expired during the current exceptional situation will be accepted.
2. The expiration periods of stay in national territory will be suspended for third-country nationals whose return is not possible as a consequence of the coronavirus-related health emergency, and which are accredited.
3. Likewise, during the validity of the Royal Decree 463/2020, of March 14, the expiration periods of the following documents will be suspended:
  - Statement of intent to apply for international protection.
  - Proof of application for international protection.
  - Document accrediting the status of applicant for international protection.
4. The deadlines for the filing of administrative appeals against police decisions on procedures that are within the competence of the General Commissariat of Immigration and Borders are suspended in order to avoid a situation of defenselessness of the individual.

Madrid, 31 March 2020.