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# UP IN THE AIR

**THE CURRENT STATE OF BUSINESS TRAVEL IN ASIA**

**AN UPDATE**

April 26 and 28, 2022

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# Agenda

- Current status in APAC
  - Entry requirements
  - Quarantine requirements
  - Points to note
- Highlights on new immigration requirements
  - Pre-arrival registration in Japan
- Changes on the horizon
  - Minimum salary amount and new COMPASS scheme in Singapore

# Current Status in APAC

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**China**

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# Current Status

- Current entry/quarantine requirements

## Pre-arrival

- Take a nucleic acid rt-PCR test at the departure city of the flight 7 days before boarding
- Starting from the first nucleic acid rt-PCR test day, monitor your health for 7 days at the departure city
- Within 48 hours before departure, take the second nucleic acid rt-PCR test at a listed laboratory, and the third one within 24 hours before departure at a different listed laboratory (test requirements vary from vaccination status)
- Obtain “Green” Health Code with “HS” remark from local embassy or consulates
- After 14:00 the day before departure, take the antigen test at the departure city

## Post-arrival

- Local quarantine practices vary
- Shanghai – 14-day centralized quarantine + 7-day health observation
- Beijing – 14-day centralized quarantine + 7-day centralized quarantine or home quarantine + 7-day health observation

# Current Status

- Risks for re-entering China
  - It is difficult to obtain the “Green” Health Code with "HS" remark, especially for those who have infection history. Sometimes the local embassy or consulates will not issue the health code if the travel is not considered as necessary or urgent
  - Limited direct flight tickets

# Additional Requirements If Someone Had COVID

- If you were diagnosed with COVID-19 or tested positive for nucleic acid rt-PCR or antibody (not due to vaccination), you are considered as having a history of infection.
- You can apply for a health code if you meet the following requirements:
  - Take two nucleic acid rt-PCR tests with a sampling interval of over 24 hours in any laboratory in the US and both tests return negative results.
  - Take a self-quarantine for at least 6 weeks and record your daily body temperature and health conditions after the second nucleic acid rt-PCR test. If you develop any symptoms such as fever, cough, diarrhea during the self-quarantine, take another nucleic acid rt-PCR test. If the result is negative, start a 6 weeks quarantine again. If the result is positive, you will need to wait until you recover and redo the whole process.
  - After completing the above procedures, follow the notice to perform nucleic acid rt-PCR testing 7 days before boarding, monitor your health for 7 days, and perform corresponding tests within 48 hours before boarding. If the test result is still positive, you will need to complete the previous steps again until you meet all the requirements.

# Pilot Program – Reduction in Quarantine Time

- Quarantine time cut from 14 to 10 days for incoming travelers and close contacts of COVID-19 cases
- Limited to handful of cities:
  - Shanghai, Ningbo, Suzhou, Guangzhou, Xiamen, Chengdu, Dalian & Qingdao



# Beijing - Incoming Travel Requirements/Restrictions

- Within 24-72 hours after arriving – take a PCR test
- Within 7 days after arriving – refrain from having group meals, gathering and going to crowded places
- 48 hours prior to return to work – an additional PCR test is recommended and work from home until results are available
- Chaoyang District: all individuals must be tested before they can enter/re-enter the workplace

# Hong Kong

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# Current Status

- Current entry/quarantine requirements
  - Entry and quarantine requirements depend on where the traveller has stayed 14 days before arrival and the traveller's vaccination status
  - As of April 26, only fully vaccinated Hong Kong residents may enter Hong Kong except for those who have only stayed in Mainland China, Macao, or Taiwan
  - Quarantine requirements:
    - Mainland China/Macao: 14 days at self accommodation (not vaccinated) or 7 days at self accommodation + 7 days self health monitoring (fully vaccinated)
    - Taiwan: 14 days at designated quarantine hotel (not vaccinated) or 7 days at designated quarantine hotel + 7 days self health monitoring (fully vaccinated)
    - Other places: 14 days at designated quarantine hotel, may opt for 7 days at DQH + 7 days self health monitoring
- New vaccination mandate

**Japan**

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# Current Status

- From March 1, 2022, entry of foreign nationals into Japan has been permitted if
  - (i) such foreign nationals are:
    - (a) those for a short-term stay (three months or less) for purposes including business or employment, or
    - (b) those for a long-term stay;
  - (ii) the sponsor company completes the MHLW's Entrants, Returnees Follow-up System ("ERFS") registration; and
  - (iii) the foreign nationals obtain an issuance of Japan visa.
- Entry of foreign nationals into Japan for tourism purposes is still not permitted.
- From April 8, 2022, the Japanese government removed 106 countries/regions from the list of countries/regions subject to denial of landing.
- From April 10, 2022, the Japanese government raised the daily entry quota to 10,000.

# Current Measures

Which country/region is foreign national coming from?

Entering from countries/regions not on the landing denial list (currently 114 countries/regions)

- ⇒ Except for re-entry, in principle,
  - Obtain Certificate of Eligibility at the regional immigration bureau (for a long-term stay)
  - Completes the ERFS registration
  - Obtain a Japan visa at the Japanese consulate in the country
- ⇒ Currently, Japan visa is only issued to foreign nationals who are under circumstances similar to the special circumstances

Staying in countries/regions subject to landing denial within 14 days before the day of application for landing (currently 56 countries/regions)

- ⇒ Subject to denial of landing unless a foreign national falls into one of the following special circumstances:
  - (i) Re-entry with re-entry permit
  - (ii) New entry of spouse or child of a Japanese national or permanent resident
  - (iii) “Diplomat” or “Official”
  - (iv) New measures for border enforcement
  - (v) Need for public benefit
  - (vi) Need for humanitarian consideration

# List of Countries/Regions Subject to Denial of Landing

		Countries and Regions
Latin America	6	Guatemala, Grenada, Jamaica, Saint Vincent and the Grenadines, Haiti, Santi Lucia
Europe	10	Armenia, Estonia, Slovakia, Bulgaria, Bosnia and Herzegovina, Moldova, Ukraine, Belarus, Russia, Kyrgyz
Middle East	4	Afghanistan, Iraq, Lebanese, Palestine
Africa	36	Egypt, Ivory Coast, Democratic Republic of the Congo, Djibouti, Gabon, Guinea-Bissau, São Tomé and Príncipe, Equatorial Guinea, Ghana, Guinea, South Africa, Algeria, Eswatini, Cameroon, Senegal, Central African Republic, Mauritania, Kenya, Comoros, Congo, Sierra Leone, the Sudan, Somalia, Namibia, Madagascar, Libya, Liberia, Ethiopia, Gambia, Zambia, Zimbabwe, Nigeria, Malawi, South Sudan, Lesotho, Angola
Total	56	

# List of Countries/Regions which are Removed from the List of Denial of Landing

		Countries and Regions
Asia	6 +15	(From November 1, 2020) Singapore, Korea, Taiwan, China (including Hong Kong and Macau), Brunei, Vietnam (From April 8, 2022) India, Indonesia, Cambodia, Sri Lanka, Thailand, Nepal, Pakistan, Bangladesh, East Timor, Philippines, Bhutan, Malaysia, Myanmar, Maldives, Mongolia
Oceania	2 +1	(From November 1, 2020) Australia, New Zealand (From April 8, 2022) Fiji
North America	2	Canada, United States
Latin America	27	Argentine, Antigua and Barbuda, Uruguay, Ecuador, El Salvador, Guyana, Cuba, Costa Rica, Colombia, Suriname, Kitts and Nevis, Chile, Dominican Republic, Dominica, Trinidad and Tobago, Nicaragua, Panama, Bahamas, Paraguay, Barbados, Brazil, Venezuela, Belize, Peru, Bolivia, Honduras, Mexico
Europe	43	Iceland, Ireland, Azerbaijan, Albania, Andorra, Italy, Uzbekistan, United Kingdom, Austria, Netherlands, Kazakhstan, Northern Macedonia, Cyprus, Greece, Croatia, Kosovo, San Marino, Georgia, Switzerland, Sweden, Spain, Slovenia, Serbia, Tajikistan, Czech Republic, Denmark, Germany, Norway, Vatican, Hungary, Finland, France, Belgium, Poland, Portugal, Malta, Monaco, Montenegro, Latvia, Lithuania, Liechtenstein, Romania, Luxembourg
Middle East	10	United Arab Emirates, Israel, Iran, Oman, Qatar, Kuwait, Saudi Arabia, Turkey, Bahrain, Jordan
Africa	8	Cabo Verde, Seychelles, Tunisia, Botswana, Mozambique, Mauritius, Morocco, Rwanda
Total	114	(8 (November 1, 2020) + 106 (April 8, 2022)) = 114



# Certificate of Testing for COVID-19

- Currently, from the standpoint of preventing and controlling epidemics, all travelers, including Japanese nationals, who are entering Japan will be, in principle, required to have obtained a Certificate of Testing for COVID-19 from a medical facility or other facilities in the country/region of stay proving a negative test result for COVID-19 (the novel coronavirus) within 72 hours prior to departing from the country/region of stay.
- The certificate must clearly indicate that the traveler has received two doses from among the following vaccines: Pfizer, AstraZeneca, Moderna, Janssen (one dose is deemed two doses), Bharat
- The certificate must clearly indicate that traveler has received the third dose, of one of the following vaccines: Pfizer, Moderna, Novavax

# Quarantine Period at Home/Accommodation after Entering Japan

Arriving from	Valid vaccination certificate	Day 0 (entry date)	Days 1 to 3	Days 4 to 7
Designated country/ region <i>(Russia, Turkey, Saudi Arabia, Sri Lanka, Korea, Egypt, Pakistan, Vietnam)</i>	NO	Test at airport quarantine	<ul style="list-style-type: none"> <li>- Quarantine at government-designated accommodations</li> <li>- Quarantine ends upon negative test results at accommodation facilities on third day</li> </ul>	No quarantine
	YES (proof of triple vaccination with designated vaccines)	Test at airport quarantine	- Quarantine at home/accommodations (if not taking self-test after three days upon entering Japan)	
		Test at airport quarantine	- Quarantine at home/accommodations - Take self-test after three day upon entering Japan, submit result (if negative) to Health Monitoring Center for Overseas Entrants (HCO)	Quarantine shortened if receiving notice of end of quarantine
Other than Designated country/ region	NO	Test at airport quarantine	- Quarantine at home/accommodations (if not taking self-test after three days upon entering Japan)	
		Test at airport quarantine	- Quarantine at home/accommodations - Take self-test after three days upon entering Japan, submit result (if negative) to Health Monitoring Center for Overseas Entrants (HCO)	Quarantine shortened if receiving notice of end of quarantine
	YES (proof of triple vaccination with designated vaccines)	Test at airport quarantine	- No quarantine required	

# Singapore

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# Current Status

- Singapore has significantly eased travel restrictions in recent months. Presently, there are no countries in the “Restricted Category” list, and all travellers to Singapore are welcome subject to the fulfilment of the travel requirements set out below.

Fully Vaccinated Travellers and Travellers Aged 12 and Below	Non-fully Vaccinated Travellers
No COVID-19 pre-departure tests except for on-Malaysian Work Permit Holders (WPHs) holding an In-Principle Approval (IPA) in the Construction, Marine Shipyard and Process (CMP) sectors.	Any of the following COVID-19 tests within 2 days before departure for Singapore: <ul style="list-style-type: none"><li>○ Polymerase Chain Reaction Test</li><li>○ Antigen Rapid Test, which is professionally administered or administered remotely.</li></ul> 7-day Stay Home Notice ( <b>SHN</b> ) at declared place of accommodation  A negative PCR test at the end of the SHN

# Vaccination Requirements

- Travellers to Singapore are considered to be fully vaccinated if they have either:
  - Received the full regimen of WHO EUL Vaccines and met the minimum dose interval period; or
  - Contracted COVID-19 before being vaccinated, and received at least one dose of any WHO EUL Vaccine at least 28 days from their first diagnosis of a COVID-19 infection. Travellers must produce acceptable proof of their first positive COVID-19 diagnosis.

# **Highlights on New Immigration Requirements – JAPAN**

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# New Measures for Border Enforcement

1. Before a foreign national enters Japan, the entity that sponsored the foreign national (the Company) must (i) log in to the ERFS, (ii) enter information related to the foreign national (including accommodations for quarantine), and (iii) agree to the terms of a Written Pledge.
2. After the necessary items are entered, a Certificate for Completion of Registration (PDF) will be issued. The Company should download the Certificate for Completion of Registration and send it to the foreign national.
3. The foreign national presents the Certificate for Completion of Registration and submits a set of visa application material to an overseas diplomatic mission of Japan. The overseas diplomatic mission of Japan will review it and issue a visa.
4. After entry into Japan, the health status and the location data of the foreign national will be checked through MySOS. In addition, the Company must arrange and confirm the health status of the foreign national at a specific quarantine facility, contact a medical facility if the foreign national is symptomatic or becomes COVID-19 positive, and provide other required supervision and support.

# **Changes on the Horizon – SINGAPORE**

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# Revised Minimum Qualifying Salary for EPs – Effective September 1, 2022

- The Ministry of Manpower has announced that from September 1, 2022, the minimum salary qualification for all new applications for Employment Passes (**EPs**) will be raised from S\$4,500 to S\$5,000.
- For renewals of existing EPs, the revised minimum qualifying salary will take effect from September 1, 2023 instead.
- There are different minimum qualifying salaries for candidates/employees in the financial services sector. For candidates in this sector, the minimum qualifying salaries will be raised from the current minimum qualifying salary (S\$5,000) to S\$5,500 instead.

# COMPASS Scheme – Effective September 1, 2023

- Effective from September 1, 2023, the MOM will be adopting a new framework to determine the success of EP applications.
- Under this new framework, which they have termed “**COMPASS**”, there are four foundational criteria. Up to 20 points can be awarded for each of these criteria. These criteria are:
  - Salary (fixed monthly salary compared to local salaries in the same sector, by age);
  - Qualifications (whether the degree is from a top-tier institution, degree-equivalent qualification, etc);
  - Diversity (whether a single nationality, besides Singapore, is disproportionately represented); and
  - Support for local employment (whether there is a majority of Singaporeans employed among the workforce).
- In addition to these four criteria, there are two “bonus” categories that may also award points on a discretionary basis:
  - If the job applied for is on the Job Shortage List (up to 20 points);
  - Whether the employer meets specific assessment criteria on innovation or internationalization activities (up to 10 points).

# COMPASS Scheme – Effective September 1, 2023

- Any application will have to meet **40 points** to pass.
- The points calculation is cumulative of all six criteria. In other words, an employee may still be issued an EP if they completely fail one category but garner sufficient points in the other 5 categories to hit the 40-point mark.
- It should be noted that a candidate will be exempt from COMPASS requirements if any of the following conditions are met:
  - The candidate earns at least S\$20,000 in fixed monthly salary;
  - The candidate is transferring to Singapore as an overseas intra-corporate transferee; or
  - The candidate is filling a role on a short-term basis – 1 month or less.

# Coronavirus COVID-19 Resources

We have formed a multidisciplinary **Coronavirus/COVID-19 Task Force** to help guide clients through the broad scope of legal issues brought on by this public health challenge.

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To help keep you on top of developments as they unfold, we also have launched a resource page on our website at [www.morganlewis.com/topics/coronavirus-covid-19](http://www.morganlewis.com/topics/coronavirus-covid-19)

If you would like to receive a daily digest of all new updates to the page, please visit the resource page to [subscribe](#) using the purple “Stay Up to Date” button.



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