Hudson McKenzie
Global Immigration

M&A Meets Immigration: A Guide for a Globally Mobile Workforce

In a global marketplace, corporate manoeuvres such as mergers, acquisitions, consolidations, spinoffs and other restructurings (together, M&A) are essential strategies for growth, expansion or operational realignment.

When these transactions cross borders, careful attention to the complex web of international immigration requirements is critical.

Immigration and right to work of key employees are often addressed late in any business transaction or is usually an afterthought.

In this guide, Hudson McKenzie provides you with key immigration considerations that businesses and employers should factor in when a business undergoes these transactions.

Stage 1

Pre-transaction – workforce mapping, mobility risk scoping and early planning

This is where you should ideally bring in your immigration partner.

As early as planning a transaction whether you are the acquiring organisation or the organisation being acquired.

1 **Global workforce mapping**
Identify employees on visas, work permits, short-term assignments, commuter arrangements, or remote-cross-border setups.

2 **Early immigration and mobility risk scan**
Spot employees whose work authorisation or assignment status could be disrupted by the transaction.

3 **Talent dependency analysis**
Understanding whether the company to be acquired relies heavily on sponsored workers or globally mobile talent.

4 **Policy compatibility review**
Comparing relocation, assignment, and mobility policies to anticipate integration challenges.

5 **Structure of deal**
Review and assess the deal structure (share vs asset purchase) and its impact on visa continuity, sponsorship obligations, employee transfers, and the protection of existing terms and conditions.

Stage 2

Transaction – due diligence, employee impact assessment and compliance structuring

Full immigration due diligence

Reviewing visa expiry dates, sponsorship licences, right-to-work processes, and compliance history.

Assignment and relocation due diligence

Checking active relocations, long-term assignments, tax equalisation arrangements, and vendor contracts

Employee impact assessment

Identifying who needs new visas, amended assignments, or accelerated renewals. Will employees duties and roles remain the same or will they change because of the deal.

Cost forecasting

Estimating immigration, relocation, and tax costs triggered by the transaction.

Regulatory notifications

Estimating immigration, relocation, and tax costs triggered by the transaction.

Data consolidation

Building a clean, unified dataset of all mobile employees to support integration.

Key employees may be a reason for a particular deal and if the individuals cannot move or transfer or there is a delay this could cause significant issues within a deal.

Carrying out a due diligence and impact assessment at this stage is a good way of getting ahead

Stage 3

Post transaction - integration, compliance, and employee experience

Stay compliant post deal and ensuring your newly acquired employee and existing employees feel supported.

Sponsorship licence and quota management

Territories where there are quotas or sponsorship should be reviewed to ensure legal work. Transferring, merging, or re-applying for licences; updating corporate structures; ensuring reporting duties are met.

Visa amendments and renewals

Updating employer names, job titles, work locations, or entity details on individual's visa.

Right-to-work re-verification

Ensuring all employees remain legally authorised to work under the new entity.

Assignment and relocation continuity

Ensuring ongoing moves, temporary housing, schooling, and vendor services continue without disruption.

Policy harmonisation

Aligning relocation, assignment, and mobility policies across the merged organisation, while considering how each company's culture supports or conflicts with them. This includes differences in decision-making, risk tolerance, employee support, and mobility expectations, to create a fair, consistent framework aligned with the new organisation's values.

Employee communication and retention

Providing early, clear guidance to visa holders and mobile employees to reduce uncertainty, address concerns, and involve an immigration partner to support effective communication.

Ongoing compliance monitoring

Tracking expiries, reporting obligations, and post-closing audit risks.

Building Immigration Strategy into Every Transaction

M&A activity continues to reshape global markets, and each transaction brings with it a web of immigration and mobility implications that can materially affect operations.

To safeguard workforce continuity and minimise compliance risk, immigration considerations should be built into the deal from the outset.

Whenever a merger or acquisition is being explored, we strongly advise arranging an early immigration and mobility assessment to map timelines, anticipate costs, address regulatory obligations, and prevent disruption.

Proactive planning at this stage is essential to maintaining stability and supporting long-term business success.

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