

Global Immigration alert

October 2026

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Netherlands

Netherlands expands preventive enforcement approach for recognized sponsors

Executive summary

On 6 October 2026, the Dutch Immigration and Naturalization Service (IND) published guidance introducing additional preventive interventions for certain breaches of recognized sponsors' reporting and record-keeping obligations. Effective 1 October 2026, the IND may use written or oral communication or enforcement discussions instead of warnings or administrative fines in specified circumstances.

The guidance aims to promote compliance through prevention while retaining sanctions where needed.

Key developments

The guidance forms part of the IND's wider enforcement approach for 2026, which emphasizes prevention and uses the "enforcement pyramid" (handhavingspiramide) to determine an appropriate response to noncompliance. The guidance expressly applies this model to recognized sponsors, expanding the preventive interventions available for certain reporting and record-keeping breaches. The intervention applied will take account the circumstances of the breach and the sponsor's compliance and behavior.

For specified breaches, the IND will generally use written or oral communication rather than issue a warning or fine, unless an individual assessment warrants a different intervention. These include:

- Failure to report, or late reporting of, a change in the location where sponsor records are maintained
- Late or missing sponsor deregistration where an employee transfers within the same corporate group to another entity that is also a recognized sponsor
- Late or missing sponsor deregistration where the employment contract and residence permit expire simultaneously.

This preventive communication intervention may be used no more than twice within a year, starting with the first detected breach.

The guidance also provides for enforcement discussions in cases of repeated noncompliance. An enforcement discussion may also be used for a first breach of reporting or record-keeping obligations other than the specified cases eligible for written or oral communication. All interventions will be recorded, and enforcement discussions will be documented in the sponsor's file and considered when determining the response to subsequent breaches.

The existing fine policy remains applicable outside the circumstances covered by the guidance, including duty-of-care breaches, fraud or abuse and refusal to participate in an enforcement discussion.

Impact on employers

The guidance does not introduce new sponsor obligations but changes how the IND may respond to certain breaches. For specified reporting and record-keeping breaches, employers can generally expect written or oral communication instead of a warning or fine, subject to an individual assessment. In other qualifying cases, the IND may hold an enforcement discussion, provided the employer is cooperative and willing to remedy the issue.

Warnings, fines and other enforcement measures remain possible, depending on the circumstances and the nature of the breach.

Employers should continue to meet their existing sponsor obligations and maintain processes that support ongoing compliance. These may include:

- Timely identification and reporting of changes that may affect an employee's immigration status, including salary changes and termination of employment
- Reliable evidence that salary requirements have been met in practice
- Clear records of notifications submitted to the IND and their timing
- Controls to identify and correct errors before they develop into repeated or prolonged noncompliance.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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SCORE 115697-26-GBL

2101-3682263
ED None

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