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Ad-Hoc Query

2024.52 Ad-Hoc Query on Pre-requisites
to residence permits

European Migration Network
Ad-hoc query

AD-HOC QUERY ON 2024.52 AD-HOC QUERY ON PRE-REQUISITES TO RESIDENCE PERMITS

REQUESTED BY EMN NCP ESTONIA ON 7 OCTOBER 2024

Responses from: EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Cyprus, EMN NCP Czech Republic, EMN NCP Estonia, EMN NCP Finland, EMN NCP France, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Italy, EMN NCP Latvia, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Netherlands, EMN NCP Poland, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Sweden **(22 in total)**

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN National Contact Points (NCPs) in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN Country.

BACKGROUND INFORMATION

Estonia is currently preparing to recast the legislation governing the entry, residence, and employment of third-country nationals. One of the primary objectives of this recasting is to establish a more streamlined and systematic framework for the entry, stay and employment of third-country nationals, effectively integrating various permits into an efficient and user-friendly system.

In relation to the recasting, the Estonian Ministry of the Interior would like to request information on national frameworks and pathways of entry and residence, of third-country nationals (TCN). In particular, Estonia is interested if Member States issue temporary authorizations/visas before the TCN can receive the residence permit. Responses from the other Member States will help to contribute to a comparative analysis of Estonia 's regulations in relation to those of other countries.

Previously, there has been ad-hoc query no 2022.54 on issuing temporary residence permits to applicants residing abroad which also focused on the use of external service providers.

WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:

We would very much appreciate your responses by **29 October 2024**.

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1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?
2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?
3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?
4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?
5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?
6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?

RESPONSES

		Wider Dissemination?	
	EMN NCP Austria	Yes	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No. For the detailed process of obtaining a first-time residence permit, please see AHQ 2022.54/Q1.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>n/a</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>n/a</p>

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			<p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>n/a, see AHQ 2022.54/Q1.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>n/a, see AHQ 2022.54/Q1.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>n/a</p>
	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>Belgium never delivers a residence permit to an applicant abroad. If a third-country national residing abroad qualifies for a residence permit, he or she will be issued a long stay visa to travel to Belgium. The residence permit itself will always be delivered after arrival in Belgium. There is an obligation to present themselves at the commune within the first 8 days after arrival in order to register and receive the residence permit.</p> <p>Sometimes a temporary permit is issued awaiting a decision when the applicant is already in Belgium, a temporary permit is also issued awaiting the deliverance of residence permit (physical document). This is also the case when the person has already received a long stay visa. They will also receive a temporary permit awaiting the deliverance of the physical residence permit a few weeks later. This is not so much a pre-requisite to the residence permit as the residence permit has already been granted at that point, the temporary documents are used to make sure the person has a way to prove their legal stay as soon as possible and it takes some time to make the residence permit and to deliver it.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>The conditions are the same as for the residence permit and depend on the kind of residence permit that is</p>

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			<p>requested. The idea is that if they fulfill all conditions for the residence permit, they will receive the long stay visa to enter the country and when they arrive in Belgium or if they are already in Belgium, that they receive a temporary permit so they can prove their legal stay awaiting the physical residence permit (time to make it time needed to deliver the permit).</p> <p>Since they are residing in Belgium, they do have to present themselves at the commune where they will be residing and they will have to register and give a Belgian address where they will be residing which will be checked before receiving their permit.</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>This depends largely on the residence status the person applies for. In some cases the application for the residence permit is done beforehand and they have to go to the embassy/consulate/commune with their positive decision in order to receive the long stay visa (economic migration statuses e.g.), in other cases they apply through the embassy/consulate/commune for the residence status they want and when they receive a positive decision they first receive a long stay visa so they can enter the country and/or go to the commune to request their residence permit.</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>As mentioned above, the conditions depend on the residence status for which they applied but once obtained they have to go to the commune to receive their residence permit. Since they are residing they will need to register at a Belgian address which will be verified before giving the residence permit.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>No, the visa or temporary documents are being used for practical reasons in order for them to be able to prove their legal stay at all times.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>No, the visa or temporary documents are being used for practical reasons in order for them to be able to prove their</p>
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			<p>legal stay at all times.</p>
	<p>EMN NCP Bulgaria</p>	<p style="text-align: center;">Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>Yes. Long-stay visa</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>For receiving a long term visa foreigner shall produce:</p> <ol style="list-style-type: none"> 1. a copy of a valid passport or replacing document with the pages of the photo, the personal data; 2. evidence for a provided accommodation; 3. obligatory medical insurance, valid on the territory of the Republic of Bulgaria, where the person has not been insured under the Law on Health Insurance; 4. evidence for stable, regular, available and sufficient maintenance funds without referring to the social assistance system in the amount not smaller than the minimal monthly work salary, the minimal scholarship or the minimal pension for the country, for the term of residence on the territory of the Republic of Bulgaria; 5. certificate showing no previous convictions, issued by the state, whose national the foreigner is, or by the state of his usual residence – in an initial submission of the application; 6. document, according to one of the grounds of the Law on Foreigners in the Republic of Bulgaria. <p>3. 3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>The applicant submits an application to the Bulgarian Embassy in his/her country of origin, to which he/she attaches the documents referred to in question 2. Before issuing a long-term residence visa, a coordination procedure is carried out with the Ministry of Interior and the State Agency for National Security.</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p>

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			<p>After entering the territory of the Republic of Bulgaria, the foreigner submits an application for permission to reside in the Migration Directorate or the Regional Migration Units at the Regional Directorate of the Ministry of Interior, to which he attaches a copy of a valid passport in which the long-term residence visa is enclosed to his application, the foreigner also submits the documents under question 2.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>Please see the answer of question 4.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>Up to 2 months. This does not apply to proceedings for granting the right to long-term residence on the basis of work.</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>N/A</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>N/A</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p>

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			<p>N/A</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>N/A</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>N/A</p>
	<p> EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>Cyprus issues Type C visas up to 90 days in any 180-day period. Third country nationals entering Cyprus on a visa (or a visa waiver), can apply for a residence permit as a Visitor. However, for other purposes like employment, studying, family reunification (exceptions apply), an entry permit, issued by the Migration Department, is necessary for entry and is, in that sense, a prerequisite to a residence permit.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>Main conditions include: Proof of cause of stay (ie, for employment purposes: contract of employment, qualifications/ study: acceptance letter by an academic institution in the Republic, qualifications)Proof the applicant is not a threat to public order and public health.Proof of sufficient funds to support themselves and their family members in the Republic (for purposes other than employment).</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>Cyprus follows a two-step procedure. Step 1: While the TCN is abroad, the employer/ host entity/ academic institution must first apply to the Migration</p>

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			<p>Department for the issuance of an entry and residence permit. The application should be accompanied by the required supporting documents. In order for the application submission to be completed, the due fees must be paid. When the application is positively review, an entry permit is issued (with a validity period of 3 months, within which the TCN can use it for entry into the Republic). For Step 2, please see answer in Q.4 below.</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>As mentioned in Q.3, Cyprus follows a two-step procedure. Step 1 was described in Q.1. Step 2: Once the TCN is in Cyprus, they need to visit the Migration authorities to register at the Aliens Registry and to submit some additional requirements (ie proof of place of residence) and their biometric data (photo and fingerprints) and their signature. Then, the residence part of the initial application (see Step 1 in Q.3) is examined. If approved, a residence permit (card) is issued to the applicant.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>The applicant is notified in writing, by post, to pick up their residence permit from the point of submission of their residence application.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>No</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>Yes.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p>

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			<p>A long-term visa for the purpose of collection of a residence permit enables third country nationals to enter the Czech Republic. It is also called an “entry visa” (D/VR). A TCN needs it if:</p> <ul style="list-style-type: none">▪ their application for a long-term residence or a permanent residence submitted at a diplomatic mission was approved,▪ they changed their travel document in the country of origin (in the case of long-term visa holders) and they are returning to the Czech Republic,▪ their long-term residence permit (biometric card) or bridging visa expired while your new application was being processed and they are abroad,▪ they have lost your residence permit (biometric card) or travel document in which they have their visa and they need to return to the Czech Republic. <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>The TCN in need of an entry visa must contact a Czech embassy to apply for an entry visa. After submitting their visa application (which consists of an application form and a photo), if possible, the visa is issued on the spot. Before receiving the visa in their passport, the TCN must provide a proof of travel medical insurance: covering emergency and essential care for the first 90 days of their stay in the Czech Republic together with a proof of comprehensive medical insurance for the rest of their stay, or a proof of comprehensive medical insurance for the entirety of their permitted residence in the Czech Republic, or covering the time from the day they enter the Czech Republic until the day they start their employment (i.e., when they will start receiving coverage by public health insurance – this applies only if they are going to be employed in the Czech Republic in which case the employer pays for health insurance (most often an employee card). The diplomatic mission can also ask the TCN to provide a proof of payment for the insurance. A proof of travel medical insurance is not required in cases stipulated by law (e.g., if their medical insurance is provided under an international agreement).</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>The TCN must get registered at a Ministry of the Interior office within 3 days from the day they arrived in the Czech Republic. Without having been registered at a Ministry of the Interior office first, they cannot start their employment.</p>
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			<p>The entry visa is valid for six months but the maximum duration of stay is 60 days (i.e., the TCN must complete all the steps needed for receiving their residence permit within 60 days).</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>In order to issue the residence permit, biometric data must be taken at an office for foreigners of the Ministry of the Interior. When the residence permit is ready, it must be collected there.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>No.</p>
	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No, first time applicants may apply and receive temporary residence permits with validity of up to 5 years (thereafter the permit may be prolonged). The residence permit may be applied for and received abroad. It is not required to first apply/hold a (long-stay) visa to later apply for a residence permit. Nor is it required to receive a visa to collect the residence permit upon arrival to Estonia.</p> <p>Although a visa is not a pre-requisite to residence permit, since the process of applying for residence permits abroad is quite long (3-4 months), third-country nationals often first apply for long-stay visa to arrive to Estonia, and upon arrival in Estonia apply for residence permit. However, the conditions and process for applying for visas and residence permits are not interconnected.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>N/A</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p>

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			<p>N/A</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>N/A</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>N/A</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>N/A</p>
+	EMN NCP Finland	Yes	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No. Generally, a residence permit is required for a TCN to arrive in Finland. Certain professionals and work task holders are exempt from this rule provided that their residence in Finland is legal, they have been invited to work in Finland or have signed a contract to work in Finland. The professionals and work task operators exempt from the general rule are listed in the Aliens Act 81 b §:</p> <ul style="list-style-type: none"> • An interpreter, a teacher, a specialist or a referee • A professional artist/coach/athlete or a member of an assistance or support team for such a person • A product demonstrator or a film worker, whose employer does not have an office in Finland • A sailor working on a ship listed in the Register of Merchant Vessels or, if the person has been hired outside Finland, working on a ship that primarily operates between foreign ports • An employee of a company that operates in another EU/EEA country coming to Finland to perform temporary acquisition or subcontracting tasks as specified in the regulations concerning the freedom to

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			<p>provide services. The employee must have permits that allow them to reside and work in said country, and these permits have to be valid when the employee finishes their work in Finland</p> <ul style="list-style-type: none">• A member of the personnel for a vehicle owned or controlled by a foreign party who is either driving a vehicle whose task is to transport across the border a load that is to be delivered to or retrieved from a certain destination or the employee's operation in Finland is related to regular service between municipalities, at least one of which is located abroad and the employee does not reside in Finland• An employee in tourism industry arriving in Finland to participate in tourism events, a package tour or some other trip, working for example as a tour leader or tour guide. This also applies to drivers, cooks and other tourism staff related to the trip. The employee can enter Finland as part of the group or arrive in advance to welcome the group. <p>Those working in the positions mentioned above can work in Finland without a residence permit for a maximum of 90 days within any 180 days period. Nevertheless, this temporary authorization to stay should not be considered a pre-requisite to a residence permit.</p> <p>It is also temporary authorized to stay in Finland for a short period of time without a residence permit card if the TCN holds a D-visa. The holder of a D-visa must also have completed the application process for a residence permit, but they can arrive in Finland prior to getting their residence permit card. As the applicant for a D-visa must also apply for a residence permit, this is not a pre-requisite to a residence permit either. The D-visa is valid for a maximum of 100 days and it allows the TCN to enter Finland before their residence permit becomes valid. According to the Aliens Act 3 § a long-term visa or D-visa is issued when the TCN's stay lasts for longer than 90 days but less than a year and other conditions for coming to Finland have been fulfilled. The applicant should only apply for a D-visa if they can travel to Finland within 2 weeks of being granted a residence permit in order to collect their residence permit card from a collection point in Finland. The following residence permit's owners can apply for a D-visa:</p> <ul style="list-style-type: none">• Residence permit for a specialist• EU Blue Card• Residence permit for a start-up entrepreneur• Residence permit for a specialist or manager on the basis of intra-corporate transfer or ICT residence permit
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- Residence permit for work in the top or middle management of a company
- Residence permit for studies
- Residence permit for a researcher
- Following residence permits of work, is your employer has employer certification
 - residence permit for an employed person
 - residence permit on the basis of research completed in Finland
 - residence permit on the basis of a degree completed in Finland
 - residence permit for work in the service of a religious community
 - residence permit for work in the field of culture or the arts
 - residence permit for work in the field of mass media
 - residence permit for employment with international organisations or cooperation between states
 - residence permit for preparation of company's arrival in Finland and supervision of orders
 - residence permit for delivery of a machine or system
 - residence permit for an athlete or a coach
 - residence permit for a consultant
 - residence permit for a visiting teacher, lecturer or trainer
 - residence permit on the basis of an intergovernmental agreement

In addition to the list above, the applicant's spouse and children under the age of 18 can apply for a D-visa if the applicant has applied for one of the resident permits mentioned above and the family members are applying for a residence permit on the basis of family ties. The parent or guardian of an underage student can also apply for a D-visa together with a residence permit on the basis of family ties.

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			<p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>N/A</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>N/A</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>Not applicable. With a D-visa the TCN can collect their residence permit card after arriving in Finland, but completing the application process for a residence permit is required prior to arrival. The conditions for obtaining a D-visa are listed in Q1.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>Not applicable. A D-visa holder should collect their residence permit card from a collection point in Finland. The card is usually granted within 2 weeks after the TCN has received their residence permit and the D-visa. The TCN has, however, received their residence permit before coming to Finland.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>N/A</p>
	EMN NCP France	Yes	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>Yes. In principle, any stay in France exceeding 90 days requires to apply for a long-stay visa issued by the diplomatic and consular authorities, valid for a maximum of one year (in accordance with Article L. 312-2 of the Code on Entry</p>

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			<p>and Residence of Foreign Nationals and Right of Asylum (CESEDA). This long-stay visa may be either a long-stay visa valid as a residence permit or a long-stay visa marked “residence permit to be applied for”. However, there are a number of exceptions, either automatic (Article L. 412-2 of the CESEDA), or subject to assessment by the competent authority (Article L. 412-3 of the CESEDA), which allow third-country nationals to be exempted from producing a long-stay visa for the first issue of a residence permit or, if they have entered France without a long-stay visa, to regularize their situation from the French territory.</p> <p>Among the automatic exemptions:</p> <ul style="list-style-type: none">- family purposes for a third-country national with ties to France: parent of a French child, born and educated in France, entrusted to the child welfare or to a trustworthy third party, receiving a pension for an accident at work or professional disease from a French organisation, who have filed a complaint and/or testified in criminal proceedings in France after having been a victim of trafficking in human beings or pimping and having been engaged in a pathway out of prostitution and towards social and professional integration.- professional purposes: occupation of a highly-skilled work for a third-country national who holds a degree after at least three years of higher education or provides evidence of five years of professional experience at an equivalent level;- studies/training purposes: training course to be carried out in France for a third-country national who has already been admitted for residence in another EU Member State, training towards a vocational qualification for a third-country national who has been entrusted to the child welfare or to a trustworthy third party between the ages of 16 and 18;- humanitarian and exceptional purposes: it includes situations where admission to stay in the country is justified on humanitarian or exceptional grounds, such as carrying out a professional activity illegally. <p>Among the exceptions subject to assessment by the competent authority:</p> <ul style="list-style-type: none">- studies/training purposes for a third-country national: following or having followed an education program in France and providing sufficient financial resources, covered by an EU program or a multilateral program which includes mobilities in EU or an agreement between two or more higher education institutions and proving of sufficient financial resources, carrying out a training course as part of a training agreement and providing sufficient financial resources. <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>The documents needed to apply for a long-stay visa in order to stay in France with a residence permit are: an application form duly completed and signed, and filled on the official website France-Visas; a valid passport; supporting documents depending on both the duration and the grounds for the visa application.</p>
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3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?

Firstly, the long-stay visa application form and supporting documents must be downloaded from the [Francevisas.gouv.fr](https://francevisas.gouv.fr) website. This file must then be submitted to the French consulate in the usual applicant's place of residence. An appointment with an external service provider is often required. When applying for a visa, in accordance with Article R. 312-1 of the Code on Entry and Residence of Foreign Nationals and Right of Asylum (CESEDA), the third-country national applicant of a long-stay visa must provide fingerprints and a photograph. The applicant will then receive a certificate of the application indicating the date on which the application was submitted. Visa application fees have to be paid for the issue of the visa (except for certain cases of exemption).

4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?

Three other conditions must be met in order to obtain a residence permit after arrival in France:

- do not constitute a threat to public order;
- do not live in France in a state of polygamy;
- Integration criteria: The law no. 2024-42 of 26 January 2024 to control immigration and improve integration subjects the issue of residence permits to integration criteria, in particular a certain proficiency level of French language and respect for the principles of the Republic.

5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?

The procedure for obtaining a residence permit differs depending on whether the third-country national holds either a long-stay visa valid as a residence permit or a long-stay visa marked "residence permit to be applied for". When the third-country national holds a long-stay visa marked "residence permit to be applied for" the time limit for applying for a residence permit is two months following the entry into France at the Prefecture responsible for issuing the residence permit (Article R. 431-4 of the CESEDA). Most residence permits are submitted to the Prefecture by teleservice. The time limit for submitting an application for a residence permit has been extended to three months for certain categories, such as holders of a residence permit marked "long-term EU resident" or the spouse or child of the latter. When the application for the residence permit is being processed, the Prefecture issues a receipt (récépissé) for the residence permit application. At the end of the instruction, if the decision is favorable, a residence permit is issued. Depending on the residence permit issued, a republican integration contract is signed at the French Office for Immigration and Integration-OFII.

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			<p>When the third-country national holds a long-stay visa marked “residence permit to be applied for”, this visa dispenses with the need for a residence permit to be applied for at the Prefecture, provided that the visa has been validated, by teleservice, within three months of the arrival in France at the OFII. To complete this procedure, the third-country national must, upon arrival in France:</p> <ul style="list-style-type: none"> - complete the OFII certificate application form issued with the visa; - send the filled OFII certificate application form to the relevant OFII’s Territorial Directorate according to the usual applicant’s place of residence; - send a copy of the pages of the passport with the identity information and the police stamp issued by the border police, the visa issued and eventually a copy of the medical certificate. <p>Once the validation has been carried out, a “confirmation of the long-stay visa equivalent to a residence permit registering validation” is issued. Depending on the residence permit issued, a republican integration contract is signed at the French Office for Immigration and Integration.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>No. The only situations requiring a minimum period of residence in France in order to receive a residence permit are those involving the regularisation of third-country nationals in an irregular situation.</p>
	<p>EMN NCP Germany</p>	<p style="text-align: center;">Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>Yes, Germany issues long-stay visas as pre-requisites to residence permit.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>The issuing of a long-stay visa is subject to the same rules as the issuing of a residence permit issued for a particular purpose.</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p>

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			<p>The foreigner, who must be outside of Germany, has to apply for a visa at the competent diplomatic mission. The application must entail all necessary information and documents. If all documents are complete and the conditions for a residence permit are fulfilled the visa can be issued.</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>Pursuant to Section 5 (2) of the German Residence Act a temporary residence permit is granted on the condition that the foreigner has entered the country with the necessary visa and has already furnished the key information required for granting the title in the visa application.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>In order to receive a residence permit after arrival the foreigner must apply for a residence permit at the competent local foreigners ´ authority. This must be done before the expiry of the long-stay visa. The application must entail all necessary information and documents. If all documents are complete and the conditions for a residence permit are fulfilled the residence permit can be issued.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>No, there is no minimum period that the person must have resided in Germany to receive a residence permit.</p>
	<p>EMN NCP Greece</p>	<p>Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>Yes, according to national migration legislation, the right of residence of third country nationals in the Greek territory, is subject, among others, under the condition that they have entered the country as holders of national visa (type D) for one of the purposes provided in the law (e.g. employment, studies, family reunification, etc.), with the exception of few categories who may enter as holders of any type of visa (e.g. EU family members, investment activity, etc.)</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary</p>

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			<p>authorization as a pre-requisite?</p> <p>The person concerned needs to apply for a national visa (type D) at the competent Greek embassy or consulate by submitting the necessary documents in person or are by e-mail or by registered letter. The necessary documents, which are defined in relevant joint ministerial decision, are determined as following: a) common documents for all national visas (e.g. Passport or other travel document recognized by the competent Greek authorities, consular fee, criminal record certificate, medical certificate, travel insurance and b) specific documents in accordance with the purpose of the stay (e.g. approval of employment, work contract, family certificate, etc).</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>Please see answer in question 2.</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>The right of residence of third country nationals in Greece is subject to the following conditions: to be holders of a valid travel document recognized by Greece and of a national visa, not be considered a threat to public order, public security or international relations, do not pose a risk to public health, to have full health insurance for all risks covered also for nationals.</p> <p>Please note that, as soon as the person enters the country as holder of national visa, he/she needs before its expiry to apply electronically (by submitting the necessary documents and e-fee) for the issuance of the residence permit. After submitting the application, the applicant, if the submitted documents are complete, receives at the e-mail address a certificate of application submission, which is valid until the issuance of the decision to grant the residence permit or the decision to reject the request. The certificate (receives a unique serial number and contains precise data and information, according to which it is possible to verify, in real time (OnLine), the authenticity and accuracy of its content) certifies that the holder legally resides in the country and temporarily enjoys the rights that derive from the residence permit, the issuance of which is requested. The application submission certificate automatically ceases to be valid when the decision to grant the residence permit or the decision to reject the request is issued.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p>
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			<p>The file is examined by the competent migration service and if the preconditions are met, the residence permit is issued. Also, the law provides, that, under certain cases, the applicant may be called for an interview before a special migration Committee.</p> <p>The residence permits are issued in the form of stand alone document, in accordance with Regulation (EC) 1030/2002, as valid.</p> <p>The residence permit is delivered to the applicant by the competent service of the Decentralized Administration or by the competent Directorate of the Ministry of Migration and Asylum with proof of service and a copy of the relevant decision. When receiving the permit, whether it is carried out in person or through a proxy, the recipient must bring passport/other travel document of the person concerned</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>No, the person needs to have entered the country as holder of national visa and needs to apply for a residence permit any time within its validity and in any case before the expiry of the visa.</p>
	<p>EMN NCP Hungary</p>	<p>Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>Yes</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>Pursuant to Section 6 of Government Decree no. 35/2024 (of 29 February) on the Implementation of Act XC of 2023 on General Rules for the Admission and Residence of Third-Country Nationals (hereinafter referred to as Government Decree no. 35/2024), a third-country national may apply for the issuance of a visa entitling its holder to receive the related residence permit entitling him/her to stay in Hungary exceeding ninety days within a 180-day period (hereinafter referred to as long-term stay) prior to entry, not in a separate application submitted for this purpose but in his/her application for the issuance of the relevant residence permit.</p> <p>Pursuant to Section 14(1), a visa entitling its holder to collect his/her residence permit entitles its holder to a single entry into and a stay of 30 days within the territory of Hungary. Based on Subsection (2), the validity period of a visa entitling its holder to collect the respective residence permit is up to 3 months.</p>

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			<p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>Based on Section 216 of Government Decree no. 35/2024, the application for a residence permit is to be submitted before the consular officer or at another place authorised to receive applications for residence permits in the country as per the applicant's permanent or habitual place of residence or nationality.</p> <p>Pursuant to Subsection (2), an application for a residence permit may also be submitted before a consular officer or at another place authorised to receive applications for residence permits in a country where the applicant's stay is legal.</p> <p>Pursuant to Subsection (4), following submission, the consular officer shall, refer the application for a residence permit to the competent regional directorate as per the third-country national's future place of residence in Hungary without delay.</p> <p>Pursuant to Section 210 (1) of Government Decree no. 35/2024, the regional directorate processing the application for a given residence permit shall take a decision on the application for a visa entitling its holder to collect the respective residence permit.</p> <p>Pursuant to Subsection (2), if the regional directorate grants the application for a residence permit, it shall at the same time also approve the issuance of a visa entitling its holder to collect the respective residence permit, and the regional directorate shall notify the consular officer of the directorate's decision.</p> <p>Pursuant to Subsection (3), the consular officer shall issue the visa entitling its holder to collect the respective residence permit, on the basis of the decision of the regional directorate.</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>Following the approval of the issuance of the residence permit and the visa entitling its holder to collect the respective residence permit, the applicant is required to enter the territory of Hungary and to commence his/her stay in Hungary within 3 month as specified in Section 14 (1) of Act XC of 2023.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>The residence permit document will be delivered via Post to the address indicated in the application form. However, under exceptional circumstances, it can be collected in person as well.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to</p>
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			<p>receive a residence permit?</p> <p>See answer to Q2 and Q4.</p>
	EMN NCP Italy	Yes	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>The legal framework regulating the entry, stay and, in general, the legal status of third country nationals in Italy, and therefore the access to work, is the Consolidated Immigration Act (testo Unico sull'Immigrazione) - Legislative Decree no. 286/98 and its implementing regulation (Presidential Decree 31/8/1999 no. 394), as amended by Law 189/02 (so-called Bossi-Fini) Presidential Decree 18/10/2004 No. 334, and other provisions, including Laws 3/2018, 110/2017, 47/2017, DL 4/10/2018 No. 113 (Salvini Decree) Law Decree 130/2020 (Lamorgese Decree) and Law Decree 209/2023 (Cutro Decree).</p> <p>A visa represents the authorization granted to a non-EU citizen to enter the territory of Italy, or Schengen Area, for purposes of transit or residence. The entry visa is under the responsibility of the Ministry of Foreign Affairs and International Cooperation, it is issued by the Italian Embassies or Consulates in the state of origin or residence of the third country national, which is in charge of checking and evaluating the necessary requirements, according to regulations and Schengen Convention.</p> <p>If the requirements and conditions are met, the visa is issued according to the presented application and related documentation for the duration and reasons indicated.</p> <p>There are three types of entry visas:</p> <p>entry visa for transit or short stay (up to 90 days) issued by the Italian Representations abroad that allows access both in Italy and in the other countries that apply the Schengen Convention and takes the name "Uniform Schengen Visa" (USV). Long-stay visa valid for stays of over 90 days, issued by Italian Representations abroad that allows access for long stays only in the territory of the State that issued the visa and takes the name "National Visa" (NV). Holders of NV can circulate freely in Schengen States other than the one that issued the visa, for a period not exceeding 90 days every six-month period only if the visa is still valid. Visa with Limited Territorial Validity (LTV), valid only for the Schengen State whose Representation issued the visa (or, in particular cases, also for other Schengen States specifically indicated), without any possibility of access – even for transit only – to the territory of the other Schengen States. It is an exceptional derogation from the common regime for USVs, which is only permitted for humanitarian reasons, for reasons of national interest or because of international obligations. The type of visa (VISA TYPE) is categorized as follows: Airport Transit (Type A); Transit (Type B): type of visa abolished by the Visa Code (EC Regulation No. 810/2009 of July 13, 2009, in force since April 5, 2010). As of April 5, 2010, Transit</p>

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			<p>visas are Type C, Short Stay, or Travel, (Type C) up to 90 days, entering one or several times; Long-Term Stay or “National Visas” (NV), valid for stays of more than 90 days (type D), counting one or more entries, in the territory of the Schengen country that issued the visa and for circulation up to 90 days in the Schengen Area.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>Italy, to fulfill the obligations assumed by signing specific international agreements, allows entry into its territory to the non-EU citizen who demonstrates that he or she has appropriate documentation able to confirm the purpose and conditions of the stay, as well as the availability of sufficient means of subsistence for the duration of the stay and, with the exception of residence permits for work reasons, also for the return to the country of origin. Means of subsistence are defined by a special directive issued by the Minister of the Interior, based on the criteria set out in the planning document referred to in Article 3, paragraph 1.</p> <p>A third country national who does not meet these requirements, or who is considered a threat to the public order or security of the State or of one of the countries with which Italy has signed agreements for the abolition of internal border controls and the free movement of persons. Or someone who has been convicted, even by a non-final judgment, including a judgment adopted as a result of the application of the penalty on request pursuant to Article 444 of the Criminal Procedure Code, of the offenses provided for in Article 380, paragraphs 1 and 2, of the Criminal Procedure Code, of the offenses referred to in Article 582, in the case mentioned in the second sentence of the second paragraph and Articles 583-bis and 583-quinquies of the Criminal Code, or for offenses related to drugs, sexual freedom, facilitating illegal migration to/from Italy to other States, or for offenses directed at recruiting persons for prostitution or exploitation of prostitution or minors for illegal activities.</p> <p>Non-EU citizens who intend to stay in Italy for more than 90 days must apply for the national long-stay visa (Type D) at the Italian diplomatic-consular Representation in their country of origin or residence.</p> <p>The following are long-stay purposes: adoption, business, medical treatment, diplomatic, accompanying family member, sports competition, employment, religious reasons, re-entry, elective residence, family reunification, study. Only after the visa has been placed in passport, they can travel to Italy, and within 8 days of entering Italy, they must apply for the corresponding residence permit.</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>Non-EU citizens who intend to stay in Italy for more than 90 days must apply for the national long-stay visa (Type D) at the Italian diplomatic representation in their country of origin or residence.</p>
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			<p>The visa request must be submitted on the specific form filled out, signed by the applicant and including a passport photo. The third country national applying for the visa must apply personally to the Italian diplomatic-consular Representation in the country of origin or residence, also to be heard about the reasons and circumstances of the stay. The third country national must attach to the application form a valid travel document on which the visa can be materially placed and, where required, supporting documentation.</p> <p>Supporting documentation may depend on the type of visa and the country of origin.</p> <p>However, these are the documents usually required:</p> <ul style="list-style-type: none">- Completed visa application form- Valid passport/travel document- Passport photos- Health insurance- Family status certificates (e.g., marriage certificate, birth certificates), if traveling with dependents- Receipt for payment of consular fees <p>The third country national is mandatorily required to certify:</p> <ul style="list-style-type: none">- the purpose of the trip;- the means of transportation and return;- the means of subsistence during travel and stay;- the conditions of accommodation;- the documentation specifically required for the type of visa being applied for. <p>The visa to enter Italy has different costs depending on the type of visa being applied for.</p> <p>After the appointment, the authorities will hold the passport and process the visa in about 2-3 weeks (times may vary depending on the country and circumstances).</p> <p>The type of Italian visa to apply for long stay depends on the purpose of your stay in Italy. Along with the issuance of the entry visa, the Italian diplomatic-consular authority shall provide the third country national with a written communication in a language he or she understands or, if not available, in English, French, Spanish, or Arabic, explaining the foreigner's rights and duties related to his or her entry and stay in Italy.</p> <p>If the requirements provided by the regulations to issue a visa are not met, the diplomatic-consular authority shall notify the third country national of the refusal in a language he or she understands, or, if not available, in English, French, Spanish or Arabic. Notwithstanding the provisions of Law No. 241 of August 7, 1990, as amended, for reasons of security or public order, the denial need not be reasoned, except when it concerns visa applications submitted pursuant to Articles 22, 24, 26, 27, 28, 29, 36 and 39. Submission of false or forged documents or false</p>
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			<p>attestations in support of the visa application automatically entails the inadmissibility of the application, in addition to the relevant criminal liability.</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>The third-country national is required to apply for the issuance of a residence permit, for the activities under the entry visa, at the Police Headquarters (Questura) of the place where he or she is located, within 8 working days of his or her entry into the country, providing all the documentation related to the reason for the application for the issuance of the permit.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>The application for a residence permit is usually made by presenting a special package at authorized Post Offices, which issue to the third country national a receipt.</p> <p>The non-EU citizen can: use the package available at post offices; or contact municipalities or specific supportive bodies (Patronati di assistenza) and pre-upload the application through the immigration portal; or contact the One Stop Shop (Sportello Unico Immigrazione) in case he or she has already obtained a work authorization for employment or family reunification.</p> <p>In any case, after completing the paper or online package, the third country citizen must go to a post office to submit the manually filled or pre-loaded package from specific supportive bodies (Patronati di assistenza)/municipalities or the One Stop Shop (Sportello Unico Immigrazione).</p> <p>The post office carries out the necessary checks and, if the documentation is correct and complete, the front office operator provides the third country national with the access documentation (user ID and password) to the immigration portal and the appointment letter at the Police Headquarters (Questura). On the day of the appointment, the non-EU citizen provides additional documentation related to the reason for their request and undergoes fingerprinting. The application is then processed by the Police Headquarters (Questura), and after 45/60 days, the third country citizen, after receiving the message or the appointment letter, can go to activate and collect their residence permit.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>There is no minimum period during which the non-EU citizen must reside in Italy in order to receive a residence</p>
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			<p>permit, but for the purposes of renewal he or she must prove that he or she has resided for a specific period of time in Italy, which varies depending on the duration of the type applied for. For example, for a stay that lasts 1 year, the non-EU citizen must stay a minimum of 6 months; with a stay that lasts 2 years, he or she must stay a minimum of 1 year. On the other hand, for a residence permit that is valid for 10 years, a foreigner who has held a valid residence permit for at least 5 years can be issued.</p>
 EMN NCP Latvia	Yes		<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No, the issuance of a visa is not defined as a mandatory prerequisite for a third-country citizen to receive a residence permit in the Republic of Latvia. If a third-country national wants to request a residence permit, he submits documents for requesting a residence permit. After receiving a positive decision, citizens of third countries are entitled to personally receive a residence permit while in the Republic of Latvia. If a citizen of a third country needs a visa for entry into the Republic of Latvia, he requests a visa for entry into Latvia in order to receive a residence permit. If a visa is not required for entering the Republic of Latvia, a third-country citizen enters and receives a residence permit.</p> <p>Residence permits in the Republic of Latvia for citizens of third countries can be issued from 6 months to 5 years, and in certain cases they can be extended.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>N/a</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>N/a</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>N/a</p>

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			<p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>N/a</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>N/a</p>
	<p>EMN NCP Lithuania</p>	<p style="text-align: center;">Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>N/A</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>N/A</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>N/A</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>N/A</p>

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			<p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>N/A</p>
	<p>EMN NCP Luxembourg</p>	<p style="text-align: center;">Yes</p>	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>Yes.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>The amended law of 29 August 2008 on free movement of persons and immigration (article 38) requires that before the issuance of a residence permit the third-country national applicant must have obtained a temporary authorization of stay before entering the country for the following categories:</p> <ul style="list-style-type: none"> a) salaried worker, EU Blue Card, ICT, posted worker or seasonal worker; b) self-employed; c) sportsmen; d) student, pupil, trainee, volunteer or jeune au pair; e) researcher; f) family member; g) investor; h) private reasons. <p>If the third country national does not need a visa to enter the Schengen area the only requisite that s/he will require to present is the temporary authorization of stay for requesting the residence permit. If the TCN requires a visa for entering the Schengen area, s/he will have to request at the diplomatic representation of Luxembourg or of the Member State which represents Luxembourg interests in the country of origin the issuance of a D-Visa (that will be approved by the General Department of Immigration in Luxembourg).</p> <p>There is another case foreseen by the Immigration Law in which a long-term visa of a maximum duration of one-year is issued (article 38 (4) of the Immigration Law).</p>

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			<p>Conditions for a temporary authorization of stay</p> <p>a) There are general conditions to be met regardless of the requested category category of authorization of stay: The applicant must fulfil the entry requirements laid down in article 34 of the Immigration Law (e.g. valid passport with a validity of more than 6 months, a valid visa if required, not be the subject of an alert for refusal of entry in the SIS system, not be the subject of an entry ban ...).</p> <p>b) In addition, specific conditions must be met for each type of temporary authorization of stay (categories mentioned in answer to Q.1):</p> <p>a. Salaried worker: article 42 of the Immigration Law (1. having passed the Labour Market Test; 2. having the professional qualifications for the position; 3. the activity serves the economic interest of Luxembourg; 4. having a work contract); EU Blue Card (article 45 (1): 1. contract for at least 6 months on a position that is for highly qualified workers; 2. the remuneration is equivalent to the yearly average salary in Luxembourg (58.968 EUR); 3. show a document proving that they possess the high professional qualifications required for the activity or sector mentioned in the employment contract, or that they meet the requirements to carry out the regulated or non-regulated profession indicated in the employment contract), ICT (1. having been employed by the business or the group of businesses transferring the employee for an uninterrupted period of at least 3 months, immediately preceding the application for transfer; Posted Workers 1. being associated with the business by an employment contract; 2. holding a valid EU residence permit or EU work permit), Seasonal worker (1. third-country nationals who apply for an authorization to stay to work in Luxembourg as a seasonal worker can only exercise a seasonal activity; 2. being in possession of the original certificate issued by the National Employment Agency (Agence pour le développement de l'emploi - ADEM) authorizing the employer to hire a third-country national).</p> <p>b. Self-employed worker (1. before applying for a temporary authorization to stay, the applicant must fulfil the conditions of access to the profession concerned; 2. if the self-employed activity requires a business permit, the applicant must join to their application the outline consent from the Ministry of the Economy regarding the issuance of the business permit; 3. if the activity requires other authorizations, accreditations or registrations, the applicant must join to their application a copy of their authorization or registration/accreditation, or the outline consent of the competent authority.)</p> <p>c. Sportmen and coaches (1. the applicant must hold an employment contract with the approved federation or affiliated club and receive a salary at least equal to the social minimum wage for full-time work)</p> <p>d. Student (1. having a proof that they are enrolled in a higher education establishment in Luxembourg and, if applicable, a proof that they benefit from: a European Union programme or a multilateral programme with mobility measures; or an agreement between 2 or more higher education institutions; 2. having a proof of sufficient</p>
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			<p>resources to cover for living expenses and return-travel costs; 3 having a parental authorization if the student is under 18; 4. having a health insurance certificate covering illness in Luxembourg); pupil (1. being admitted in a secondary education establishment in Luxembourg; 2. being between 14 and 21 years old; 3. providing proof of their participation in school: either in a student exchange established in the framework of a bilateral agreement; or in a European programme in the fields of education and lifelong learning; 4. providing proof that the exchange organization vouches for them for the whole duration of their stay, in particular for their living and return expenses; 5. they are hosted by a selected family or a host structure for the whole duration of their stay, in compliance with the rules of the exchange programme in which they are participating; Trainee (1. providing a proof that they have obtained, in the 2 years before the date of the application, a qualification (master's degree, advanced technician's certificate, specialized advanced technician's certificate, bachelor, master, doctorate) or that they follow a course of study leading to a diploma of such a qualification; 2. a copy of the internship agreement which provides for theoretical and practical training, concluded with a host entity (host establishment or company), which contains: a description of the internship programme, including its educational purpose or educational component; duration of the internship; the conditions governing the placement and supervision of the trainee; the training schedule; 3. providing a proof of sufficient resources to cover for living expenses and return-travel costs. The monthly resources must amount to at least 80 % of the current social inclusion income). Volunteer worker (1. having completed their mandatory education and be less than 30 years old; 2. registering with the National Youth Service (Service national de la jeunesse - SNJ); 3. having concluded a volunteering agreement with an approved host institution to carry out a specific volunteer project or a project in the framework of a volunteer programme; 4. having the approval of the National Youth Service; 5. providing proof that the organisation in charge of the volunteer programme vouches for them for the duration of their stay, in particular with regards to living and return expenses). Jeune au pair (1. having the written approval from the minister responsible for youth. To get this approval the applicant has to fulfil: a. be at least 18 and under 30 years old; b. hold a certificate giving them access to higher education in their country of origin, or give proof that they have attended class until the age of 17 at the minimum; c. having basic knowledge of the languages spoken by the host family, as well as English or one of the country's 3 administrative languages (German, French or Luxembourgish); d. providing a medical certificate established less than 3 months prior to their arrival, proving that the young au pair is able to carry out simple routine family tasks, including childcare; e. have signed an au pair hosting agreement with an approved host family; f. not carrying out any salaried or freelance work during their time as an au pair).</p> <p>e. Researcher (1. presenting a signed hosting agreement with an approved research institute; 2. holding a higher education diploma giving access to doctorate programmes).</p> <p>f. Family member of a third country national (The sponsor has to: 1. demonstrate the intention to apply for a long-term residence permit; provide proof that they have stable, regular and sufficient resources (salary, wages, income from assets) to support themselves and the family members under their care, without having to resort to social</p>
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			<p>welfare. The level of the resources of the third-country national who is applying for family reunification for members of their family is assessed with reference to the average monthly minimum wage of an unskilled worker over a period of 12 months. The resources of the third-country national must be at least equivalent to this reference level. The prospective assessment of the likelihood of maintaining stable, regular and sufficient resources is based on a prognosis that the resources will reasonably be available during the year following the date of submission of the application for family reunification, so that the sponsor does not have to resort to the social assistance system. The Minister may take into account the sponsor's income during the 6 months preceding the application. Where the applicant's level of resources does not reach 'the level referred to' in the preceding paragraph, the Minister may nevertheless issue a favourable decision, taking into account the evolution of the applicant's situation, in particular in relation to the stability of their employment and income or in relation to the fact that they are the owner of their dwelling or benefit from free of charge housing; 3. have appropriate accommodation to host the family member(s) (floor area of at least 12 m² for the first occupant and 12 m² per additional occupant, with natural light through windows that can be opened and closed properly and which measure at least 1/10 of the floor area, heating, running water, electricity, etc.); 4. have health insurance cover for themselves and the family member(s) (health insurance certificate or certificate of co-insurance covering their stay in Luxembourg issued by a Luxembourg or foreign social security body and/or by a private insurance company). 5. Proof of family relationship).</p> <p>g. Investor (1. having obtained an approval from the Minister of the Economy or the Minister of Finance with regard to their investment. Third-country nationals are required to present their project or proof of investment to the Minister of the Economy or to the Minister of Finance and must have obtained the approval from the minister concerned before they can submit their application for an authorization to stay.</p> <p>The Minister of the Economy is competent in matters of investment projects of:</p> <ul style="list-style-type: none">• at least EUR 500,000 in an existing business;• at least EUR 500,000 in a new business still to be created. <p>The Minister of Finance is responsible for the analysis of proof of investments of:</p> <ul style="list-style-type: none">• at least EUR 3 million in a management and investment structure, whether already existing or still to be created;• at least EUR 20 million in the form of a deposit with a financial institution established in Luxembourg. <p>The minister concerned sends a written notification to the third-country national investor. In the case of approval, the third-country national has to, before entering the country, submit the application for the authorization to stay).</p> <p>h. Personal reasons: (There are 2 different cases:</p> <p>A. the third-country national can live off their own resources:</p> <ul style="list-style-type: none">• from a professional activity carried out in another Member State of the European Union or the Schengen Area; or• from an old-age, invalidity or survivor's pension paid by a social security institution in Luxembourg or another
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			<p>Member State of the European Union or the Schengen Area. These resources are assessed in relation to the monthly social minimum wage for unskilled workers;</p> <p>Third-country nationals who do not meet the conditions for family reunification must prove that they have stable, regular and sufficient resources. The evaluation criteria for these resources are: all the applicant's resources; the financial statement of support duly signed by a third party who has Luxembourg nationality or who is permitted to reside legally in the Grand Duchy of Luxembourg for a period of at least one year. These resources must be at least equal to the currently applicable amount of the social inclusion income).</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>In order to apply for any of the temporary authorization of stay listed above the third-country nationals must apply for an authorization to stay (on plain paper) from their country of origin:</p> <ul style="list-style-type: none">• to the General Department of immigration; or• to a Luxembourg diplomatic or consular representation or to a diplomatic or consular mission representing Luxembourg. <p>The application for a temporary authorization to stay must contain the applicant's identity details (surname(s), first name(s) and address) and must be accompanied by the following documents and information:</p> <ul style="list-style-type: none">• a copy of their valid passport, in its entirety;• an extract from their criminal records or an affidavit (sworn declaration) established in the country of residence;• proof of suitable housing in the Grand Duchy of Luxembourg (rental agreement, property deed, etc.);• proof of comprehensive health insurance valid in Luxembourg;• proof of the requisites for the respective temporary authorization of stay as listed in Q.2• where necessary, a power of attorney (third-country nationals may mandate a third party to submit the application in their place. In this case, the mandate holder, with the exception of attorneys, must provide proof of their mandate in the form of a written power of attorney, duly dated and signed by the principal. The signature must be preceded by the handwritten note 'bon pour procuration' (good for proxy). <p>Once the file is considered complete by the treatment agent, the Minister in charge of migration and asylum will issue a decision in the deadline foreseen for each of the different temporary authorization of stay.</p>
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			<p>4. 4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>After entering the country, the third country national has to do the following steps:</p> <p>Declaration of arrival</p> <p>The TCN must make a declaration of arrival at the administration of the commune where they intend to establish residence, within 3 days of arrival in Luxembourg, presenting:</p> <ul style="list-style-type: none">• a valid travel document (passport and, where applicable, a visa or a residence permit or authorization issued by another EU Member State);• the original temporary authorization to stay;• a valid proof of address (i.e.: rental agreement, electricity bill, etc.), where applicable. <p>The applicant will receive a copy of the declaration of arrival as a receipt.</p> <p>The copy of the declaration of arrival together with the authorization to stay are valid as a right of residence until the residence permit is issued.</p> <p>Medical check</p> <p>Third-country nationals must undergo a medical check for foreigners as soon as possible which consists of:</p> <ul style="list-style-type: none">• a medical examination by a doctor established in Luxembourg and authorized to work as a general practitioner, a practitioner specialised in internal medicine or pediatrics; and• a tuberculosis (TB) screening performed at a medical analysis laboratory (with a prescription from the doctor who performed the medical examination) or at the Health and Social Welfare League (Ligue médico-sociale - LMS), for any person aged 2 years and over; and• a tuberculosis screening using a tuberculin test at the Health and Social Welfare League (Ligue médico-sociale - LMS) for children aged between 2 months and 2 years. <p>After receiving the results of these examinations, the Health Inspection (Inspection sanitaire) of the Health Directorate (Direction de la Santé) will issue a medical certificate, which will be sent to the General Department of immigration of the Ministry of Home Affairs to allow the residence permit application to be processed.</p> <p>Residence permit application</p> <p>Third-country nationals must submit an application for a residence permit for third-country nationals to the General Department of immigration within 3 months of their arrival in Luxembourg.</p> <p>Applications for a residence permit can be submitted online using MyGuichet.lu or by post using a special form.</p>
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			<p>Submitting the application online The application for a residence permit is available on MyGuichet.lu. The online procedure can be completed:</p> <ul style="list-style-type: none"> • with authentication using: <ul style="list-style-type: none"> • a LuxTrust product (e.g. Smartcard, Signing stick or Token); or • an electronic identity card (eID); or • without authentication. <p>The application can also be submitted via the MyGuichet.lu mobile app</p> <p>Submitting the application by post If the application is submitted by post, the application form and the supporting documents listed hereafter must be sent to the Ministry of Home Affairs.</p> <p>Supporting documents The following documents must be attached to the application:</p> <ul style="list-style-type: none"> • a copy of their valid passport, in its entirety; • a copy of the declaration of arrival issued by the communal administration; • proof of payment of a fee of EUR 80. <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>When the application is approved, the applicant will receive a letter inviting them to make an appointment with the General Department of immigration in order to have their photograph and fingerprints taken, which will be incorporated into the residence permit. The applicant may also bring a recent photograph compliant with OACI/ICAO standards ('biometric passport standards'). A few days after the biometric data has been collected, the applicant can pick up the residence permit in person at the General Department of immigration, by appointment.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>No.</p>
	EMN NCP	Yes	1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-

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Netherlands		<p>requisites to residence permit ?</p> <p>Yes, in the Netherlands in order to apply for a residence permit, it is necessary to obtain a provisional residence permit (MVV). Certain nationalities are exempt from this scheme and do not need an MVV to enter the Netherlands.[1] An MVV is an entry visa intended for individuals seeking to reside in the Netherlands for a period exceeding 90 days. The MVV is a visa sticker in the passport. It allows the holder to enter the Netherlands and collect a residence permit. The MVV can be applied for in a single procedure alongside the residence permit from abroad. This is the so-called entry and residence procedure which is regulated in the Modern Migration Policy Act. The application can be made at the Dutch representation in the country of origin.[2]</p> <p>[1] IND, "Mvv-vrijstellingen" Mvv-vrijstellingen IND last accessed on 28 October 2024. [2] IND, "Machtiging tot voorlopig verblijf", Machtiging tot voorlopig verblijf (mvv) IND last accessed on 14 October 2024.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>Given that both the MVV and the regular residence permit can be applied for via one single procedure, the same conditions apply for both.[1] For the conditions for applying for a regular residence permit, please see question 4.</p> <p>[1] IND, "Machtiging tot voorlopig verblijf MVV", Machtiging tot voorlopig verblijf (mvv) IND, last accessed on 14 October 2024.</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>The application for the MVV and the residence permit can be submitted by the foreign national at the Dutch representation (embassy or consulate) in the country of origin or permanent residence, or via the intermediary who submits the application for the individual in the Netherlands. In the majority of cases, the application is submitted by a (recognized) sponsor.</p> <p>The applicant is then invited to schedule an appointment with the Dutch representation in the country of origin, where the completed application form, a passport photo and a valid travel document must be presented. The Dutch embassy or consulate will also require the submission of biometric data, which includes a signature and fingerprints.[1]. Following approval by the IND, the Dutch representation issues the MVV. The IND automatically</p>
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			<p>receives a digital message when the Dutch representation has placed the MVV sticker in the travel document.[2]</p> <p>[1] IND, “Aanvraag MVV en verblijfsvergunning vanuit het buitenland”, Aanvraag mvv en verblijfsvergunning vanuit buitenland IND, last accessed on 14 October 2024.</p> <p>[2] IND, “Wat betekent een machtiging tot voorlopig verblijf voor u?”, https://ind.nl/nl/formulieren/9050.pdf, last accessed on 14 October 2024.</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>To obtain a residence permit, it is necessary to demonstrate a clear purpose of stay. The specific conditions for obtaining a residence permit vary according to the purpose of stay. There are conditions that apply for every application irrespective of the specific purpose of stay.</p> <p>The conditions are:</p> <p>A valid passport or other travel document, Absence of any evidence that the individual may pose a danger to public order or national security. It is a prerequisite for applicants aged 12 and above to submit a duly completed Appendix Antecedent Declaration in conjunction with their application. Depending on applicants’ nationality, a medical examination for tuberculosis must be conducted upon arrival in the Netherlands.[1]</p> <p>[1] IND, “Voorwaarden die voor iedereen gelden”, Voorwaarden die voor iedereen gelden IND, last accessed on 14 October 2024.</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>Upon arrival in the Netherlands, the applicant is required to register in the Personal Records Database (BRP). Subsequently, the residence permit must be collected in person from an IND desk.[1]</p> <p>[1] IND, “Wat betekent een machtiging tot voorlopig verblijf voor u?”, https://ind.nl/nl/formulieren/9050.pdf, last accessed on 14 October 2024.</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p>
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			No, there is no minimum period in The Netherlands.
	EMN NCP Poland	Yes	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No, Poland does not issue visas, short-term permit or temporary authorization of stay as pre-requisites to residence permit. Third country national planning to stay in Poland for more than 3 months may apply for a temporary residence permit. Application may be submitted only on the territory of Poland. Residence permit may be issued to an applicant who is legally staying in Poland. A temporary residence permit is issued for the maximum of 3 years. A temporary residence permit is not extended. If a foreigner wants to stay in Poland, they must apply for a new permit.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>N/A</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>N/A</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>N/A</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>N/A</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p>

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			N/A
	EMN NCP Slovakia	Yes	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No, first time applicants may apply for temporary residence permits without any prerequisites either abroad or directly in the Slovak Republic. Even though visa is not a pre-requisite to residence permit application, those third-country nationals who need visa to enter the Schengen area are required to have valid national visa for entry to Slovakia to either collect the residence permit card once the residence is granted, or apply for residence permit in Slovakia directly.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>NA</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>NA</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>NA</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>NA</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p>

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			NA
	EMN NCP Slovenia	Yes	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>N/A</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>N/A</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>N/A</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>N/A</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>N/A</p>

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	EMN NCP Spain	Yes	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>N/A</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>N/A</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>N/A</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>N/A</p> <p>6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit?</p> <p>N/A</p>
	EMN NCP Sweden	Yes	<p>1. Does your Member State issue (long-stay) visas/short-term permits /temporary authorization of stay as pre-requisites to residence permit ?</p> <p>No.</p>

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			<p>If you want to apply for different types of permits, for example working permit, family ties and studies for the first time, you must apply in person at one of our missions abroad. Most of the categories of permits is possible to apply via an online registration. Even when you have done an online registration later on in the process you need approach one of our missions abroad to take biometrics, some categories of applicants need also to conduct an oral interview. The main regulation in the Aliens Act, when it comes to the different permits, the Swedish Migration Agency must grant the application before you enter Sweden if you want to reside here. The missions abroad transfer the applications to the different permits divisions in Sweden for further processing actions to reach a final decision.</p> <p>Later on when decisions has been made by the agency, the information transfers to an embassy/general consulate abroad. If the applicant have received a positive decision, a residence permit card will be sent in a pouch via the ministry of foreign affairs too the embassy so the applicant can collect it. In urgent cases, for example for students, when they must arrive in Sweden on time for upcoming semester the missions abroad can grant a national visa.</p> <p>2. If you answer yes to Q1, please briefly describe the conditions for issuing the visa/short-term permit/temporary authorization as a pre-requisite?</p> <p>When it comes to residence permits, exclusively the immigration authority handles the applications.</p> <p>3. If you answer yes to Q1, please briefly describe the process for issuing the visa/short-term permit/temporary authorization of stay as a pre-requisite?</p> <p>N/A</p> <p>4. If you answer yes to Q1, please briefly describe which other conditions have to be fulfilled in order to receive the residence permit after arrival?</p> <p>N/A</p> <p>5. If you answer yes to Q1, please briefly describe the process for receiving the residence permit after arrival?</p> <p>As mentioned above the residence permit and the card must, in general terms, be collected in person from the competent at mission abroad before entering Sweden.</p>
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			6. If you answer yes to Q1, is there a minimum period that the person must have resided in your Member State to receive a residence permit? N/A
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