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2025.52 Residence permit for the purpose of studies of third- country national minors

**European Migration Network
Ad-hoc query**

October, 2025

AD-HOC QUERY ON 2025.52 RESIDENCE PERMIT FOR THE PURPOSE OF STUDIES OF THIRD-COUNTRY NATIONAL MINORS

REQUESTED BY EMN NCP SPAIN ON 23 SEPTEMBER 2025

Exported for: Unrestricted Dissemination

Responses from: EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Greece, EMN NCP Hungary, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Netherlands, EMN NCP Serbia, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Ukraine **(13 in total)**

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BACKGROUND INFORMATION

Spain has recently revised and updated its legal framework governing the general immigration regime. However, certain specific categories - such as the authorisation of stay for study purposes granted to third-country national minors (pupils) - remain subject to separate, specific regulation, given their particular relevance in safeguarding the best interests of the child and the inherent difficulty of addressing them comprehensively within a broad legislative instrument such as the general immigration regulations. This is further compounded by the need for a detailed legal and administrative assessment tailored to their specific circumstances.

Currently, this category is not specifically regulated by the immigration law, and such authorisation may only be granted to minors who participate in an officially recognised mobility programme.

One of the main objectives of regulating this type of authorisation is to establish a clearer, more coherent and efficient system

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that specifically defines the conditions and procedures applicable to this group, while ensuring the protection of the best interests of the child and safeguarding legal certainty for both families and the educational institutions involved.

Whitin this context, the Ministry of Inclusion, Social Security and Migration seeks to gather information on the legislation and current practices in other Member States regarding the issuance of visas and authorisations of stay for study purposes granted to minors (pupils). This includes aspects such as eligibility criteria, procedural requirements, duration, associated rights, possible limitations, and, in particular, any specific features of these authorisations that provide enhanced legal safeguards.

This regulatory project is being processed with the utmost urgency, given the pressing need to establish a clear and effective legal framework enabling minors to come to Spain for study purposes. During the third week of September, contributions on the draft will be received from social partners and the relevant ministries. It is therefore essential to receive timely input to ensure that the resulting regulations are both comprehensive and operational within the required timeframe.

WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:


We would very much appreciate your responses by **14 October 2025**.

1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.
2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?
3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?

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4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.
5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?
6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.

RESPONSES

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|  | EMN NCP Belgium | Yes | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>Yes. Age is not a condition to apply for a residence permit for the purpose of pursuing studies. However, the legislation foresees that these studies must be conducted in a higher education establishment, or a preparatory year for this education. With the exception of student exchange programs, the legislation does not foresee the issuance of residence permits to pursue secondary education (see below). Therefore, applicants who are under the age of 18</p> |

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| | | | <p>are still considered to be students, not “pupils”.</p> <p>If a minor foreign national wishes to study at a secondary school, they can appeal to the discretionary authority of the minister or their representative. There is no legal basis for this, and applications are handled on a case-by-case basis. The bar is set very high, however, as the foreign national will have to prove a connection to Belgium, prove that the studies cannot be conducted in the country of origin, provide parental consent, provide official proof that someone in Belgium can represent the minor's interests, prove their solvency, enroll in a school, etc. In practice, the Immigration Office receives very few applications for secondary education.</p> <p>Source: Immigration Act and website of the Immigration Office (https://dofi.ibz.be/en/themes/third-country-nationals/study/initial-authorisation-stay-application-visa-d-authorisation).</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>There is no minimum age requirement (see answer to Q1).</p> <p>Source: Immigration Act and website of the Immigration Office (https://dofi.ibz.be/en/themes/third-country-nationals/study/initial-authorisation-stay-application-visa-d-authorisation).</p> <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> <p>Article 60 §3 4° of the Immigration Act specifies that if the third-country national is under 18</p> |
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| | | | <p>years old, their visa application must include an authorisation from their parents or their legal guardian. Source: Immigration Act and website of the Immigration Office (https://dofi.ibz.be/en/themes/third-country-nationals/study/initial-authorisation-stay-application-visa-d-authorisation).</p> <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> <p>No. Students (even if under the age of 18) must submit proof that they fulfil all the conditions of their residence permit, including: proof that they will have sufficient means of subsistence for the duration of their stay, so as not to become a burden on Belgium's social assistance system during their stay (Article 60 §3 5° of the Immigration Act); proof that they have or will have health insurance covering all risks in Belgium for the duration of their stay (Article 60 §3 6° of the Immigration Act). The proof of sufficient means of subsistence can be fulfilled by having a commitment from a third party to bear the costs of health care, accommodation, studies and repatriation of the dependent third country national for the duration of the planned stay, extended by twelve months (Article 61 §1 2° of the Immigration Act). However, this is not specific to minors, and applies to all prospect third-country national students. Source: Immigration Act and website of the Immigration Office (https://dofi.ibz.be/en/themes/third-country-nationals/study/initial-authorisation-stay-application-visa-d-authorisation).</p> |
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| | | | <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>This is not specific to minors (see answer to Q4), but the person assuming responsibility for a third-country national student must fulfil the following conditions:</p> <p>Be a Belgian national; or an EU national with a residence permit of more than 3 months in Belgium or in another EU Member State; or a third-country national with a residence permit of unlimited duration in Belgium or in another EU Member State; or a family member (up to the third degree included (this parental link must be documented)) (Article 61 §1 2° of the Immigration Act);</p> <p>Be at least 18 years old or be emancipated (Article 100 §2 1° of the Royal Decree of 08/10/1981);</p> <p>Have regular and sufficient means of subsistence for themselves, for each dependent person and for each dependent third-country national. These means must be at least equal to 120% of the amount of the social integration income granted to a person living with a dependent family, i.e. 2.131,28€ net/month. To this amount is added the minimum amount that each dependent third-country national must have, namely 835€ net/month (for the 2025-2026 academic year).</p> <p>Please note that this is only one of the ways to prove sufficient means of subsistence for the purpose of studies.</p> <p>Source: Immigration Act, Royal Decree of 08/10/1981, and website of the Immigration Office (https://dofi.ibz.be/en/themes/third-country-nationals/study/favorites/formal-obligation).</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> |
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| | | | <p>Yes. This is not specific to minors (see answer to Q4), but the Immigration Office checks that the person assuming responsibility for a third-country national student fulfils the conditions of their formal obligation to bear the costs of health care, accommodation, studies and repatriation of the dependent third-country national for the duration of the planned stay, extended by twelve months.</p> <p>When they present themselves for the legalisation of their signature to the municipal administration for their place of residence in Belgium or, if they reside abroad, to the Belgian diplomatic or consular post competent for their place of residence, the guarantor must present the following documents (Article 100 §3 of the Royal Decree of 08/10/1981):</p> <ul style="list-style-type: none">a formal obligation in accordance with Annex 32 of the Royal Decree of 08/10/1981 and that has been completed, dated and signed;if they are performing activity as an employee: minimum 3 recent pay slips and their employment contract or an employer's certificate clarifying the type and effective duration of the employment contract, where the employment contract must be valid either for at least one academic year or the intended duration of the studies or for 12 months;if they are performing activity as a self-employed person: a document, drawn up by a public administration, showing their monthly or annual net/gross income, proof of payment of social security contributions, as well as registration with the Crossroads Bank for Enterprises;if they reside abroad and cannot produce foreign documents equivalent to those mentioned above: any other document, prepared by a public administration, showing the amount of their income. <p>The assessment of these means of subsistence (Article 100 §3 of the Royal Decree of 08/10/1981):</p> <ul style="list-style-type: none">takes into account their nature and regularity;does not take into account resources from supplementary assistance schemes, namely integration income and guaranteed family benefits, nor financial social assistance and family allowances;does not take into account unemployment, professional integration, and transition benefits. |
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| | | | <p>The formal obligation will be accepted only if the guarantor meets all these conditions. The guarantor becomes, with the third-country national, jointly and severally liable for the payment of the latter’s healthcare, accommodation, study, and repatriation costs. Source: Royal Decree of 08/10/1981, and website of the Immigration Office (https://dofi.ibz.be/en/themes/third-country-nationals/study/favorites/formal-obligation).</p> |
|  | <p>EMN NCP Bulgaria</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country national minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>According to the Law on Foreigners in the Republic of Bulgaria, permission for prolonged residence up to one year may be obtained by foreigners who hold long-stay visa and are students admitted for training in the secondary level of education within the framework of a student exchange programme. The Migration Directorate has no practice on this legal basis for obtaining a right of residence.</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>N/A</p> |

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| | | | <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> <p>According to the Law on Foreigners in the Republic of Bulgaria, application for obtaining a permit shall be submitted to the Migration Directorate or to the Migration Department / Sector / Group at the Regional Directorates of the Ministry of Interior. The foreigner shall attach to the application:</p> <ol style="list-style-type: none">1. a copy of a regular passport or a document substituting it with the pages of the photo, the personal data, long-stay visa, when such is required, and the seal for the last entry into the country; to verify the authenticity of the copy, the original of the passport or the document substituting it shall also be presented;2. certificate for admission on the territory of the country for training in the secondary level of education;3. evidence for participation in a student exchange programme;4. documents, issued by the organisation for student exchange, guaranteeing coverage of its expenses for living, training, health and return;5. documents certifying the admission of the student for the entire term of his stay by a family, meeting the determined conditions and selected in accordance with the rules of the student exchange programme in which he participates, or in a special site for accommodation within the educational institution;6. a notarised declaration of consent of the parents or guardians or trustees. <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> |
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| | | | <p>N/A</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>N/A</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>N/A</p> |
|  | <p>EMN NCP Croatia</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>Yes. According to Croatian Aliens Act, temporary residence for the purpose of secondary education will be granted to a third-country national who is not older than 18 years when he enrolls in the final year of education and he have to meet the other conditions prescribed by law.</p> |

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2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?

The minimum age is not prescribed by law, but a person must be old enough to enroll/attend high school in Croatia. In practice, that can be around 14 years of age.

3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?

Along with the application for temporary residence, in addition to other documentation, it is necessary to attach the consent of a parent or guardian for the planned residence of minor for the purpose of secondary education in the Republic of Croatia.


4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.

Yes, when a temporary residence permit for the purpose of secondary education is requested on the basis of a student exchange the educational institution or organization conducting a

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| | | | <p>student exchange program must provide proof that it assumes responsibility for a third-country national during their stay in the Republic of Croatia, particularly regarding tuition fees. Additionally, educational institution or organization conducting a student exchange program has to provide evidence that the third-country national will have accommodation arranged during their stay, either with a family, in lodging facilities within the educational institution, or, if provided for by special regulations, in another selected location that complies with the rules of the student exchange program or educational project in which the third-country national is participating.</p> <p>When a temporary residence permit for the purpose of secondary education is based on the consent of the ministry responsible for science and education, the application must be accompanied by the consent of the parents or guardian, as well as information about the person who will take care of the minor while attending the secondary school institution in the Republic of Croatia.</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>The conditions for guardianship are not stipulated by the Aliens Act, but are guided by the general conditions prescribed by the Family Act.</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> |
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| | | | <p>During the examination of requests, police officers conduct an official check, which also includes field checks during which data is verified and, if necessary, information is collected from individuals related to the specific case. Additionally, immigration officers have discretion to invite applicants to provide additional supporting information whenever it is necessary for the comprehensive examination of the case. This is allowed when new facts arise, when inconsistencies are detected, or when the available evidence is insufficient to determine all relevant circumstances.</p> |
|  | <p>EMN NCP Greece</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>No. Greece has decided not to apply the Directive 2016/801 to school pupils (it is a “may” provision) and thus not transpose in its national migration legislation the provisions that concern the conditions of entry and residence of third-country nationals for the purposes of pupil exchange.</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>-</p> |

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| | | | <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> <p>-</p> <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> <p>-</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>-</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>-</p> |
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|  | <p>EMN NCP Hungary</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>Yes</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>The pieces of legislation in place do not specify a minimum age. In Hungary, the age of reaching adulthood is 18 years.</p> <p>However, a residence permit for the purpose of studies is granted to a third-country national who is seeking admission to or is accepted by a public education institution registered in the public education information system in Hungary for pursuing full-time course of study in the regular school system or in daytime courses of study under a student relationship, or for pursuing full-time education and training in a State-recognized institution of higher education or in a foreign higher education institution authorized to operate in the territory of Hungary, or to attend a course organized by an establishment of higher education, which may cover a preparatory course prior to such education. Given that kindergarten education does not meet the above conditions, residence permits cannot be issued to children of kindergarten age (approximately under 6-7 years of age) for the purpose of pursuing studies.</p> |

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3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?

As a general rule, if the applicant is a minor, proof must be provided that his/her parents or legal representative have agreed to his/her stay in Hungary. A further requirement is that the parent(s) or legal representative must authorize a third party to act on behalf of the minor applicant during the application procedure.

Parental consent/authorization must be recorded in a private document or public document with full probative force and supported by a Hungarian or English translation.


4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.

Pieces of legislation on immigration do not provide for the question above. In practice, one of the teachers at the school/boarding school, a member of staff at the Hungarian sports club of the child athlete, or one of his/her relative living in Hungary undertakes to represent the minor during the proceedings.

5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?

Representative rights are not generally prescribed by the pieces of legislation on immigration.

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| | | | <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>No</p> |
|  | <p>EMN NCP Lithuania</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>Yes. Lithuania allows the entry and stay of unaccompanied third-country national minors (“pupils”) for the purpose of studying. This is regulated by Article 40(1)(6) and Article 46 of the Law on the Legal Status of Foreigners, which provide that a temporary residence permit may be issued to a foreigner admitted to an educational institution to study under a general education or vocational training program, or to a higher education institution to study under a study or doctoral program. Neither the Law nor the Procedure for Issuing Temporary Residence Permits to Foreigners (Order No. 1V-329 of the Minister of the Interior) require that such minors be accompanied by parents or legal guardians.</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> |

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| | | | <p>Neither the Law on the Legal Status of Foreigners nor the Procedure for Issuing Temporary Residence Permits to Foreigners set a minimum age requirement for applying for a temporary residence permit for study purposes.</p> <p>In practice, minors of any age may be granted such a permit if they are admitted to a Lithuanian educational institution and the application is submitted on their behalf by a lawful representative or guardian.</p> <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> <p>When a minor applies for a temporary residence permit for study purposes, the application must be submitted by a lawful representative or guardian.</p> <p>Parents or legal guardians must provide notarized consent for the child’s stay in Lithuania, proof of financial support with certified signatures, and other general supporting documents (passport, health insurance, proof of admission, and clean criminal record if applicable). The full list of documents is available here: .</p> <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> <p>Yes. In Lithuania, when a minor third-country national comes to study and resides in a school dormitory or other accommodation provided by an educational institution, that institution assumes direct responsibility for the minor’s care, supervision, and well-being throughout their stay. This obligation derives from the Law on Education and the Law on the Fundamentals of</p> |
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| | | | <p>Protection of the Rights of the Child, which require educational establishments to ensure safe living conditions, continuous adult supervision, and access to social and psychological support for all children residing in their facilities. Schools and dormitory staff must safeguard the rights and interests of every child, including foreign pupils without parental accompaniment, and cooperate closely with municipal Child Rights Protection Divisions, which monitor these conditions and intervene whenever necessary. While the parents or legal guardians abroad remain legally responsible, in practice the educational institution and local child protection authorities share the duty to ensure that the unaccompanied minor's rights, safety, and daily needs are fully protected during their residence in Lithuania.</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>In Lithuania, there are no specific requirements of honorability, family relation, or qualification established in the Law on the Legal Status of Foreigners or the Procedure for Issuing Temporary Residence Permits to Foreigners for the person assuming responsibility for an unaccompanied minor who comes to study. However, practical and legal safeguards arise from general child protection and education legislation. Under the Law on the Fundamentals of Protection of the Rights of the Child and the Law on Education, the adult or institution responsible for the minor must ensure the child's safety, proper living conditions, and access to education and care. If the person assuming responsibility is a private individual, such as a guardian, they must have legal authorization to represent the child, granted either by the parents or by a competent Lithuanian authority, and their suitability (including good reputation and capacity to care for a child) must be verified in accordance with national guardianship procedures. When the minor resides in a school dormitory, the responsibility lies with the educational institution and its appointed staff, whose professional and moral suitability is ensured through employment and background-check procedures defined by</p> |
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| | | | <p>education and child protection laws. In all cases, the municipal Child Rights Protection Division oversees compliance and may intervene if the minor's well-being or rights are at risk.</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>Yes. In Lithuania, verification is carried out to ensure that any individual or institution assuming responsibility for a minor complies with national child protection and education standards.</p> <p>When the responsible party is an educational institution, its dormitory and staff are subject to regular inspections by municipal Child Rights Protection Divisions, which verify whether children's rights, living conditions, and supervision meet the requirements of the Law on the Fundamentals of Protection of the Rights of the Child and the Law on Education. These inspections include on-site assessments and cooperation with social workers and school management.</p> <p>If the responsible person is an individual guardian or legal representative, their authority and suitability must be legally confirmed either through a notarized power of attorney issued by the parents or by a guardianship decision approved by a competent Lithuanian authority. In both cases, the State verifies the authenticity and validity of the documents submitted (for example, through the Migration Department or municipal child protection services) and monitors the child's situation to ensure that the conditions of care, education, and residence remain in line with Lithuanian legal standards.</p> |
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|  | EMN NCP Luxembourg | Yes | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>YES.</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>Article 60 (1) 3 of the amended law of 29 August 2008 on free movement of persons and immigration (Immigration Law) establishes that the applicant must be at least 14 old and no more than 21 years old.</p> <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> <p>Article 60 (1) 2 of the Immigration Law requires that the minor applicant must present parental authorization if they have not yet reached the age of 18.</p> <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> |
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| | | | <p>Article 60 (1) 4 and 5 establishes that they provide proof of participation in either a student exchange programme established under a regional or national bilateral agreement, or in the European programme in the field of lifelong learning, or in an educational project, namely a series of educational activities organized by a Luxembourg secondary school in cooperation with a similar institution in a third country, with the aim of sharing cultures and knowledge. The applicant must provide proof that the exchange organization will assume responsibility for them throughout the duration of their stay, in particular for their living and return expenses.</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>See answer to Q.4. The exchange organization has to assume responsibility for the minor throughout the duration of their stay in Luxembourg.</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>YES. The exchange institution has to be recognized by the Ministry of National Education and Youth.</p> |
|  | <p>EMN NCP</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are</p> |


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| | Netherlands | | <p>not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>YES, Underage students can apply for a student residence permit under the general policy framework. No specific policy applies.</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>There is no minimum age required to be eligible for applying for a student residence permit. In practice, most minor students are 16 or 17 years old. Occasionally there are applications of pupils aged 15 years old, however this is mainly for the purpose of pursuing secondary education[1].</p> <p>[1] Rapport-onderzoek-minderjarige-studenten-1.pdf p. 9.</p> <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> <p>There is no specific documentation that needs to be provided by parents or by the person holding legal guardianship to authorize students under 18 years old to immigrate to the</p> |
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| | | | <p>Netherlands. However, if the student requires an entry visa, a parental signature is required by the diplomatic post issuing the visa</p> <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> <p>YES, the educational institution acts as recognised sponsor and by law has a duty of care for their third-country national students. This constitutes for example that they inform students about relevant legislation in the Netherlands. Additional guidelines for educational institutions are laid out in the Code of Conduct International Student in Dutch Higher Education, which is a joint initiatives of the Dutch government and higher educational institutions. This Code of Conduct does not contain specific provisions for minor students. There are several ways in which the education institution fulfils their duty of care for their third-country national students. For example, the educational institution may assist students with municipal registration, obtaining a citizen service number (BSN), opening bank accounts, finding housing and supporting those who need help with their mental or physical health. Furthermore, every international student has a student coach from their study program. The international student can discuss important matters with this student coach, such as study progress, personal development, and special circumstances. In special circumstances where international students need extra help, the first signs can be picked up by teachers or the mentor. Based on these signs, the student counsellor is called in, who works with the international student to determine what is needed. Depending on the issue, the international student is referred to the student psychologist or the student counsellor helps the student find the necessary assistance. There is a crisis protocol that includes support for international students with acute mental health needs. In the case of international students with serious problems, the parents are almost always involved.[1]</p> |
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| | | | <p>[1] Rapport-onderzoek-minderjarige-studenten-1.pdf pp.11-13</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>Not applicable</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>NO</p> |
| |  <p>EMN NCP Serbia</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>YES</p> |

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2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?

The Law on Foreigners does not define minimum age to be eligible for residence permit for study purposes.

3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?

Required documentation for the approval of temporary residence for the study purpose to a minor foreign national:
application for approval/extension of temporary residence
valid personal identification document
two photographs
proof of payment of the prescribed administrative fee
landlord's statement consenting to the foreign national being registered at the residential address
proof of means of subsistence for the planned stay
proof of health insurance for the planned stay
confirmation of enrolment in primary or secondary school verified by the ministry responsible for education
confirmation that the educational institution is accredited in the Republic of Serbia
consent of the parent, guardian, or legal representative that an adult living in the Republic of Serbia will be responsible for a minor foreign national
guarantee from an adult residing in the Republic of Serbia that he/she will be responsible for the minor foreign national during their stay in the Republic of Serbia, particularly regarding accommodation, healthcare, and means of subsistence. (If the adult providing the guarantee is also a foreign national, the temporary residence permit for the minor will be granted for the duration of the guarantor's valid residence permit.)
In the case that a minor foreign national is a citizen of a country with which the Republic of Serbia has a visa regime, the minor must obtain a D visa, i.e., a long-stay visa for studying, which is a prerequisite for applying for the approval of


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| | | | <p>temporary residence based on studying.</p> <p>In addition, for specific cases, the following documents must also be submitted:</p> <p>Learning the Serbian language for the purpose of continuation of education in the Republic of Serbia: certificate of attendance of the Serbian language course specifying the start date and duration of the course, proof of the registration of the legal entity or entrepreneur in the Republic of Serbia where the foreign national attends Serbian language classes, proof of intent to study in the Republic of Serbia (proof of initiated procedure for recognition of a foreign school diplomas, proof of payment of the prescribed tuition fee installment, letter from the educational institution, etc.). Please note that in practice this is applicable only to the older minors since primary education is compulsory and will prevail as reason for residence permit;</p> <p>Participation in international student exchange programs: certificate of participation in an international student exchange program, issued by a verified primary or secondary school, indicating the duration of the program;</p> <p>Other scientific-educational activities – informal education – attending training or courses to acquire a new occupation or profession (e.g., pilot training, IT training academy, etc.): contract on training and education for the acquisition of an occupation or profession, specifying the start date and duration of the mentioned educational activities; proof of registration of the business entity organizing the education programs;</p> <p>Other scientific-educational activities – sports training for younger categories of athletes: contract on sports training and attendance a sports’ school, specifying the start date and duration of the mentioned activities, proof of the registration of the business entity providing services that conduct the sports training program for younger sports categories, in accordance with the law governing the field of sports.</p> <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> <p>An adult person residing in the Republic of Serbia has to be responsible for the minor foreign</p> |
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| | | | <p>national during the entire duration of the stay in the Republic of Serbia. Responsibility could not be assigned to a legal entity or institution with the exception in the case of international students exchange.</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>The Law on Foreigners, Article 47, paragraph 2, prescribes that for the approval of temporary residence of a minor foreign national for studying purposes, a guarantee is required that an adult residing in the Republic of Serbia will be responsible for the minor during stay in the Republic of Serbia, particularly regarding providing accommodation, healthcare and means of subsistence.</p> <p>The person responsible for the minor foreign national in the Republic of Serbia must be an adult, i.e., of legal age, must reside in the Republic of Serbia, meaning they must be either a citizen of the Republic of Serbia or a foreign national with approved temporary or permanent residence, and must have the capacity to provide the minor foreign national with accommodation, healthcare, and means of subsistence.</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>YES.</p> <p>Several documents have to be verified by the competent ministries.</p> <p>A certificate of enrollment in a primary or secondary school shall be verified by the ministry responsible for education.</p> |
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| | | | <p>If the adult providing the guarantee for the minor is also a foreign national, the temporary residence permit shall be validated. The education institutions and legal entities that organize trainings or sport programs shall be certified by competent ministry.</p> |
|  | <p>EMN NCP Slovakia</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>Yes.</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>15 years of age, based on the Article 127 par 2. of the Act on Residence of Foreigners.</p> <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> |

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| | | | <p>The application for the temporary residence permit for the purpose of study or special activities (special type scholarships) of such an applicant must be signed by a parent or legal guardian and the signature must be notarized.</p> <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> <p>The legal representative or court-appointed guardian is responsible for the child.</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>The court assesses the preconditions of natural persons. In cases of unaccompanied minors who are provided with care at the Center for Children and Families, the child is assigned a legal representative, which is the Office of Labor, Social Affairs and Family, and in relation to the school, some actions may be performed directly by the Center for Children and Families (these authorizations are stipulated by law).</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> |
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| | | | <p>The court assesses the requirements for a natural person. The Office of Labor, Social Affairs and Family or accredited entities for the implementation of measures of social and legal protection of children and social guardianship meet established professional standards.</p> |
|  | <p>EMN NCP Slovenia</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>Yes.</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>The Foreigners Act does not stipulate a minimum age for foreigners to apply for and be issued a temporary residence permit for study purposes.</p> <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> <p>In the process of issuing a temporary residence permit for study purposes, no special</p> |


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| | | | <p>authorisation from parents is required, as the submission of the application (which must be submitted by the child's legal representative, i.e. the parents or their authorized representative or legal guardian) is deemed to constitute their consent for the pupil to move to Slovenia.</p> <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> <p>No.</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>No conditions/requirements in this regard are stipulated in the procedure for issuing a temporary residence permit.</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>No.</p> |
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|  | <p>EMN NCP Spain</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country nationals minor who are not accompanied by their parents or legal guardians, hereinafter referred to as “pupils”, for the purpose of pursuing studies? YES/NO.</p> <p>No. Only if participating in a mobility programme in accordance with the Directive (EU) 2016/801. In such case, it constitutes a temporary stay.</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>N/A.</p> <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> <p>N/A.</p> <p>4. If you answer YES to Q1, does the education institution or a third party has to be</p> |

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| | | | <p>responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> <p>N/A.</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>N/A.</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>N/A.</p> |
|  | <p>EMN NCP Ukraine</p> | <p>Yes</p> | <p>1. Does your Member State allow the entry and stay of third-country national minor who are not accompanied by their parents or legal guardians, hereinafter referred to as "pupils", for the purpose of pursuing studies? YES/NO.</p> <p>Yes. Foreigners and stateless persons (including minors) who have arrived in Ukraine for the purpose of studying and have obtained a temporary residence permit are considered to be</p> |

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| | | | <p>legally residing in Ukraine for the period of study specified in the order of the educational institution establishing the periods of study for foreign students.</p> <p>2. If you answer YES to Q1, what is the minimum age required to be eligible for applying for such authorisation of stay or residence permit?</p> <p>A temporary residence permit is issued to foreigners or stateless persons who are legally staying in Ukraine and who are 16 years old or older, or who are under 16 years old but have arrived in Ukraine independently for the purpose of studying, on the basis of applications submitted by them in person.</p> <p>In view of the above, the minimum age of foreigners and stateless persons who are entitled to apply for a temporary residence permit on the basis of studying in Ukraine is not established by law.</p> <p>An important condition for obtaining a temporary residence permit is the submission of all documents required by law.</p> <p>3. If you answer YES to Q.1, what type of documentation must be provided by parents or the person holding legal guardianship to authorise the pupil to immigrate to your Member State?</p> <p>To obtain a temporary residence permit, foreign minors and stateless persons who have arrived in Ukraine for the purpose of studying are not required to submit documents from their parents or guardians granting permission for temporary residence.</p> |
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| | | | <p>4. If you answer YES to Q1, does the education institution or a third party has to be responsible for the minor during their stay or residence in the Member State? YES/NO. If yes, please explain.</p> <p>The receiving country that invited foreigners and stateless persons to Ukraine or receives them in Ukraine (an educational institution that has the right to provide educational services to foreigners and stateless persons) is obliged to: take measures to ensure that foreigners and stateless persons submit applications for residence permits in Ukraine in a timely manner; notify of the termination of the grounds for temporary residence or temporary stay in Ukraine of foreigners and stateless persons whom it has invited to Ukraine or is hosting in Ukraine; cover the expenses of foreigners and stateless persons related to their stay in Ukraine and departure from Ukraine.</p> <p>5. What requirements (e.g. honorability, family links) must be met by the person assuming responsibility for the minor in your Member State?</p> <p>The host party for foreigners and stateless persons who have arrived in Ukraine for the purpose of studying (including minors) is always an educational institution, i.e., a legal entity.</p> <p>6. Is there any form of validation or verification carried out by the Member State on the individual or institution that is going to be responsible for the pupil? YES/NO. Please explain.</p> <p>No.</p> |
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