



## **EMN Ad-Hoc Query on COM AHQ on National residence permits of permanent or unlimited validity**

Requested by Salvatore SOFIA on 8th September 2016

### **Residence**

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom, Norway (27 in total)

#### Disclaimer:

*The following responses have been provided primarily for the purpose of information exchange among EMN 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 NCPs' Member State.*

## **Background information:**



Article 13 of Directive 2003/109/EC concerning the status of third country nationals who are long-term residents establishes that Member States may issue residence permits of permanent or unlimited validity on terms that are more favourable than those laid down by the Directive, provided that they do not confer intra-EU mobility rights.

According to the information available to DG HOME, a number of Member States provide for national permanent residence schemes in parallel with the EU long-term residence (LTR) permit regulated by Directive 2003/109/EC. In this context, DG HOME would like to enquire on the following main features of these national permits, and the differences with the EU LTR permit. Please note that the main purpose of this query is to gather information on national permits which are outside the scope of EU law; the query does not aim to investigate on the application of Directive 2003/109/EC.

## **Questions**

1. 1. Existence of national schemes: are there in your Member State national residence permits of long-term, permanent or unlimited validity besides the EU LTR permit? If yes, how many different types? Please specify the main reasons for which your Member State considers it necessary (or unnecessary, in case no national permits exist) to provide for national permit(s) in parallel to the EU LTR permit.
2. 2. Data on permits: what are the latest data on the stock of, respectively, national permits and EU LTR permits in your Member State?
3. 3. Cost of national permits: what is the charge for first issuance and renewal of the national permit(s) in your Member State?
4. 4. Conditions for acquiring the national permit(s): after how many years of legal residence a third-country national may acquire the national permit(s)? Does the calculation method differ from the one established by Article 4 of the LTR Directive? What are the other main conditions for acquiring the national permit(s)?
5. 5. Withdrawal or loss of status: what are the grounds for withdrawal of the national permit(s)? Please specify if they differ from the ones laid down by Article 9 of the LTR Directive.
6. 6. Equal treatment: in which areas do the national permit(s) grant equal treatment with nationals? Please specify for each area if the national permit(s) grant more or less extensive rights than the ones foreseen in Article 11 of the LTR Directive.
7. 7. Protection against expulsion: On what grounds can holders of national permits be expelled? Please specify if the protection against expulsion granted by the national permit(s) differs from the one granted according to Article 12 of the LTR Directive.


## **Responses**

	Country	Wider Dissemination	Response
	Austria	Yes	<p><b>1.</b> No. Therefore, questions 3, 4, 5, 6 and 7 cannot be answered. Source: Federal Ministry of the Interior.</p> <p><b>2.</b> Statistics on residence titles in Austria can be found under <a href="http://www.bmi.gv.at/cms/BMI_Niederlassung/statistiken/start.aspx">http://www.bmi.gv.at/cms/BMI_Niederlassung/statistiken/start.aspx</a>. Source: Federal Ministry of the Interior.</p> <p><b>3.</b> See above at Question 1. Source: Federal Ministry of the Interior.</p> <p><b>4.</b> See above at Question 1. Source: Federal Ministry of the Interior.</p> <p><b>5.</b> See above at Question 1. Source: Federal Ministry of the Interior.</p> <p><b>6.</b> See above at Question 1. Source: Federal Ministry of the Interior.</p> <p><b>7.</b> See above at Question 1. Source: Federal Ministry of the Interior.</p>
	Belgium	Yes	<p><b>1.</b> There are indeed national residence permits linked to unlimited stay in Belgium, besides the EU LTR permit: 1. The Certificate of Inscription in the Aliens' Register - C.I.R.E. (card B): is granted in case of unlimited stay to non-EU nationals (who are not family members of EU nationals). The C.I.R.E., which is valid for 5 years, is renewable unconditionally. 2. The Foreigner's Identity Card (card C): is granted in case of unlimited stay/settlement to non-EU nationals (who are not family members of EU nationals) who have legally and uninterruptedly resided for 5 years in Belgium (and, for those family members of a foreigner already settled in Belgium, as soon as they are given unlimited stay, that is to say after 3 years cohabiting). Based on the information available, the reasons for which Belgium maintained national schemes are inter alia of historic nature. It is linked to the initial development and structure of the Immigration Law (from 15 December 1980).</p> <p><b>2.</b> Preliminary note: Belgium has reliable data on the concerned permits granted to persons of at least</p>

12 years old. But children under 12 years old are not issued the concerned permits (there is specific legislation for the rights holders under 12 years hold which foresees the issuance of an identity document upon request). For this reason the exact number of the permits, especially granted to those under 12 years old, is unknown. Reliable data are available on permits valid on 1.1.2016 granted to persons of at least 12 years old: Cards B: 91.414 Cards C : 47.732 Cards D (EU LTR) : 312 Total (B + C + D) : 139.458 Only estimates are to be provided and used with caution regarding children under 12 years holding rights equivalent to cards B, C & D. It is estimated that there are 22.428 children from Cards B, C and D holders (including 13.307 children with a right equivalent to the card B, 9.062 children with a right equivalent to the card C and 59 children with a right equivalent to the card D). Taking into account the data and estimates above, the approximate figures are as follows: 104.721 cards B, 56.794 cards C, 371 cards D (EU LTR) = in total (EU LTR + cards B & C): 161.886.

**3. Preliminary note:** Costs for the issuance of cards in Belgium are of two kinds: (1) the manufacturing cost which is determined by ministerial decree and is adapted yearly based on indexing and (2) a possible municipal tax. While the manufacturing cost is the same for all, the municipal tax varies based on the autonomy of the municipality. As from 1 January 2017 (and for one year), the manufacturing cost for cards B, C and D will amount to 18,40 EUR. Currently it costs 17,90 EUR (0,50 EUR less than next year). The manufacturing cost does not vary according to whether the card is issued for the first time or renewed. Please note that besides the above-mentioned costs related to the issuance/renewal of permits (occurring when the decision has been made on the application for the residence permit), fees are also incurred for the handling of applications for certain residence permits (occurring when the application is being filed to have it processed, regardless of the outcomes). More information on <http://www.emnbelgium.be/news/amounts-and-practical-arrangements-collect-fees-handling-certain-applications-residence-permit>

**4.** Except when provided by law, the granting of unlimited stay in Belgium (card B) falls within the discretion of the Minister or his Delegate (Immigration Office). In their decision regarding the granting of unlimited stay in Belgium, they take into consideration the same requirements related to the length of stay in the country (except for students) as presented below. The granting of unlimited stay in Belgium is foreseen by law in the following cases: - Family reunification with a foreigner: after 5 years of stay in Belgium and when fulfilling other conditions attached to it: adequate housing, sufficient resources and sickness insurance + not disturb public order and/or national security); -

			<p>Refugees: after 5 year of stay in Belgium, from the introduction of the asylum application, and provided that it is not seen withdrawing refugee status; - Beneficiaries of subsidiary protection: after 5 year of stay in Belgium, from the introduction of the application; - Victims of trafficking in human beings: when the statement or complaint by the victim has resulted in a conviction or when prosecutors have retained prevention of human trafficking in the case and provided that the statement or complaint is considered significant for the procedure; - Unaccompanied minors: after 3 years of limited stay under Certificate of Registration in the Aliens Register (card A); - Authorization to stay on medical grounds (Article 9b of the Immigration Law): after 5 years of stay in Belgium, from the introduction of the application for the residence permit. The conditions for acquiring the Foreigner's Identity Card (card C) are as follows: - have the right to unlimited stay in Belgium - have resided legally and uninterruptedly for 5 years in Belgium - not have prejudiced public order</p> <p><b>5.</b> The right to stay of a holder of Certificate of Registration in the Aliens Register (card B) can be terminated only by a ministerial removal order and only when the foreigner has violated public order or national security. The right to stay of settled foreigners (card C) and long term residents (card D) can only be ended by royal removal order and only when the foreigner has seriously undermined public order or national security. In all three cases ( "carsd B, C and D"), it is also necessary to obtain the advice of the Consultative Committee for Foreigners.</p> <p><b>6.</b> The answer to this specific question can not be provided within the timeframe allowed for this ad hoc query.</p> <p><b>7.</b> Protection against expulsion is the same.</p>
	Bulgaria	Yes	<p><b>1.</b> Yes, permanent with permitted unlimited term.</p> <p><b>2.</b> For the 01.01.2011-01.10.2016 period: long-term residence permits issued - 614 permanent residence permits issued - 23804</p> <p><b>3.</b> 1045 BGN for first issuance and 45 BGN for renewal of the national permits.</p> <p><b>4.</b> According to the Law on the Foreigners in the Republic of Bulgaria: Art. 25. (1) Permanent</p>

		<p>residence permit may be granted to foreigners if: 1. they are of Bulgarian origin; 2. five years elapsed from concluding civil matrimony with a permanently residing in the country foreigner and have resided legally and uninterruptedly for a period of 5 years on the territory of the country, provided that in the cases of marriage with a foreign national who is permitted permanent residence under items 6, 7 or 8, the requirements for residence in the country shall not apply. 3. small or below age children of a foreigner with permanent stay in the country and who have not been married; 4. parents of Bulgarian citizens when they provide the due legally established support and have resided legally and continuously for a period of three years within the territory of the country; 5. who have resided legally and continuously in the territory of the Republic of Bulgaria for the last 5 years prior to submission of the application for permanent residence and who have not been abroad for more than 30 months during this period, provided that in the cases referred to in Art. 24c only half of the periods of residence shall be taken into account; 6. who have invested in the country over BGN 1 000 000 or increased their investment by such an amount through the acquisition of: a) shares of Bulgarian companies, traded on a Bulgarian regulated market; b) debentures and treasury bonds and their derivatives, issued by the state or by the municipalities with a maturity date after at least 6 months; c) ownership in a separate part of the property of a Bulgarian company with at least 50 percent state or municipal share in the capital under the Privatisation and Post-privatisation Control Act; d) holdings or shares, owned by the state or the municipalities in a Bulgarian company under the Privatisation and Post-privatisation Control Act; e) Bulgarian intellectual property - copyright or related rights subject-matter, patent protected inventions, utility models, trademarks, service marks or industrial design; f) rights under concession contracts on the territory of the Republic of Bulgaria; 7. who have invested the amount under item 6 in a licensed credit institution in Bulgaria under a trust management agreement for a period of not less than 5 years, provided that for this time period the deposit is not used to secure loans from other credit institutions in Bulgaria. 8. who have invested the amount of at least BGN 6 000 000 in the capital of a Bulgarian company, which shares are not traded on a regulated market; 9. who are not persons of Bulgarian origin, born on the territory of the Republic of Bulgaria, lost their Bulgarian citizenship according to emigration agreements or by their own wish and they wish to settle permanently on the territory of the country. 10. who, by December 27, have entered, stay, or were born on the territory of the Republic of Bulgaria, and whose parent has married a Bulgarian citizen; 11. members of the family of the Bulgarian citizen, if they have stayed continuously in the territory of the Republic of Bulgaria during the previous five years. 12. who, up to 27 December 1998 entered, reside</p>
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and have not left the territory of the Republic of Bulgaria or are born on the territory of the Republic of Bulgaria and are not recognized as citizens of the former soviet republics; for this category of persons the requirement of Art. 15, Para shall not be applied; 13. who perform and activities certified under the Investment Promotion Act, certified by the Ministry of Economy pursuant to Art. 25c; 14. minors and juveniles, born and abandoned by a parent/ parents – foreign citizen(s), on the territory of the Republic of Bulgaria, who have been accommodated at an institution or at other kind of alternative social services of residential type as a protective measure; 15. minors and juveniles abandoned by one/both parent(s) - foreign national(s) in the territory of the Republic of Bulgaria, accommodated at an institution or at other kind of alternative social services of residential type as a protective measure. 16. have made an investment in the state by depositing in the share capital of a Bulgarian trade company no less than BGN 500 000, where the foreigner is a partner or shareholder with registered shares and owns more than 50 % of the share capital of the company and as a result of the investment have been acquired new tangible and intangible assets amounting to not less than BGN 500 000 and at least 10 new positions are opened for Bulgarian citizens for the residence period and this is verified by the Ministry of Economy. (2) The order of establishing the circumstances under Para 1 shall be determined in the regulations on the implementation of the Law. (3) The competent body of the Ministry of Interior shall take decision on the application for granting permanent residence permit within a 3 months period from its deposit. In event of legal and factual complexity, this term may be prolonged with two months. The procedure for issuance of the permit shall be defined by the Regulations of Implementation of this Act. (4) In the cases under para 1, items 13 and 16, upon issuance of a certificate by the Ministry of Economy for assessment purposes annual financial statements and reports of the company, certified by an auditor registered under the Independent Financial Audit Act, reports by the National Revenue Agency, municipalities and/or other relevant documents presented by the investor or foreigner, collected ex officio. (5) Of minors, born in the Republic of Bulgaria and applying to obtain the right to extended and permanent residence, visa under Art. 15, para. 1 shall not be required.

**5.** As laid down by Article 9 of the LTR Directive.


**6.** According to Article 49 paragraph 2 of the Labour Migration and Labour Mobility Act third-country nationals, holders of the single residence and work permit, EU Blue Card holders and seasonal worker permit holders shall be equal to Bulgarian nationals in respect of: 1. the access to information


		<p>about vacant jobs announcements; 2. the use of mediation in information and employment; 3. working conditions, including in terms of pay, working hours and rest periods, termination of employment, the minimum age for employment, participation in collective labour bargaining; 4. safety and health at work; 5. the conditions for access, subordination of duties and the use of social insurance rights within the European Union legislation; 6. the access to goods and services, including public; 7. education and vocational training; 8. recognition of diplomas for completed education; 9. recognition of certificates and other evidence of formal qualifications in accordance with the Recognition of Professional Qualifications Act; 10. payment of acquired statutory old-age, disability and death pensions, related to income to do with previous employment, at the amount applicable under the law of the Member State or of the Member States - debtors when moving to a third country, without prejudice of Regulation (EU) № 1231/2010 of the European Parliament and of the Council of 24 November 2010 to extend of scope of Regulation (EC) № 883/2004 and Regulation (EC) № 987/2009 regarding third-country nationals who are not yet covered by these regulations solely on the ground of their nationality (OJ, L 344/1 of 29 December 2010), as well as of the existing bilateral agreements with third countries; the same shall apply with respect to payments to surviving spouses; 11. freedom of association, affiliation and membership in organizations of workers and employees or employers, as well as in professional and union organizations, including with regard to privileges granted by such membership, unless Bulgarian citizenship is required by law, statute or another regulation, without prejudice to public order and public security; 12. the rights for tax relief under the terms and conditions of the Income Taxes on Natural Persons Act. (3) Within the scope of para. 2, item 5 shall not be included the family allowances and unemployment benefits, when the permit is issued for employment for up to nine months. (4) The conditions under para. 2 shall not prevent the imposition of administrative compulsory measures under Chapter Five of the Foreigners in the Republic of Bulgaria Act. The rights under Art. 49, para. 2 shall also be enjoyed by third-country nationals with authorized long-term or permanent residence in the Republic of Bulgaria under the Law on the Foreigners in the Republic of Bulgaria. (2) When using the right under Art. 49, para. 2, item 7, included shall be the access to scholarships in the order for Bulgarian citizens. Art. 51. (1) The rights under Art. 49, para. 2 shall also be enjoyed by family members of EU Blue Card holders who usually reside in the territory of the Republic of Bulgaria. (2) When moving to another EU Member State, the enjoyment of the rights under Art. 49, para. 2, items 1- 5 shall be suspended upon receiving a EU Blue Card or another residence permit by the next Member State or on the expiry of the period of stay in Bulgaria. Art. 52.</p>
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			<p>(1) Seasonal workers shall enjoy their right under Art. 49, para. 2, item 7 only with regard to the seasonal work, for which they have obtained permits under Section IV. (2) Tax relief under Art. 49, para. 2, item 12 shall not apply in cases where the registered or usual place of residence of the family members of a seasonal worker, for whom the latter submits the respective declaration for implementation of relief, is outside of the territory of the Republic of Bulgaria. Art. 53. (1) With respect to the terms and conditions of employment in the Republic of Bulgaria, the third-country workers corporate transferees shall enjoy the right to equal treatment with the posted workers and employees in the context of the provision of services. (2) Third-country nationals under para. 1 shall be equal to Bulgarian citizens in respect of the rights under Art. 49, para. 2, items 4-10. Art. 54. (1) The rights under Art. 49, para. 2, items 3-9 shall also be enjoyed by foreigners who have been granted extended residence permits as researchers under Art. 24b of the Foreigners in the Republic of Bulgaria Act. (2) The rights under Art. 49, para. 2, items 3-9 shall also be enjoyed by foreigners who have received work permits or permits to carry out self-employed activity. (3) The equal treatment of posted workers and employees shall be determined with the ordinance under Art. 5, para. 2.</p> <p>7. As according to Article 12 of the LTR Directive.</p>
	Croatia	Yes	<p><b>1.</b> 1. The Republic of Croatia grants a national permanent residence permit. This type of permit might be issued to: 1. a foreigner who, before submitting an application, had uninterrupted temporary residence granted for the period of 3 years, and who had at least 10 years of refugee status (this is national refugee status, not asylum related), which shall be proved by a certificate of the competent state body for refugees, 2. a foreigner who had permanent residence in the Republic of Croatia on 08 October 1991, and who is a beneficiary of the programme of return, reconstruction or housing care, which shall be proved by a certificate of the competent state body for refugees, and for whom it was established that he returned with an intention of living in the Republic of Croatia permanently, 3. a child who lives in the Republic of Croatia and: - whose both parents, at the time of his birth, have permanent residence granted, - whose one parent, at the time of his birth, has permanent residence granted (consent of the other parent is required), - whose one parent, at the time of his birth, has permanent residence in the Republic of Croatia granted, while the other parent is unknown, deceased, proclaimed to be deceased, deprived of parental care or deprived of legal capacity, entirely or partially, in relation to parental care, 4. a foreigner born in the Republic of Croatia and who has been living at</p>

			<p>the territory of the Republic of Croatia since his birth, but who, due to justified reasons which he was not able to make influence to, was not able to regulate his residence. Also, permanent residence can be granted to family members of Croatian nationals upon legally residing in the Republic of Croatia with a Croatian national for at least five years without interruptions.</p> <p><b>2.</b> On the 3rd October 2016 the number of EU LTR permits issued in Croatia is 1787.</p> <p><b>3.</b> Administrative fee of 900 HRK is paid for granting status of permanent residence (cca 120 euros) and 240 HRK for polycarbonate residence permit (card). For family members of Croatian national there is no administrative fee for granting permanent residence, only 240 HRK for polycarbonate residence permit (card).</p> <p><b>4.</b> Concerning the years of legal residence as a condition for acquiring the national permanent residence, please see answer to question 1. Other main conditions for acquiring the national permanent status are: - For third country nationals mentioned in answer to 1 question, number 1. and 2., other conditions include: -possession of a valid foreign travel document and that he/she does not pose danger for public order, national security or public health. For third country nationals mentioned in answer to 1 question, number 3. and 4., other conditions include that third country national: 1. has a valid foreign travel document, 2. has means of supporting himself, 3. has health insurance, 4. knows the Croatian language and the Latin script, and who has knowledge of the Croatian culture and the social system (with exceptions), 5. does not pose danger for public order, national security or public health.</p> <p><b>5.</b> For third country nationals mentioned in answer to 1 question, number 1.-4, permanent residence of a foreigner shall terminate if: 1. his entry and residence have been prohibited in the Republic of Croatia, 2. he moved out of the Republic of Croatia or resided abroad without interruptions for a period over one year, 3. it is established that a foreigner deliberately provided false information or deliberately hid the aim and circumstances that were important for granting permanent residence, 4. it is required by the reasons of protecting public order, national security or public health, 5. he requests such termination. For family members of a Croatian national granted permanent residence, this status will terminate if: 1. his entry and residence have been prohibited, 2. he is residing outside the</p>
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			<p>Republic of Croatia for over two years without interruptions.</p> <p><b>6.</b> N/A</p> <p><b>7.</b> For third country nationals mentioned in answer to 1 question, number 1.-4. and family member of a Croatian national who were granted permanent residence in the Republic of Croatia, a decision on expulsion may be adopted only when one of the grounds referred to in Article 106 of Foreigners Act exists (1. a foreigner was, pursuant to legally effective judgment, sentenced to unconditional imprisonment in the duration longer than one year, because of a criminal offence committed with intention, 2. foreigner was repeatedly sentenced over the period of 5 years, pursuant to a legally effective judgment, to imprisonment in the duration of 3 years, because of a criminal offence committed with intention, 3. a foreigner was sentenced to unconditional imprisonment, because of committing a criminal offence against the values protected by international law or 4. a foreigner poses danger to national security.</p>
	Cyprus	Yes	<p><b>1.</b> Yes, there is a national permanent residence scheme, the Immigration Permit. It includes six categories, five of which concern employment (self employment or remunerated employment and one covers only residential rights. The main reasons that this permit exists is to promote investments and business.</p> <p><b>2.</b> Immigration Permits: 9977 Long term residence permit: 244</p> <p><b>3.</b> The fee is €500 for a permit with an unlimited validity</p> <p><b>4.</b> There is no requirement for previous residency in the Republic. The main condition for acquiring the national permit for employment purposes is that the specific employment does not create undue competition with locals and EU nationals. For residential purposes, the requirements include stable income from abroad, bank accounts in the Republic and property investment.</p> <p><b>5.</b> An immigration permit is automatically cancelled if the interested person fails to acquire residence in Cyprus within one year from the approval of the application, in case he/she is residing outside of the Republic. It is also cancelled if he/she acquires permanent residence abroad or is absent from the</p>

			<p>Republic for a period of two years. The permit can be also cancelled for national security reasons.</p> <p><b>6.</b> The national scheme provides only entry, residential or/and employment rights in the Republic.</p> <p><b>7.</b> Holders of national permits can be expelled on the same grounds as the other third country nationals who reside temporarily in the Republic.</p>
	<p>Czech Republic</p>	<p>Yes</p>	<p><b>1.</b> The Czech Republic grants a national permanent residence permit. This type of permit might be issued upon request to a third-country national who has completed 5 years of continuous temporary residence in the CR. Without the condition of the previous continuous residence, a permanent residence permit might be issued to:</p> <ul style="list-style-type: none"> <li>• a minor child or a dependent major child of a third-country national who resides in the Czech Republic on the basis a permanent residence permit, if the reason for the application is family reunification (a child born outside the Czech Republic)</li> <li>• a child of third-country national with permanent residence born in the Czech Republic,</li> <li>• a third-country national whose permanent residence is in the national interest,</li> <li>• an applicant on humanitarian grounds, in particular where such foreign national is: <ul style="list-style-type: none"> <li>- a spouse of a recognized refugee and entered into marriage prior to the entry of the recognized refugee to the Czech Republic,</li> <li>- a minor child of a recognized refugee or a child dependent on a recognized refugee (unless he/she seeks asylum),</li> <li>- a third-country national who had Czech citizenship in the past,</li> <li>• a third-country national who applies for such permit for other reasons worthy of consideration (this category includes persons with the Czech origin),</li> </ul> </li> </ul> <p>A permanent residence permit might also be issued to a foreign national who is a former applicant for the international protection, had been rejected but has completed 4 years of stay in the Czech Republic in the meantime (provided that the last proceedings on granting international protection, including proceedings on cassation complaint, were carried out at least last two years). A permanent residence permit might also be granted to his/her family members (family reunification). For the purpose of our response to the query, we do not include the EU citizens (who are eligible for national residence permit) and their family members who are third-country nationals (eligible for recognition of a legal status of a long-term resident). Likewise, we are leaving aside holders of the EU Blue Card who are granted the status of a long-term resident according to the specific conditions set by the 2009/50/EC Directive after 5 years of residence and highly qualified employment in the EU. We believe these categories do not fall into the scope of the query. The Czech national permanent residence permit had</p>

been introduced before the Directive 2003/109/EC was adopted (and before the Czech Republic's accession to the EU on May 1, 2004) and was not cancelled at the process of implementation of this Directive but adjusted to its provisions. Since the scope of persons eligible for national permanent residence is wider than the one which is laid down by the Directive, it was reasonable to utilize the existing national scheme and integrate the status of long-term resident in the European Community into the legislation as a separate migration tool. At the present time, The Czech Republic recognises the legal status of long-term resident in the European Community in the Czech Republic at the time of issuing the permanent residence permit if a third-country national meets all requirements. If the legal status of a long-term resident is not recognised at the same time as the permanent residence permit is, it might be recognised at a later stage, if a third-country national requests it.


**2.** August 31, 2016: 181,720 valid permanent residence permits including 85,780 third-country nationals with the status of a long-term resident in the European Community in the Czech Republic.

**3.** CZK 2,500 = approximately € 90

**4.** See the file attached to this ad-hoc query, the table under the question 4.

**5.** Criteria for withdrawal of national permanent residence permit comply with those laid down by the Article 9 of the Directive. In addition, there are several others: • withdrawal upon foreigner's own request, • a foreigner fails to apply for a permanent residence permit on behalf on his/her child born in the Czech Republic within 60 days from the date of birth, • family relationship ends or a sponsor loses permanent residence, • humanitarian reasons for which the permanent residence permit was granted cease to exist within next 5 years, • withdrawal of permanent residence permit on the basis of a duty of the Czech state arising from the international treaty, • a foreigner was convicted for committing an intentional crime to unconditional imprisonment of up to 3 years.

**6.** A third-country national with a national permanent residence permit is entitled to equal rights and duties in the areas of employment (access to the labour market, wage and working conditions), business, education, social security, recognition of foreign education, taxing, access to goods and services, freedom of association and affiliation and access to the entire territory of the state as the Directive 2003/109/EC requires. Permanent residents are also given equal treatment in the area of the

			<p>public health insurance and health care. However, they do not have access to certain jobs in the state administration and the state armed forces which require Czech citizenship.</p> <p>7. Protection against expulsion corresponds with provisions of the Article 12 of the Directive 2003/109/EC.</p>
	Estonia	Yes	<p>1. Yes. Although we issue only one type of long-term resident's residence permit, there is a certain categories of persons who are granted an residence permit issued in accordance with national conditions and the rights arising from the Directive 2003/109/EC Chapter III does not apply to them.</p> <p>2. 1) 1561 valid national long-term residence permits; 2) 165 265 valid EU long-term residence permits. Source: Police- and Border Guard Board, by the date 31.08.2016</p> <p>3. No distinction is made here between national and EU LTR permit. State fee for long-term residence permit is 64 eur. For a person under 15 years of age or for a person who has attained Estonian general pensionable age 24 eur.</p> <p>4. Estonia issues national long-term residence permit without the requirement to reside in Estonia for 5 years - a) to a minor child under five years of age who is a child of a citizen of Estonia residing in Estonia or an foreigner who is holding a residence permit for a long-term resident of Estonia if the child is given a residence permit for long-term residents; b) to an foreigner who has settled in Estonia before 1 July in the year 1990 and who has factually resided and resides in Estonia and has not left to reside in another state and whose residence in Estonia does not pose a threat to the interests of the Estonian state.</p> <p>5. A residence permit for a long-term resident may be revoked if: 1) an foreigner has submitted false information concerning facts which are relevant in the proceedings or used fraud upon application for issue of a residence permit for a long-term resident; 2) an foreigner constitutes a threat to public order or national security; 3) an foreigner has been punished in Estonia for intentionally committed crime against the state and his or her criminal record has not expired; A residence permit for a long-term resident shall be revoked: 1) at the personal request of an foreigner; 2) if an foreigner stays outside member states of the European Union for twelve consecutive months during a year; 3) if an foreigner</p>


			<p>has acquired a status of a long-term resident in another member state of the European Union; 4) if the stay of an foreigner outside Estonia has lasted for at least six consecutive years;</p> <p><b>6.</b> Do not differ from LTR Directive.</p> <p><b>7.</b> Do not differ from LTR Directive. According to Aliens Act § 241 (3) the revocation of a residence permit a long-term resident on the grounds that an foreigner constitutes a threat to public order and national security, the gravity or type of the offence committed by an foreigner or the threats related to the person concerned shall be considered, taking into account the length of the stay in Estonia of an foreigner, the age of an foreigner, the consequences of the revocation of the residence permit of a long-term resident for an foreigner and his or her family and connections with Estonia and the county of origin.</p>
+	Finland	Yes	<p><b>1.</b> Yes: a permanent residence permit. The grounds for issuing a permanent residence permit are laid down in section 56 of the Aliens Act. (See answer to question 4 below.) When implementing the Directive 2003/109/EC, it was decided to retain the existing national permanent residence permit and add the EU LTR permit to the legislation. The reason for retaining the national permanent residence permit was that at the time of the implementation of the Directive, beneficiaries of international protection were not included in the scope of the Directive.</p> <p><b>2.</b> Please see attachment.</p> <p><b>3.</b> Please see attachment.</p> <p><b>4.</b> Permanent residence permit is issued after 4 years of continuous legal residence on a continuous residence permit. Residence is considered continuous if the person has resided in Finland for at least half the validity period of the residence permit. Absence resulting from ordinary holiday or other travel or work at a work site abroad on secondment by a Finnish employer is not considered an interruption of continuous residence. The period of four years is calculated from the date of entry into the country if the alien held a residence permit for continuous residence upon entry. If the residence permit was applied for in Finland, the period of four years is calculated from the first day of the fixed-term residence permit issued for the first continuous residence in the country. If a person has been</p>

issued with a residence permit on the basis of refugee status or subsidiary protection, the period of four years is calculated from the date of entry into the country. (Aliens Act, section 56) Differences as compared to the Article 4 of the LTR Directive: For a national permanent residence permit, only residence on a continuous residence permit is calculated in the requirement of 4 years (for example studying is considered temporary, and residence on this basis does not count towards the requirement of 4 years of continuous residence). Moreover, one must have resided in Finland for at least half the validity period of the residence permit.

**5.** There is no substantial difference between the national permits and the Article 9 of the LTR Directive when it comes to the withdrawal or loss of status. Some differences, however, can be detected. For those, please see Aliens Act, section 58 on cancelling resident permits below. Aliens Act, section 58 Cancelling residence permits (1) A fixed-term or permanent residence permit is cancelled if the alien has moved out of the country permanently or has continuously resided outside Finland for two years for permanent purposes. (2) A long-term resident's EC residence permit is cancelled if the alien has resided outside the territory of the European Union for two consecutive years or outside Finland for six consecutive years. (3) In the case referred to in subsection 1 or 2, an alien may, before the expiry of the periods mentioned above, file an application to prevent the cancellation of his or her residence permit. If the application is granted, the decision must state the period during which the residence permit is not cancelled. The application may be granted if the alien has resided outside Finland or the Community for special or exceptional reasons. (4) A fixed-term or permanent residence permit or a long-term resident's EC residence permit may be cancelled if false information on the alien's identity or other matters relevant to the decision was knowingly given when the permit was applied for, or if information that might have prevented the issue of the residence permit was concealed. A long-term resident's EC residence permit may also be cancelled if it has been issued on the basis of refugee or subsidiary protection status and that status has been cancelled. (5) A fixed-term residence permit may be cancelled if the grounds on which the permit was issued no longer exist. (6) A fixed-term or permanent residence permit or a long-term resident's EC residence permit may be cancelled if a Schengen State asks Finland to cancel a residence permit issued to an alien by Finland on the grounds that the alien has been prohibited from entering another Schengen State and ordered to be removed from the Schengen area on the grounds referred to in section 149(1)(2) and (1)(3).

**6.** Holders of national permanent residence permit and EU LTR permit are treated equally. Similarly,



			<p>holders of both permits are granted equal treatment with nationals in terms of their rights (apart from certain political rights, which we assume do not belong in the scope of this question).</p> <p><b>7.</b> Difference between the national permits and the Article 12 of the LTR Directive concerning protection against expulsion: when it comes to the national permits, also other grounds for deportation exist, apart from the threat to public policy or public security. Section 149 of the Aliens Act lists the grounds for deportation: (1) An alien who has resided in Finland under a residence permit may be deported if: 1) he or she resides in Finland without the required residence permit; 2) he or she is found guilty of an offence carrying a maximum sentence of imprisonment for a year or more, or if he or she is found guilty of repeated offences; 3) he or she has, through his or her activities, shown that he or she is liable to endanger other people's safety; or 4) he or she has been engaged, or on the basis of his or her previous activities and for other reasons there are grounds to suspect that he or she may engage in activities that endanger Finland's national security or relations with a foreign State. (2) In addition, an alien may be deported on grounds provided in subsection 1(2) if his or her punishment has been waived on the basis of criminal irresponsibility under Chapter 3, section 4 of the Penal Code. (3) A refugee may be deported in the cases referred to in subsection 1(2)-(4). A refugee may not be deported to his or her home country or country of permanent residence against which he or she still needs international protection. A refugee may only be deported to a State which agrees to admit him or her. (4) An alien who has been issued with a long-term resident's EC residence permit in Finland may be deported only if he or she poses an immediate and sufficiently serious threat to public order or security. If the deportee has a refugee or a subsidiary protection status as marked in the long-term resident's EC residence permit and as confirmed by the Member State in question, s/he may be deported to the Member State in question. A refugee may, however, be deported to another State as referred to in subsection 3.</p>
	France	Yes	<p><b>1.</b> In France there are several national residence permits of long term, permanent or unlimited validity:</p> <ul style="list-style-type: none"> <li>- Permanent residence cards may be issued to third country nationals who apply for the renewal of their ten year residence cards or are automatically delivered if they are over 60 years old (automatic issuance or after a decision of the Prefet depending on the case) - Ten year residence cards are issued based on a decision of the Prefet to third country nationals o Who has a family link in France (family member of a third country national such as defined by directive 2003/86/EC, spouse of a French</li> </ul>


national or parents of a French child) and if they can prove 3 years of regular residence (3 years of marriage in the case of a spouse of a French national), o victims of certain crimes who accepted to file a complaint and testify and when the author of the crimes is definitely prosecuted o considered as investors (in the framework of exceptional economic contribution) as well as for their spouse and children if they fulfill the conditions (this card will be replaced as from 1st November 2016 by a new residence permit called “passport talent” valid up to 4 years) - Ten year residence cards are automatically granted for ascendants and descendants of French nationals, for foreign nationals benefiting from a work accident allowance or former war veteran for French army or Foreign Legion, refugees (and their family members) as well as stateless persons (and their family members); - Retired persons (as well as their spouses) who lived in France under a ten year residence permit and established their residence outside of France while they benefit from a French retirement allowance. Please note that are excluded from this AHQ residence permits issued in the framework of a bilateral agreement (Algeria, Morocco, etc.) and those issued to TCN married with EU nationals. France considers it necessary to issue national long-term / permanent residence permits in order to take into account some particular situations, all characterized by a specific and recognized link with France (former war veteran, parent of a French child, spouse of a French national, ascendant of a French national, foreign national with a French retirement allocation, ...). This link has to be assessed depending on criteria which are different from those mentioned in the Directive 2003/109/EC. The condition related to stable, own and sufficient resources mentioned in this Directive or that related to a 5 year of residence are not appropriate for these categories.

**2.** see table attached

**3.** Euro 260 for first issuance and renewal applications except for first issuance of ten year residence permits for: - Work accident allowance 77 euros - War veterans 19 euros - Refugees and family members: 19 euros - Spouse of stateless persons : 19 euros

**4.** Main conditions are mentioned in Q1.

**5.** Long-term and ten year residence permits can be withdrawn in the following cases: - The third country national married with a French national in case of breakdown of the relationship within 4 years after the marriage is celebrated unless one child or more are born during this period and the third

			<p>country national has been participating in his/her/their education and care since their birth - If an employer holding such a card has hired illegally a third country national employer - If the third country national has lost the status of refugee or beneficiary of subsidiary protection - In case of polygamy - In case of judiciary decision of exclusion from the territory - In case of violence against minor of less than 15 years who led to mutilations or permanent disability - If the money used in the framework of exceptional economic contribution comes from illicit activities or if the project for which the permit was issued does no longer exist. Long-term and ten year residence permits can be lost if the third country national has left the French territory for more than 3 years without being allowed to.</p> <p><b>6.</b> There is an equal treatment in all areas except the right to vote.</p> <p><b>7.</b> There is no difference with Article 12 of the LTD Directive.</p>
	Germany	Yes	<p><b>1.</b> Yes. In addition to the settlement permit granting the entitlement for permanent residence in the EU in accordance with § 9 of the German Residence Act (AufenthG), there is a further residence title of unlimited duration. After the introduction of the permit for a permanent residence in the EU, the settlement permit has been retained as being the oldest permit of residence titles with unlimited duration in order to give the holders of such permits the possibility to keep their legal status without having to incur any changes. Furthermore nationals from third countries can also obtain a residence title of unlimited duration by means of the settlement permit for whom the permit for permanent residence in the EU would be excluded in accordance with article 3, section 2 (lit c) of the Directive 2003/109/EU, e.g. holders of a residence permit that has been issued to these on the basis of a national principle of non-refoulement. Moreover the settlement permit can also be issued within a shorter period of time as that stipulated by article 4 of the Directive 2003/109/EU (as amended by the Directive 2011/51/EU) to the highly qualified and to holders of the Blue Card, as well as to the self-employed.</p> <p><b>2.</b> See attached document.</p> <p><b>3.</b> The fee for a settlement permit amounts to 135 euro, this being the same amount as the one charged for the permit for permanent residence in the EU. If the settlement permit is granted for the highly</p>


qualified, the fee charged amounts to 250 euro, for the self-employed the fee amounts to 200 euro.

**4.** On principle the settlement permit is granted after a lawful five year residence period (immediate issuance is possible for the highly qualified, shorter residence periods for the holders of the Blue Card and the self-employed). Yes, there are different calculation methods for the residence periods, please compare § 9, section 4 and § 9b German Residence Act (AufenthG). Further granting prerequisites do prevail for the settlement permit pertaining to ensuring the means of subsistence, any vested rights under pension schemes, sufficient living space, integrative capacity and the fact that the foreigner does not pose any danger to public safety, security and order.

**5.** The settlement permit expires and becomes void upon withdrawal, revocation, or deportation as well as through the announcement of a deportation order for the defense against a special or terrorist threat. It also expires and becomes void if the foreigner leaves Germany within a period that is by its very nature not temporary or if he/she does not reenter the country within six months of his/her departure or within a longer period stipulated by the authority in charge of foreigners, however, certain case constellations are excluded (e.g. if a residence in Germany of fifteen years can be proven and if the means of subsistence prevail without an interest of enforcing the expulsion), please compare § 51, section 1 to 4, German Residence Act (AufenthG). The reasons for the revocation or loss of the permit for a permanent residence in the EU are regulated separately in § 51, section 9. The essential difference is therefore the varying duration during which the respective scope of application leads to the expiry and/or termination of the residence title.

**6.** Article 11 of the Directive 2003/109/EU guarantees in the areas mentioned therein the equality of treatment for holders of a settlement permit with German citizens.


**7.** A foreigner may be expelled if his/her residence threatens public safety, security and order, the liberal and democratic fundamental order or other significant interests of the Federal Republic of Germany. The public interest in the expulsion is to be weighed against the personal interest of the foreigner in a further stay in the German Federal Territory, here the duration of his/her stay and his ties in Germany and in his country of origin are to be taken into special consideration. The regulations hereto also apply in the case of the expulsion of a holder of a permit for the permanent residence in the EU and therefore also to those covered by article 12 of the Directive 2003/109/EU, please compare §

			53, German Residence Act (AufenthG).
	Greece	Yes	<p><b>1.</b> In Greece following categories of residence permits are considered as “Indefinite-term residence permits”, as specified in art. 7 of the Immigration Code (Law 4251/2014): a) The long-term resident permit (Dir. 2003/109/EC) b) The second generation residence permit and c) The ten-year residence permit According to the Immigration Code (Law 4251/2014)(xxxviii) Long-term resident’s residence permit is any certification provided by the Greek authorities during the process of awarding a third-country national long term resident status, allowing this person to reside lawfully within Greek territory, according to the provisions of Article 1(2)(a) of Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ L 157, 15.6.2002).</p> <p><b>2.</b> Data as of 29.9.2016 Ten years residence permit 132237 Second generation residence permit 36632 Indefinite duration residence permit 23726 Long- term resident permit 18095 Total number of national residence permits: 192.596</p> <p><b>3.</b> Ten years residence permit Firts issuance Renewal 900 450 Second generation residence 300 300 permit Indefinite duration residence not relevant not relevant permit Long- term resident permit 400 Holders of an indefinite-term, ten-year or second-generation residence permit who apply for the status of long-term resident are not required to pay the above fees.</p> <p><b>4.</b> The second generation residence permit can be issued to adult third country nationals born in Greece or having successfully completed six Greek school classes in Greece, before they complete their 21st year of age, and residing lawfully in Greece. This residence permit is granted for five years and ensures its holder the same set of rights of long term residents EC. This residence permit is renewed every five years. It may be also renewed at any time while it is valid, in order to be subject to long-term resident status. Ten-years residence permit: After completing ten years of legal residence in Greece during the last twelve years before submission of the relevant application, a third-country national who was in possession of a valid residence permit when Law 3386/2005 entered into force is entitled to receive a ten-year residence permit, allowing him access to the labour market. The general conditions regarding residence rights apply. For the purpose of calculation of the ten years of legal residence, the period during which the person concerned had the Greek nationality or a residence</p>

permit, regardless of the issuing authority, shall be taken into account. The permit shall be granted at the request of the third-country national which is submitted to the authority that issued the most recent residence permit. A positive decision is taken if the applicant: a) has full medical and healthcare coverage; b) has fulfilled his tax obligations; c) meets the conditions for renewal of one of the permits referred to in the Immigration Code. The ten-years residence permits may not be renewed as such but only as long term resident's permit EC if the relevant conditions are fulfilled (Law 4251/2014, art. 138, para.3). This reflects the will of the legislator to promote the access to long term residence status according EU law, given that this regime is dependent on integration criteria and ensures enhanced rights and equal treatment in many social and economic fields. If the conditions for inclusion in the status of long-term resident are not met and if the applicant: a) presents evidence of continuous residence in Greece and the period of absence does not exceed two (2) consecutive years; b) has fulfilled his tax obligations; and c) has full medical and healthcare coverage, his residence permit, shall be renewed for three (3) years each time and shall allow access to paid employment-provision of services or work or independent economic activity. Previous legislation provided for the issuance of residence permits of indefinite duration. A number of these permits are still valid today and they shall be switched to ten-years residence permits when an application of re-issuance is submitted (Law 4251/2014, art. 138, para.2). No fees are required to obtain the ten-year residence permit.

**5.** According to article 24 of the Immigration Code a residence permit shall not be issued or renewed, or shall be withdrawn if: a. The requirements of this Code are not met no longer or at all; b. An official document issued by a competent Greek authority declares that false or misleading information, false or falsified documents were used, that fraud was otherwise committed or other unlawful means were used for the issue of the residence permit; c. The applicant fails to respond within two months to a written notice relating to any matter pertinent to the issue of the residence permit. The applicant may submit an application for reconsideration within one month from notice that his application has been rejected. The grounds for withdrawal and non renewal of a second generation residence permit do not differ from those laid down by article 9 of LTR Directive.


**6.** The national permits are to be seen as single permits according to the Directive 2011/98/EC. Thus the holders of such permits are awarded the rights of art. 12 of the Single Permit Directive (article 21 A of the Immigration Code).

			<p>7. According to article 24 of the Immigration Code, if a residence permit is withdrawn or the application for the issuance or renewal of a residence permit is rejected, the competent authority shall issue a return decision. Article 25 specifies the general procedural guarantees.</p>
	Hungary	Yes	<p>1. Yes, there is a national long-term residence permit of permanent validity besides the EU LTR permit called the National Settlement Permit. In general, it can be acquired after 3 years of continuous legal stay in Hungary, furthermore it can also be obtained earlier in exceptional cases, for example based on family reunification, Hungarian ethnic origin, or national economic interest.</p> <p>2. According to the statistics of the Office of Immigration and Nationality, by the 31th of August, 2016 there are 15041 foreigners residing in Hungary with a National Settlement Permit, and 624 foreigners hold EU LTR permit.</p> <p>3. The administrative service fee of the application for the national settlement permit is HUF 10000, the same as that of EU LTR permit, while in case the application is submitted at a foreign representation of Hungary (only allowed in certain cases) the administration fee is 60 EUR. There is no administrative fee to be paid for the application of minor children if their application is submitted together with a parent's. The fee of renewals is also 10000 HUF.</p> <p>4. Conditions for acquiring the National Settlement Permit are based on Article 35 of Act II of 2007 on the Entry and Stay of Third-Country Nationals, Article 35. National Settlement Permits may be issued if the applicant has lawfully resided in the territory of Hungary continuously for at least the preceding 3 years before the application was submitted. There are exceptions from this rule: if the applicant has a family member who has a permanent status in Hungary (LTR permit holder or refugee) and is living in the same household with the said person for at least 1 year; the applicant is the spouse of a third-country national with permanent status in Hungary (LTR permit holder or refugee), provided that the marriage was contracted at least 2 years before the application was submitted; the applicant was formerly a Hungarian citizen and his/her citizenship was terminated, or his/her ascendant is or was a Hungarian citizen; the applicant is a minor child of a third-country national with permanent status in Hungary (LTR permit holder or refugee); the applicant is a third-country national, whose settlement in Hungary is based on national economic interest (that is the applicant has invested 300,000 EUR in special state bonds) or a family member of such a person. Temporary absence from the territory of</p>

Hungary of less than 4 consecutive months shall not be deemed as discontinuity of residence, if the combined duration of absence does not exceed two hundred and seventy days during the preceding 3 years before the application was submitted. The immigration authority may authorize a third-country national to establish permanent residence in the territory of Hungary in the event of any discontinuity of residence for a period longer than that described above, if residence was discontinued for a substantial reason, such as medical treatment or foreign assignment of the third-country national in connection with his/her gainful employment. There are some differences between the EU LTR Permit (EU LTR) and the National Settlement Permit (NSP) in the following aspects: - duration of lawful residence needed: EU LTR – 5 years, NSP – 3 years, furthermore several exceptional cases with shorter required lawful residence; - temporary absence: EU LTR – no more than 6 consecutive months and no more than 300 days in 5 years, NSP – no more than 4 consecutive months and no more than 270 days in 3 years, furthermore exceptional equity is allowed in case of discontinuity; - time spent in the state with a residence permit for the purpose of pursuing studies: EU LTR – counts as half, NSP – fully counts.


**5.** According to the Article 37 of Act II of 2007 on the Entry and Stay of Third-Country Nationals, the immigration authority may withdraw the National Settlement Permit in the following cases: - the circumstances serving as basis for the issuance have changed to an extent that the criteria for authorization are no longer satisfied, and if a period of five years has not elapsed from the date of issue of the permit; - the permit was issued on the grounds of family reunification, and the marriage was dissolved within 3 years from receipt of the permit for reasons other than the spouse's death, or if the third-country national no longer has parental custody, unless the third-country national in question has resided in Hungary for at least 4 years with LTR status; - the third-country national has departed from the territory of Hungary and remained absent for a period of over six months (except in the case of NSP issued based on national economic interest). The immigration authority shall withdraw the permit on the following cases: - the third-country national in question has disclosed false information or untrue facts to the competent authority in the interest of obtaining the permit; - the immigration authority has withdrawn the authority to reside in the territory of Hungary of the third-country national exercising parental custody over a minor child who is a third-country national, and the continued residence of the minor with the other parent with parental custody is not ensured in the territory of Hungary; - it was granted to a third-country national on the grounds of family reunification and his/her spouse with Hungarian citizenship has departed from the territory of Hungary with a view to establish



			<p>permanent residence elsewhere, or the lawful residence of the third-country national spouse in the territory of Hungary has been terminated; - the third-country national to whom it was issued is expelled or excluded; - the subscription of state bonds needed for authorization did not took place in 45 days after the issuance of the NSP.</p> <p><b>6.</b> The National Settlement Permit grants the same rights as the EU LTR Permit except that the EU LTR permit grants further intra-EU mobility rights according to the LTR Directive.</p> <p><b>7.</b> Article 45(2) point a) of Act II of 2007 on the Entry and Stay of Third-Country Nationals states that a third-country national who resides in the territory of Hungary with LTR status may be expelled only if his/her continued residence represents a serious threat to national security, public security or public policy. According to Article 59(3) of Act C of 2012 on the Criminal Code. Expulsion may be imposed upon a person who has the right of residence in the territory of Hungary with LTR status only in connection with the commission of a criminal offense that is punishable by imprisonment of five or more years. These provisions are in line with Article 12(1) of the LTR Directive , which states that Member States may take a decision to expel a long-term resident solely where he/she constitutes an actual and sufficiently serious threat to public policy or public security.</p>
	Ireland	Yes	<p><b>1.</b> Ireland does not participate in the Long Term Residents' Directive. Ireland currently operates two administrative schemes where qualifying applicants may be granted long term permission to be in the State. Long Term Residence is an administrative scheme. In order to qualify under this scheme, the non-EEA national must be legally residing in the State for a minimum of 5 years (60 months) on the basis of work permit/work authorisation/working visa conditions. Qualifying applicants will be granted Stamp 4 residence permission which will exempt them from employment permit requirements. Permission is granted for a period of 5 years at a time. Without Condition as to Time - is granted to qualifying persons who have been residing in the State legally for 8 years (96) months. There are a number of categories of persons who are unable to apply for this scheme, who are outlined in the answer to question 4.</p> <p><b>2.</b> Ireland does not participate in the Long Term Residents' Directive. Ireland currently operates two administrative schemes where qualifying applicants may be granted long term permission to be in the State. Long Term Residence is an administrative scheme. In order to qualify under this scheme, the</p>

			<p>non-EEA national must be legally residing in the State for a minimum of 5 years (60 months) on the basis of work permit/work authorisation/working visa conditions. Qualifying applicants will be granted Stamp 4 residence permission which will exempt them from employment permit requirements. Permission is granted for a period of 5 years at a time. Without Condition as to Time - is granted to qualifying persons who have been residing in the State legally for 8 years (96) months. There are a number of categories of persons who are unable to apply for this scheme, who are outlined in the answer to question 4.</p> <p><b>3.</b> Persons granted permission under long term residency: 2806 Persons granted permission under Without Condition as to Time: 1350 (approximate figure).</p> <p><b>4.</b> Persons granted permission under long term residency: 2806 Persons granted permission under Without Condition as to Time: 1350 (approximate figure).</p> <p><b>5.</b> Long Term Residency - Initial application fee of €500, and a registration fee of €300. The permission is granted for a period of five years. There is no application fee for renewal of permission, however the applicant must pay the registration fee of €300. Without Condition as to Time - There is no application fee, however the applicant needs to pay a registration fee of €300.</p> <p><b>6.</b> Long Term Residency - Initial application fee of €500, and a registration fee of €300. The permission is granted for a period of five years. There is no application fee for renewal of permission, however the applicant must pay the registration fee of €300. Without Condition as to Time - There is no application fee, however the applicant needs to pay a registration fee of €300.</p> <p><b>7.</b> Long Term Residency: In order to qualify under this scheme, the non-EEA national must be legally residing in the State for a minimum of 5 years (60 months) on the basis of work permit/work authorisation/working visa conditions. The applicant must not have broken any national laws. Without Condition as to Time: Qualifying persons must be residing in the State for a period of 96 months. The applicant must satisfy the Minister that they are of good character i.e. not broken any laws of the State. The following category of persons are not entitled to apply for permission under this scheme: - Students - Temporary Registered Doctors - Trainee Accountants - Intra-company transfer -</p>
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			<p>Spouse/dependant of an Intra company transfer</p> <p><b>8. Long Term Residency:</b> In order to qualify under this scheme, the non-EEA national must be legally residing in the State for a minimum of 5 years (60 months) on the basis of work permit/work authorisation/working visa conditions. The applicant must not have broken any national laws. Without Condition as to Time: Qualifying persons must be residing in the State for a period of 96 months. The applicant must satisfy the Minister that they are of good character i.e. not broken any laws of the State. The following category of persons are not entitled to apply for permission under this scheme: - Students - Temporary Registered Doctors - Trainee Accountants - Intra-company transfer - Spouse/dependant of an Intra company transfer</p> <p><b>9. Long Term Residency - permission may not be renewed under this scheme if the applicant - did not reside continuously in the State since the granting of their previous permission. - the applicant did not abide by the laws of the State. - the applicant became an undue burden on the State. Without Condition as to Time - permission may not be renewed under this scheme if the applicant: - did not reside continuously in the State since the granting of their previous permission - the applicant did not abide by the laws of the State - the applicant became an undue burden on the State</b></p> <p><b>10. Long Term Residency - permission may not be renewed under this scheme if the applicant - did not reside continuously in the State since the granting of their previous permission. - the applicant did not abide by the laws of the State. - the applicant became an undue burden on the State. Without Condition as to Time - permission may not be renewed under this scheme if the applicant: - did not reside continuously in the State since the granting of their previous permission - the applicant did not abide by the laws of the State - the applicant became an undue burden on the State</b></p> <p><b>11. Qualifying applicants are not subject to Employment Permit restrictions, similar to Irish nationals, and are entitled to apply for certain benefits from the State, subject to them meeting certain criteria equivalent to Irish citizens.</b></p> <p><b>12. Qualifying applicants are not subject to Employment Permit restrictions, similar to Irish nationals, and are entitled to apply for certain benefits from the State, subject to them meeting certain criteria</b></p>
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			<p>equivalent to Irish citizens.</p> <p><b>13.</b> There is no protection against expulsion from the State. If the applicant commits a serious crime in the State or is a threat to public policy they may be removed from the State.</p> <p><b>14.</b> There is no protection against expulsion from the State. If the applicant commits a serious crime in the State or is a threat to public policy they may be removed from the State.</p>
	Italy	Yes	<p><b>1.</b> Italian legislation (Legislative Decree No n. 3/2007 implementing Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents, and Legislative Decree No 12/2014) basically reproduces the content of Directive 2003/109/EC. The EU long-term residence permit is the only residence permit of unlimited validity. So far, the need has not arisen for other types of similar residence permits. At any rate, Italian legislation provides for a residence card of a family member of a Union citizen, in accordance with Directive 2004/38/EC.</p> <p><b>2.</b> As at 1 January 2016, there were 3,931,133 non-EU nationals with a regular residence permit. Of these people, there were 2,338,435 long-term residents, accounting for 59.5% of the total. In 2015, there were 2,248,747 non-EU long-term residents (56.3%). <a href="http://www.istat.it/it/archivio/190676">http://www.istat.it/it/archivio/190676</a>.</p> <p><b>3.</b> The charges are the following: 1) € 16 for a revenue stamp to put on the documentation; 2) € 30 cost to send the documentation by registered mail, to be paid at the post office; 3) € 30.46 to obtain the residence document in electronic format.</p> <p><b>4.</b> In Italy, the EU long-term residence permit is issued (within 90 days from the date of application) to foreign nationals who: 1) have had a valid residence permit for at least five years; 2) prove to have an income not lower than the amount of the social allowance (equivalent to € 5,824.91 a year in 2016); and 3) prove to have suitable accommodation falling within the minimum levels set out by law. This provision on suitable accommodation is not applicable to beneficiaries of international protection. The calculation method for the five-year period is the same as that indicated in Directive 2003/109/EC. Moreover, periods of absence from national territory do not interrupt the period of five years and are taken into account for its calculation where they are shorter than six consecutive months and do not exceed in total ten months within the five year period, unless these periods of absence depended on the</p>


need to fulfil military duties, serious and documented health reasons or other serious and proved reasons. The issuance of a long-term resident's EU residence permit is subject to the applicant passing an Italian language test. Such requirement is not applicable to beneficiaries of international protection and to those who carry out research activity in universities and in organisations under the supervision of the Ministry of Education, University and Research.

**5.** Here again, concerning the withdrawal or loss of status, Italian legislation reproduces the content of Directive 2003/109/EC (Article 9), including the withdrawal of status if a foreign national constitutes a threat to public policy or to the security of the State.

**6.** Even though not all the provisions contained in Article 11 of the LTR Directive are reproduced in Italian legislation, equal treatment with Italian nationals is guaranteed in similar ways. Besides what is provided for all third-country nationals regularly staying in Italy, a holder of an EU long-term resident permit can: (a) enter national territory without a visa and move freely in the country; (b) carry out any employed or self-employed work activities in the territory of the State, except for those that are expressly reserved to Italian nationals or forbidden to foreign nationals by law; (c) receive social assistance and social security services; health-care, education and social services; as well as have access to goods and services available to the public, including access to procedure for obtaining social housing, unless provided for otherwise and if the residence of the foreign national on national territory is proved; and (d) participate in public life at a local level.

**7.** A foreign national who has an EU long-term residence permit can be expelled: (a) on serious grounds of public policy or security of the State; (b) if he or she is involved in (even only preparatory) actions aimed at subverting the order of the State, or there are reasonable grounds to believe that his or her permanence in Italy may in some way help terrorist organisations or activities, including international one; and (c) when, based on facts, the foreign national is considered: (1) as habitually engaged in criminal traffics; (2) as habitually living, including partly, on proceeds from criminal activities; (3) based on his or her behaviour, as engaged in committing crimes that offend or harm the physical or moral integrity of minors, or the health, safety, security, peace and quiet of the public; or 4) is suspected of belonging to Mafia or Camorra associations or other associations that pursue aims, and act with methods, similar to those of Mafia-type associations. However, in all these cases, the foreign national concerned should have already been subject to the prevention or precautionary

			<p>measures of special police supervision and of the obligation to stay in the municipality of habitual residence. In accordance with Article 12(3) of the LTR Directive, for the purposes of adopting an expulsion order, account is also taken of the age of the person concerned, the length of stay in Italy, the consequences of expulsion for the person and his or her family members, whether he or she has family or social ties in Italy, and whether he or she has such ties in the country of origin.</p>
	Latvia	Yes	<p><b>1.</b> Yes. a) Latvia issues national permanent residence permits after 5 years residence for persons who cannot qualify for EU long-term status due to the inability to prove the necessary regular financial means (in these cases persons prove the existing financial means for the forthcoming period) and who have resided outside of Latvia for more than 10 months (national scheme allows 12 months absence within 5 years period); b) national permanent residence permit without the requirement to reside in Latvia for 5 years is issued for minor children of citizens of Latvia, non-citizens of Latvia or permanent residents of Latvia, for people with Latvian ethnicity who re-emigrate to Latvia and their family members, for refugees, for persons who have completed high-school education in Latvian language, in special cases if it is according to the state interests, for former non-citizens of Latvia who reside in Latvia and who have acquired citizenship of any other country.</p> <p><b>2.</b> a) National permanent residence permits – 10 944; c) minor children – 1992, repatriees and their family members – 1818, education in state language – 17, state interests – 29, refugees – 98, EC long-term residents – 522, former non-citizens of Latvia – 36 671</p> <p><b>3.</b> a) national permanent residence permit – 99,60 EUR, renewal – 35,57 EUR (the same amount as for EU long-term resident permit); b) minor children, repatriees and their family members, state interests, refugees – no state fee is applied; former non-citizens of Latvia – 28,46 EUR, renewal – 35,57 EUR.</p> <p><b>4.</b> see the answer for the question 1.</p> <p><b>5.</b> Grounds for revoking – a foreigner has submitted falsified information; serious crime; absence from Latvia more than 12 months uninterruptedly; within 6 months from the expiry of the residence document a foreigner has not submitted an application for the renewal of the permit.</p>




			<p><b>6.</b> Equal rights – do not differ from those stipulated in the LTR directive.</p> <p><b>7.</b> Protection against expulsion – each case is examined individually. Article 42 of the Immigration Law provides main principles: Section 42. A removal order shall not be issued or a voluntary return decision shall not be taken, if: 1) the foreigner has a valid residence permit of another Member State of the European Union or another document, which gives him or her the right to reside there, and the foreigner is going without delay to the territory of the relevant Member State of the European Union; 2) the foreigner is accepted back by another Member State of the European Union in accordance with the conditions of an international agreement, which have become binding for the Republic of Latvia in the time period up to 13 January 2009; 3) the Head of the Office or his or her authorised official has, on humanitarian grounds, taken a decision to allow the foreigner to reside in the Republic of Latvia for a specific period of time, but not more than for a year; 4) in accordance with Section 18 of this Law a decision has been taken on refusal for the foreigner to enter the territory of the Member States of the European Union; 5) the foreigner who has been detected as being in the border area, who has illegally crossed the external border and in relation to whom circumstances do not exist, which would allow him or her to reside in the Republic of Latvia, shall be taken back by the third country in accordance with an agreement concluded with the Republic of Latvia or treaty conditions; 6) the foreigner has been imposed an additional punishment by a court judgment – removal from the Republic of Latvia; 7) the foreigner is subject to a return or an extradition process in accordance with international co-operation in the field of criminal law.</p>
	Lithuania	Yes	<p><b>1.</b> Yes, there is a permanent residence permit in Lithuania (a document granting an alien the right to reside in Lithuania and certifying the third-country national's permanent resident status). This permit is personalised for a third-country national for a period of five years and is renewed after the expiry of this period). When issuing a permanent residence permit to a third-country national, there are no requirements for the duration of residence in the territory of Lithuania.</p> <p><b>2.</b> On 1 January 2016, there lived 41,138 third-country nationals holding permanent residence permits and EU LTR permits in Lithuania. In 2015, decisions to issue a permanent residence permit were made in respect of 334 third-country nationals, to issue an EU LTR permit – in respect of 254 third-country nationals.</p>

**3.** A third-country national must pay state fee of 43 EUR for the examination of an application to issue a permanent residence permit or 11 EUR for the examination of an application to replace a permanent residence permit and 28 EUR for the execution of a permanent residence permit, except for the cases, when in a manner established by the law, (s)he is exempted from the state fee.


**4.** A third-country national may be issued a permanent residence permit if he/she: 1) has retained the right to citizenship of Lithuania or is a person of Lithuanian descent (family members entering to join the third-country national and residing together with him/her is issued permanent residence permits); 2) has entered Lithuania for residence joining a citizen of Lithuania as his/her family member; 3) is a minor and his/her parents or one of the parents are citizens of Lithuania whose place of residence has been declared in Lithuania or who holds a permanent residence permit; 4) has been granted refugee status in Lithuania; 5) is subject to the case provided for in Article 2 of the Law on the Implementation of the Law of Lithuania on the Legal Status of Aliens (the right for third-country nationals, who settled in Lithuania before 1 July 1993 and are residing here at the moment, to receive a permanent residence permit). A residence permit may be issued to a third-country national if he/she: - is in possession of a valid travel document; - is in possession of a valid document evidencing health insurance coverage when he/she is not covered by compulsory health insurance or he/she holds a verified letter of commitment of a citizen of Lithuania or an alien residing in Lithuania to cover the costs of the health care services provided to him/her during the period of his residence in Lithuania; - has sufficient means of subsistence and/or receives regular income which is sufficient for his stay in Lithuania. These conditions are not apply to a third-country national who has been granted asylum in Lithuania, as well as to a third-country national who has the right to restore the citizenship of Lithuania or is a person of Lithuanian descent (except for the obligation of a third-country national to be in possession of a valid travel document).

**5.** A permanent residence permit is withdrawn if: 1) the permit has been obtained by fraud; 2) the third-country national's residence in Lithuania represents a threat to national security; 3) the third-country national's residence in Lithuania represents a threat to public policy, and, in the case where the permanent residence permit is issued to the third-country national who has been granted refugee status, if the third-country national has been convicted by an effective court judgment of a grave crime and represents a threat to the community; 4) the third-country national has resided in a non-EU Member State for a period exceeding 12 consecutive months (in some certain cases this period is



			<p>extended up to 24 consecutive months); 5) the third-country national has resided in another EU Member State for more than six months or acquires long-term resident status in another EU Member State; 6) refugee status is withdrawn.</p> <p><b>6.</b> Holders of permanent residence permits enjoy equal treatment with holders EU LTR permit.</p> <p><b>7.</b> The protection against expulsion granted by the permanent residence permit is the same as granted by the EU LTR permit.</p>
	Luxembourg	Yes	<p><b>1.</b> No. In Luxembourg the only residence permit of long-term is the EU Long-term residence permit established in article 80 of the amended law of 29 August 2008 on free movement of persons and immigration (Immigration Law) which is the implementation of the Directive n° 2003/109/EC (Exposition of motives of the bill no 5802. See parliamentary document no. 5802/00 p. 77).</p> <p><b>2.</b> 2011 2012 2013 2014 2015 2660 4380 6077 6507 7231 Source: Directorate of Immigration, Ministry of Foreign and European Affairs, 2016</p> <p><b>3.</b> N/A</p> <p><b>4.</b> N/A</p> <p><b>5.</b> N/A</p> <p><b>6.</b> N/A</p> <p><b>7.</b> N/A</p>
	Malta	No	
	Netherlands	Yes	<p><b>1.</b> Yes, apart from the EU LTR permit the Netherlands have two other permits with permanent validity based on national grounds: 1. Permanent non-asylum (“regular”) residence permit; 2. Permanent</p>

			<p>asylum residence permit. Grounds for obtaining the EU LTR permit are not equal to grounds for obtaining the national permits. Only national law applies to the permanent non-asylum and asylum residence permits. For obtaining a permanent asylum residence permit the Aliens Act requires that a person qualifies for international protection. For acquiring the EU LTR Directive 2003/109/EG requires stable and regular resources. That is not required for the permanent asylum residence permit.</p> <p><b>2.</b> As of 31 December 2015 there were 17.435 valid LTR permits in the Netherlands and 72.108 valid national permanent residence permits (stock). These are provisional data.</p> <p><b>3.</b> Permanent residence permit* Costs Permanent residence permit on national grounds €156 Permanent residence permit for long-term resident EC €156 Permanent residence permit on national grounds for minors €50 Permanent residence permit on national grounds or permanent residence permit for long-term resident EC for Turkish minors €28 Permanent residence permit for long-term resident EC for minors €50 *Turkey. Under the EC-Turkey Association Agreement, Turkish citizens pay an amount of € 50 for the application for a permanent stay in the Netherlands. Minor citizens pay an amount of € 28. The permit is valid for 5 years. After these 5 years, the permit needs to be renewed. The costs for renewal of the permit are equal to the costs of the first permit issued.</p> <p><b>4.</b> a). Asylum and Non-Asylum (Regular): The applicant needs to have held a valid residence permit for a minimum of 5 consecutive years. Only for non-asylum: A permit for exchange purposes does not count for the 5 year period. The years an applicant has stayed in the Netherlands for study purposes, can count for half of the period. b) Does the calculation method differ from the one established by Article 4 of the LTR Directive? Yes, there are some minor differences. c) What are the other main conditions for acquiring the national permit(s)? The conditions for a permanent regular and asylum residence permit are stated in article 21 and 34 of the Dutch Alien Law: • The applicant is sufficiently integrated in Dutch society and is able to read, write, speak and understand Dutch. The applicant must prove this by taking a civic integration examination and complete this civic integration exam at a certain level. If he/she can attain other diplomas on this level, he/she can be exempted from the requirement. • There are no indications to refuse the residence permit on grounds of public order or national security. • Stable and regular resources (only for a permanent non-asylum residence permit).</p> <p><b>5.</b> The criteria for withdrawal of the permanent regular and asylum residence permit (see article 22 and</p>
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			<p>35 of the Dutch Alien Act): 1. The permanent status holder has moved his main residence outside the Netherlands; 2. The permanent status holder gave the Dutch authorities incorrect information or withheld information which, if the Dutch Government would have known, would have led to a rejection of the application; 3. The permanent status holder is irrevocably convicted for a criminal offence and the minimum punishment of this criminal offence is three years of imprisonment or more. 4. The permanent status holder is a threat to national security. In addition to these criteria the permanent regular residence permit should be withdrawn if a permanent asylum residence permit is granted.</p> <p><b>6.</b> In our national constitution, it is laid down in Article 1 that all people residing in the Netherlands are treated equally. In article 4, the one exception to this equal treatment is laid down, namely: only Dutch can vote for all the elections in the Netherlands. Holders of the permanent residence permit can only vote for our municipal elections. Once they naturalize and become Dutch, they can also vote on the regional and national level. The EU LTR permit grants more extensive rights than the national permanent regular or asylum permits. Where the EU LTR permit offers holders the right to free movement in the EU and the right to live, work or study in other EU countries, the national permits do not offer these possibilities.</p> <p><b>7.</b> Holders of national permanent residence permits can only be expelled after their permit is withdrawn. This decision to withdraw the permit also serves as a return decision (article 27 and 45 of the Dutch Alien Act). For the grounds of withdrawing a permanent residence permit, see Q 5. In effect, the protection against expulsion in the Netherlands for the national permanent residence permit does not differ from the protection against expulsion on the basis of Article 12 of the LTR Directive.</p>
	Poland	Yes	<p><b>1.</b> Beside the EU LTR permit there is the permanent residence permit. When accessing the EU Poland could keep the national permanent residence permit in parallel to the EU LTR permit and opted to do so.</p> <p><b>2.</b> On 1st July 2016 there were 9206 valid residence cards based on EU LTR and 46 669 valid residence cards based on permanent residence permit.</p> <p><b>3.</b> When submitting the application for the permanent residence permit, foreigner pays 640 PLN. The</p>

cost of the residence card is 50 PLN. The permit itself is granted for indefinite period but the residence card (confirming the permit) must be renewed every 10 years. The charge for renewal of the card is also 50 PLN. 1 EUR= 4,30 PLN

**4.** The period of stay required for the permanent residence permit depends on the basis/reason of stay and the calculation method differs from the one established by Article 4 of the LTR Directive. Conditions for acquiring permanent residence permit are stipulated in art. 195 of the Act of 12 December 2013 on foreigners: 1. A permanent residence permit shall be granted to a foreigner for an indefinite time, at his/her request, if the foreigner: (1) is a child of a foreigner who has been granted a permanent residence permit or a long term resident's EU residence permit, of whom such a foreigner has parental custody: (a) born after this foreigner has been granted a permanent residence permit or a long-term resident's EU residence permit, or (b) born within the period of validity of the temporary residence permit granted to this foreigner, or (2) is a child of a national of the Republic of Poland in his/her parental custody, or (3) is a person of Polish origin and intends to settle in the territory of the Republic of Poland on a permanent basis, or (4) had been married under Polish law to a national of the Republic of Poland for minimum 3 years prior to the date on which he/she filed an application for a permanent residence permit, and, immediately before filing such a permit, resided uninterruptedly in the territory of the Republic of Poland for a period of no less than 2 years on the basis of a temporary residence permit granted in connection with being married to a national of the Republic of Poland or in connection with being granted refugee status, subsidiary protection or a residence permit for humanitarian reasons, or (5) is a victim of human trafficking within the meaning of Article 115(22) of Criminal Code, and: (a) resided in the territory of the Republic of Poland, immediately before filing an application for a permanent residence permit, for a period of no less than 1 year, on the basis of a temporary residence period for victims of human trafficking, (b) has cooperated with law enforcement authorities in criminal proceedings related to the criminal offence referred to in Article 189a(1) of the Criminal Code, (c) has a well-founded fear of return to the country of origin, attested to by the prosecutor in charge of the proceedings related to the criminal offence referred to in Article 189a(1) of the Criminal Code, or (6) resided uninterruptedly in the territory of the Republic of Poland, immediately before filing an application for a permanent residence permit, for a period of no less than 5 years under refugee status, subsidiary protection or on the basis of a residence permit for humanitarian reasons, or (7) resided uninterruptedly in the territory of the Republic of Poland, immediately before filing an application for a permanent residence permit, for a period of no less than

10 years on the basis of a permit for tolerated stay granted pursuant to Article 351(1) or (3), or (8) has been granted asylum in the territory of the Republic of Poland, or (9) has a valid Pole's Card (Karta Polaka) and intends to settle in the territory of the Republic of Poland on a permanent basis. 2. To establishing whether a person referred to in paragraph 1(3) is a person of Polish origin the provisions of Article 5(1)-(3) of the Act of 9 November 2000 on repatriation (Dz. U. of 2004 No. 53, item 532, as amended<sup>22</sup>) shall apply. 3. The periods referred to in paragraph 1(6) or (7) with respect to a foreigner residing in the territory of the Republic of Poland under refugee status or subsidiary protection shall include the period of the foreigner's stay in this territory over the course of the proceedings on granting him/her refugee status, even if the foreigner stayed during this period in a guarded centre or a detention centre for foreigners. 4. A foreigner's stay in the territory of the Republic of Poland which is the ground for granting him/her a permanent residence permit shall be considered uninterrupted if none of intervals in such a stay was longer than 6 months and all the intervals did not exceed a total of 10 months in the periods which are the basis for granting him/her a permanent residence permit, unless an interval was due to: (1) performing by the foreigner professional duties or work outside the territory of the Republic of Poland, under an agreement entered into with an employer established in the territory of the Republic of Poland, or (2) accompanying a foreigner referred to in subparagraph 1 by his/her spouse or a minor child, or (3) exceptional personal situation requiring the foreigner's stay outside the territory of the Republic of Poland, and lasted no longer than 6 months, or (4) departure outside the territory of the Republic of Poland in order to attend internships or participate in classes provided for in the course of studies at a Polish university.

**5.** Conditions of withdrawal of the permanent residence permit they differ from the ones laid down by Article 9 of the LTR Directive and are stipulated in article 199 of the Act of 12 December 2013 on foreigners: 1. A permanent residence permit granted to a foreigner shall be revoked if: (1) it is justified by national security or defence, the protection of public safety and order, or (2) it is required by the interest of the Republic of Poland, or (3) in the course of the proceedings on granting him/her such a permit, the foreigner: (a) filed a permit application containing false personal data or false information, or attached to the application documents containing such data or information, or (b) testified untruthfully or concealed the truth, or forged or modified the document in order to use it as an authentic one, or used such a document as an authentic one, or (4) was convicted in the Republic of Poland by a final judgment for an intentional offence and sentenced to minimum 3 years of imprisonment, or (5) has left the territory of the Republic of Poland for a period longer than 6 years. 2.

			<p>A foreigner referred to in: (1) Article 195(1)(3) shall have his/her permanent residence permit revoked in the cases referred to in paragraphs 1(1), (3) or (5); (2) Article 195(1)(8) shall have his/her permanent residence permit revoked if he/she has been deprived of asylum in the Republic of Poland.</p> <p>3. Where the decision on granting a foreigner a permanent residence permit was grounded on being married to a national of the Republic of Poland, the permit may be revoked if the foreigner has divorced within 2 years from being granted the permanent residence permit.</p> <p>6. The permanent residence permit grants the same rights than the EU LTR permit. Restrictions concern access to electoral rights and access to professions reserved to nationals.</p> <p>7. It is possible to issue a decision on obligation to return to a holder of permanent residence permit whose permit had been revoked. Condition of withdrawal of the permanent residence permit are stipulated in article 199 of the Act of 12 December 2013 on foreigners (see question 5).</p>
	Portugal	Yes	<p>1. Yes. In PT there are long term and permanent residence permits, but their validity isn't unlimited. There are two types of residence permits: temporary or long term permits. The second group includes different kinds according to the purposes they serve and establishes different criteria from those established to EU LTR permit. The Portuguese legal framework (of Law 23/2007 of July 4, as amended by Law 29/2012 of August 9) foresees: -resident permits for employment purposes (Articles 80 and 89); -Residence permit for carrying out a research or highly qualified activity (Article 90); - Residence permit for investment activities (Article 90°-A); - Residence permit granted to students in higher education (Article 91) and in secondary education (Article 92); -Residence permit for unremunerated trainees (Article 93); - Residence permit for voluntary service (Article 94). EU LTR is regulated by Articles 125 and 126 of the same Act.</p> <p>2. 2015 data: EU LTR permits – 3203 National permits (the total number includes EU LTR, EU residents and members of the family) – 388 731</p> <p>3. The cost of national permits is set up on Decree n° 1335-E/2010 of December 31 and Decree n° 305-A/2012: *Reception and analysis of the application for a residence permit or its renewal - 80,60€ *Temporary residence permit issue or renewal, according to n° 1 of Article 75 of Act 23/2007, of July - 69,90€ *Temporary residence permit renewal, according to n° 2 of Article 75 of Act 23/2007, of July</p>

4 - 32,40€ \*Permanent residence permit issue, according to nº 1 of Article 76 of Act 23/2007 - 214,80€ \*Permanent residence permit renewal, according to nº 2 of Article 76 of Act 23/2007 - 37,70€ \*Reception and analysis of the application for a residence permit for investment activities or its renewal, according to Article 90-A of Law 23/2007 of July 4 - 517,40€ \*Residence permit for investment activities issue, according to Article 90-A of Law 23/2007 of July 4 - 5173,60€ \*Residence permit for investment activities renewal, according to Article 90-A of Law 23/2007 of July 4 - 2586,80€ \*Reception and analysis of the application for a residence permit to EU LTR holders in national territory - 105,50€ \*Reception and analysis of the application for a residence permit to EU LTR holders in national territory of beneficiaries of international protection or its renewal - Exemption \*EU residence permit issue to EU LTR holders, according to nº 1 of Article 121-I and nº 1 of Article 130 of Law 23/2007 of July 4 - 217,40€ \*EU residence permit issue to EU LTR holders to beneficiaries of international protection - Exemption \*EU residence permit renewal to EU LTR holders - 124,30€ \*EU residence permit renewal to EU LTR holders to beneficiaries of international protection - Exemption

**4.** In order to acquire the national permit, a foreign citizen must have a temporary residence permit for at least five years. The other criteria are: housing, proven knowledge of the Portuguese language; own livelihood; have no sentence during the last five years of residence which, individually or cumulatively, exceed one year of prison.

**5.** According to Article 85 of Law 23/2007 of July 4, as amended by Law 29/2012 of August 9, a residence permit will be cancelled when its holder has been the subject of a forced return measure or of an expulsion decision from national territory; when the residence permit has been obtained on grounds of false or fraudulent declarations, of false or forged documents, or through fraudulent means; when there are strong reasons to believe that its holder committed serious criminal acts or there is strong evidence that he/she intends to commit acts of that nature, specifically in the European Union territory and by reasons of public order or security. On the other hand, it may also be cancelled when the interested party, without reasonable motives, is absent from the Country. Article 95 foresees that the residence permit issued to students, unremunerated trainees and volunteers may be cancelled or not renewed if its holder doesn't meet or ceases to meet the requirements laid down by Article 62, or in respect to his/her category, in Articles 91 to 94; doesn't comply with the provisions of Article 97 or doesn't make acceptable progress in his/her course of study. Long-term residents (Article 131) will

			<p>lose their resident status in the following cases: a)Fraudulent acquiring of the long-term resident status; b)Adoption of an expulsion measure according to the provisions of Article 136; c)Absence from the territory of the European Union for a period of 12 successive months; d)Acquiring the long-term resident status in another Member State; e) Absence from national territory for a period of six successive years. The loss of long-term resident status implies the cancellation of the residence permit and the seizure of the EU long-term residence permit. It is similar to Article 9 of the LTR Directive, except for points d) and e) which are not foreseen in the mentioned Directive.</p> <p><b>6.</b> All areas are covered: in legal terms, the principle of equality of treatment between foreign and national citizens is properly enshrined.</p> <p><b>7.</b> According to Article 127, the status of long-term resident may be refused for public order or public security reasons. The severity or type of offence against public policy or public security or the danger that emanates from the stay of the person concerned, as well as the length of residence and the existence of links to the country, are facts that shall be taken into consideration. The refusal cannot be grounded on economic reasons. Without prejudice to the provisions of the preceding paragraphs, the long-term resident status on grounds of international protection shall be refused when such protection is withdrawn, suspended or its renewal is refused, in accordance with paragraph (a) and (b) of Article 41 of Act 27/2008, of June 30, that establishes the conditions and procedures for granting asylum or subsidiary protection and the statuses of asylum seeker, refugee and subsidiary protection. Furthermore, Article 131 establishes that Long-term residents will lose their resident status in the following cases: a)Fraudulent acquiring of the long-term resident status; b)Adoption of an expulsion measure according to the provisions of Article 136; c)Absence from the territory of the European Union for a period of 12 successive months; d)Acquiring the long-term resident status in another Member State; e) Absence from national territory for a period of six successive years.</p>
	Slovak Republic	Yes	<p><b>1.</b> Yes, according to the Act on Residence of Aliens the types of residence permits of long-term, permanent or unlimited validity granted in the Slovak Republic are: • permanent residence for five years (after 4 years it is possible to obtain permanent residence of unlimited validity); • permanent residence of unlimited duration. Permanent residence for five years and permanent residence of unlimited duration are necessary due to the fact that the EU LTR in line with the Directive</p>




2003/109/ES does not apply to all the cases, when a TCN has a legitimate interest in long-term residence in the territory of the Slovak Republic (particularly the cases when a TCN, who is a child of a Slovak national, tries to acquire a residence of unlimited duration). LTR in line with the Directive 2003/109/ES targets mainly TCNs that are already staying legally in the territory of the country for some time. National schemes target mainly interests of those TCNs who do not comply with the conditions for being granted an EU LTR according to the Directive, or with the interests of the Slovak Republic.

**2.** The latest available data (as of 31.8.2016): - permanent residence for five years and permanent residence of unlimited duration: 7469 permits - EU LTR according to the Directive 2003/109/ES: 4931 permits

**3.** Application for permanent residence for five years submitted at the diplomatic mission or consular office of the Slovak Republic abroad: 170 euros Application for permanent residence at the Alien Police Department : 165, 50 euros To both of these charges extra 4,50 euros is added for a card issuance. Persons younger than 18 and persons applying for family reunification with persons granted asylum or alien with granted subsidiary protection are exempted from these charges.

**4.** A police shall grant, upon the application of a third country national, permanent residence of unlimited duration to a third country national who has permanently resided for at least four years during his/her permanent residence granted for five years. This duration is regulated by the Act on Residence of Aliens. For being granted a permanent residence for five years there are no requirements of a minimum period of the preceding legal stay in the territory of the Slovak Republic. Conditions for being granted a permanent residence for five years: An application for the granting of permanent residence for five years shall be filed by a third country national in person at a diplomatic mission or in person at a police department. A third country national shall file an application for the granting of permanent residence for five years using the official form. A third country national shall be obliged to submit together with an application for the granting of permanent residence for five years a valid travel document and all the necessities for application for the granting of permanent residence for five years as specified by the Act on Residence of Aliens. A third country national shall submit together with an application for the granting of permanent residence for five years two coloured photographs of size 3 x 3.5 cm showing his/her current appearance and documents not older than 90 days which

			<p>confirm a) the facts that s/he is either a) a spouse of the Slovak Republic citizen with permanent residence in the Slovak Republic territory or dependent relative in direct line of the Slovak Republic citizen with permanent residence in the Slovak Republic territory; b) a single child younger than 18 years entrusted into personal care of a third country national who is a spouse of the Slovak Republic citizen with permanent residence in the Slovak Republic territory; c) a single child younger than 18 years of age of a third country national with permanent residence for five years or child younger than 18 years of age entrusted into personal care of a third country national with permanent residence for five years, d) a dependent child younger than 18 years of age who cannot take care of himself/herself due to long term unfavourable health condition, third country national with permanent residence; or e) if this is in the interest of the Slovak Republic b) criminal record; this shall not apply in the case of a third country national younger than 14 years of age; c) financial resources for residence; Conditions for being granted a permanent residence of unlimited duration: An application for the granting of permanent residence of unlimited duration shall be filed by a third country national in person in an official form at a police department. A third country national shall submit, together with an application for the granting of permanent residence of unlimited duration, a valid travel document. A third country national shall submit, together with an application for the granting of permanent residence of unlimited duration, two photographs of size 3 x 3.5 cm showing his/her current appearance and documents not older than 90 days which confirm a) financial resources for residence in the amount as per stated in this Act; b) health insurance; c) criminal record in the case of a third country national older than 14 years of age. d) agreement, if necessary, of a parent or person into who's personal care a single child younger than 18 years was entrusted, e) the fact that applicant is a child younger than 18 years of age of a third country national with permanent residence of unlimited duration</p> <p><b>5.</b> The Conditions for the loss or withdrawal of the permanent residence in some points are different from those in Directive 2003/109/ES. Permanent residence shall expire/cease, if a) a third country national does not enter into the Slovak Republic territory within 180 days from the granting of permanent residence; b) a third country national notifies a police department in writing about the end of residence; c) the validity of permanent residence granted to a third country national has finished and s/he has not applied for permanent residence, d) a third country national was imposed the punishment of expulsion; e) a third country national was administratively expelled; f) a third country national has obtained the Slovak Republic citizenship; g) a police department has cancelled permanent residence of a third country national; h) a third country national has obtained other residence as per this Act than</p>
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			<p>the one which he had; or s/he was granted asylum, i) a third country national has died or was declared dead. Withdrawal/cancellation of the residence: A police department shall cancel permanent residence, if a) they discover the facts which are the reason for the refusal of the application for permanent residence: - a third country national is an undesirable person; - there is a justified suspicion that a third country national would threaten the state safety, public order or public health during his/her residence; - a third country national does not fulfil the conditions for the granting of permanent residence; - a third country national participates in a marriage of convenience; - the marriage was not carried out in line with special regulation; - a third country national gives false or misleading data or submits falsified or counterfeited documents or a document of another person; - data in travel document do not correspond with the reality; b) a third country national has not submitted the documents as states by the Act on Residence of Aliens; c) a third country national continuously stays abroad more than 180 days without a written notification to a police department; d) the married couple does not live together as a family in the case of permanent residence of a spouse of the Slovak Republic citizen with permanent residence in the Slovak Republic territory e) a third country national was granted permanent residence of a spouse of the Slovak Republic citizen with permanent residence in the Slovak Republic territory and his/her marriage has been terminated within five years from the time of granting permanent residence for five years; f) a third country national has filed an application for a social benefit in need; with exceptions as stated in the Act on Residence of Aliens.</p> <p><b>6.</b> The Act on the Residence of Aliens considers permanent residence for five years and permanent residence of unlimited duration as well as EU LTR according to Directive 2003/109/ES to be permanent residence permits also for the purpose of other legal acts. Thus all three constitute the same legal status (e.g. in terms of employment of TCNs.) also for the purpose of other acts.</p> <p><b>7.</b> TCN who has been granted the residence of unlimited validity can only be expelled in case s/he seriously endangers the state security or public order. For the TCN with permanent residence for five years there is no specific protection provided against expulsion.</p>
	Slovenia	Yes	<p><b>1.</b> Slovenian legislation (the Alien Act) issued two categories of residence permit, which could be notice as national residence permit; - First type of permanent residence permit, determine by the Article 52, paragraph 3, of the Alien Act, may provide permit to an alien based on other well-founded</p>

reasons or in the interests of the Republic of Slovenia or other state authority. - Second type of permanent residence permit, determine also by the Article 53 of the Alien Act, may provide as subsequent acquisition of a long-term resident status mainly for regulating the status of citizens of the successor states of the former Socialist Federal Republic of Yugoslavia in the Republic of Slovenia.

2. will be add...

3. Cost for issuing and renewal of permanent permit is the same as in case of issuing EU LTR residence permit. Amount is determine by the relevant national administrative legislation.


4. In case of Article 52 (3); a permanent residence permit may be issued prior to the five years continuous legal residence in the Republic of Slovenia on the basis of a temporary residence permit or a certificate of the renewal or granting of a subsequent temporary residence permit to an alien of Slovenian origin or an alien whose stay in Slovenia is in the interests of the Republic of Slovenia and if this is decided by the authority competent for the issue of the permit based on the opinion of the competent ministry or other state authority. Requirements are as following: a valid travel document, sufficient means of subsistence (means provided by alien with work, the rights deriving from work or insurance, income from property or capital and other sources, or with the aid of those who are obliged to maintain the alien, a scholarship or means on an account open at a bank or savings bank in the Republic of Slovenia or abroad). In case of Article 53; an alien residing in the Republic of Slovenia on the basis of a permanent residence permit that he/she acquired before completing the condition of a five-year period of continuous and legal residence in the Republic of Slovenia or on the basis of the act regulating the status of citizens of the successor states of the former Socialist Federal Republic of Yugoslavia in the Republic of Slovenia or the act regulating temporary protection may acquire long-term residence status after five years of continuous and legal residence in the Republic of Slovenia based on a temporary residence permit, a confirmation stating that an application was filed for the extension or issue of a subsequent temporary residence permit or a subsequent permanent residence permit, provided that he has fulfilled the requirements for the issue of a permit specified in this Act and provided that there are no reasons to refuse to issue the permit. Requirements are as following: a valid travel document, sufficient means of subsistence (means provided by alien with work, the rights deriving from work or insurance, income from property or capital and other sources, or with the aid of those who are obliged to maintain the alien, a scholarship or means on an account open at a bank or


			<p>savings bank in the Republic of Slovenia or abroad).</p> <p><b>5.</b> They are the same for EU LTR permit. They are the following: if alien do not fulfils conditions, if there exist well-founded grounds that the alien might pose a threat to the public order and safety or the international relations of the Republic of Slovenia, or if there is a suspicion that the alien's residence in the country is related to the commission of terrorist or other violent acts, illegal intelligence, drug trafficking or the commission of other criminal acts, etc.</p> <p><b>6.</b> Equal treatment in case national and EU LT permit.</p> <p><b>7.</b> A permanent residence permit shall be annulled by the competent authority which issued this permit or by the competent authority in the area of the alien's residence if the alien intentionally presented incorrect data on his identity or other incorrect data or if he intentionally concealed information relevant to the issuing of the permit.</p>
	Spain	Yes	<p><b>1.</b> Yes.</p> <p><b>2.</b> See table in document attached.</p> <p><b>3.</b> Initial temporary residence permit fee: 10,50 €. Temporary residence permit renewed fee: 15,76 €. Long-term residence permit fee: 21,02 €.</p> <p><b>4.</b> Foreigners who had resided legal and continuously in Spanish territory will be entitled to a long term residence permit. Likewise will be entitled to obtain such permit foreigners to prove to have resided during that period continuously in the European Union as Blue Card-EU holders, as long as in the two years immediately preceding to the residency application and that residency had occurred in Spanish territory. Long-term residence permit will also be granted to foreigners stating that they are in any of the following cases: a) Residents who are beneficiaries of a retirement pension, under the system of contribution, included in the scope of the Spanish social security system. b) Residents who are beneficiaries of a pension of absolute permanent disability or severe disability, under the system of contribution, included within the scope of protection of the Spanish social security system or similar benefits to the above-mentioned obtained in Spain and consisting of an annuity, not capitalizable,</p>

sufficient for their maintenance. c) Residents born in Spain, and, upon reaching the age of majority, have resided in Spain legal and continuously, at least three consecutive years immediately before the submission of the application. d) Foreigners that were originally Spaniards and had lost the Spanish citizenship. e) Residents upon reaching the age of majority had been under the guardianship of a Spanish public body during the five previous years consecutively. f) Stateless, refugees and beneficiaries of subsidiary protection that stay in Spanish territory and have been granted the respective status in Spain. g) Foreigners that had contributed markedly to the economic, scientific and cultural progress of Spain, or to the projection of Spain abroad. . In these cases, the Minister of Employment and Social Security will be competent to grant the long-term residence permit, previous report of the Minister of Interior.


**5.** Long-term residence and long-term residence EU permits expiration are regulated jointly. In this sense article 166 of the Regulation that develops Organic Act 4/2000 lays downs as follows: 1. The expiration of long-term residence and long-term residence EU permit will occur in the following cases: a) When the permit had been obtained fraudulently. b) When an expulsion order was issued in cases provided by law. c) When the absence of the territory of the European Union occurs for 12 consecutive months. This circumstance will not be applied to holders of temporary residence and work permit working in NGOs, foundations, associations, that are registered in the competent general register and officially recognised public utility as cooperating, and that carry out investigation projects, development cooperation and humanitarian aid, accomplished abroad. d) When he/she had acquired the long-term residence EU permit in another member State. e) When, the permit was obtained by a person who was recognised international protection by another member State and the authorities of such State had determined the cessation, ending, rejection of renewal or the denial of that protection. 2. Moreover, the expiration of a long-term UE permit will take place as a result of the absence of Spanish territory for six years. General Directorate of Migration, previous report of the Alien and Borders Police Unit, will allow the no expiration of a permit because of this ground, if extraordinary reasons so warrant.

**6.** Both permits (long-term residency and long-term residency EU) authorize to reside and work in Spain indefinitely under the same conditions as Spaniards. However, the long-term residency EU implies the benefit of the provisions established in Council Directive 2003/109/EC, of 25 November

			<p>2003, concerning the status of third-country nationals who are long-term EU residents.</p> <p>7. The penalty of expulsion may not be imposed to long-term residents, unless the infringement consists of participation in activities contrary to the National security or that they may harm Spanish relations with other countries, or be involved in activities contrary to public order intended as very serious in the Organic Act on the protection of public safety. Likewise, when involving a repeated commission, in one year, of an infringement of the same nature punishable by expulsion. In this sense the same rules apply to long-term residents and long-term residents EU.</p>
	<p>Sweden</p>	<p>Yes</p>	<p>1. Yes, in Sweden one can obtain permanent residence permit which means that a foreign citizen has the right to live and work in Sweden without time limit. The Migration Agency are issuing those permits and a permanent residence permit is valid as long as that person is resident in Sweden.</p> <p>2. Please see attached file.</p> <p>3. The cost of a permanent residence permit is dependent on what basis the permit has been issued on. Some applicants will pay no fee at all, such as refugees and others in need of protection. If you are applying for a residence permit on family reunification, the fee is 1500 SEK for an adult and 750 SEK for children under 18 years. Often, time-limited residence permit for two years are approved at the first application and you must then reapply for the same cost. Many times one will then get a permanent residence permit which is valid indefinitely. Also temporary residence permit for employment can be a ground for the right of permanent residence after some years. The cost of a work permit is 2000 SEK at the first application and then 1000 SEK at subsequent renewal applications if the application is about a work in the same occupation or with the same employer. If the extension is regarding another profession or another employer, the cost of the application is 2000 SEK. Self-employed people pays SEK 2,000 in application fee and may, after two years in Sweden, apply for permanent residence. Guest Researchers pay 1000 SEK in charge at each application period. When he or she have had a residence permit for research for four years, the person may obtain permanent residence.</p> <p>4. Please, see the answer to question 3. Anyone who received a residence permit as a refugee, subsidiary protection or otherwise in need of protection before July 20, 2016 received a permanent residence permit. On the occasion of the Act (2016: 752) concerning temporary restrictions on the</p>

			<p>ability to obtain a residence permit in Sweden there has been changes and the person who is deemed to be a refugee respectively subsidiary protection, and get a decision after July 20, 2016, will have a temporary residence permit for three years respectively 13 months.</p> <p><b>5.</b> A permanent residence permit may be revoked if the person moves from Sweden. The permit may also be revoked if the person stated a false identity when he or she applied for a residence permit, withholding information or lying about something that was important for the residence permit. Also if a person is convicted of a crime and should be expelled from Sweden, the permanent residence permit will be revoked.</p> <p><b>6.</b> The difference between a permanent residence permit and citizenship is quite small. Foreign nationals who have permanent residence and are registered in Sweden have, in principle, the same rights and obligations as Swedish citizens. There are some differences however; only Swedish citizens have an absolute right to live and work in Sweden and only Swedish citizens have the right to vote in general elections. Also, only Swedish citizens can become police officers or work as a professional soldier in the Swedish army.</p> <p><b>7.</b> Please, see question 5.</p>
	<p>United Kingdom</p>	<p>Yes</p>	<p><b>1.</b> No. The UK complies with EC Regulation 1030/2002 as amended by EC Regulation 380/2008.</p> <p><b>2.</b> The UK does not issue national permits.</p> <p><b>3.</b> The cost of the initial residence permit is incorporated with the immigration application. However, the cost of replacing a residence permit in the UK is £56, which does not include the fee for enrolling biometrics.</p> <p><b>4.</b> The applicant must be a resident of the UK for 5 years.</p> <p><b>5.</b> The permit may also be revoked if the person stated false information when they applied for a residence permit, withheld information or lied about something that was important for the residence permit. Also if a person is convicted of a crime and deported from the UK, the residence permit will be</p>



			<p>revoked.</p> <p><b>6.</b> Holders of residence permits are granted equal rights with nationals.</p> <p><b>7.</b> If the applicant commits a serious crime, or is a threat to public, policy they may be removed from the UK.</p>
	Norway	Yes	<p><b>1.</b> 1. Existence of national schemes: are there in your Member State national residence permits of long-term, permanent or unlimited validity besides the EU LTR permit? YES If yes, how many different types? One other type. Please specify the main reasons for which your Member State considers it necessary (or unnecessary, in case no national permits exist) to provide for national permit(s) in parallel to the EU LTR permit. **Norway has one type of permanent national residence permit besides the EU LTR permit. The permit is primarily for third country nationals who are not family members of a Member State national, such as; refugees, family members of refugees, family members of Norwegian nationals, and third country skilled workers and their family members.</p> <p><b>2.</b> Numbers from 2015: 18, 431 persons received a national permanent residence permit. Legal basis  Number Section 115 Right of permanent residence for EEA/EFTA nationals 3 280 Section 116  Right of permanent residence for family members who are not EEA nationals 299 (TCN)  TOTAL 3 579* *We are not able to separate out EEA/EFTA nationals based on our regulations; but have provided the number of EEA/EFTA as well as TCN permits issued based on EEA regulations.</p> <p><b>3.</b> The charge for a permanent residence permit is 233 Euro. There is no application fee for children. The permanent residence permit is permanent, and there is no need for renewal, though the residence permit card must be replaced every two years. Charges for other national permits:  <a href="https://www.udi.no/en/word-definitions/fees/">https://www.udi.no/en/word-definitions/fees/</a> See attached table.</p> <p><b>4.</b> After how many years of legal residence may a third-country national acquire the national permit(s)? 5 years with stipulations. Does the calculation method differ from the one established by Article 4 of the LTR Directive**? YES ** Article 4 specifies that long term residency status must be granted to TCHs who have resided legally and continuously in the Member State's territory for five</p>

years, so long as they have stable resources above the social assistance level of the Member State and sickness insurance. What are the other main conditions for acquiring the national permit(s)? In addition to the application fee, the requirements for being granted a permanent residence permit are:

- The applicant must have stayed in Norway for the past three years, holding a residence permit that formed the basis for a permanent residence permit.
- The applicant must have held valid permits throughout the three-year period and still hold one when he/she applies for a permanent residence permit.
- The applicant must not have travelled abroad more than a total of 7 months during the last three years (8 more months are accepted for skilled workers if travels abroad are work related).
- The applicant cannot have been convicted of a criminal offence or been ordered to undergo enforced psychiatric treatment or care (applies if applicant is over the age of 15). If the applicant is convicted of a criminal offence, but is not expelled, a permanent residence permit will be granted, but a longer residence period may be required.
- The applicant must have completed tuition in the Norwegian language and social studies (applies if the applicant is between the ages of 16 and 55).
- Children born in Norway of parents holding permanent residence permits or Norwegian citizenship and children adopted by parents holding permanent residence permits or Norwegian citizenships, will be granted a permanent residence permit if the application is forwarded within one year from the day the child is born or adopted.

Exemptions from the requirements: Applicants who do not meet the condition for three years' residence in Norway can, in some cases, be granted permanent residence if, during the past year, they have held a residence permit that forms the basis for a permanent residence permit.

**5. \*\*** According to Article 9 a permit can be withdrawn if the TCN has acquired the status fraudulently, has been expelled or has left the territories of the MS for a year. A temporary or permanent residence permit may be revoked if the foreign national (TCN) has knowingly given incorrect information or failed to disclose matters of material significance for the administrative decision, or where this otherwise follows from general rules of administrative law. A temporary or permanent residence permit may also be revoked where a foreign national (TCN) who is not a national of a Schengen country is to be expelled from such a country based on an assessment, which could have led to expulsion out of regard for fundamental national interests. If the TCN travels abroad for too long, a TCN can also lose the right to keep his/her permanent residence status. - cannot stay abroad for a continuous period of two years or more. - cannot have several stays that total two years or more during a four-year period. (Stays lasting less than two months per calendar year are not deemed to

constitute stays abroad in this context.) - If a TCN then stays in Norway for a continuous period of 15 months, he/she can stay abroad for a new period of up to two years. <https://www.udi.no/en/word-definitions/losing-a-permanent-residence-permit/#link-661> Norway's practice is somewhat more liberal than Article 9 in the LTR Directive.

**6.** National residence permits for TCNs grant more or less the same rights (and responsibilities) as for Norwegian citizens.

**7.** In Norway, a foreign national (TCN) holding a permanent residence permit may be expelled: (a) where the foreign national less than five years previously while abroad served or received a penalty for an offence which under Norwegian law is punishable by imprisonment for a term of or exceeding two years. The same shall apply where a special sanction has been imposed as a result of a criminal offence as mentioned, (b) where the foreign national less than one year previously while in Norway has served or received a penalty or special sanction for an offence which is punishable by imprisonment for a term of or exceeding two years, or (c) where the foreign national has contravened section 147(a) or section 147(b) of the General Civil Penal Code, or has provided a safe haven for someone whom the foreign national knows has committed such a crime. If the criminal offence was committed before the foreign national received a permanent residence permit, (Norwegian Immigration Act section 67, first paragraph (a) and (b), and second paragraph), then the foreign national may be expelled: (a) where the foreign national less than five years previously while abroad has served or received a penalty for an offence which under Norwegian law is punishable by imprisonment for a term exceeding one year. The same shall apply where a special sanction has been imposed as a result of a criminal offence as mentioned, (b) where the foreign national less than one year previously while in Norway has served or received a penalty or special sanction for an offence which is punishable by imprisonment for a term exceeding one year, Expulsion of EEA nationals and family members EEA nationals and their family members, who have a right of residence may be expelled when this is in the interests of public order or security. It is a condition for expulsion that the personal circumstances of the foreign national pose, or must be assumed to pose, a real, immediate and sufficiently serious threat to fundamental societal interests. An EEA national or family member who has a right to permanent residence, may not be expelled unless weighty public order or security considerations indicate that it is necessary. In Norway, the conditions for expulsion of TCNs holding a national permanent residence permit are different than those stipulated in Article 12 of the LTR

			Directive, but Norway aims to make sure that protection against expulsion for TCNs is not less than the protection against expulsion granted by the national permanent residence permit.
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