



EMN Ad-Hoc Query on Possibilities of temporary residence of Third-Country Nationals in EU Member States

Requested by Adolfo SOMMARRIBAS on 24th July 2018

Residence

Responses from Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovak Republic, Sweden, United Kingdom, Norway (21 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:

Due to current efforts of widening the legal migration channels also on the EU level (Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer or the Directive 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing), the Slovak Republic would like to get an overview as to the residence possibilities for third-country nationals in each MS. We would like to focus on the temporary residence possibilities, also in the framework of the recent transposition of the Directives.

Questions

1. **What types of residence can be granted to TCNs by your country?**
2. **For what purpose can the residence be granted?**
3. **What is the process/procedure of granting the temporary residence in your country?**
4. **What is the time limit given to the decision making about these applications?**
5. **With regards to the transposition of the directives 2014/66/EU and 2016/801/EU were significant intervention to legislation necessary? If yes, please give an example.**

Responses

	Country	Wider Dissemination	Response
	Austria	No	
	Bulgaria	Yes	1. Foreigners shall reside in the Republic of Bulgaria: 1. on a short-term basis - up to 90 days within any 180-day period from the date of entry into the country; 2. for an extended period - with permitted term up to one year, except in the cases provided for in this Act; 3. on a long-term basis - with permitted initial time period of 5 years and option for renewal of it after a submitted application; 4. permanently - with permitted unlimited term.

		<p>2. Permits for long-term residence can be obtained by foreigners holding a long-stay visa "D" and:</p> <ol style="list-style-type: none">1. are willing to work under legal terms of employment upon permit by the bodies of the Ministry of Labour and Social Policy under the Labor Migration And Labor Mobility Act;2. carry out commercial activity in the country according to the legally established order, and as a result of this activity at least 10 full-time positions have been opened for Bulgarian citizens, maintained for the term of stay, unless agreed otherwise by an international agreement, ratified, promulgated and enacted in the Republic of Bulgaria, where the requirement shall apply to each partner separately; the same conditions shall apply to each manager individually;3. are foreign specialists staying in the country by force of international agreements to which the Republic of Bulgaria is a party;4. have reason to be allowed permanent residence;5. are representatives of foreign commercial companies registered at the Bulgarian commercial - industrial chamber following an inspection and assessment of the provided documents on activity and tax regularity of the company, and on the planned activities of the representation;6. are financially ensured parents of a Bulgarian citizen or a foreigner who holds a permanent residence permit, when the documents certifying the familial ties coming from abroad have been recognized or admitted to implement and have been registered under the Bulgarian legislation;7. have been admitted to a medical establishment for continuous treatment, have sufficient financial resources for treatment and maintenance, so as not to become a burden on social insurance systems, and their health condition requires them to be sustainably cared for by qualified medical personnel;8. are correspondents of foreign mass media and have accreditation in the Republic of Bulgaria;9. are entitled to pension pursuant to the legislation of the Republic of Bulgaria, of their home country or another country and have sufficient means of support for their stay in the country;10. are members of the family of a foreigner who has received extended or permanent residence permit - when the documents certifying the familial ties and the right to support have been recognized or allowed for execution under the Bulgarian legislation;11. are other members of the household of a foreigner, or the foreigner`s private domestic service staff;12. wish to carry out free-lance practice upon permit by the bodies of the Ministry of Labour and Social Policy and pursuant to the Labor Migration And Labor Mobility Act;13. wish to carry out non-profit activity upon permit of the Ministry of Justice under conditions and by an order determined by an ordinance of the Minister of Justice, in coordination with the Minister of Interior and with the Chairman of State Agency "National Security", or have received a positive opinion from the "Religions" Directorate of the Council of Ministers pursuant to the Religions Act - in their capacity as foreign religious servants, invited by the central management of the registered
--	--	--

religions; 14. have acquired statute of special protection as per Art. 25 of the Anti- Human Trafficking Act; 15. are family members of a Bulgarian citizen and the documents originating from abroad, confirming familial relationships and right to support, have been recognized or allowed for execution under Bulgarian legislation; 16. have deposited no less than BGN 600 000 per each foreigner for acquiring ownership of real estate within the territory of the Republic of Bulgaria or the foreigner owns more than 50 % of the share capital of a Bulgarian trade company, has deposited the same amount in the capital of the company and as a result the company has acquired ownership of real estate in the country of this value; by the date of submission of the application for long-term residence the foreigner or the legal entity must have paid the full amount in the account of a Bulgarian licensed credit institution, and where the real properties are acquired with borrowed funds, the outstanding loans should not exceed 25 percent; 17. have made an investment in economically disadvantaged regions within the meaning of the Investment Promotion Act by depositing in the capital of a Bulgarian company not less than 250,000, provided that the foreigner is a partner or shareholder with registered shares and has no less than 50 per cent of the share capital as a result of the investment acquired new tangible and intangible assets amounting to not less than BGN 250,000 and at least 5 new positions are opened for Bulgarian citizens for the residence period and this is verified by the Ministry of Economy. 18. wish to carry out volunteer work within the European Voluntary Service within the meaning of Art. 40, Para. 2 of the Act on Youth; 19. are researchers with a contract for development of a research project with a research organization based in the Republic of Bulgaria, included in the register under Art. 7b, para. 1, item 1 of the Law for the Promotion of Scientific Research; 20. have been admitted as students in full-time education at a higher education institution; students for upper secondary education within an exchange program or trainees. Permit for long-term residence and work type "Single residence and work permit" can be obtained by foreigners who are eligible for access to the labor market within the meaning of the Labor Migration and Labor Mobility Act Permits for a seasonal worker with the right to long-term residence can be granted to foreigners who are eligible for access to the labor market within the meaning of the Labor Migration and Labor Mobility Act.

3. For receiving the right to a long term residence the foreigner shall produce in person to the Migration Directorate or in the RDMI a standard application under Annex №3, which shall have attached as follows: 1 a copy of a valid passport, or replacing document with the pages of the photo, the personal data, a copy of the visa under Art. 15, Para. 1 of the AFRB, where applicable and the

			<p>stamp of the last entry in the country; for comparison of the authenticity of the copy, the original passport, or replacing document shall also be produced; 2. a document for a paid state fee under Art. 10, Para. 3 of Tariff N 4 on Fees, collected in the MI system under the Act on State Fees; 3. evidence for a provided accommodation; 4. obligatory medical insurance, valid on the territory of the Republic of Bulgaria, where the person has not been insured under the AHI; 5. evidence for stable, regular, providable and sufficient maintenance funds without referring to the social assistance system in the amount not smaller than the minimal monthly work salary, the minimal stipendium or the minimal pension for the country, for the term of residence on the territory of the Republic of Bulgaria; 6. certificate showing no previous convictions, issued by the state, whose national the foreigner is, or by the state of his usual residence – in an initial submission of the application.</p> <p>4. The application shall be filed not later than 14 days before the expiry of the authorized stay period of the foreigner on the territory of the Republic of Bulgaria. The application is considered and resolved within 14 days. In case of legal and factual complexity and necessity of submitting additional documents, this period may be extended by one month for which the foreigner is notified in writing, indicating that the necessary documents and information should be submitted within 14 days. If the additional documents and information are not submitted within the prescribed time limit, the proceedings shall be terminated and the application shall not be subject to re-examination.</p> <p>5. Regarding the transposition of the two directives, the necessary amendments to the legislation of the Republic of Bulgaria, were made.</p>
	Croatia	Yes	<p>1. 1. Short-term, temporary or permanent residence can be granted to TCN's in Croatia as regulated by the Aliens Act.</p> <p>2. 2. Temporary residence can be granted to a TCN for the following purposes: a) family reunification; b) secondary school education and university-level studies; c) research; d) humanitarian reasons; e) work; f) work of a posted worker; g) life partnership, h) other.</p> <p>3. 3. Firstly, TCN is required to submit the application for temporary residence to the competent Diplomatic Mission or Consular Office of the Republic of Croatia. An application for temporary residence of a foreigner who does not require a visa for entry to RC may be submitted to the Police</p>

			<p>Administration or Police Station based on the place of the intended residence of the foreigner, the registered office of the employer or the place of work of the foreigner. An application for issuance of a temporary residence permit shall be decided upon by the Ministry of the Interior, more precisely relevant Police Station. To receive positive decision, TCN must enclose all the necessary documentation as given by the national legislation, as follows: justification of the purpose of temporary residence, valid documents, means of supporting himself/herself, health insurance. Apart from received documentation, Police will check if his/her entry and residence in Croatia is not prohibited, and does not pose a danger for public order, national security or public health. If the documentation is complete, the Police Station or Police Administration will issue a certificate of the registration of temporary residence without any delay.</p> <p>4. 4. The Police Administration or Police Station decides about the application on granting temporary residence up to 30 days or up to 60 days if any complications occur.</p> <p>5. 5. Yes, the transposition of above mentioned Directives influenced the changes to the Aliens Act and the Ordinance on the status and work of third-country nationals in the Republic of Croatia. Additionally, Ministry of Science and Education will make changes to The Ordinance on procedure for granting temporary stay for the purpose of scientific research and the Ordinance on the manner of determining the conditions for granting temporary residence of aliens for the purpose of secondary education through student exchange program.</p>
	Cyprus	Yes	<p>1. Cyprus issues temporary, long-term and permanent residence permits</p> <p>2. In Cyprus the residence categories for the following purposes: • Employment (includes ICTs, seasonal and other cases) • Study • Research • Visit • Permanent/ long-term residence • Family reunification • Special cases • International protection • Victims of trafficking/ exploitation • Family members of Cypriots</p> <p>3. In Cyprus the main procedure includes an application for an entry permit and following the arrival the applicant submits complementary documentation for registration and temporary residence permit. For certain categories of residence (e.g. international protection, visitors) no entry permit is required as</p>

			<p>TCNs are already in Cyprus.</p> <p>4. The time limits are those provided by the Directives. Where no directive applies the target is for the applications to be processed within 4 months.</p> <p>5. Yes, Cyprus had to proceed to significant changes in the legislation. For example, ICTs were not foreseen before in the national law, so a new chapter had to be added.</p>
	Czech Republic	Yes	<p>1. Please note that all below mentioned Sections can be found in the Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic. 1) Temporary residence - without visa, - a visa for a stay of up to 90 days (short-term), - a visa for a stay of over 90 days (long-term), - on basis of a long-term residence permit, on basis of a temporary residence permit, - on basis of a departure order . 2) Permanent residence</p> <p>2. Please note that the list of purposes below is not entire: - for the purpose of family reunification (§ 42a), - residence permit for a family member of an EU citizen (§ 87b), - long-term EC resident permit (§ 42c), - for the purpose of study (§ 42d), - for the purpose of scientific research (§ 42f), - for the purpose of employment (§ 42g) - EU Blue cards (employment at a position requiring a high level of skills) (§ 42i) - for the purpose of seasonal work (§ 21 + 35a), - for the purpose of investment (§ 42n), - permit of an intra-company transferred employee (§ 42k), - for the purpose of protection (§ 42e), - for the purpose of leave to remain (§ 43), - for the purpose labelled as “other”... It is primarily on the applicant to prove the purpose of his/her stay. The Czech system includes the purpose labelled as “other” what meant that almost anything what will be sufficiently proved by the applicant and recognised by the relevant authority can be a purpose of residence. All purposes of residence can be found via the following link: http://www.mvcr.cz/docDetail.aspx?docid=21672757&doctype=ART</p> <p>3. As the process/procedure differs from one purpose to another we cannot answer the question generally. Please see specific examples of below: http://www.mvcr.cz/mvcren/article/a-visa-for-a-stay-of-over-90-days-long-term.aspx?q=Y2hudW09Mg%3d%3d http://www.mvcr.cz/docDetail.aspx?docid=22082988&doctype=ART http://www.mvcr.cz/docDetail.aspx?docid=22082989&doctype=ART</p>

			<p>4. There is no general time limit. Time limits are set by the Act No. 326/1999 Coll., Section 169t, on the Residence of Foreign Nationals in the Territory of the Czech Republic and on amendments to some Acts, as amended.</p> <p>5. Transposition of the Regulation needed many legislative changes, because so far the Czech law did not include any special regulation on intra-corporate transferred employees. There were needed many changes in the Act on Residence of Foreign National in the Territory of the Czech Republic as well as in Act on Employment and others.</p>
	Estonia	Yes	<p>1. In Estonia, TCNs can be granted temporary or long-term residence permits.</p> <p>2. A TCN may apply for a temporary residence permit: • for settling with a spouse • for settling with a close relative: for settling of a minor child with his/her parent for settling of an adult child with his/her parent for settling of a ward with his/her guardian for settling of a parent/grandparent with his/her child/grandchild • for settling permanently in Estonia • for study • for employment • for business • to participate in Criminal Proceedings • extension of residence permit in existence of legal income</p> <p>3. In most cases a TCN has to apply for the permit in person at an Estonian representation abroad. When a short-term employment has been registered in prior, it is also possible to apply for the permit at the customer service of the Police and Border Guard Board. The issue of residence permits to TCNs and persons with undetermined citizenship is regulated by the Aliens Act. Upon the issue or extension of the residence permit an alien is issued a residence card. Residence card contains its holder's personal data, data related to residence and work permits, photo and fingerprint images. By applying for a residence permit fingerprints are captured from applicants as of 6 years of age. In order to capture fingerprints, an applicant has to apply in person to the Service Office of a Prefecture of the Police and Border Guard Board or to foreign representation of the Republic of Estonia. Fingerprints are not taken, if a person is less than 6 years of age, less than 5 years have passed from capturing fingerprints by applying for a travel document, residence permit/right of residence or residence permit card, or if permanent incapability of a person to give fingerprints has been established in advance. As a result of the amendments of the Aliens Act from 18.01.2017, aliens who have a residence permit of Estonia are no longer obliged to stay in Estonia for at least 183 days during a year. Aliens have an obligation to use a residence permit in accordance with its intended purpose and fulfil the conditions for the issue of</p>

the residence permit also during the period of its validity. As a consequence of the amendments, the obligation to register stay away from Estonia at the Police and Border Guard Board was lifted. Details of the place of residence in the Population Register of Estonia still have to be correct. Once the residency permit is granted, the applicant receives a temporary residence card within 30 days after submitting the application document. (The application process of the residency permit for employment may last up to 2 months from the acceptance of the application.)

4. The issuance or refusal of a temporary residence permit shall be decided within 2 months from the date of the receipt of the application or the elimination of deficiencies in the application. The decision on renewal or extension of a residence permit shall be made not later than 10 days before the expiry of the term of the temporary residence permit. If there are deficiencies in the application, the decision to extend or refuse to renew the residence permit shall be made within 2 months as of the day when the deficiencies were rectified.

5. Several amendments to the Aliens Act were introduced to transpose the directives 2014/66/EU and 2016/801/EU. With the transposition of the directive 2014/66/EU, special conditions were established to apply for a residence permit for employment as an intra-corporate transferee and to work short-term as an intra-corporate transferee. However, the principal amendment to the previous rules concerned the intra-EU movement. As an exemption from the general rule which allows third-country nationals holding another MS visa/residence to stay in Estonia for up to 90 days, third-country nationals holding an intra-corporate transferee residence permit issued by another Member State were allowed to stay in Estonia for the purpose of intra-corporate transfer during the whole period of validity of the residence permit. With the transposition of the directive 2016/801/EU, the conditions of entry and residence of third-country national to Estonia for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects were amended and special rules for au pairs to work in Estonia were established. However, the principal amendment to the previous rules concerned the intra-EU movement. As an exemption from the general rule which allows third-country nationals holding another MS visa/residence to stay in Estonia for up to 90 days, researchers holding a residence permit issued by another Member State under the conditions of directive 2016/801 were allowed to stay in Estonia during the whole period of validity of the residence permit. Students holding a residence permit issued by another Member State under the conditions of directive 2016/801 were allowed to

			stay in Estonia up to 360 days.
	Finland	Yes	<p>1. According to Section 33 of the Finnish Aliens Act, residence permits are either fixed-term or permanent. Fixed-term residence permits are issued for a residence of temporary nature (status B) or of continuous nature (status A). Both, a permanent residence permit and a long-term resident's EC residence permit, are valid until further notice.</p> <p>2. Residence permits may be issued mainly based on work, business, studies, family ties or other special reasons, and Finnish ancestry. Listed below are the specific criteria for granting residence permits. According to Section 45 of the Finnish Aliens Act, a temporary residence permit is issued for:</p> <ul style="list-style-type: none"> - working on a temporary basis - pursuing a trade on a temporary basis - studying - other special reasons <p>Family members of an alien who has been issued with a temporary residence permit are issued with a temporary residence permit for the same period</p> <p>According to Section 47 of the Finnish Aliens Act, a continuous residence permit is issued:</p> <ul style="list-style-type: none"> - if the person has been a Finnish citizen or if at least one of his or her parents or grandparents is or has been a Finnish citizen by birth - for employment of continuous nature - for pursuing a trade of continuous nature - for carrying out scientific research projects referred to in Council Directive 2005/71/EC on a specific procedure for admitting third-country nationals for the purposes of scientific research (Directive on researchers) <p>Family members of an alien who has been issued with a continuous or permanent residence permit are issued with a continuous residence permit</p> <p>According to Section 48 of the Finnish Aliens Act, a person from the former Soviet Union is issued with a continuous residence permit;</p> <ul style="list-style-type: none"> - if the applicant belonged to the people evacuated from Ingria to Finland in 1943 or 1944 and returned to the Soviet Union after - if the applicant served in the Finnish army during the period of 1939–1945 <p>According to Section 51 of the Finnish Aliens Act, aliens residing in Finland are issued with a temporary residence permit</p> <ul style="list-style-type: none"> - if they cannot be returned to their home country or country of permanent residence for temporary reasons of health - if they cannot actually be removed from the country <p>According to Section 52 of the Finnish Aliens Act, aliens residing in Finland are issued with a continuous residence permit if refusing a residence permit would be manifestly unreasonable with regard to their health, ties to Finland or on other compassionate grounds.</p> <p>According to Section 52a of the Finnish Aliens Act, a victim of trafficking in human beings staying in Finland is issued with a temporary residence permit.</p>

			<p>3. As a rule, a first residence permit shall be applied before entering Finland. Abroad, the application is filed with a Finnish mission. In Finland, the application must be submitted to the Finnish Immigration Service. For certain grounds, an application can be filed through electronic services. However, the applicant must first visit a Finnish mission or the Finnish Immigration Service for identification – depending on whether the applicant is filing for a first permit in Finland or abroad. The Finnish Immigration Service will process the application and inspect if the applicant fulfills the conditions for granting a permit under the Finnish Aliens Act. If the permit is granted, a residence card is given to the applicant.</p> <p>4. The following time limits are set out for processing in the Finnish Aliens Act: - family ties; 9 months - work-based; 4 months (Employment and Economic Development Office 2 months/The Finnish Immigration Service 2 months) - a long-term resident’s (residing with a P-EU in another country) first permit to Finland; 4 months - a long-term resident’s EU residence permit (P-EU); 6 months - a seasonal work certificate; 90 days - a seasonal work certificate and a seasonal work permit; 90 days - a residence permit for ICT + a family member of the applicant; 90 days - a residence permit for Mobile ICT; 90 days - an EU Blue Card; 90 days - the registration of an EU citizen; “immediately” - a document certifying the right of permanent residence of an EU citizen; “as soon as possible” - a residence card of a family member of an EU citizen; 6 months - a permanent residence card of a family member of an EU citizen; 6 months</p> <p>5. There is special legislation regarding internal transfers. Also a law regarding researchers, students etc. is currently pending. Council Directive 2014/66/EU has been implemented in Finland in the Act regarding the conditions of entry and residence of third-country nationals in intra-corporate transfers (908/2017). The law came into force 1.1.2018. Council Directive 2016/801/EU has not been implemented in Finland. There is a government proposal regarding the matter: HE 21/2018. Presumably it will come into force during this year.</p>
	France	Yes	<p>1. France issues (temporary) residence permits to TCNs depending on the reasons for stay in France : so TCNs can be issued residence permits in particular for - family purposes (family reunification, spouse of French or EU nationals, parent of French child, etc) - work reason (as salaried employees, highly qualified workers, seconded employees (through intra mobility transfers or service agreement),</p>

seasonal workers, independent workers / entrepreneurs, researchers) - trainees, au pair, students - Beneficiaries of international protection or stateless persons - Victims of THB or domestic violence If you have no professional activity in France or are retired and can prove sufficient financial means, you can also be issued a residence permit. French residence permits can be issued for one year (or some months for limited projects) or up to 4 years for international talents.

2. see above

3. There are two main categories of visa for foreigners from the third countries of the European Union: - Short-stay visas (Schengen visa) for stays of no more than 90 days. - Long-stay visas for stays in France of more than 90 days. If you are staying in France for more than 90 days, you will be issued with one of the two following visas: 1. either a Long-stay visa equivalent to residence permit : in this case, Within three months of your arrival in France, you must send the form called demande d'attestation OFII that was given to you together with your visa to the Office Français de l'Immigration et de l'Intégration (French Immigration and Integration Office). Once confirmed by the OFII, the visa gives you the same rights as a residence permit. As soon as the OFII receives these documents, it will register your file and send you (via a simple letter) a certificate confirming that you have submitted your file to the address that you specified in the form. You will then be called to go to the OFII, who will put a secure sticker and a date stamp in your passport. This sticker is equivalent to a residence permit for the duration of the validity of your visa. Depending on the residence permit you receive (including the VLS-TS), you will have to sign a Republican Integration Contract. The issuance of your VLS-TS does not automatically permit you to work. You must first register with the prefecture of your department. You must pay a tax by means of a digital sticker which you can buy at <https://www.timbresofii.fr> or tax stamps, which are sold in tobacco stores. When your VLS-TS expires and you still want to remain in France, you must apply for a residence permit from the prefecture within two months prior to the expiration of your long-stay visa. 2. Other long-stay visas containing the statement carte de séjour à solliciter ('residence permit must be applied for') : Within two months of your arrival in France, you must apply for a residence permit from the prefecture of the department in which you live. You must attend your appointment at the prefecture in person and have the originals of the supporting documents for your documents. While waiting for your application to be processed, the prefecture will issue you with a receipt of application for a residence permit (of a duration of at least one month). Issuance of this receipt does not guarantee the decision that will be taken by the

prefect. You will then, depending on the residence permit you receive, have to sign a Republican Integration Contract at the OFII. When your application has been processed, you will be called to go to the prefecture in order to be informed of the decision. If the decision is favourable, you will be issued with a residence permit. You must then pay a tax using tax stamps. The issuance of your residence permit does not automatically mean that you are permitted to work. You must register with the prefecture of your department.

4. There is no time limit for processing a residence permit application however after 4 months if there is no decision, the application is considered as rejected.

5. The law of 7 March 2016 transposed Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer into internal law for employees temporarily transferred to France as part of intra-group mobility, with the creation of new residence permits for the three categories of people targeted by the Directive and the implementation of measures for the intra-EU mobility of transferred employees. A temporary residence permit for a maximum duration of one year is issued to employees undertaking a professional development course and a multi-year residence permit for a maximum duration of three years to employees in managerial or skilled functions ("ICT Intra Corporate Transfer" permit). A seconded employee within this framework can also be transferred within a company of the same group in another EU Member State. Lastly, family members of these employees are granted the right to stay for the same duration as that granted to the employee. For the Directive 2016/801/EU related to the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing, France will soon finalize its transposition with the final adoption of the draft law for a managed migration, an effective asylum right and a successful integration on 1 August 2018. This draft law creates: - a residence permit for "au pair". - a temporary residence card marked "seeking employment or creating a business" for one year for foreigners holding a "researcher" talent passport, when their research activity comes to an end. - a specific residence permits for "students looking for employment or creating a company", which is valid for one year and is non-renewable In terms of the researcher's short-term mobility in France (less than or equal to 180 days) and long-term mobility (more than 180 days, maximum 12 months), the draft law optes for the simple notification procedure. This is in response to the objective of attracting researchers who do not need to go to the Prefecture to

			<p>be issued a permit. They will reside in France for up to twelve months under the terms of a residence permit issued by the first Member State after notifying the relevant Prefecture. The draft law also encourages the circular migration of foreign graduates who completed their studies in France, by enabling this same temporary residence permit to be issued within a maximum period of four years after the date of obtaining their qualification in France, to foreign students qualified in France and who returned to their country of origin (or another country) at the end of their studies in France and who wish to return for professional purposes.</p>
	Germany	Yes	<p>1. 1. Third-country nationals can be issued with a temporary residence title in the form of a national visa, residence permit, EU Blue Card or mobile ICT card. Subsequently, a permanent residence title can be issued in the form of a settlement permit or an EU long-term residence permit. A certificate confirming the holder's right to enter and reside in the federal territory may also be issued. This does not constitute a residence title, however.</p> <p>2. 2. The temporary residence titles are issued for the following purposes: Training or studies, gainful employment, residence under international law or on humanitarian or political grounds, residence on family-related grounds, special rights of residence. Various sub-cases are regulated for these respective purposes of residence. Students availing themselves of the option of mobility in connection with their studies and researchers or intercorporate transferees (ICTs) availing themselves of short-term mobility (in accordance with Directive (EU) 2016/801 or Directive 2014/66/EU) receive the certificate confirming the holder's right to enter and reside in the federal territory.</p> <p>3. 3. As a rule, the third-country national must apply to a German diplomatic mission abroad for a national visa for one of the purposes stated under 2. For the purposes of issuing a visa, the diplomatic mission obtains approval from the foreigners authority at the foreigner's future place of residence in Germany and from the labour authorities, where this is necessary in individual cases (e.g. due to prior residence in Germany or on account of the intended form of employment). Following entry into the federal territory, on application from the third-country national the foreigners authority transfers the national visa according to the purpose of residence to the limited residence permit, EU Blue Card, ICT card or mobile ICT card or, (by way of exception) in the case of highly qualified persons, to a permanent residence permit. In the case of mobility in connection with studies or short-term mobility</p>

			<p>as a researcher or ICT, the required documents are not submitted by the third-country national to a German diplomatic mission abroad in the form of a visa application, but are sent to the Federal Office for Migration and Refugees (BAMF) by the company establishment taking on the foreigner in Germany in the form of a notification of recourse to mobility. BAMF verifies that the documents are complete and forwards them to the local foreigners authority. If the foreigners authority does not reject mobility for the foreigner, BAMF issues the certificate confirming the holder's entitlement to enter and reside in the federal territory.</p> <p>4. 4. The diplomatic mission abroad is obliged to decide on the issuance of a national visa without any unnecessary delay, generally within a period of three months. Similar provisions apply to the foreigners authority's decision after entry into the federal territory. Where the third-country national files the application with the foreigners authority in good time prior to expiry of the national visa, the latter continues to apply until the foreigners authority reaches a decision on the matter. In assessing mobility in connection with studies and short-term mobility for researchers, the foreigners authority is required to reach a decision within 30 days, while in the case of short-term mobility for ICTs a term of 20 days applies; in each instance, this term applies from the date on which the foreigners authority receives the complete notification. Entry for the purpose of research or intercorporate transfer can take place as soon as due notification has been received by BAMF, provided that the notification is sent to BAMF directly after the intention to make use of the mobility option becomes known.</p> <p>5. The two directives were incorporated into national law within the deadlines for implementation, necessitating corresponding amendment of the Residence Act. Two new limited residence titles were introduced in the form of the ICT card and the mobile ICT card. In addition, the procedure for verifying and confirming mobility in connection with studies and short-term mobility for researchers and ICTs with the involvement of BAMF instead of the visa procedure (see 3.) was also introduced.</p>
	Hungary	Yes	<p>1. In the case if a TCN wish to stay in Hungary more than 90 days within a 180 days long period, he can apply for a residence permit. After 3 years of continuous stay in the territory of Hungary, a TCN can apply for a permanent residence permit and after 5 years of continuous stay, a TCN can apply for EC permanent residence permit. However, if the TCN is the family member of a Hungarian citizen or an EU/EEA national, he shall apply for residence card as family member.</p>

			<p>2. Employment Family reunification Studies Research Voluntary Service Activities Visiting Official duty “Other” Gainful activity Entrepreneurship Medical treatment Intra-corporate transfer Job searching Traineeship Seasonal Employment EU Blue Card Student mobility Long term mobility of research</p> <p>3. The applicant shall appear personally before the authority, shall fill and sign the application form, show the valid passport and attach the required documents. The regional directorate of the Immigration and Asylum Office shall adopt a decision: granting the status or refuse the application.</p> <p>4. According to the legislation, the decision shall be made within 8/15/21 days, however the deadline can be prolonged once by 21 days, and some actions of the authority may does not count into the deadline. However, the procedure cannot be longer than 70 days.</p> <p>5. We had to create new legal institution in our legal system, since we did not have the phrase “inter-corporate transfer” and we had to create a new certificate for those students and researchers, which arrive to Hungary in the frame of mobility.</p>
	Italy	Yes	<p>1. There are different types of permits to reside in Italy: - Residence permit for work purposes (as employee); - Residence permit for work purposes (as self-employed); - Residence permit for seasonal work; - Residence permit for studies and training; - Residence permit for traineeship; - Residence permit for volunteering; - Residence permit for scientific research; - Residence permit for family reasons; - Residence permit for asylum; - Residence permit for subsidiary protection; - Residence permit for humanitarian protection; - Residence permit for minors; - Residence permit for health treatment; - Long-term residence permit; - Blue card; - Residence permit for Intra-Corporate Transferee; - Residence permit for elective residence.</p> <p>2. The different types of residence permits are chiefly granted for three purposes: work, family or protection. Each of these purposes is then broken down in different residence permits in order to fit a variety of situations. For instance, different work permits may be granted according to the level of qualification of the applicant or duration of stay. Other types belong to very specific categories of purposes such as elective residence or health treatment.</p>

3. How to apply for a residence permit varies according to the permit sought after but the general procedure is as follows. First of all, in most cases, the foreigner must have crossed the border regularly by presenting an entry visa. Once in the territory, the foreigner must apply for a residence permit at the Central police station (Questura) within eight days upon arrival. He or she will be asked to produce an identification document (and copies of it), a duly filled application form, ID pictures and the specific documentation required for a given type of residence permits. The duration of the residence permit is defined in accordance with the entry visa granted beforehand. The Central police station ascertains the identity of the applicant and then issues the residence permit.

4. Applications for residence permits are treated in 60 days on average.

5. The two Directives were transposed by two Legislative decrees which amend the Immigration Single Act (Legislative decree n. 286 of 25 July 1998). They shall be treated in turn. For Intra-Corporate Transferees, Directive 2014/66/EU was transposed with the adoption of Legislative decree n. 253/2016 of 29 December 2016. The Legislative decree amends the Immigration Single Act by creating a specific category of residence permit. In so doing, the category “intra-corporate transferees” is inserted in the general ecology of the rules governing immigration to Italy. It is also provided with a series of specific rules, for instance: - Intra-corporate transferees are allowed to reside and work in Italy for a duration of three years for managers and specialised workers and for five years for workers in training. - Beneficiaries of an intra-corporate transferee residence permit granted by another EU member state may stay and work in a branch of the same company in Italy for up to 90 days. Longer sojourns are possible but are submitted to the release of a work waiver from the Italian authorities. As for Directive 2016/801/EU, it was transposed in Italian law with Legislative decree n. 71 of 11 May 2018. Since the Directive regards a series of residence motives; i.e. research, studies, internships, volunteering, student exchange or education programmes, and au pairing, the changes in legislation may be deemed more significant. In summary, the changes brought about regards, inter alia: - The conditions of entry and stay for sojourns greater than 90 days for non-EU citizens residing in the EU for purposes of research, study, internship, volunteering and exchange programmes; - EU intra-mobility for family members of non-EU citizens who do research in the EU; - Rules for entry and stay of third country nationals for the purpose of conducting research. It also provides for approval procedures for public and private research institutes and the likes wishing to host students, researchers,

			interns and volunteers from third countries.
 	Latvia	Yes	<p>1. Temporary residence, permanent residence</p> <p>2. Immigration Law lists over than 30 purposes for obtaining a residence permit (Article 23 (temporary residence permit) and Article 24 (permanent residence permit): https://likumi.lv/ta/en/en/id/68522-immigration-law):</p> <ul style="list-style-type: none"> • family reason; • individual merchant registered in the Commercial Register; • foreigner registered in the Commercial Register as a member of the board of directors or a member of the council, proctor, administrator, liquidator or a member of a partnership having the right to represent the partnership, or a person who is authorised to represent a merchant (foreign merchant) in activities related to a branch, if the commercial company or the branch of the foreign merchant has been registered in the Commercial Register for at least one year prior to requesting a residence permit, it is performing active economic activity and its activity provides economic benefit for the Republic of Latvia. • self-employed person; • European Union Blue Card; • intra-corporate transferee; a trainee within the framework of an intra-corporate transfer • a representative of a representation of a foreign merchant and the foreign merchant; • scientific co-operation agreement entered into between scientific institutions; • student; pupil or student exchange, practice or apprenticeship in one of the educational establishments; completed a full time master's or doctoral study programme at an institution of higher education of the Republic of Latvia; • medical treatment; • implementation of such international agreements or projects in which the Republic of Latvia, State direct administration institution or a derived public person is participating; • provision of assistance to State or local government institutions of the Republic of Latvia; • performance of religious activities; • guardianship; • foreigner has joined a cloister registered in accordance with procedures laid down in laws and regulations; • a court judgment regarding divorce and the specification of the children's place of domicile; • criminal case investigation; • he or she has lost European Union long-term resident status in the Republic of Latvia when exiting to another state and requests a residence permit not later than three years after exiting; • he or she has a valid residence permit of a long-term resident of the European Union issued by another Member State of the European Union and there are no grounds to request a temporary residence permit; • refugee or temporary protection has been granted; • status of a stateless person has been granted; • investing in real estate • investing in Latvian credit institutions; • Investing in the equity capital of an enterprise • he or she plans to implement activities in the Republic of Latvia with a

			<p>goal to manage and develop an innovative product ; • foreigner who was a citizen of Latvia on 17 June 1940 or one of his or her parents is a Latvian citizen, and who moves to Latvia for permanent residence; • foreigner who has continuously resided in the Republic of Latvia with a temporary residence permit. • foreigner living in the Republic of Latvia who prior to the acquisition of the citizenship of another country has been a Latvian citizen or a non-citizen of Latvia; • foreigner one of whose relatives is a Latvian or a Liiv in direct ascending line; • foreigner who in accordance with the Repatriation Law is a family member of a repatriate</p> <p>3. TCN presents a valid travel document and submits other necessary documents for the residence permit. Biometric data can be taken at the moment of application or after the decision on issuance of the residence permit has been made.</p> <p>4. Within 30 days counting from the day the documents are received at the Office of Citizenship and Migration Affairs. The EU Blue Card applications are examined within 10 working days. Accelerated procedure (if the TCN pays increased state duty) is available – 5 working days or 10 working days</p> <p>5. The transposition of the Directives 2014/66/EU and 2016/801/EU was rather significant intervention to the national legislation. New definitions had to be introduced; new grounds for refusal, mobility provisions, new texts on residence permit cards etc.</p>
	Lithuania	Yes	<p>1. Temporary residence permit; permanent residence permit.</p> <p>2. Republic of Lithuania Law on the Legal Status of Aliens lists the grounds for TRP issuance. A temporary residence permit may be issued in cases of family reunification; for work purposes (including transfers within the company, employment requiring high professional qualifications, the person intends to engage in lawful activities or intends to carry out legal activities related to new technologies or other innovations significant to the economics and social development); for academic reasons (study, research or lecturing purposes); for persons of Lithuanian descent or those who have retained the right to citizenship of the Republic of Lithuania; for persons who have been appointed as guardians or who have been assigned guardians; for victims of human trafficking or illegal work and those persons cooperate with a pre-trial investigation authority or a court of law; for persons who have gained a long-term resident's status in another European Union Member State and has a permission to</p>

			<p>reside issued by that country. The alien may also be issued a temporary residence permit where he has been granted subsidiary or temporary protection in the Republic of Lithuania, he is unable to depart due to a dangerous health condition and requires urgent basic medical aid, also where the alien cannot be expelled from the Republic of Lithuania. -For more information on TRP in Lithuania, please see Migration Department's website (in EN): www.migracija.lt/index.php?-1603162752 -Migration Department's guide for intra-corporate transferees: www.migracija.lt/index.php?2074156905 -More on Permanent Residence Permit in Lithuania: www.migracija.lt/index.php?-1409614541</p> <p>3. The application for granting temporary residence shall be submitted abroad at a diplomatic mission or if the TCN is legally present in Lithuania to the Migration Department or migration services (depending on the ground of application). In order for the application to be accepted, the TCN has to enclose all the necessary documentation as given by the national legislation. The examination of the procedure takes from 2-4 months (depending on the ground); 1-2 months for EU Blue Card. An expedited procedure is also available: 1-2 months (depending on the ground); 15 days - 1 month for EU Blue Card. If the decision on the application is positive, the administrative authority will inform the applicant about the decision. If the application is refused, administrative authority issues a written decision containing all the requirements. Such decision can be appealed. After the residence is granted, the residence card can be issued. If the TCN is abroad, a single entry national D visa is granted and a person can come to Lithuania and collect the card. If the TCN is legally present in LT, s(he) can collect the card 10 days from the day residence was granted.</p> <p>4. See answer to Q3.</p> <p>5. Lithuania implemented Directive 2014/66/EU and 2016/801/EU by amendments to the Republic of Lithuania Law on the Legal Status of Aliens.</p>
	Luxembourg	Yes	<p>1. According to the amended law of 29 August 2008 on free movement of persons and immigration (Immigration Law) the Minister in charge of Immigration can grant the following authorisation of stay: a) Salaried worker: art. 42 b) Salaried worker temporarily affected to the site for the continuation of activity in Luxembourg: art. 44bis c) Highly qualified worker (EU Blue Card); art. 45 and 45-1 d) ICT (inter-corporate transferee): art. 47 and 47-1 e) Posted workers: art. 49 f) Seasonal worker: Art. 49bis g) Independent worker: art. 51 h) Investor: art. 53bis i) Sportsmen and trainers: art. 54 j)</p>

Students: art. 56 k) Pupil: art. 60 l) Trainee: art. 61 m) Volunteer: art. 62 n) Au pair: art. 62bis o) Researcher: art. 63 p) Family reunification: art. 68 q) Private reasons: art. 78 a. Sufficient resources : art. 78 (1) a b. Other family members: art. 78 (1) b and c c. Humanitarian reasons of exceptional gravity: art. 78 (3) r) Long-term residence: art. 80 s) Medical treatment: art. 91 (The beneficiary of an authorisation of stay for medical treatment will have a residence permit for private reasons) t) Victims of human trafficking : art. 95 (When the residence authorisation comes to an end, the person concerned may have an autorisation of stay for private reasons (art.78(3)). In regard with the Law of 18 December 2015 on international protection and temporary protection, the Minister in charge of Migration and Asylum can grant the following residents permits: a) International protection (refugee and subsidiary protection status) b) Temporary protection The perspective that the stay will allow the holder to obtain a long-term residence permit determines the difference between of permanent and temporary resident permit in Luxembourg. Based on this distinction, the following residence permits can be considered permanent: salaried workers, EU Blue Card, Independent worker, investor, sportsmen, researcher, family reunification, private reasons, long-term residence permit and the international protection residence permit. Temporary residence permits will be: Salaried worker temporarily affected to the site for the continuation of activity in Luxembourg, ICT, posted workers, seasonal worker, students, pupils, trainees, volunteers and au pair.

2. See answer to question 1.

3. In order to apply to obtain one of the temporary residence permits mentioned above the third-country national has to follow the following steps: a) Submit the application fulfilling each one of the conditions established in the articles mentioned above for each one of the categories. This submission has to be done at the Luxembourgish diplomatic mission in the country of origin of the TCN or the diplomatic mission of the Member State that represents Luxembourg interests in the country of origin (with the exception of art. 78 (3)). The filing of the application after the entry to the national territory is inadmissible (art. 39). b) Examination of the application: Once the diplomatic mission transfers the document to the Directorate of Immigration in Luxembourg and the case officer considers that the application is complete, s/he will begin the examination of the application. After the examination, the case officer can decide to approve or reject the application or request additional information. o If the decision is positive, the decision will be notified to the TCN who will have to apply for a visa to entering the Schengen area, if required, in a deadline of 90 days. Once s/he arrives in the country, the

applicant has to do a declaration of arrival at the municipality where s/he plans to live (art. 40 (1) of the Immigration Law) and then apply, in a deadline of 90 days, for a residence permit at the Directorate of Immigration. The applicant has to prove that s/he has sufficient resources to cover her/his stay on the territory and to return to the country of origin, that s/he has health insurance coverage, and proper accommodation. Moreover s/he has to produce a medical certificate stating that s/he fulfils the medical conditions to stay in the country. • If the file is complete the Directorate of Immigration issues the residence permit. o If the decision is negative the applicant can file an appeal before the First instance Administrative Court in a deadline of 3 months after having been notified. If the First instance Administrative Court refuses the appeal, the applicant can file an appeal before the Administrative Court in a deadline of 40 days after the notification of the First instance Administrative Court. o In the case that the case officer request additional information s/he will provide the applicant a deadline for provide the information. After receiving the information or after the expiration of the deadline the case officer will take a decision.

4. The typical deadline for deciding on a temporary residence permit application is of 90 days once that the file is completed.

5. Yes. Directive n° 2014/66/EU transposing the ICT directive required an amendment to Immigration Law. Art. 47 was amended and articles 47-1 to 47-6 were added. The law introduces, inter alia, the concepts of ICT, seasonal worker and investor and the conditions to fulfil for obtaining such residence permits. Directive 2016/801/EU is being transposed by bill n° 7188 which was approved by Parliament on 4 July 2018. The Law has to be published in the next days. Articles 56 to 61, 63 to 67, 74 and 80 (3) are amended. Art. 62ter introduces a maximum deadline of 60 days for deciding on the application. Articles 67-1 to 67-4 are added. The bill foresees, inter alia, that researchers who are part of a European or multilateral programme that includes mobility measures will be delivered research permits that have a minimum validity of two years, or the duration of the reception convention or work contract, if these cover a period inferior to two years. The bill introduces a number of measures with the aim of simplifying mobility inside the European Union for students who follow a European or multilateral programme that contains mobility measures or a convention between two or more institutions of higher education.

	Malta	Yes	<ol style="list-style-type: none"> 1. The pertinent authorities in Malta grant residence on the basis of the migration directives adopted by the European Union and also on the basis of national legislation and relative administrative policies. 2. Such purpose could be on the basis of economically self-sufficiency grounds, which include mainly, extension of holiday period, emergency circumstances, religious purposes, health reasons and permanent residence. 3. Such residence is either through the management of granting national (long stay visa) or else by the issue of a residence permit as per format 2002/1030 following the relative application whilst the person is either still outside Malta and in if not provided that he is legally residing. 4. As regards applications submitted on the grounds of legislation transposing EU migration directives, the time limits are those established by the relative legislation whilst in the case of those not in accordance with the time limits established by the said legislation. In the case of those falling under administrative policies there is no such time limit but decisions are issued within a reasonable time frame. 5. The transposition of the provisions of these directives was faithful to those provisions stipulated in the said directives with the national legislation containing the conditions and requirements found in those established by Community Law.
	Netherlands	Yes	<ol style="list-style-type: none"> 1. Type I: Regulier bepaalde tijd (regular temporary residence permit) Type II: Regulier onbepaalde tijd (regular permanent residence permit) Type III: Asiel bepaalde tijd (temporary asylum residence permit) Type IV: Asiel onbepaalde tijd (permanent asylum residence permit) 2. A temporary residence permit can be granted for the following purposes: -Adopted or related foster child, if the family member the child is staying with has a temporary residence permit - Cultural Exchange (Au pair, WHP/WHS, Exchange) -Cross border service provider -Intra Corporate Transferees (Directive 2014/66/EC) -Medical treatment -Orientation year for highly educated persons -Seasonal work -Stay with a family member, if the family member has a temporary (asylum) residence permit -Study -Temporary asylum residence permit -Temporary humanitarian purposes -Trainee for study or employment purposes -Waiting for the outcome of the civil determination procedure Dutch

citizenship based on article 117 of the Netherlands Nationality Act A permanent residence permit can be granted for the following purposes: -Adopted or related foster child, if the family member you are staying with is a Dutch, EU/EEA or Swiss citizen. Or, if this family member has a residence permit for a non-temporary purpose of stay. -Economically non-active EC long-term resident -EC long-term resident -Foreign investor (wealthy foreign national) -Highly skilled migrant -Holder of a European Blue Card -Non-temporary humanitarian purposes -Paid employment as non-privileged military personnel or non-privileged civilian personnel -Paid employment (Paid employment is a non-temporary purpose of stay when the third-country national works under an employment contract and meets the conditions of his residence permit during the application of and the decision on his application for Dutch citizenship) -Permanent stay -Scientific research based on Directive 2005/71/EG -Stay with a family member, if the family member you are staying with is a Dutch, EU/EEA or Swiss citizen. Or, if this family member has a residence permit for a non-temporary purpose of stay -Work on a self-employed basis

3. Regular temporary residence permit: -Submitting the application (this can be done by post or online) and finalising the payment for the application (when the application is done online the payment can be done immediately). -Receipt and check application: when the application is submitted the IND will confirm once it has been received. When documents are missing the IND will request to rectify the omission of these documents. -Within two weeks after the application has been submitted the TCN has to give biometrics at a Dutch representation. -Decision: the IND issues a decision (normally within a period of 90 days). -A regular provisional residence permit (MVV) has to be collected within 3 months after the positive decision at the Dutch representation where the application was submitted. -The IND aims to have issued the residence permit within 2 weeks after arrival in the Netherlands. Temporary asylum residence permit: -Report and registration: the TCN has to report in person to the application centre in Ter Apel. During the registration procedure, the asylum application is signed by the TCN. -TCNs from a number of countries have to fulfill a test for tuberculosis (TB). -Reception will be arranged for the TCN. -Once the asylum application has been registered and lodged, applicants are channeled into specific “tracks”, corresponding to separate asylum procedures, depending on their profiles. 5 different tracks can be applied to asylum applicants. -The temporary asylum residence permit is rejected or issued.

4. For the regular residence permit 90 days. For the first asylum application, the time limit is 6 months,

			<p>which can be extended by 9 months, for example when complex issues arise.</p> <p>5. On the one hand the necessary adjustments were quite complicated, especially in relation to intra-EU mobility. However, it only concerned adjustments to the Aliens Decree, Aliens Employment Act and other legislation that did not need to pass through the Dutch Parliament.</p>
	Poland	Yes	<p>1. In Poland, the following types of residence can be granted to TCNs: - Temporary residence permit, - Permanent residence permit, - Long-term resident's EU residence permit, - Residence permit for humanitarian reasons, - Permit for tolerated stay.</p> <p>2. In Poland, the following types of residence can be granted to TCNs: - Temporary residence permit, - Permanent residence permit, - Long-term resident's EU residence permit, - Residence permit for humanitarian reasons, - Permit for tolerated stay.</p> <p>3. Temporary residence permit can be granted for the following purposes: - performing work activity; - highly qualified employment (Blue Card); - performing work activity under the Intra-corporate transfer (ICT); - using long-term mobility (Mobile ICT); - performing work activity by a foreigner seconded by a foreign employer to the territory of the Republic of Poland; - performing activity as a seasonal worker; - conducting business activity; - obtaining higher education; - conducting research; - family reunification; - stay for foreigners who are victims of human trafficking; - due to specific circumstances requiring a short-term stay – up to 6 months (obligation to appear in person before a Polish public authority, the foreigner's presence in the territory of the Republic of Poland is justified by his/her exceptional personal situation, the foreigner's presence in the territory of the Republic of Poland is justified by the interest of the Republic of Poland); - a foreigner intends to reside in the territory of the Republic of Poland as a family member together with a migrant worker referred to in subparagraph 19 Part I and Article 19 of Part II of the European Social Charter signed in Turin on 18 October 1961 (Dz. U. of 1999 No. 8, item 67, of 2010, No. 76, item 491 and of 2011, No. 168, item 1007), together with such a migrant worker, or with a foreigner self-employed in this territory, referred to in Article 19 (10) of Part II of the European Social Charter signed in Turin on 18 October 1961; - a foreigner is a minor child of a foreigner, born in the territory of the Republic of Poland and residing unattended in this territory; - a foreigner holds a long-term resident's EU residence permit granted by another European Union Member State, and: intends to be employed or self-employed in the territory</p>

		<p>of the Republic of Poland under the laws applicable in this regard in this territory, or intends to undertake or continue studies or vocational training in the territory of the Republic of Poland, or proves that there are other grounds for his/her residence in the territory of the Republic of Poland; - a foreigner is a family member of a foreigner referred to above, with whom he/she resided in the territory of another European Union Member State and accompanies him/her or is seeking to reunite with him/her; - a foreigner is entitled to work in the territory of the Republic of Poland on the principles laid down in Decision No 1 /80 of the Association Council of 19 September 1980 on the development of the Association between the European Economic Community and Turkey, where the Council was established under the Agreement establishing an Association between the European Economic Community and Turkey, signed in Ankara on 12 September 1963 (OJ L 217 of 29.12.1964, p. 3685; OJ Polish Special Edition, Chapter 11, Volume 11 p. 1); - a foreigner intends to undertake or continue in the territory of the Republic of Poland education or vocational training; - a foreigner is a graduate of a Polish university and is seeking employment in the territory of the Republic of Poland; - a foreigner is a clergyman, a member of a religious order or a person performing a religious function in a church or a religious associations the status of which is regulated by an international agreement or law in force in the Republic of Poland, or who acts under an entry into the register of churches and other religious associations, provided his/her stay in the territory of the Republic of Poland is associated with the function performed by him/her or with preparation for its performance; - a foreigner is an aggrieved party of the criminal proceedings against the entity entrusting the performance of work; - immediately before filing an application for the permit, a foreigner resided in the territory of the Republic of Poland on the basis of the permit referred to above until the time of receipt of outstanding remuneration from the entity entrusting him/her the performance of work or an entity referred to in Article 6 or Article 7 of the Act of 15 June 2012 on the consequences of entrusting the performance of work to foreigners residing unlawfully in the territory of the Republic of Poland; - a foreigner's stay in the territory of the Republic of Poland arises from the need to respect the right to family life within the meaning of the Convention on the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950, and he/she stays in the territory of the Republic of Poland illegally; - a foreigner's departure from the territory of the Republic of Poland would violate the rights of the child, as defined in the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989 (Dz. U. of 1991 No. 120, item 526, of 2000 No. 2, item 11 and of 2013, item 677), to the extent that could significantly adversely affect his/her mental</p>
--	--	---

and physical development, and he/she stays in the territory of the Republic of Poland illegally; - a foreigner has proved that there are grounds other than all those referred to above, justifying his/her stay in the territory of the Republic of Poland.

4. Temporary residence permit can be granted for the following purposes: - performing work activity; - highly qualified employment (Blue Card); - performing work activity under the Intra-corporate transfer (ICT); - using long-term mobility (Mobile ICT); - performing work activity by a foreigner seconded by a foreign employer to the territory of the Republic of Poland; - performing activity as a seasonal worker; - conducting business activity; - obtaining higher education; - conducting research; - family reunification; - stay for foreigners who are victims of human trafficking; - due to specific circumstances requiring a short-term stay – up to 6 months (obligation to appear in person before a Polish public authority, the foreigner’s presence in the territory of the Republic of Poland is justified by his/her exceptional personal situation, the foreigner’s presence in the territory of the Republic of Poland is justified by the interest of the Republic of Poland); - a foreigner intends to reside in the territory of the Republic of Poland as a family member together with a migrant worker referred to in subparagraph 19 Part I and Article 19 of Part II of the European Social Charter signed in Turin on 18 October 1961 (Dz. U. of 1999 No. 8, item 67, of 2010, No. 76, item 491 and of 2011, No. 168, item 1007), together with such a migrant worker, or with a foreigner self-employed in this territory, referred to in Article 19 (10) of Part II of the European Social Charter signed in Turin on 18 October 1961; - a foreigner is a minor child of a foreigner, born in the territory of the Republic of Poland and residing unattended in this territory; - a foreigner holds a long-term resident's EU residence permit granted by another European Union Member State, and: intends to be employed or self-employed in the territory of the Republic of Poland under the laws applicable in this regard in this territory, or intends to undertake or continue studies or vocational training in the territory of the Republic of Poland, or proves that there are other grounds for his/her residence in the territory of the Republic of Poland; - a foreigner is a family member of a foreigner referred to above, with whom he/she resided in the territory of another European Union Member State and accompanies him/her or is seeking to reunite with him/her; - a foreigner is entitled to work in the territory of the Republic of Poland on the principles laid down in Decision No 1 /80 of the Association Council of 19 September 1980 on the development of the Association between the European Economic Community and Turkey, where the Council was established under the Agreement establishing an Association between the European Economic Community and Turkey, signed in Ankara on 12 September 1963 (OJ L 217 of 29.12.1964,

p. 3685; OJ Polish Special Edition, Chapter 11, Volume 11 p. 1); - a foreigner intends to undertake or continue in the territory of the Republic of Poland education or vocational training; - a foreigner is a graduate of a Polish university and is seeking employment in the territory of the Republic of Poland; - a foreigner is a clergyman, a member of a religious order or a person performing a religious function in a church or a religious associations the status of which is regulated by an international agreement or law in force in the Republic of Poland, or who acts under an entry into the register of churches and other religious associations, provided his/her stay in the territory of the Republic of Poland is associated with the function performed by him/her or with preparation for its performance; - a foreigner is an aggrieved party of the criminal proceedings against the entity entrusting the performance of work; - immediately before filing an application for the permit, a foreigner resided in the territory of the Republic of Poland on the basis of the permit referred to above until the time of receipt of outstanding remuneration from the entity entrusting him/her the performance of work or an entity referred to in Article 6 or Article 7 of the Act of 15 June 2012 on the consequences of entrusting the performance of work to foreigners residing unlawfully in the territory of the Republic of Poland; - a foreigner's stay in the territory of the Republic of Poland arises from the need to respect the right to family life within the meaning of the Convention on the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950, and he/she stays in the territory of the Republic of Poland illegally; - a foreigner's departure from the territory of the Republic of Poland would violate the rights of the child, as defined in the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989 (Dz. U. of 1991 No. 120, item 526, of 2000 No. 2, item 11 and of 2013, item 677), to the extent that could significantly adversely affect his/her mental and physical development, and he/she stays in the territory of the Republic of Poland illegally; - a foreigner has proved that there are grounds other than all those referred to above, justifying his/her stay in the territory of the Republic of Poland.

5. 1. The temporary residence permit is granted on request of TCN foreigner. A foreigner shall submit an application on the official form in person (personal appearance is required for persons who have completed the age of 6) to the voivode competent with respect to the place of his/her (foreigner's) residence, no later than on the last day of his/her lawful stay in the territory of the Republic of Poland.
2. When applying for a temporary residence permit, a foreigner shall submit a valid travel document and attach to the application a recent photograph and documents necessary to verify the details included in the application as well as the grounds for applying for a temporary residence permit. **3. A**

foreigner applying for a temporary residence permit shall have his/her fingerprints taken (taking fingerprints is required for persons who have completed the age of 6). 4. The voivode verifies whether the application is free from formal defects. If the application does not fulfil the requirements of law, the applicant shall be summoned by voivode to correct the defects within a period not less than 7 days, under pain of not examining the application. 5. Where the deadline for filing an application for a temporary residence permit has been observed and the application is free from formal defects or formal defects have been corrected in due time, the voivode shall put in a foreigner's travel document a stamp certifying that an application for a temporary residence permit has been filed and the foreigner's stay in the territory of the Republic of Poland shall be considered legal from the date of filing the application to the date on which the decision on granting a temporary residence permit becomes final. 6. The voivode carries out an evidentiary process (on the basis of Act of Code of Administrative Procedure and Act on Foreigners) to verify whether the applicant meets the requirements (specified in the Act on foreigners) set out with regard to the declared purpose of the stay and whether the grounds for applying for a permit justify his/her stay in the territory of the Republic of Poland for a period longer than 3 months as well as to verify whether there are any circumstances for refusing him/her requested permit. 7. Before issuing a decision on granting a foreigner a temporary residence permit, the voivode shall request the Commander-in-Chief of the Polish Border Guard, the voivodeship Police commander, the Head of the Internal Security Agency, and, if necessary, the consul competent with respect to the foreigner's last place of residence abroad or other authorities for information whether the foreigner's entry into the territory of the Republic of Poland and his/her stay in this territory may pose a threat to national security or defence or to the protection of public safety and order. 8. The voivode issues a decision. 9. Whether the decision grants a foreigner the temporary residence permit, the voivode issues him/her a residence card containing previously taken fingerprints. A foreigner shall collect his/her residence card in person. A foreigner collecting a residence card shall be provided with an electronic reader for the purposes of verifying whether his/her personal data included in the card is true, accurate and complete (the fingerprints are compared with those which were taken when submitting the application and stored in the IT system). 10. Whether the decision is negative (or other than negative but it raises a foreigner's objections) a foreigner has possibility to appeal to the Head of The Office for Foreigners and after the decision of the Head of the Office for Foreigners, he/she may also appeal to administrative court.

6. 1. The temporary residence permit is granted on request of TCN foreigner. A foreigner shall submit

			<p>an application on the official form in person (personal appearance is required for persons who have completed the age of 6) to the voivode competent with respect to the place of his/her (foreigner's) residence, no later than on the last day of his/her lawful stay in the territory of the Republic of Poland.</p> <p>2. When applying for a temporary residence permit, a foreigner shall submit a valid travel document and attach to the application a recent photograph and documents necessary to verify the details included in the application as well as the grounds for applying for a temporary residence permit.</p> <p>3. A foreigner applying for a temporary residence permit shall have his/her fingerprints taken (taking fingerprints is required for persons who have completed the age of 6).</p> <p>4. The voivode verifies whether the application is free from formal defects. If the application does not fulfil the requirements of law, the applicant shall be summoned by voivode to correct the defects within a period not less than 7 days, under pain of not examining the application.</p> <p>5. Where the deadline for filing an application for a temporary residence permit has been observed and the application is free from formal defects or formal defects have been corrected in due time, the voivode shall put in a foreigner's travel document a stamp certifying that an application for a temporary residence permit has been filed and the foreigner's stay in the territory of the Republic of Poland shall be considered legal from the date of filing the application to the date on which the decision on granting a temporary residence permit becomes final.</p> <p>6. The voivode carries out an evidentiary process (on the basis of Act of Code of Administrative Procedure and Act on Foreigners) to verify whether the applicant meets the requirements (specified in the Act on foreigners) set out with regard to the declared purpose of the stay and whether the grounds for applying for a permit justify his/her stay in the territory of the Republic of Poland for a period longer than 3 months as well as to verify whether there are any circumstances for refusing him/her requested permit.</p> <p>7. Before issuing a decision on granting a foreigner a temporary residence permit, the voivode shall request the Commander-in-Chief of the Polish Border Guard, the voivodeship Police commander, the Head of the Internal Security Agency, and, if necessary, the consul competent with respect to the foreigner's last place of residence abroad or other authorities for information whether the foreigner's entry into the territory of the Republic of Poland and his/her stay in this territory may pose a threat to national security or defence or to the protection of public safety and order.</p> <p>8. The voivode issues a decision.</p> <p>9. Whether the decision grants a foreigner the temporary residence permit, the voivode issues him/her a residence card containing previously taken fingerprints. A foreigner shall collect his/her residence card in person. A foreigner collecting a residence card shall be provided with an electronic reader for the purposes of verifying whether his/her personal data</p>
--	--	--	--

included in the card is true, accurate and complete (the fingerprints are compared with those which were taken when submitting the application and stored in the IT system). 10. Whether the decision is negative (or other than negative but it raises a foreigner's objections) a foreigner has possibility to appeal to the Head of The Office for Foreigners and after the decision of the Head of the Office for Foreigners, he/she may also appeal to administrative court.

7. The Act on Foreigners does not specify time limits to the whole procedure related to granting temporary residence permit. It means that conducting these proceedings requires basing on Act of 14 June 1960 Code of Administrative Procedure which states that any case requiring an evidentiary process should be dealt with within a month from the commencement of proceedings and more complicated cases within two months from the commencement of proceedings. Appeals cases should be dealt with within a month of the appeal being received.

8. The Act on Foreigners does not specify time limits to the whole procedure related to granting temporary residence permit. It means that conducting these proceedings requires basing on Act of 14 June 1960 Code of Administrative Procedure which states that any case requiring an evidentiary process should be dealt with within a month from the commencement of proceedings and more complicated cases within two months from the commencement of proceedings. Appeals cases should be dealt with within a month of the appeal being received.

9. Transposition of the directive 2014/66/EU required legislative changes which were introduced into the Polish legal as of 12 February 2018 by way of the Act of 24 November 2017 on amendment of the Act on Foreigners and certain other acts (Journal of Laws, pos. 107). Due to this changes in the Act on Foreigners they were added two new types of temporary residence permits i.e. temporary residence permit for the purpose of work under the intra-corporate transfer and temporary residence permit for the purpose of exercising long-term mobility (under intra-corporate transfer), for granting of which may apply the host entity seated within the territory of Poland, as well as the provisions stipulating the basis for entry, residence and work within the territory of the Republic of Poland inter the so-called short term mobility of the foreigners holding residence documents issued by other EU Member States with "ICT" annotation. Transposition of the directive 2016/801/EU also requires changes in the law. It is planned among others to introduce further types of temporary residence permits into the Act on Foreigners e.g. temporary residence permit for trainee or temporary residence permit for volunteer.

			<p>Works on the project amending the Act on Foreigners are currently in progress.</p> <p>10. Transposition of the directive 2014/66/EU required legislative changes which were introduced into the Polish legal as of 12 February 2018 by way of the Act of 24 November 2017 on amendment of the Act on Foreigners and certain other acts (Journal of Laws, pos. 107). Due to this changes in the Act on Foreigners they were added two new types of temporary residence permits i.e. temporary residence permit for the purpose of work under the intra-corporate transfer and temporary residence permit for the purpose of exercising long-term mobility (under intra-corporate transfer), for granting of which may apply the host entity seated within the territory of Poland, as well as the provisions stipulating the basis for entry, residence and work within the territory of the Republic of Poland inter the so-called short term mobility of the foreigners holding residence documents issued by other EU Member States with “ICT” annotation. Transposition of the directive 2016/801/EU also requires changes in the law. It is planned among others to introduce further types of temporary residence permits into the Act on Foreigners e.g. temporary residence permit for trainee or temporary residence permit for volunteer. Works on the project amending the Act on Foreigners are currently in progress.</p>
	Slovak Republic	Yes	<p>1. Based on the national legislation SK grants the following: temporary residence, permanent residence, tolerated stay or continuation of stay in the territory of the SR.</p> <p>2. Temporary residence can be granted by a police department to a TCN: a) for the purpose of business; b) for the purpose of employment; c) for the purpose of study; d) for the purpose of special activity; e) for the purpose of research and development; f) for the purpose of family unification; g) for the purpose of performing service obligations by civil units of armed forces; h) who has the status of a Slovak living abroad; i) who has the statues of a person with long term residence in another member state. A specific type of temporary residence in the SR is the Blue Card.</p> <p>3. In the SR the process of granting the residence has the following stages: - Submitting an application – application for granting temporary residence shall be filed by a third country national in person abroad at a diplomatic mission of the SR or in specific cases at a police department. In order for the application to be accepted, the TCN has to enclose all the necessary documentation as given by the national legislation. - Duration of the procedure – during this phase the administrative authority examines and requests all the requisites necessary for making a decision. - Carrying out the decision –</p>

			<p>if the decision on the application is positive, the administrative authority will send a written notification to the applicant stating the starting date of the granted residence and the finishing date of the residence. If the application is refused, administrative authority issues a written decision containing all the requirements. Such decision can be appealed. - Issuance of the residence card – after the residence is granted, the residence card can be issued. This document is issued by the administrative authority to the TCN within 30 days from the day residence was granted.</p> <p>4. The police department decides about the application on granting temporary residence up to 90 days (in specific cases up to 30 days, e.g. if this is a temporary residence for the purpose of study, for the purpose of research and development or for special activity, if the TCN represents or works for an important foreign investor in the SR or other cases as outlined by law).</p> <p>5. In the SR a change of the legislation (Act on Residence of Aliens) was necessary. The most extensive new provisions are related to the mobility of TCNs, which a new element in the national legislation. The transposition itself however was carried out in time set.</p>
	Sweden	Yes	<p>1. Broadly speaking, Sweden grants temporary residence permits, permanent residence permits, EU Blue Cards, ICT (Intra-Corporate Transfer) permits, permits for seasonal work, and visas.</p> <p>2. Temporary residence permits can be granted for the following main purposes: - Family reunification and family formation. (Depending on the circumstances, residence permits for family reasons are permanent or temporary); - Work (including employment, self-employment, Intra-Corporate Transfer, EU Blue Card, seasonal work, and other special categories of workers); - Studies (at universities and university colleges, including doctoral students, and to a limited extent other, non-academic studies); - Protection and humanitarian reasons; - Temporary visits to Sweden (if the stay is longer than the maximum stay permitted by Schengen visas). In addition, there are permits for other reasons such as victims of trafficking, witnesses in criminal proceedings, permits for third-country nationals who are long-term residents in other Member States, among others. The concept of tolerated stay is not used.</p> <p>3. As a main rule, residence permits have to be applied for from abroad. There are few exceptions to this main rule. Applications can be made through Swedish missions abroad or directly through the Swedish Migration Agency, depending on the type of permit and individual circumstances. Normally,</p>

			<p>visits to missions abroad are necessary even if an application is lodged via the Migration Agency. Online application procedures are in place for several types of permits.</p> <p>4. There are generally no mandatory time limits, with the exceptions of EU Blue Cards, ICT permits and permits for seasonal work, where a decision must be made within 90 days. The ambition is always to process applications as quickly as possible.</p> <p>5. Sweden implemented Directive 2014/66/EU by adding a new chapter to the Aliens Act (2005:716) and the Aliens Ordinance (2006:97). The rules entered into force on 1 March 2018. The rules introduced a combined residence and work permit relating to intra-corporate relocation of managers, specialists and interns from companies established outside the EEA and Switzerland - so-called ICT permits. If an individual is covered by the conditions for the ICT-permit, no other work and residence permit will be issued. Directive 2016/801 is at this point not yet implemented in Swedish law. It is however anticipated that certain legal amendments will be made to implement the directive.</p>
	United Kingdom	Yes	<p>1. Please see the attached spreadsheet.</p> <p>2. Please see the attached spreadsheet.</p> <p>3. Please see the attached spreadsheet.</p> <p>4. Please see the attached spreadsheet.</p> <p>5. Please see the attached spreadsheet.</p>
	Norway	Yes	<p>1. Please see attached file and table - with thorough response.</p> <p>2. Please see attached file and table - with thorough response.</p> <p>3. Process: 1. The applicant fills in the application form online, pays the fee, books appointment for submitting documents 2. The applicant submits documents to the police (in Norway) or an embassy (abroad) (mostly via an external service provider). Check of complete application. As an additional</p>

			<p>option, employers may submit the documents for work migrants to the police in Norway. 3. The police or the embassy creates a case in the electronic case handling system and adds the submitted documents</p> <p>4. The police/embassy can make additional inquiries</p> <p>5. The case is sent electronically to the Directorate of Immigration</p> <p>6. The Directorate of Immigration decides upon the case. The Directorate may make further inquiries about the case directly or via the police/the foreign missions before making the decision. In some cases other authorities are consulted as for example the Police Security Service and the Labour market authorities.</p> <p>7. The decision is notified to the applicant directly or via an embassy or the police.</p> <p>4. Please see attached file and table - with thorough response.</p> <p>5. Directives 2014/66/EU and 2016/801 do not have EEA relevance and have not been transposed into Norwegian legislation.</p>
--	--	--	--