



## Ad-Hoc Query on Residence Permits for Third Country Citizens for Academic Studies

Requested by SE EMN NCP on 13<sup>th</sup> of October 2009

Compilation produced on 14<sup>th</sup> of December 2009

Responses from [Belgium](#), [Estonia](#), [Finland](#), [Germany](#), [Greece](#), [Hungary](#), [Italy](#), [Latvia](#), [Lithuania](#), [Luxembourg](#), [Netherlands](#), [Poland](#), [Portugal](#), [Slovak Republic](#), [Slovenia](#), [Spain](#), [Sweden](#), [United Kingdom](#) (18 in Total)

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### **1. Background Information**

The Swedish National Audit Office ([www.riksrevisionen.se](http://www.riksrevisionen.se)) currently conducts a feasibility study concerning residence permits for academic studies. The Swedish Migration Board is one of the governmental agencies/actors involved responsible for some of the subject matters. The study, although to a lesser extent, includes some questions regarding other M.S. residence permits with regard to third country nationals' academic studies. The Swedish Migration Board therefore turns to the EMN NCP's in order to assist with this information, which in addition will be of use for the Board's own development.

The query concerns third country nationals who will conduct academic studies at a University in your country during a period of time longer than three (3) months, and therefore applies for a residence permit in your country for this aim (first time).

We would very much appreciate your reply before Monday the 26<sup>th</sup> of October.

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## 2. Responses

		Wider Dissemination?	<p>The query concerns third country nationals who will conduct academic studies at a University in your country during a period of time longer than three (3) months, and therefore applies for a residence permit in your country for this aim (first time). In such cases:</p> <ol style="list-style-type: none"> <li>1. Shall residence permits be applied for <u>and</u> approved before entry?</li> <li>2. Is the residence permit issued before or after entry?</li> <li>3. In case a residence permit has not been issued before entry, what type of permit is required (for instance, a special visa for students)? And in addition, how long will such a specific entry permit be valid?</li> <li>4. Is registration at the University a requirement for the residence permit to be issued?</li> <li>5. Are Universities somehow engaged in the application procedure for residence permits (for instance, a University that has approved a student for academic studies hands in the student's application for resident permit)?</li> <li>6. Are there any plans to change/modify your country's regulations on the above matters?</li> </ol>
	Belgium	Yes	<ol style="list-style-type: none"> <li>1. Yes. You have to apply for a visa (type D) before coming to Belgium as a student. The visa can be applied for in the competent Belgian diplomatic post or consulate, in the country of origin or any other third-country.</li> <li>2. Before entry. However, if the student already stays legally in Belgium, he/she can apply for a new residence permit for the purpose of studies. He/she will have to comply with a series of conditions. The application for the new residence permit must be made before the validity of the current residence permit terminates.</li> <li>3. Not applicable.</li> <li>4. Yes. In addition to the visa (type D), the student will have to provide the following documents: <ul style="list-style-type: none"> <li>- a valid passport;</li> <li>- a certificate of the education institution in Belgium that proves that the student is admitted to the studies; <ul style="list-style-type: none"> <li>• This can be a certificate stating that the student complies with all the enrolment conditions and has passed the selection procedure (the definitive enrolment certificate will be issued later when all documents are collected and all conditions are satisfied)</li> <li>• Or it can be (at best) the certificate stating that the person is successfully enrolled, as a regular student</li> </ul> </li> <li>- an evidence that the student has sufficient income to look after himself/herself. That evidence can be provided through e.g. a scholarship, a commitment by legal residents in Belgium to sponsor the student, other types of evidence of regular and sufficient income in Belgium (e.g. a student job for students from their second year of higher education).</li> </ul> </li> </ol>

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			<p>5. Not as described in the question / Universities do play a role in the whole process insofar as certificates of admission to a university have to be included in the applications.</p> <p>6. Yes, a modification of the legislation has been in preparation for over a year. It is not yet known when the modification will be effectively realised and enforced.</p>
	<b>Estonia</b>	<b>Yes</b>	<p>1. Residence permit for study has to be applied for and approved before entry.</p> <p>2. The residence permit is issued before entry in a form of Estonian ID-card in the Estonian consulate.</p> <p>3.-</p> <p>4-5. Yes. The relevant educational institution or international students' organisation shall provide the Citizenship and Migration Board with documentary evidence in proof of the alien commencing his or her studies indicating the title and estimated period of the study, course, research, exploratory research or field training.</p> <p>6. No, there is no current plan to change the regulation on the above matters.</p>
	<b>Finland</b>	<b>Yes</b>	<p>1. Student who has been accepted to study at a Finnish educational institution must apply for a residence permit in advance through a <a href="#">Finnish diplomatic mission</a>. The permit is to be applied for in the country in which the student resides legally. In practice this means the home country of the applicant, or the country which has granted him or her residence permit.</p> <p>Fill in the application form and submit it, along with relevant appendices, to the Finnish diplomatic mission. Required appendices:</p> <ul style="list-style-type: none"> <li>• letter of acceptance from a Finnish educational institution, which includes information on the duration of studies, the language of study and the degree aimed for</li> <li>• details of comprehensive health insurance cover</li> <li>• if necessary, a statement of the applicant's previous studies and language skills, and</li> <li>• proof of means of support.</li> </ul> <p>After completing the studies, the student may remain in Finland if he or she can be granted a new residence permit on other grounds. The permit may be granted, for example for continuing studies within the same field or on the basis of family ties or employment.</p> <p>A foreigner who has received a degree in Finland can also get a residence permit for search for work. The permit can be granted as an extended permit for six (6) months.</p> <p>2. Yes. The applicant must remain abroad while waiting for the decision on the permit application. The first residence permit is issued by the Finnish Immigration Service, which receives the application from the Finnish diplomatic mission.</p> <p>3. In exceptional cases, a residence permit for studies can be granted in Finland. This can be done if the student has initially come to</p>

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			<p>Finland with a visa in order to attend an entrance exam, and the studies begin so soon after the entrance exam that the student would not have time to go back and apply for and receive the residence permit in his or her home country.</p> <p>In Finland, the residence permit application is submitted to the police. The applicant can reside in Finland and begin his or her studies even if the decision on the permit has not been issued at the time when the studies begin. If the application is denied, the applicant is usually forced to discontinue his or her studies and leave the country.</p> <p>The first permit is usually granted for a year, unless the residence permit is specifically applied for a shorter period.</p> <p>If the reason for the stay in Finland is a temporary work placement or studies, which will be completed within a certain period of time known in advance, the permit can be granted, on discretion, for a shorter or longer period than one year; however, not for more than two years.</p> <p>4. Yes.</p> <p>5. No. An application for residence permit must be lodged by the applicant himself/herself. Universities may, however, be asked to confirm that the applicant has actually registered at the university or reveal some details from the application process. Constant efforts are being made in order to enhance cooperation with the universities.</p> <p>6. No.</p>
	<p><b>Germany</b></p>	<p><b>Yes</b></p>	<ol style="list-style-type: none"> <li>1. In order to enter Germany for the purpose of academic studies, a foreigner generally needs a residence title in form of a visa issued by the respective German representation abroad prior to the foreigner entering the Federal territory. A foreigner may enter Germany without a visa if, by way of exception, he or she is exempt from the visa requirement for a long-term stay.</li> <li>2. After entry, the Aliens' Authority issues a residence permit for further stay.</li> <li>3. The visa for entry into the Federal territory for the purpose of academic studies issued by the German representation abroad is based on the same regulations applying to the residence permit which is issued for study purposes after entry. In general, this visa is issued for a time period of three months, and the period of validity of the residence permit for study purposes is two years (with the possibility of extension if proper progress is being made in the studies). If the person in question entered Germany without the required visa, the issuance of a resident permit for study purposes is in general not possible unless the person leaves Germany again and the proper visa procedure is followed.</li> <li>4. The visa and the residence title for study purposes (or for the attendance of a preparatory course prior to studying, including language tuition) may only be issued if the foreigner has been admitted by the educational establishment concerned; a written statement by the educational establishment certifying conditional admission is also sufficient. However, if a foreigner is not in possession of such a certificate, he or she may also be issued a residence permit for the purpose of applying for a study place, with a maximum validity of nine months.</li> <li>5. Universities and other educational institutions like the German Academic Exchange Service (Deutsche Akademische Austauschdienst, <a href="http://www.daad.de">www.daad.de</a>) provide information for foreign applicants; however, the application for the residence title must be carried out by the foreigner himself/herself.</li> <li>6. No.</li> </ol>

**EMN Ad-Hoc Query: Age limit for family reunification**

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	<b>Greece</b>	<b>Yes</b>	<p>1,2.The application for a residence permit is submitted after entry. Consequently, residence permits are approved and issued after entry as well.</p> <p>3,4. In order to TCNs enter the country to study at a University they must be holders of a special visa for this reason. To obtain this visa, they must present to the consular authorities a certificate that they have been accepted to a university for academic studies. After entering the country and while their visa is still valid they have to apply for a residence permit. The duration of the special visa is up to 90 days.</p> <p>5. No, only TCNs are responsible for the submission of the application and the receipt of the residence permits.</p> <p>6. There is no such thought at least for the immediate future.</p>
	<b>Hungary</b>	<b>Yes</b>	<p>1. According to the general rules third country nationals shall apply for a residence permit and the application has to be approved before entry. However the Act concerned lays down some exceptions when submitting an application is also possible after entry.</p> <p>2. Owing to the general rules the residence permit shall be issued and positioned in the third country national's passport before his or her entry.</p> <p>3. If a third country national is not obliged to have a visa for entry he/she is entitled to stay in the territory of Hungary for a period of not longer than three months without having a visa or residence permit. As far as she/he decides to stay longer than three months the third country nationals has to apply for a residence permit.</p> <p>4. A residence permit may be issued on grounds of studies to third-country nationals accepted by an establishment of secondary or higher education accredited in the Republic of Hungary and admitted to the territory of the Republic of Hungary to pursue as his/her main activity a full-time course of study, or to attend a course in an establishment of higher education, which may cover a preparatory course prior to such education. For the first semester the student is required to submit his/her confirmation of acceptance to the university and later the fact of studying is to certify with a registration.</p> <p>5. No, Hungarian universities are not involved in the application procedure for students resident permits.</p> <p>6. No, there is no current plan to change/modify the Hungarian regulations concerning residence permits for studies.</p>
	<b>Italy</b>	<b>Yes</b>	<p>1-5) The Italian regulation system gives the possibility for foreign citizens with a residence abroad to frequent University or other more specialized courses, for instance technical and professional formation. In such case it is possible to apply for the entry visa for study reasons in the Italian Embassy or other Italian consular authorities operating in the country of origin. Besides, the holder of a stay permit for study reason is also allowed to have a subordinate work activity, not longer than 20 hours a week, provided that the student has received an appropriate authorisation from the educational institution and that all restrictions stated by the normative concerning the work of minors are respected.</p> <p>As regards stay for study reasons, we would like to highlight the matter of university courses frequency. At the end of the calendar year,</p>

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			<p>Italian Universities are required to calculate the maximum number of places reserved for enrolment of foreign students for the following academic year. The foreign students admission requires also that the competent Italian diplomatic or consular agencies issue a declaration stating the validity of academic qualifications and degrees granted in the country of origin. The same authorities are also responsible for issuing the entry visa for study reasons in order to allow the applicant to apply for an appropriate stay permit. Third country foreigners already legally residing on the Italian territory are subject to the same conditions, as Italian students, concerning the university courses admission.</p> <p>6) No information about any study admission reform.</p>
	<b>Latvia</b>	<b>Yes</b>	<p>1. Yes, residence permits shall be applied and approved before entry (except of exchange students who can submit documents after their entry into Latvia). In accordance with the Regulations of the Cabinet of Ministers Nr.813 “The Regulations of the Residence Permits” alien personally submits necessary documents in the diplomatic or consular representation of Latvia. The diplomatic or consular representation of Latvia sends submitted documents to the OCMA and the OCMA in 30 days term makes a decision to issue a residence permit.</p> <p>In accordance with Immigration Law, the Head of the OCMA or his authorized official could allow submit all necessary documents to demand a residence permit in the OCMA after entry, if this agreed with international legislation, state interests or is entailed with human considerations.</p> <p>The validity of the residence permit is not depends on where the documents are submitted.</p> <p>2. In accordance with the Regulations of the Cabinet of Ministers Nr.813 “The Regulations of the Residence Permits” the alien has to come to the OCMA’s regional office accordingly to his place of residence in 7 day term <u>after</u> entry to receive the residence permit.</p> <p>3. Yes, residence permits shall be applied and approved before entry (except of exchange students who can submit documents after their entry into Latvia).</p> <p>4. Yes, because one of the documents the alien must submit to receive a residence permit is the agreement on studies in Latvia which must be signed between the University and the alien who will study in that University.</p> <p>5. Before the submission of the documents the inviter (the representative of the University) shall approve the invitation at the OCMA. The University is responsible for a student during his/her stay in the country. The inviter should pay medical expenses or expulsion expenses if a student himself has not enough financial means. In some cases the University is allowed to submit documents for a residence permit instead of a student.</p> <p>6. There is a plan to allow all students from visa-free countries to submit documents after their entry into Latvia.</p>
	<b>Lithuania</b>	<b>Yes</b>	<p>1. The residence permits can be applied for and approved both before and after the entry.</p> <p>2. The card of the residence permit is issued after the entry.</p> <p>3. If a full-time student lodges an application for a residence permit, s/he can obtain a national visa (D) which is valid for 6 months (the maximum period of the examination of the application for the residence permit).</p> <p>4. and 5. Together with the application for the residence permit, students must provide documents, proving their admission to the university, and a mediation letter, issued by that university. The order of obtaining these documents is determined individually by universities.</p> <p>6. At the moment there are no plans to modify these regulations.</p>
	<b>Luxembourg</b>	<b>Yes</b>	<p>1. Shall residence permits be applied for and approved before entry?</p> <p>The residence permit is granted after arrival in Luxembourg. Before arrival to Luxembourg, the student has to apply for a temporary</p>

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		<p>authorization to stay. His request has to be approved before he is allowed to enter Luxembourg. A temporary authorization to stay is issued before the applicant's entry into the territory of Luxembourg. This temporary authorization to stay is valid during 3 months. During this time, the applicant has to apply for entry visa to Luxembourg, if a visa is required, or he/she can enter directly the Luxembourg territory if no visa is required.</p> <p>2. Is the residence permit issued before or after entry? A 3 months residence permit is issued before entry into the territory of Luxembourg.</p> <p>3. In case a residence permit has not been issued before entry, what type of permit is required (for instance, a special visa for students)? And in addition, how long will such a specific entry permit be valid? The residence permit is granted after arrival to Luxembourg. Within three working days from the date of entry, the applicant, provided with the temporary authorization to stay must go before the municipal authorities where he/she intends to fix his/her residence in order to get an arrival declaration. A copy of his/her statement will be issued as a receipt. Within 3 months after the arrival in Luxembourg, he/she will address to the Immigration Department a request for obtaining a residence permit by submitting the following documents:</p> <ul style="list-style-type: none"> <li>- certified copy of the 3 months residence permit;</li> <li>- certified copy of the arrival declaration issued by the municipal administration;</li> <li>- medical certificate issued by a doctor established in Luxembourg;</li> <li>- evidence of appropriate accommodation;</li> <li>- recent photograph, size 45/35 mm;</li> <li>- payment proof of / transfer of the issue fee of EUR 30.</li> </ul> <p>4. Is registration at the University a requirement for the residence permit to be issued? Cf answer to question 1</p> <p>5. Are Universities somehow engaged in the application procedure for residence permits (for instance, a University that has approved a student for academic studies hands in the student's application for resident permit)? The all procedure must be accomplished by the applicant student. The University of Luxembourg facilitates the access to all the information needed and may intervene near the Ministry to accelerate the process. The "Centre d'Etudes de Populations, de Pauvreté et de Politiques Socio-Economiques / International Network for Studies in Technology, Environment, Alternatives, Development" CEPS/INSTEAD, which is a public research institution, takes over all procedures for its MA students who are to a large extent non-Communitarians./ MA students of CEPS/INSTEAD are to an extent of appr. 80 non-EU citizens. Getting then residence permit is more delicate than for EU students!</p> <p>6. Are there any plans to change/modify your country's regulations on the above matters? The current regulation has been established for only now.</p>
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	<p>Netherlands</p>	<p>Yes</p>	<p><b>1. Shall residence permits be applied for <u>and</u> approved before entry?</b>                  2. Is the residence permit issued before or after entry?                  3. In case a residence permit has not been issued before entry, what type of permit is required (for instance, a special visa for students)?                  And in addition, how long will such a specific entry permit be valid?</p> <p>A difference is made between countries whose residents (including students) need a provisional residence permit to enter NL and those countries that are exempted.</p> <p>Students have to enter NL with a provisional residence permit in case their country is not exempted. Application and approval for this provisional permit have to be executed while the student lives in the country of origin. After this provisional permit is granted, the student has to enter NL within a period of 6 months.</p> <p>Students whose country is exempted from the obligation of a provisional residence permit, and who meet all other requirements, can enter NL without a provisional residence permit.</p> <p>Both students with or without a provisional residence permit have to apply for a residence permit within 8 days after arrival.</p> <p>Application and issuance of the residence permit in both cases takes place promptly after entry.</p> <p><b>4. Is registration at the University a requirement for the residence permit to be issued?</b>                  Yes. This is also a requirement in case a student needs a provisional residence permit.</p> <p><b>5. Are Universities somehow engaged in the application procedure for residence permits (for instance, a University that has approved a student for academic studies hands in the student's application for resident permit)?</b></p> <p>If the student wishes to study at a University, the following additional conditions also apply:</p> <ul style="list-style-type: none"> <li>• it must be a full-time day course (not a correspondence course or evening classes)</li> <li>• it must be an educational institution that is funded or designated by the Ministry of Education, Culture and Science.</li> <li>• it must be an educational institution that has signed the Code of Conduct and that is entered in the Information Management Group (IB-Groep) register. A list of institutions that have signed the Code of Conduct can be found at <a href="http://www.internationalstudy.nl">www.internationalstudy.nl</a>.</li> <li>• it must be an educational institution that has signed a contract with the Immigration and Naturalisation Service .</li> </ul> <p>By studying at a university that has signed the Code of Conduct and the contract with the INS the student has a guarantee to a highly qualified education which enables the student to achieve a degree that gives a good starting point for his professional career.</p>
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			<p>The University applies for the (provisional) residence permit on behalf of the student and has direct contact with the INS. The student only contacts the INS to acquire his residence document.</p> <p><b>6. Are there any plans to change/modify your country's regulations on the above matters?</b></p> <p>In 2011 changes will be made in the Dutch regulations. For instance, to attract international students, it will no longer be necessary to renew the residence permit yearly; this permit will be issued for 5 years. Also, the responsibility for the universities regarding the application procedures will be broadened.</p>
	<b>Poland</b>	<b>Yes</b>	<p>1, 2. A residence permit does not have to be applied for <u>and</u> approved before entry. The student may enter Poland on the basis of C or D visa and apply for a residence permit in Poland (he/she has to comply with the 45-day term to apply for a residence permit before expiry of the visa to stay in Poland during the procedure for granting residence permit). The student may also apply for a residence permit while staying abroad via consul and wait abroad for the decision of the authority in Poland on granting the residence permit. In the latter situation when the decision on granting residence permit is issued the student have to enter Poland on the basis of a visa and is granted personally with a residence card in Poland. However the student may always enter Poland on the basis of a visa and wait in Poland for the decision on residence permit even if he/she has submitted the application for a residence permit from abroad. The student may alternatively not apply for a residence permit at all and study in Poland on the basis of D visas. These are general rules for granting a residence permit in Poland which apply not only to students.</p> <p>3. Residence card is issued only on the territory of Poland and has to be received personally. In case a decision on granting the residence permit has been issued before entry Poland, the student is issued special D visa for the purpose of realization of the residence permit to enter Poland and to obtain residence card. The length of validity of such a visa may not exceed 5 years and the period of stay exceeds 3 months and is up to 1 year. It depends on circumstances of the case. In case a decision on granting the residence permit has not yet been issued before entry Poland, the student may be granted any kind of C or D visa. It depends on circumstances of the case. These are general rules which apply not only to students.</p> <p>4: The student is required to register at the University before a decision on granting the residence permit is issued.</p> <p>5. No, Polish Universities are not formally involved/engaged in the application procedure for students residence permits, however the applicant has to attach to the application a certificate of admission to studies issued by the University.</p> <p>6. We plan to change Polish regulations in order to issue visas for the purpose of realization of residence permits as C or D visas alternatively.</p>
	<b>Portugal</b>	<b>Yes</b>	<p>Under the Portuguese legal framework, there are two possibilities for third country nationals who will conduct academic studies at a University for a period of time longer than three (3) months:</p> <p>a) temporary stay visa – Granted to third-country nationals who intend to engage on a research assignment, a teaching job in a university or equivalent high level teaching institution or a highly qualified activity for a period of less than one year;</p> <p>b) residence permit – for longer periods, for research or studying proposes.</p> <p><b>1. Only temporary stay visa or residence visa must be approved before entry.</b></p>

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			<p>2. Residence permit is issued after the entry. Temporary stay visa entitles <i>per si</i> the holder's permanence in Portugal.</p> <p>3. Temporary stay visa or residence visa for research or highly qualified assignment or for studies, students exchange programs, traineeship at work or voluntary work.</p> <p>4. Applicants should be admitted in the quality of assistant by a research centre duly recognized by Ministry of Science, Technology and Higher Studies, specifically by means of a consignment or work contract, a proposal or contract on services supply, or a research grant for scientific purposes (temporary stay visa or residence permit for research or highly qualified assignment) or prove to be enrolled and to have paid the respective fees charged by the teaching institution (Residence permit granted to high level students).</p> <p>5. In any moment of the procedure Universities could be requested for clarification/confirmation of the students situation.</p> <p>6. No.</p>
	<b>Slovak Republic</b>	<b>Yes</b>	<p>1. Yes the residence permit for the purpose of study has to be approved before the entry in the Slovak Republic.</p> <p>2. The residence permit is issued and placed in the foreigner's passport after his/her entry in the Slovak Republic.</p> <p>3. When the Aliens Police Department decides on granting the residence permit for the study purpose a notification is sent to the Embassy stating that the Embassy may issue a short term visa for the purpose of collecting the residence permit. This visa is issued only for the time necessary to do so.</p> <p>4. The decision on the acceptance to the university studies is a necessary document which is to be attached to the application for the residence permit for the study purpose. This is a document by which the foreigner proves the purpose of his/her stay. That is why the student does not have to register at the university before the residence permit is issued.</p> <p>5. No the Universities in the Slovak Republic are not engaged in the residence permits issuance procedure. The procedure is in a sole competence of the Police Corps, i.e. Aliens Police Department.</p> <p>6. In January 2010 an amendment to the Act on Stay of Aliens will enter into force and it will regulate the fact that all students may apply for the residence permit for study purpose at the Aliens Police Department.</p>
	<b>Slovenia</b>	<b>Yes</b>	<p>1. A residence permit shall be applied for and approved before entry.</p> <p>2. The residence permit shall be issued and positioned in the foreigner's passport before his or her entry.</p> <p>3. A residence permit to study at a University in Slovenia shall be applied for, approved and issued before entry. Consequently, no special visa or other permit to entry is utilized.</p> <p>4. Yes.</p> <p>5. No.</p> <p>6. No.</p>
	<b>Spain</b>	<b>Yes</b>	<p>1. In accordance with Spanish legislation, foreign students are NOT holders of a residence permit. The situation of the foreign student is that of a stay, therefore they are <b>holders of a study visa (permit of stay for studies)</b> which must be <b>applied for and obtained prior to the entry to Spain</b> and which allows for a stay <b>for the duration of the university studies</b>. <b>If the stay for studies exceeds 6 months, the foreigner must apply for the Foreign Student Card within one month as of effective entry to Spain.</b></p> <p>2. The study visa <b>must also be issued prior to entry</b> to Spanish territory.</p> <p>3 and 4. In Spain (likewise in Sweden), the obtention of a study visa <b>requires admission to the teaching centre as a prerequisite</b>.</p>

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			<p>therefore, said visa may not be issued without certification of this condition.</p> <p>5. No. Spanish universities do not participate in the application process for study visas.</p> <p>6. To date, Spanish legislation related with alien affairs (specifically Organic Law 4/2000 of 11 January) is undergoing amendments; therefore, the reply to this question is subordinated to final approval of the contents of the aforementioned Law. In principle, the <b>subjective scope of the study visas is expected to be widened</b> (to include pupil exchange, unremunerated training or voluntary service) and <b>to facilitate entry and free movement</b> within Spain of foreign students who have been admitted to a teaching centre in another member state of the European Union. Furthermore, the <b>creation of a research visa</b> is foreseen to allow foreigners to remain in Spain for the purpose of carrying out research projects within the framework of an agreement for reception signed with a research entity.</p>
	Sweden	Yes	<p>1. A residence permit shall be applied for <u>and</u> approved before entry.</p> <p>2. The residence permit shall be issued and positioned in the foreigner's passport before his or her entry.</p> <p>3. and 4: A residence permit to study at a University in Sweden shall be applied for, approved and issued before entry. Consequently, no special visa or other permit to entry is utilized. Hence, the student cannot be required to register at the University before a residence permit is issued.</p> <p>5. No, Swedish Universities are not involved/engaged in the application procedure for students resident permits.</p> <p>6. No, there is no current plan to change/modify the Swedish regulations concerning residence permits for academic studies.</p>
	United Kingdom	Yes	<p><b>Background</b></p> <p>There are two routes under the current Immigration Rules for adults aged 18 and over who wish to come to the UK for the purposes of study:</p> <ul style="list-style-type: none"> <li>· The <b>student visitor</b> route allows the entry of those aged who wish to undertake a short course of study, for up to a maximum of six months, at a UK education provider that either has a Tier 4 Sponsor Licence, or is accredited by one of UKBA's approved accreditation bodies. Student visitors are not permitted to undertake any work or work placements during their stay, cannot extend their stay beyond the maximum of six months, and are not permitted to "switch" into any other immigration category in the UK. Non-visa nationals are not required to obtain a visa before travel to the UK and may seek permission to stay as a student visitor on arrival. Visa nationals are required to obtain a visa before they travel.</li> <li>· <b>Tier 4</b>, the new student route of the Points Based System, was launched on 31 March 2009. Students coming to the UK under this route must be sponsored by a UK education provider that has a UK Border Agency (UKBA) Tier 4 sponsor licence. Before being approved for a sponsor licence, institutions that fall outside the system of public inspection/audit are first required to obtain accreditation with one of UKBA's approved accreditation bodies. Accreditation provides an independent mark of quality that helps demonstrate that an institution is a genuine education provider with sound teaching practices, recruitment procedures and progress monitoring of its students rather than operating to facilitate the entry of bogus students to the UK. When the institution applies for a Tier 4 sponsor licence with UKBA, UKBA will examine the institution from an immigration risk perspective to ensure that the</li> </ul>

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			<p>institution will be able to meet its duties as an immigration sponsor in relation to student monitoring and reporting. The Tier 4 sponsor may only offer courses to international students that meet UKBA’s minimum academic levels (level 3 or above on the National Qualifications Framework (NQF) or for English language courses, level A2 or above on the Common European Framework of Reference for language). A student earns “points” by having a licensed sponsor offering a course that meets UKBA’s minimum requirements, and by meeting the maintenance requirement (where a student shows they have sufficient funds available to cover their course fees and living costs in the UK).</p> <p>The questions refer specifically to universities – a university may offer a course to a student under Tier 4 as well as short courses to student visitors. However, for those coming to the UK to study a course at degree level or above, Tier 4 would be the appropriate route.</p> <p><b>1. Shall residence permits be applied for <u>and</u> approved before entry?</b></p> <p>Under Tier 4, all students are required to apply for entry clearance before they travel to the UK, regardless of whether they are visa or non-visa nationals.</p> <p>It is only possible for migrants to “switch” into Tier 4 within the UK in limited circumstances, and this depends on the immigration category they are in. Visitors and dependants of other PBS migrants, for example, are not permitted to switch into Tier 4 within the UK and must leave to apply for entry clearance. However, those with permission as a student in one of Tier 4’s predecessor categories, or as a Tier 1 Post-Study work migrant (and its predecessor routes) or a Tier 2 migrant (and its predecessor route) are able to switch into Tier 4.</p> <p>A student visitor who is a non-visa national does not have to apply for entry clearance before travelling to the UK and may seek entry as a student visitor upon arrival. A student visitor who is a visa national must apply for entry clearance before travel, and will be refused entry if not.</p> <p><b>2. Is the residence permit issued before or after entry?</b></p> <p>Please see answer to question 1.</p> <p><b>3. In case a residence permit has not been issued before entry, what type of permit is required (for instance, a special visa for students)? And in addition, how long will such a specific entry permit be valid?</b></p> <p>Under Tier 4, entry clearance will be issued for the duration of the course, as indicated by the sponsor, plus a specified period to allow the student to enter before the start of the course, and a further period at the end of the course to allow the student to make arrangements to leave the UK or alternatively switch into another immigration category. The entry clearance will tie a student to his or her sponsoring educational institution.</p> <p>A student visitor may be granted leave for a maximum of six months only.</p>
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		<p><b>4. Is registration at the University a requirement for the residence permit to be issued?</b></p> <p>Under Tier 4, a student must have the offer of a place on a course of study with an institution that is a Tier 4 licensed sponsor – this will include universities but also covers publicly funded and private institutions offering further and higher education. It is not possible for a student to be granted entry under Tier 4 if he or she does not. Further, once granted, the student’s leave is tied to the individual institution. This means that if a student wishes to change to a different institution, he or she must apply to UKBA to vary the conditions on his/her leave before doing so.</p> <p>Student visitors, while they are not formally “tied” to their educational institutions, must show they have the offer of a place on a course with an institution that either holds a Tier 4 sponsor licence, or is accredited by one of UKBA’s approved accreditation bodies.</p> <p><b>5. Are Universities somehow engaged in the application procedure for residence permits (for instance, a University that has approved a student for academic studies hands in the student’s application for resident permit)?</b></p> <p>Some applications, particularly for extensions may be made in-country in batches where an education provider will submit a number of applications in one go. However, we require all those applying to extend their leave in the UK as a student to give their biometrics and so each applicant must make an appointment to attend a UKBA office in person to give their biometrics before we will make a decision on their application.</p> <p>This is not applicable to student visitors.</p> <p><b>6. Are there any plans to change/modify your country’s regulations on the above matters?</b></p> <p>Tier 4 was introduced in March this year, and while we are monitoring the performance of the new tier, there are no current plans to make major changes with regard to requiring migrants to apply for entry and restricting switching between categories within the UK.</p> <p><b>Full information is available on the UKBA website, in particular the sponsor guidance:</b>  <a href="http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance">http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance</a> and migrant guidance:  <a href="http://www.ukba.homeoffice.gov.uk/studyingintheuk/adult-students">http://www.ukba.homeoffice.gov.uk/studyingintheuk/adult-students</a> contain full details of the requirements of sponsors and migrants alike.</p>
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