



Ad-Hoc Query on Charges for Residence Permit Applications

Requested by FI EMN NCP on 8th June 2009

Compilation produced on 21st September 2009

Responses from Austria, Bulgaria, Estonia, Finland, Germany, Greece, Hungary, Latvia, Luxembourg, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom (15 in Total)

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1. Background Information

Ministry of the Interior in Finland is preparing to reform the decree on payments on Immigration services. The working group would like to know about the price determination relating to residence permit applications in other member states with the following queries:

- [1. What is the charge imposed on an application for the first fixed-term residence permit?](#)
- [2. Is the customer charged a cost price? If not, how is the charge determined?](#)
- [3. Are there applicants who are entitled to reduced charges \(when applying for the first fixed-term residence permit\)?](#)

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2. Responses

		Wider Dissemination?	Query 1: What is the charge imposed on an application for the first fixed-term residence permit?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Bulgaria	Yes	For residence permit for long-term stay – for 6 months – the price is 200 levs (100 EUR). For residence permit for long-term stay – for 1 year – the price is 500 levs (250 EUR). For residence permit for long-term stay – for 5 years – the price is 800 levs (400 EUR). For residence permit for permanent stay – the price is 1000 levs (500 EUR).
	Estonia	Yes	You may find the list of state fees from Estonian Citizenship and Migration Board homepage: http://www.mig.ee/index.php/mg/eng/state_fees .
	Spain	Yes	In accordance with the provisions of Organic Law 4/2000 of 11 January on the rights and freedoms of foreigners in Spain and their social integration (Articles 44 to 49), and the Regulations that develop the aforementioned law, Order PRE/3654/2007 of 14 December, the fees are set forth for the granting of administrative authorisations, issuance of documents on immigration and alien affairs or the processing of visas at borders. Therefore, the fees to be paid by the interested party for the granting of an initial temporary residence permit (for 1 year) amount to 10 euros(1). The fees to be paid for the initial work permit for salaried employment amount to 182,74€ if the worker's salary is less than twice the S.M.I. (S.M.I. = Spanish initials for Minimum Inter-Professional Salary) and 365,50€ if the worker's salary is equal to or more than twice the S.M.I. (1) Pursuant to Law 2/2008 on the General Budget of the State for the year 2009, as of 1 January 2009 the fixed amounts of such fees shall be increased up to the amount resulting from the application of a coefficient of 1.02 to the amount payable in 2008. This coefficient applies to all amounts which figure in this text.
	Latvia	Yes	Latvia applies different fees for proceeding of residence permit application. For example, if a person applies for a temporary residence permit the fee is 70 LVL (appr. 100 EUR).
	Luxembourg	Yes	For the deliverance of a first residence permit, a charge of 30 € is required (article 20 of Règlement grand-ducal du 5 septembre 2008 portant exécution de certaines dispositions relatives aux formalités administratives prévues par la loi du 29 août 2008 sur la libre circulation des personnes et l'immigration, in: Mémorial N°138 du 10 septembre 2008, p. 2062). Only beneficiaries of international protection are exempted from this fee.

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	Hungary	Yes	According to the 28/2007 Decree of the Ministry of Justice and Law Enforcement, the price for issuing a residence permit and a visa entitling the holder to obtain a residence permit is 60 EUR, and the price for issuing a residence permit if it is requested in the territory of Hungary is 18 000 Ft circa 64 euros.
	Portugal	Yes	<p>According to the Act that approves the legal framework of entry, permanence, exit and removal of foreigners into and out of national territory, it's only considered two kinds of residence permit, namely temporary residence permit and permanent residence permit (articles 75° and 76°).</p> <p>Therefore, the payments of fees respects to the kind of residence permit that is requested by the citizen, and not about its nature.</p> <p>Concerning the payment of fees and regarding the legal framework of Fees (Portaria n.º727/2007), for the reception and analyses of the request or for the renewal of the residence permit is 60€</p> <p>For each request for temporary residence permit or its renewal is 52€</p> <p>For each request for permanent residence permit is 165€</p> <p>These amounts are the same for the requests for the family members, because fees are charged individually, once the title is nominal. The exception is for the minors, that only pays half of these amounts.</p> <p>The payment of fees concerning the applying visas to entry in national territory is responsibility of the Ministry of Foreign Affairs.</p> <p>Find attached below the legal framework that regulates the payment of fees.</p> <p>http://www.sef.pt/documentos/35/Portaria%20727%202007_Ingles.pdf</p>
	Slovenia	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Slovak Republic	Yes	The charge imposed on an application for the first fixed-term residence permit is EUR 165,50 based on the Act on Administrative Fees.
	Finland	Yes	See http://www.migri.fi/netcomm/content.asp?article=1989 .
	Sweden	Yes	The application fee for a residence permit is SEK 1,000 for adults or SEK 500 for minors. In certain cases, the fee is half that amount. The exception is self-employed persons, for whom the application fee for a residence permit is SEK 2,000.
	United Kingdom	Yes	<ol style="list-style-type: none"> 1. There is no charge for EU nationals and their family members to request a document confirming their rights under European law. 2. Residence permits are not issued in the UK as a result of applications made under UK domestic legislation. Successful applicants are given limited or indefinite leave to remain (LTR or ILR). If an EU citizen decides to apply for LTR or ILR under the UK's Immigration Rules (as per non-EU citizens) then he/she is charged the same fee as non-EU citizens. <p>The fees for LTR range from £357 to £1020, depending on the category of the immigration rules under which an application is made – each category has a standard and a premium rate, the latter generally being an additional £200 for the application to be accepted at one of our Public Enquiry Offices. The fee for ILR is set at £820 (or £1020 is the application is made at a Public Enquiry Office). An additional charge of £50 per dependant is made where the applicant includes their spouse, civil partner, unmarried or same-sex partner, or their child under the age of 18 as a dependant in their application.</p>

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		Wider Dissemination?	<i>Query 2: Is the customer charged a cost price? If not, how is the charge determined?</i>
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Bulgaria	Yes	The cost price of the document is 10 levs (5 EUR). The charges for the residence permits are defined in a special Tariff adopted by a Decree of the Council of Ministers.
	Germany	Yes	<p>In order to issue a residence permit it is possible to charge a) fees and b) expenses of the authorities according to § 69 Residence Act (Aufenthaltsgesetz).</p> <p>a) Concerning the fees for the issuing and extension of the residence permit, § 69 paragraph 3, Nr. 1 (and 3) of the Residence Act regulates a maximum limit, within which § 45 of the Residence Act stipulates the specific amounts. The authority can already charge an administrative fee (advance payment) when the application is made, which is then set off against the aforementioned fee for the issuing of a residence permit (§ 69 paragraph 5 Residence Act in connection with § 49 paragraph 2 of the Ordinance Governing Residence (Aufenthaltsverordnung)). In the cases of § 69 paragraph 4 sentences 3 and 4 of the Residence Act additional charges can be imposed.</p> <p>The expenses incurred by the authority in performing its official act, can be charged according to § 69 paragraph 2 sentence 2 Residence Act in connection with § 10 of the Administrative Costs Act (Verwaltungskostengesetz).</p>
	Estonia	Yes	According to the States Fees Act § 4 p 1 a state fee is established based on the costs related to the performance of the act (cost principle).
	Greece	Yes	According to the provisions of the Law 3386/2005 the following categories do not fall under the obligation of administrative fees: a) minors (under 18) of all categories b) Scholars of ministries, organizations, institutions of public benefit, State Scholarship Foundation as well as scholars of the Fulbright Foundation c) scholars of military schools d) applicants for residence permit for humanitarian reasons e) victims of trafficking f) family members of Greek or E.U. citizen g) parents of Greek minors and h) Egyptians who fall under the Greece – Egypt bilateral agreement.
	Spain	Yes	<p>The person granted the authorisation is the taxable person object of the fee for an initial temporary residence permit. The taxable person object of the fee for work permits for salaried employment is the employer.</p> <p>The Regulations expressly invalidate any agreement in which the employee undertakes to pay in whole or in part the fees for the granting, renewal, modification or extension of the employment contract.</p>
	Latvia	Yes	Yes, the customer is charged a cost price.

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	Luxembourg	Yes	Apart from the charge of 30€ imposed for the deliverance of a first residence permit there are no more customer additional fees.
	Hungary	Yes	The customer is charged to pay the price of issuing a residence permit.
	Portugal	Yes	The payments of fees respects to the kind of residence permit that is requested by the citizen, and not about its nature. Therefore the charge is related to the type of residence permit. The application fees to third country national are determined by the national government. These procedures are implemented by legal acts.
	Slovenia	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Slovak Republic	Yes	The customer is charged a fixed price of EUR 165, 50 determined by the Act on Administrative Costs. The fee is paid in the form of duty stamps attached to the submitted applications for permit.
	Finland	Yes	The fee would be based on actual costs (cost principle), but in order to reduce the price, the costs are partly covered from the budget funds.
	Sweden	Yes	Regulations on application fees at Swedish missions abroad are provided in the Ordinance (1997:691) on Fees at Swedish Missions Abroad. Swedish missions abroad independently administer matter pertaining to application fees in aliens cases. The Ministry for Foreign Affairs provides any guidance missions abroad may need. The application fee is fixed by the government and has not necessarily anything to do with the real costs associated with the application.
	United Kingdom	Yes	The UK Border Agency sets application fees on the basis of a number of factors, working within strict financial limits agreed with HM Treasury and Parliament. We set some fees at or below the cost of delivery and some fees above the cost of delivery. This approach helps to protect some other routes from significant fee increases, but more importantly allows for the additional revenue needed to fund enforcement and other improvements to the immigration system. We also take into account the value of a successful application in terms of entitlements and benefits to the migrant and set fees in support of wider Government objectives to ensure that the UK remains a destination of choice for migrants who want to work, study or visit. Our overall aim is to ensure our fees make an appropriate contribution to the end to end costs of the immigration system, thereby reducing the burden on the general UK taxpayer. We think it right that the fees are charged to users of the system who benefit from the services and entitlements which we offer. The charging system must balance the interests of those who use the system, in terms of the price paid for consideration of their application and the interests of the general UK taxpayer, who will continue to support the immigration system that brings benefits and enrichment to this country.

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		Wider Dissemination?	Query 3: Are there applicants who are entitled to reduced charges (when applying for the first fixed-term residence permit)?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Bulgaria	Yes	Applicants of Bulgarian origin pay 5 % of the price for the residence permit.
	Estonia	Yes	Yes, a person under 15 years of age, a person with a moderate, severe or profound disability, a person receiving international protection or a person who has attained Estonian general pensionable age. The Citizenship and Migration Board shall, having taken person financial situation into account, upon a founded request of a body of a sub-central government entity or a state institution, decrease the rate of the state fee or exempt from payment of the state fee. The documents that certify the reasonability of the application must be added to the application form.
	Greece	Yes	In Greece the fee which is paid for the issuance and renewal of residence permits depends on the duration of the residence permit and it has compensative character. That means that a percentage of the collected amount from the fees is distributed to the Regions and Municipalities (organizations responsible for the issuance of residence permits) as well as to other legal entities which deal with issues of migration policy for the coverage of operational cost of these organizations, hence for the provision of better services to the immigrants.
	Spain	Yes	The aforementioned Ministerial Order does not set forth any exemption of fees for different types of residence permits. It does, however, set forth exemptions for work permits. In addition to the case referred to in the preceding question, nationals of Latin American countries, Andorra, the Philippines, Equatorial Guinea, Sephardic Jews, children and grandchildren of people of Spanish origin and foreigners born in Spain are exempt from paying fees for work permits for self-employment.
	Latvia	Yes	Exceptions are related to family reunification cases and students – 50 LVL (appr. 70 EUR). For accelerated procedure higher fees are applied: for 10 days procedure – 170 LVL (appr. 240 EUR), for 5 days procedure – 220 LVL (appr. 310 EUR). There are a lot of exemptions of state duty therefore we suggest to visit our home page with more detailed explanation: http://www.pmlp.gov.lv/en/pakalpojumi/residence/state_duty.html .
	Luxembourg	Yes	No.
	Hungary	Yes	Third-country nationals at their request <u>may</u> be exempted from charges by the immigration authority according to the general rules of administrative procedure. Those third-country nationals <u>are</u> exempted from charges <ul style="list-style-type: none"> • who fall under full or partial exemption of charges due to international agreement or

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			<ul style="list-style-type: none"> • who enter into the territory of Hungary in the framework of an international aid programme as well as who pursue educational, scientific, cultural, sport or artistic activity in the territory of Hungary under international cooperation or reciprocity or • who pursue his/her studies in Hungary due to a permanent state subsidy provided by the minister in charge of education or a Hungarian state scholarship.
	Portugal	Yes	Yes. It maybe possible only in two cases: when SEF's Director General may exceptionally grant an exemption, or a reduction to the fees incurred in for the proceedings established in the Portuguese Law (Act n.º 23/2007, artº 210º); and when there are political agreements between Portugal and other official Portuguese language countries, namely Brasil, Cabo Verde, São Tomé e Príncipe, Angola, Moçambique e Guiné-Bissau.
	Slovenia	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Slovak Republic	Yes	Foreigner who is a spouse of the Slovak citizen with a permanent residence in the Slovak Republic or who is a dependant relative in a direct line of the citizen of the Slovak Republic with a permanent residence in the Slovak Republic is exempted from the administrative fee.
	Finland	Yes	Yes. Students and minors (under 18 years) are entitled to reduced application fees. Student 100€application; minor applicants 55€application.
	Sweden	Yes	The following categories are <i>exempt</i> from application fees: <ul style="list-style-type: none"> • Spouse, de facto spouse, registered partner, minor child (natural or adoptive) of an alien who has been granted a residence permit in Sweden under the Aliens Act, <i>ch 4</i> or <i>ch 5 § 6</i> or equivalent older statutes (refugees and people otherwise in need of protection and people who have been granted a residence permit based on particularly distressing circumstances); • Spouse, de facto spouse, registered partner or minor child (natural or adoptive) of an alien who has been granted a residence permit in Sweden under the Aliens Act (1989:529), <i>ch 2 § 5 b para 1 cl 1, 3</i> or <i>4</i>, as amended 15 November 2005 (“special legislation”); • Residence/work permits for citizens and families of citizens of another EEA country; • Residence/work permits for people covered by the agreement between Member States of the European Union and Switzerland on free movement of persons; • Residence/work permits for students at the World Maritime University in Malmö; • Residence/work permits for students who have been granted a scholarship to study in Sweden from Sida, another Swedish organisation, or an international organisation.
	United Kingdom	Yes	For certain types of application, we offer a reduced fee to nationals of countries that have ratified the Council of Europe Social Charter (1961) (the CESC), in line with the UK’s obligations under this Charter. These countries are Croatia, FYR Macedonia and Turkey.
