



EMN Ad-Hoc Query on Ad-Hoc Query on the period of validity of residence permits granted to third country nationals (update to GR EMN NCP Ad-Hoc Query on Duration of Residence Permits)

Requested by Barbara ORLOFF on 6th January 2016

Residence

Responses from Austria, Belgium, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Portugal, Slovak Republic, Sweden, United Kingdom, Norway (20 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:

Estonia is currently analyzing possible changes in national law concerning the period of validity of residence permits granted to third country nationals legally residing in their territory. Therefore we would like to be informed on other Member States' legislation on the subject. The GR EMN NCP Ad-Hoc Query on Duration of Residence Permits requested on 05.10.2012 has covered the same issue, but we would be grateful for up to date and specific information.

Questions

- 1) What is the period of validity of residence permits granted to third country nationals legally residing in your territory? If the period of validity differs depending of the type of the permit, please specify.
- 2) Is it possible to submit an application for extension of temporary residence permit?
- 3) If yes, what is the period of validity of the extended temporary residence permit? If the period of validity differs depending of the type of the permit, please specify.

Responses

	Country	Wider Dissemination	Response
	Austria	Yes	<p>1) Red-White-Red Card: In general, the period of validity is one year (Art.20 para 1 Settlement and Residence Act; Federal Ministry for Labour, Social Affairs and Consumer Protection and Federal Ministry of the Interior, Permanent immigration - Red-White-Red Card, available at www.migration.gv.at/en/types-of-immigration/permanent-immigration-red-white-red-card.html);</p> <p>2) Red-White-Red Card Plus: In general, the period of validity is one year. However, persons who have been lawfully settled in Austria for at least two years and who have fulfilled module 1 of the Integration Agreement may receive a Red-White-Red Card Plus valid for three years (Art. 20 para 1a Settlement and Residence Act; Federal Ministry for Labour, Social Affairs and Consumer Protection and Federal Ministry of the Interior, Red-White-Red Card plus, available at http://www.migration.gv.at/en/types-of-immigration/permanent-immigration-red-white-red-card/red-white-red-card-plus.html#c2886);</p>

3) EU Blue Card: In general, the period of validity is two years (Art. 42 para 4 Settlement and Residence Act);

4) Settlement Permit: In general, the period of validity is one year. However, persons who have been lawfully settled in Austria for at least two years and who have fulfilled module 1 of the Integration Agreement may receive a Settlement Permit valid for three years (Art. 20 para 1 and para 1a Settlement and Residence Act);


5) Settlement Permit - Gainful Employment Excepted: In general, the period of validity is one year. However, persons who have been lawfully settled in Austria for at least two years and who have fulfilled module 1 of the Integration Agreement may receive a Settlement Permit - Gainful Employment Excepted valid for three years (Art. 20 para 1 and para 1a Settlement and Residence Act);

6) Settlement Permit - Dependant: In general, the period of validity is one year. However, persons who have been lawfully settled in Austria for at least two years and who have fulfilled module 1 of the Integration Agreement may receive a Settlement Permit - Dependant valid for three years (Art. 20 para 1 and para 1a Settlement and Residence Act);

7) Permanent Residence - EU: In general, the period of validity is five years (Art. 20 para 3 Settlement and Residence Act).

8) Family Member: In general, the period of validity is one year. However, persons who have been lawfully settled in Austria for at least two years and who have fulfilled module 1 of the Integration Agreement may receive a residence title Family Member valid for three years (Art. 20 para 1 and para 1a Settlement and Residence Act);

9) Residence titles for exceptional circumstances (for humanitarian reasons): The period of validity is one year (Art. 54 para 2 Asylum Act);

			<p>10) Temporary Residence Permit: In general, the period of validity is one year (Art. 20 para 1 Settlement and Residence Act). For researchers, the period of validity may be up to two years (Art. 67 para 1 Settlement and Residence Act);</p> <p>11) Subsidiary protection: The residence permit is valid for one year (Art. 8 para 4 Asylum Act);</p> <p>12) Asylum status: So far, there is no period of validity.</p> <p>2. In general, yes (Art. 24 Settlement and Residence Act). However, a Temporary Residence Permit for social service workers may not be extended (Art. 66 para 2 Settlement and Residence Act).</p> <p>3. In general, the period of validity is one year (Art. 20 para 1 Settlement and Residence Act). For researchers, the period of validity may be up to two years (Art. 67 para 1 Settlement and Residence Act).</p>
	Belgium	Yes	<p>1. The following residence permits can be granted to third country nationals legally residing in Belgium:</p> <ul style="list-style-type: none"> - Card A: Right of residence of limited duration. <p>The card has the same validity as the allowed stay (usually maximum 1 year), and is renewable under certain conditions. It is granted to labour migrants; students; family reunification with a TCN; beneficiaries of subsidiary protection; medical regularisations (art. 9ter of the Immigration Act), ...</p> <ul style="list-style-type: none"> - Card B: Right of residence of unlimited duration. <p>The card is valid for 5 years. Its renewal is not subject to conditions.</p> <p>It is granted to recognized refugees (it is worth mentioning that a draft law was presented in December 2015 which plans to no longer give a residence permit of unlimited duration to</p>

recognised refugees: in the future, they will be given a temporary permit of 5 years that can still be withdrawn. After 5 years, it becomes a permit of unlimited duration); TCNs who had a right of residence of limited duration - after a certain period of time (e.g. beneficiaries of subsidiary protection after 5 years, etc)...

- Card C: Foreigner identity card (right of residence of unlimited duration and settlement)

The card is valid for 5 years (2 years for Swiss nationals who are seeking employment and their family members). Its renewal is not subject to conditions.

- Card D: EU long-term resident card

The card is valid for 5 years. Its renewal is not subject to conditions.

- Card H: EU Blue Card


The card is valid for 13 months. Its renewal is subject to conditions. It can be renewed once for another 13 months, and then renewed for a period of 3 years.


The following cards are granted to non EU family members of EU citizens:


- Card F: Residence permit for non EU family members of EU citizens (family reunification)


The card is valid for the same period of time as the planned stay of the EU citizen, and maximum 5 years. After 5 years of uninterrupted stay in Belgium, the TCN can apply for permanent residency. If permanent residency is not granted, the F card can be renewed for 5 years (or a period of time identical to the stay of the EU citizen).

- Card F+: Permanent residence card for non EU family members of EU citizens (family reunification).


			<p>The card is valid for 5 years, and is renewable (unless the foreign national has lost its right to permanent residency).</p> <p>2. Yes (see answer to question 1).</p> <p>3. See answer to question 1.</p>
	<p>Bulgaria</p>	<p>Yes</p>	<p>1. According to the Law on the Foreigners in Republic of Bulgaria: Foreigners shall reside in the Republic of Bulgaria: 1. on a short-term basis - up to three months within a 6-month period from the date of entering the country, the duration of the short-term stay on the ground of visa issued may be extended once by the services for administrative control of foreigners due to humanitarian reasons, reasons related to exceptional circumstances or due to serious personal reasons; 2. continuously - with permitted term up to one year; 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. The terms referred to in Para 1, items 1, 2 and 4 shall not apply to the foreigners who have been granted protection under the Asylum and Refugees Act. Foreigners who are employees in a diplomatic or consular mission or in international organizations accredited in the Republic of Bulgaria, having diplomatic or consular immunity, shall reside in the territory of the Republic of Bulgaria with a residence permit, issued by the Ministry of Foreign Affairs pursuant to Art. 59, para. 5 of the Bulgarian Personal Documents Act. Residence permits for children from 14 to 21 years of age shall be granted following the same procedure, and as regards to children up to 14 years of age residence permits shall be issued with a visa sticker. Where extension of the validity term of the documents and visa sticker under para 3 is needed, the Ministry of Foreign Affairs shall issue a new document valid till the end of the employee`s mandate abroad or shall issue a new visa sticker with a validity term that does not exceed authorized stay of the parent.</p> <p>2. Yes.</p> <p>3. For the short-term residence permit - up to three months within a 6-month period from the date of entering the country, the duration of the short-term stay on the ground of visa issued may be extended once by the services for administrative control of foreigners due to humanitarian</p>

			<p>reasons, reasons related to exceptional circumstances or due to serious personal reasons. For the prolonged residence permit - with permitted term up to one year, this type of permit could be renewed for the same period of validity when all conditions for its issuance are fulfilled.</p>
	<p>Croatia</p>	<p>Yes</p>	<p>1. Time of validity of the temporary residence permit is in the most cases valid for up to one year. However, it differs depending of the type of the permit: A) a temporary residence permit for the purpose of family reunification shall be issued: - for a period of up to one year, or until the expiration of the validity period of a temporary residence permit of the foreigner with whom family reunification is sought, - foreigner who had an uninterrupted temporary residence permit for the purpose of family reunification in the duration of at least two years may be granted temporary residence for the same purpose with the term of validity of up to two years or until expiration of the validity of a temporary residence permit of the foreigner with whom family reunification is sought. B) a temporary residence permit for the purpose of secondary education shall be issued for the period of up to one year C) a temporary residence permit for the purpose of studies shall be issued for the period of up to one year, i.e. until the end of the academic year D) a temporary residence permit for the purpose of scientific studies shall be issued for the period of up to one year Residence and work permit A residence and work permit shall be issued to a foreigner for the time period necessary to perform the job or for the term of the employment contract or some other relevant contract, and at most for a period of up to one year. Exceptionally, a residence and work permit shall be issued to a foreigner transferred as part of internal staff relocation inside companies and other necessary persons, as defined by the Protocol on the Accession of the Republic of Croatia to the Marrakesh Agreement Establishing the World Trade Organization, with the term of validity of up to two years, provided that the shorter time period for issuance of a residence and work permit was not requested. A foreigner to whom a residence and work permit was issued for the performance of seasonal work may reside in the Republic of Croatia for at most six months in the course of one year, and he must reside outside the Republic of Croatia for at least six months before re-entering and residing in the Republic of Croatia for the purpose of work is made possible to him. Residence and work permit-Blue card The Residence and work permit-Blue card shall be issued with the term of validity of up to two years. If an employment contract was concluded for a period shorter than two years, a residence and work permit shall be issued for the period of employment contract increased by three additional months. Temporary residence</p>

			<p>shall be granted to a family member of the EU blue card holder for the same time period for which a residence and work permit was issued to a third-country national with whom reunification in the Republic of Croatia is requested.</p> <p>2. Yes, a foreigner can submit an application for extension of temporary residence permit, at latest 60 days before expiration of its validity period. An application for extension of the EU Blue Card shall be submitted 30 days before the expiration of a valid permit, at the latest.</p> <p>3. See answer to question 1.</p>
	<p>Czech Republic</p>	<p>Yes</p>	<p>1. The duration of residence permit conforms the time necessary to accomplish the purpose of residence. The maximal duration is up to 2 years. Section 44 art. 4 of Act No. 326/1999 Coll., On the Residence of Foreign Nationals on the Territory of the Czech Republic: The Ministry shall issue a long-term residence permit card with a validity period a) necessary for accomplishment of the purpose of the residence, with the maximum period being 1 year; b) of 1 year in the case of the temporary residence for the purpose of studies with an expected period of residence exceeding 1 year or a long-term residence permit for the purpose of leave to remain; c) corresponding in the case of family reunification to the validity of the residence permit card which has been issued to a sponsor, with the minimum period being 1 year; d) of 2 years in the case of family reunification if the sponsor has been issued a permanent residence permit; e) corresponding, in the case of a family member of a resident of a Member State of the European Union, to the validity of the residence permit card which has been issued to the resident in question; f) corresponding to the period stated in the agreement on voluntary service or voluntary service of youth in a domestic hosting organisation in the case of a long-term residence permit issued for the purpose of studies in the Czech Republic pursuant to Section 42d; g) corresponding, in the case of a family member of a researcher, to the validity of a long-term residence permit issued to the researcher; or h) of 2 years in all other cases.</p> <p>2. Yes, residence permit may be extended if the conditions of the extension of the residence permit are met and there is no basis for refusal to extend the residence permit. The alien must apply for the renewal of a residence permit before expiration of its validity.</p>

			<p>3. Section 44a art. 1 of Act No. 326/1999 Coll., On the Residence of Foreign Nationals on the Territory of the Czech Republic: Section 44a (1) The validity period of a long-term residence permit may be repeatedly extended for a) the period stipulated in Section 44(5); b) the maximum period stipulated in Section 44(4) (a), (b) (e) through (i); c) the validity of a long-term residence permit pursuant to Section 44(1) issued to a sponsor of family reunification provided that such validity of a long-term residence permit is stipulated pursuant to Section 44(4)(c); d) a period of 5 years provided that such validity of a long-term residence permit is stipulated pursuant to Section 44(4)(d); e) the maximum period stipulated in Section 44(7) in case of a Blue Card. Â§ 44 (7) A Blue Card shall be issued for the duration of a work contract plus 3 months with the maximum period being 2 years. notes: Â§ 44 (5) The Ministry shall issue a long-term residence permit for the purpose of protection on the Territory for the period needed to achieve the purpose of the residence, with the minimum period being 6 months. Â§ 44 (7) A Blue Card shall be issued for the duration of a work contract plus 3 months with the maximum period being 2 years.</p>
	<p>Estonia</p>	<p>Yes</p>	<p>1. A temporary residence permit is issued with the period of validity of up to 5 years. A long-term residence permit is issued for an unspecified term. The period of validity of the residence permits differs depending of the type of the permit:</p> <ul style="list-style-type: none"> • Temporary residence permit to settle with a spouse – if the marriage has lasted less than 3 years, the residence permit may be granted for up to 1 year; if the marriage has lasted more than 3 years, a residence permit may be granted for up to 3 years; • Temporary residence permit to settle with a close relative – up to 5 years; • Temporary residence permit for study - up to 1 year; • Temporary residence permit for employment - for the period of employment in Estonia planned by the employer with the period of validity for up to 2 years; • EU Blue card – up to 2 years and 3 months;

			<ul style="list-style-type: none"> • Temporary residence permit for enterprise - up to 5 years; • Temporary residence permit for participation in criminal proceedings - for the term stated in the request by Prosecutor's Office for at least 6 months up to 1 year; • Temporary residence permit for case of substantial national interest - up to 2 years; • Temporary residence permit on the basis of a treaty - up to 5 years; • Temporary residence permit for settling permanently – up to 5 years; • Temporary residence permit in existence of legal income – N/A; • Long-term residence permit - unspecified term; <p>2. Yes, a temporary residence permit may be extended if the conditions of the extension of the residence permit are met and there is no basis for refusal to extend the residence permit.</p> <p>3. A temporary residence permit may be extended for up to 5 years at a time. The period for how long the residence permit is extended differs depending of the type of the permit:</p> <ul style="list-style-type: none"> • Temporary residence permit to settle with a spouse – if the marriage has lasted less than 3 years, the residence permit may be extended by maximum 1 year at a time, if the marriage has lasted at least 3 years, the residence permit may be extended for up to 3 years at a time. If an alien has been granted a temporary residence permit for settling with a spouse and has lived in Estonia at least 5 years based on this permit, the permit can be extended for up to 5 years at a time; • Temporary residence permit to settle with a close relative – up to 5 years; • Temporary residence permit for study - up to 1 year;
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			<ul style="list-style-type: none"> • Temporary residence permit for employment - for the period of employment planned by the employer for up to 5 years; • EU Blue card – up to 4 years and 3 months at a time; • Temporary residence permit for enterprise - up to 5 years; • Temporary residence permit for participation in criminal proceedings - for the term stated in the request by Prosecutor's Office, but not for longer than 1 year at a time; • Temporary residence permit for case of substantial national interest - up to 2 years; • Temporary residence permit on the basis of a treaty - up to 5 years; • Temporary residence permit for settling permanently – up to 5 years; • Temporary residence permit in existence of legal income – for 2 years at a time; • Long-term residence permit - TCN, who holds long-term residence permit, must apply new residence permit card after every 5 years;
	Finland	Yes	<p>1. Validity of first fixed-term residence permits is regulated in Section 53 of the Aliens Act:</p> <p>(1) First fixed-term residence permits are issued for one year, however for no longer than the validity period for the travel document, unless requested for a shorter period.</p> <p>(2) If a residence permit is issued on the basis of family ties, the validity period for the residence permit must not, however, exceed the validity period for the family member's residence permit which was the basis for issuing the residence permit.</p>

(3) A residence permit may be issued for a period longer or shorter than one year if it is issued for carrying out a legal act, an assignment or studies that will be completed within a set period. However, the duration of a fixed-term residence permit must not exceed two years.

(4) An alien who is or has been a Finnish citizen, or who has at least one parent or grandparent who is or has been a Finnish citizen by birth, is issued with a fixed-term residence permit for a period of four years, unless requested for a shorter period.

(5) A member of the staff of a diplomatic or consular mission of a foreign State or his or her family member may be issued with a residence permit for the duration of the entire announced term of office.

(6) A victim of trafficking in human beings is issued with a residence permit for at least six months and for a maximum of one year.

(7) A residence permit on the basis of refugee status or subsidiary protection is issued for four years.

(8) A European Union Blue Card is issued for two years. If the employment contract is valid for a shorter period, a European Union Blue Card is issued for a period corresponding to the validity of the employment contract with additional three months. A residence permit for a family member of a holder of a European Union Blue Card is issued for a corresponding period.

(9) An alien in the witness protection program may be issued with a residence permit for a period of four years.

Duration of extended permits is regulated in Section 55 of the Aliens Act:

(1) A new fixed-term residence permit is issued for a maximum of four years. (It is usually issued for a period of 1-2 years depending on the purpose of stay).

			<p>(2) The provisions of section 53 on the duration of the first fixed-term residence permit apply to the cases referred to in section 54(3) and</p> <p>(5) if the temporary grounds for a residence permit become permanent.</p> <p>(3) If a residence permit is issued on the basis of family ties, the validity period for the fixed-term residence permit must not, however, exceed the validity period of the sponsor's fixed-term residence permit used as the basis for issuing the residence permit.</p> <p>(4) A person who has received a degree or other qualification in Finland is issued with a temporary residence permit under section 54(4) for one year period from the expiry of the previous residence permit.</p> <p>(5) A European Union Blue Card is issued for two years. If the employment contract is valid for a shorter period, a European Union Blue Card is issued for a period corresponding to the validity of the employment contract with additional three months. A residence permit for a family member of a holder of a European Union Blue Card is issued for a corresponding period.</p> <p>2. If submission of application is delayed, residence permit shall be issued for one year period.2. Issuing extended permits is regulated in Section 54 of the Aliens Act: (1)A new fixed-term residence permit is issued if the requirements under which the alien was issued with his or her previous fixed-term residence permit are still met. (3)An alien who has been issued with a temporary residence permit for employment or pursuing a trade under section 45(1) is issued with a continuous residence permit after two years of continuous residence in the country, if the requirements for issuing the permit are still met. (4)An alien who has been issued with a temporary residence permit for studying under section 45(1)(3) is issued with a new temporary residence permit for seeking work after he or she has received a degree or other qualification. (5) An alien who has been issued with a temporary residence permit under section 51 because he or she cannot be removed from the country and a victim of trafficking in human beings who has been issued with a temporary residence permit are issued with a continuous residence permit after</p>
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a continuous residence of two years in the country if the circumstances on the basis of which the alien was issued with the previous fixed-term permit are still valid.

3. Duration of extended permits is regulated in Section 55 of the Aliens Act:

(1) A new fixed-term residence permit is issued for a maximum of four years.

(2) The provisions of section 53 on the duration of the first fixed-term residence permit apply to the cases referred to in section 54(3) and


(5) if the temporary grounds for a residence permit become permanent.

(3) If a residence permit is issued on the basis of family ties, the validity period for the fixed-term residence permit must not, however, exceed the validity period of the sponsor's fixed-term residence permit used as the basis for issuing the residence permit.

(4) A person who has received a degree or other qualification in Finland is issued with a temporary residence permit under section 54(4) for one year period from the expiry of the previous residence permit.

(5) A European Union Blue Card is issued for two years. If the employment contract is valid for a shorter period, a European Union Blue Card is issued for a period corresponding to the validity of the employment contract with additional three months. A residence permit for a family member of a holder of a European Union Blue Card is issued for a corresponding period.

(7) A new temporary residence permit is issued on a new ground, if an alien could be issued with the first residence permit on that ground. If a residence permit is issued on the basis of family ties and the family ties have been annulled (ex. divorce), an alien may be issued with a residence permit on the ground of close ties to Finland or if his / her personal situation is especially difficult because of the violence or abuse on him/ her or on his / her child committed or approved by the spouse and if denying the residence permit would be unreasonable.

	France	Yes	<p>1. In France, in general, temporary residence permits are valid for one year. They are issued to students, trainees, employees, temporary workers, visitors, scientists and researchers, for artistic and cultural professions, commercial, industrial or craft occupations or private and family reasons.</p> <p>However, there are some exceptions:</p> <ul style="list-style-type: none">• The “employees on assignment” temporary residence permit is valid for three years. This device is designed to ease the procedure for intra-group mobility of employees of companies in the same group, established in foreign countries, seconded in France for a temporary assignment;• The European “blue card” is valid from one to three years depending on the duration of the work contract;• The “skills and talents” temporary residence permit is valid for three years. <p>This applies to foreign nationals who work on projects contributing to the economic development of France and their country, or to their intellectual, scientific, cultural, humanitarian, athletic development or other influence;</p> <ul style="list-style-type: none">• The “private and family life” temporary residence permit issued to the spouse/parent of holders of the “employees on assignment” or “the “scientific” temporary residence permits, the “European blue card” or the “skills and talents” temporary residence permit, is valid for three years or for the same duration of the professional’s residence permit;• The “scientific” temporary residence permit is valid from one to four years based on the duration of the research project;• The “student” temporary residence permit is valid from one to four years based on the estimated duration of studies. <p>Since 1 June 2009, certain foreigners who are holders of a long-stay visa equivalent to a residence permit (Visa long séjour valant titre de séjour = VLS-TS) are no longer required to apply for a temporary residence permit during the period of validity of the visa (with duration of one year).</p>
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		<p>When foreigners who wish to extend their stay beyond the period of validity of their visa apply to the prefecture in the two months preceding the expiry date of their long-stay visa, their applications are dealt with in the same way as applications for the renewal of a residence permit. Beneficiary categories are:</p>
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- * the spouses of French nationals (unless already resident in France for more than six months);

- * employees who are signatories of specified contracts of employment with a duration of at least twelve months;

- * temporary workers;

- * students;

- * visitors (foreigners who are not entitled to an Employee permit or a Private and Family Life permit, but who have resources that are sufficient for them not to be a burden on society);

- * scientists and researchers (from 1 October 2011);

- * trainees (from 1 October 2011);

- * beneficiaries of the family-reunification procedure (from 1 January 2012).

- Long-term residence permits are valid for ten years. When a long-term residence permit expires, a permanent residence permit is issued for an indefinite period.

Long-term residence permits are issued to children or ascendants of a French national, spouse of a French national, parent of a French child, foreigners entitled to compensation for work-related accident or occupational disease, foreigners having served in the foreign legion, foreigner veterans, foreigners who have been granted refugee status, their spouse and children over 18, foreigners having the possibility to opt for the French nationality, spouses and children who



entered by family reunification, foreigners holding a residence permit after five years of legal stay, or for exceptional economic contribution.

- The “retired” residence permit is valid for ten years.

2. Yes.


3. In France, in general, the period of validity of the extended temporary residence permit is one year. However, there are some exceptions:

- The “employees on assignment” temporary residence permit is renewable as long as the assignee’s mission continues;
- The European “blue card” is renewable throughout the term of the foreigner’s contract;
- The “skills and talents” residence permit is renewable for three years. In the case of nationals from countries of the Priority solidarity zone (ZPS), the “skills and talents” residence permit is renewable only once (maximum 6 years);
- The “private and family life” temporary residence permit issued to the spouse/parent of holders of the “employees on assignment” or the “scientific” temporary residence permits, the “European blue card” or the “skills and talents” temporary residence permit, is renewable throughout the term of the contract of the holders of one of these residence permits.
- The “scientific” temporary residence permit is renewable throughout the term the foreigner’s research work and as long as the scientist fulfils the conditions.
- The “student” temporary residence permit is renewable depending on different conditions (study progress, resources etc.)



			<ul style="list-style-type: none"> • The “trainee” temporary residence permit is renewable depending on the type of the traineeship (maximum duration of 12 months for students, of 18 months for employees and of 24 months for foreign doctors and nurses). - The “retired” residence permit is renewable for ten years.
	Germany	Yes	<p>1. The residence permit is limited in consideration of the intended purpose of residence, Â§ 7 para. 2 sentence 1 of the Residence Act (eg for students at least 1 year, with subsidiary protection also 1 year, with asylum and refugees 3 years).</p> <p>2. Yes</p> <p>3. About the renewal of residence permits, the Immigration Office makes a discretionary decision. In the case of subsidiary protection and victims of trafficking, the extension period (§ 26 para 1 sentence 3 and 5 of the Residence Act) is set by law at two years. Persons entitled to asylum and those whose refugee status has been determined, following the three-year residence - unless the protection status is revoked or withdrawn – immediately is issued a permanent residence permit; the same applies to resettlement refugees who have been included as part of a resettlement (§ 26 para. 3 of the Residence Act).</p>
	Hungary	Yes	<p>1. According to the main rule residence permit is an authorization to reside in the territory of Hungary for a limited duration of more than ninety days within any one hundred eighty day period and not more than two years and it may be extended for two additional years. Nevertheless, the period of validity of residence permits issued for various purposes differ and may even exceed the maximum period set out as the main rule. Applicable national legislation: Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals; Government Decree 114/2007 (V. 24.) on the Implementation of Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals. The following types of residence permits can be issued in Hungary: 1. The validity period of a residence permit granted for the purpose of family reunification shall be a) four years maximum, and it may be extended by up to four additional years at a time, if the sponsor has an EU Blue Card; b) five years maximum, and it may be extended by up to five</p>


			<p>additional years at a time, if the sponsor has an EC permanent residence permit; or c) three years maximum - with the exceptions provided for in Paragraphs a) and b) -, and it may be extended by up to three additional years at a time, and may not exceed the validity period of the sponsor's residence permit. 2. The validity period of a residence permit granted for the purpose of gainful activities (issued both for employed and self-employed third-country nationals) shall be three years maximum, and it may be extended by three additional years at a time. The period of validity of a residence permit issued for the purpose of gainful employment subject to work permit shall correspond to the duration of the work permit. 3. An EU Blue Card shall be made out for a period of at least one year. If the contract of employment is for a shorter period, the EU Blue Card shall be made out for the term of the relationship covered by the contract of employment, plus three months. The validity period of an EU Blue Card shall be four years maximum, and it may be extended by four additional years at a time. 4. The validity period of a residence permit issued on grounds of pursuit of studies: a) shall correspond to the duration of training, if it is less than two years, b) shall be at least one year or maximum two years if the duration of training is two years or more, and it may be extended by at least one or at most by two additional years at a time. 5. The validity period of a residence permit granted for the purpose of carrying out scientific research shall correspond to the duration of the hosting agreement, not to exceed five years, and it may be extended by a duration corresponding to any extension of the hosting agreement, not to exceed five years. 6. The validity period of a residence permit issued for official duty shall correspond to the duration of training or continuing professional training, not to exceed three years, and it may be extended by the duration corresponding to any extension of the training or continuing professional training, not to exceed three years. 7. The validity period of a residence permit issued for the purpose of medical treatment shall correspond to the duration of treatment, not to exceed two years, and it may be extended by the duration corresponding to any extension of the treatment, not to exceed two years. 8. The validity period of a residence permit issued for the purpose of visit shall correspond to the duration of the commitment fixed in the letter of invitation, not to exceed one year, and it may not be extended for the purpose of visit. 9. The validity period of a residence permit issued for the purpose of voluntary service activities shall correspond to the duration of the voluntary services provided in the public interest, not exceeding two years. A residence permit issued for the purpose of voluntary service activities may not be extended. 10. The validity period of a national residence permit issued primarily for those of</p>
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			<p>Hungarian ethnic origin shall be up to five years, and it may be extended by maximum five additional years at a time. 11. The validity period of a residence permit issued as a residence permit for other purposes shall be five years at most, and it may be extended by maximum five additional years at a time. Among others, a residence permit may be issued to a third-country national on grounds of other purposes whose entry and residence in Hungary is in the interest of the national economy for reasons related to the investments made by such person in Hungary, and if able to meet the requirements set out in the relevant legislation. The validity period of a residence permit with reference to national economic interest is a maximum of five years, which can be extended by a maximum of five years case by case. 12. The validity period of a residence permit granted on humanitarian grounds depends on the reasons of the authorization. In case of a) a person recognized by Hungary as a stateless person, the validity period of a residence permit shall be three years and it may be extended by maximum one year at a time; b) a person who has been granted exile status in Hungary, the validity period of a residence permit shall be one year and it may be extended by maximum one year at a time; c) any third-country national who applied to the refugee authority for asylum, or who applied to the refugee authority for any subsidiary form of protection or temporary protection, the validity period of a residence permit shall be up to six months and it may be extended by maximum six months at a time; d) any third-country national who was born in the territory of Hungary who has been removed from the custody of his guardian having custody according to Hungarian law, and also unaccompanied minors, the validity period of a residence permit shall be one year and it may be extended by maximum one year at a time; e) any third-country national, or other affiliated third-country nationals on his/her account, who has cooperated with the authorities in a crime investigation and has provided significant assistance to gather evidence (for substantial national security or law enforcement reasons), the validity period of a residence permit shall be up to six months and it may be extended by maximum six months at a time. f) third-country nationals who have been subjected to particularly exploitative working conditions, or to third-country national minors who were employed illegally without a valid residence permit or other authorization for stay (by initiative of the court), the validity period of a residence permit shall be up to six months and it may be extended by up to six months at a time, until the binding conclusion of proceedings brought by the third-country national against his/her employer for the purpose of recovering outstanding remuneration. g) withdrawal of expulsion and exclusion orders the immigration authority shall - in</p>
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			<p>the absence of the requirements specified in this Act for residence - issue a residence permit to the third-country national affected on humanitarian grounds if the third-country national satisfies requirements set out in legislation corresponding to cooperating behaviour. In this case the validity period of a residence permit shall be one year and it may be extended by one year at a time. 13. The validity period of a temporary residence permit issued for those taking part in Working Holiday Programmes established between Hungary and a third-country is a maximum of 12 months.</p> <p>2. Yes, according to the main rule residence permits can be extended, with the following exceptions: the residence permit for the purpose of voluntary service activities and the residence permit for the purpose of visit may not be extended for the original purpose of stay, but the change of purpose of stay and an extension of stay for the new purpose are allowed, while the temporary residence permit issued for those taking part in Working Holiday Programmes may not be extended.</p> <p>3. The rules applicable for the determination of validity of the extended residence permit are the same as those of the firstly issued residence permits that are specified under Question 1.</p>
	Italy	Yes	<p>1. In Italy, the period of validity of residence permits varies depending on the reasons why these permits are issued. The reason why a residence permit is issued determines its characteristics, including the period of validity, how to apply and possible renewals.</p> <p>The main types of residence permit currently existing in Italy are the following:</p> <p>1) Seasonal work – maximum 9 months (Article 24(3), Consolidated Act on Immigration);</p> <p>2) Work with a fixed-term contract – maximum 1 year (Article 22, Consolidated Act on Immigration);</p> <p>3) Work with open-ended contract – maximum 2 years (Article 22, Consolidated Act on Immigration);</p>

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| | | | <p>4) Education and training – 1 year or corresponding to the length of the studies or training to undertake (Article 39, Consolidated Act on Immigration);</p> <p>5) Social protection – maximum 6 months (Article 18(4), Consolidated Act on Immigration);</p> <p>6) Family– maximum 2 years (Article 5(3 sexies), Consolidated Act on Immigration);</p> <p>7) Medical treatments - the same validity as indicated in the entry visa, depending on the treatments for which the TCN applies to enter and stay in Italy (Article 19, Consolidated Act on Immigration);</p> <p>8) Refugee status - 5 years (Article 23(1). Legislative Decree No 251/2007);</p> <p>9) Religious reasons - the same validity as indicated in the entry visa (Article 5, Consolidated Act on Immigration);</p> <p>10) Scientific research – the same validity as that of the research programme (Article 27ter(7), Consolidated Act on Immigration);</p> <p>11) Subsidiary protection status – 5 years (Article 23(2) Legislative Decree No 251/2007);</p> <p>12) Long-term resident's EU residence permit – open-ended (Article 9(2), Consolidated Act on Immigration).</p> <p>13) Voluntary work – from 1 year to 18 months;</p> <p>14) Elective residence – maximum 2 years.</p> <p>2. The length of stay of a TCN in Italy cannot be extended by applying for an extension of his or her residence permit. They can simply apply for the renewal of the permits that are about to expire. Pursuant to Article 5 of the Consolidated Act on Immigration, this application should be submitted to the Immigration Office at the competent local police authority (either in person or by post), within 60 days from expiry date. Residence permit renewal entails the issue of a new</p> |
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			<p>residence permit, which has the same (time) validity of the previous one; therefore, after renewal, validity depends on the specific type of residence permit held.</p> <p>3. See answer 2.</p>
	Latvia	Yes	<p>1. The initial residence permit can be valid from few months till 5 years, depending on the reason for receiving a residence permit. For example, if the reason for getting residence permit is marriage, first residence permit will be for one year, then for 4 years and afterwards permanent residence permit. If person wants to visit his relatives, then residence permit can be issued for 6 months. For students residence permit can be issued for one year. For employees residence permit can be issued for five years.</p> <p>2. No. Person can apply for a new residence permit.</p> <p>3. -</p>
	Lithuania	Yes	<p>1. In Lithuania time of validity of the residence permit differs depending of the type of the permit:</p> <p>1. Temporary residence permit to an alien who enjoys the right to restore citizenship of the Republic of Lithuania and temporary residence permit to an alien of Lithuanian descent - validity period of a residence permit is 5 years.</p> <p>2. Family reunification - validity period of a residence permit is up to one year. Renewed for a period of 2 years.</p> <p>3. Work - validity period of a residence permit is up to 2 years. Renewal is up to 2 years.</p> <p>5. Highly qualified employment - validity period of a residence permit is up to 3 years. Renewal is up to 3 years.</p> <p>6. Lawful activity - validity period of a residence permit is up to one year. Renewal is up to 2 years. If an alien invested not less than EUR 260 000 in an enterprise's equity capital/assets,</p>

			<p>created not less than five full-time working places validity period of a residence permit is up to 3 years. Renewal is up to 3 years.</p> <p>7. Studies - validity period of a residence permit is up to one year.</p> <p>8. Research and teaching - validity of a residence permit is up to 2 years. Renewal up to 2 years.</p> <p>9. Subsidiary protection - validity period of a residence permit up to 2 years. Renewal is up to 2 years.</p> <p>10. Refugee status - an alien is issued a permanent residence permit. Validity period is up to 5 years.</p> <p>11. Long-term resident status in another EU Member State - validity of the residence permit is up to one year. Renewal is up to 1 year.</p> <p>12. Victim of human trafficking who cooperates with pre-trial investigation body - validity of a residence permit is up to 6 months.</p> <p>2. In Lithuania an alien must apply for the renewal of a temporary residence permit before expiration of its validity period.</p> <p>3. See answer to question no. 1.</p>
	<p>Luxembourg</p>	<p>Yes</p>	<p>1. In Luxembourg, the duration of a residence permit depends on the category of the residence permit established by the amended law of 29 August 2008 on free movement of persons and immigration:</p> <p>1. Salaried worker (article 43 (1) and (2)): The first residence permit is granted for one year maximum and only for a single sector and a single occupation with any employer. The permit can be renewed for a maximum period of three years and in this case it is valid for all sectors and professions (article 43 (4) and (5)). If the holder of the permit is unable to prove that he/she has in</p>

fact worked throughout the duration of his/her residence permit or authorisation of work, or if the renewal takes place during the period in respect of which unemployment benefits are paid, the residence permit or authorisation of work is renewed for a maximum period of one year..

2. Highly qualified worker (article 45-1 (2)): European Blue Card): The validity of the first permit is for two years except if the contract is for a lesser duration in which case the duration of the permit is the same as the duration of the contract plus three months. After the two years it will be renewed without any restrictions of sector and professions with the exception of certain jobs and functions of the public administration (article 45-1 (4)).

3. Transferred salaried worker (art. 47 (4)): The residence permit has a period of validity of one year maximum. It can be renewed for the same period if the conditions of issuance are still being fulfilled.

4. Posted worker: (article 48 (5)): The residence permit has a duration that cannot exceed the time authorised for the posted work in Luxembourg. It can be renewed under exceptional circumstances for a limited period of time, if the services delivery could not be completed in the duration initially foreseen (article 48(3)).

5. Independent worker: The residence permit has a period of validity of three years maximum. In practice, it is granted the first time for a year. It is renewable for 3 years (article 52 (1) and (2)).

6. Sportsman: The residence permit has a period of validity of one year maximum. It can be renewed for the same period if the conditions of issuance are still being fulfilled (article 54 (2) and (3)).

7. Students: The residence permit has a period of validity of one year minimum and it can be renewed for the same period during the duration of the studies if the conditions for granting it remain the same. If the duration of the study cycle is less than one year, the residence permit only will cover the duration of the studies (article 57 (1) and (2)). After the completion of his/her studies and if the applicant has obtained a job and fulfils the requirements of article 59, s/he can

stay for a first professional experience as “salaried worker” for a maximum duration of 2 years which is not renewable.

8. Pupils: The residence permit has a validity of one year maximum (article 60 (2)).

9. Trainee: The residence permit has a period of validity for the duration of the traineeship but cannot exceed one year. It can be extended only once under exceptional circumstances if an additional time is required for the conclusion of the professional qualification (article 61 (2)).


10. Volunteer: The residence permit has a period of validity of one year maximum. If the volunteer programme is longer, the residence permit will be granted in exceptional cases for the duration of the volunteer programme (article 62 (2)).


11. Au pair: The residence permit is issued for a maximum duration of one year and it is not renewable (article 62bis (2)).

12. Researcher: The residence permit has a period of validity of one year, if not for the duration of the research project. It is renewable if the conditions are still fulfilled (article 64 (2)).



13. Family member of a third-country national resident: The initial residence permit has a period of validity of one year. It can be renewed if the conditions for granting it are still fulfilled. However, the validity period of the residence permit cannot be longer than the residence permit of the third-country national who requested the family reunification (article 74 (1)).


14. Private reasons: The residence permit has a validity of three years maximum and it can be renewed if the conditions of issuance are still being fulfilled (article 79(1)). This residence permit is granted to the following categories of third-country nationals (article 78 (1): a) third-country nationals who are able to show that they are able to live on their own resources; b) family members foreseen by article 76; c) third-country nationals who do not meet the conditions for family reunification but whose personal or family ties, assessed by reference to, in particular, their closeness, the length of time for which they have existed and their stability, are such that a refusal to authorise their stay would disproportionately affect their right to privacy and family life as

			<p>measured against the grounds of such a refusal. Furthermore, this residence permit can be granted by the Ministry to a third-country national based on humanitarian grounds of exceptional seriousness, provided their presence does not constitute a threat to public policy, public health or national security (article 78 (3)).</p> <p>15. Long term residence: The residence permit has a period of validity of five years and it is automatically renewed upon application for the same period (article 82 (2)).</p> <p>16. Refugee: The residence permit has a period validity of three years minimum and it is renewable if the conditions still are being fulfilled.</p> <p>17. Subsidiary protection: The residence permit has a period validity of three years minimum and it is renewable if the conditions still are being fulfilled.</p> <p>Persons included in categories 16 and 17 will benefit from an « international protection » residence permit according to article 57 (1) of the law of 18 December 2015 on international protection and temporary protection. In practice, for both cases the maximum duration is 5 years.</p> <p>2. See answer to Q.1.</p> <p>3. See answer to Q.1.</p>
	<p>Netherlands</p>	<p>Yes</p>	<p>1. According to our national legislation, the main rule is that the initial temporary regular residence permit is valid for at most five years and that the period of validity of the temporary regular residence permit may be extended for at most five years each time. There are exceptions at the main rule: Â· Certain temporary regular residence permits cannot be extended. The initial temporary regular residence permit for stay as au pair, for exchange purposes, as a trainee or for preparation for study purposes is valid for at most one year and the period of validity cannot be extended. Â· Certain temporary regular residence permits have a different validity. For example (not exhaustive): - the initial temporary regular residence permit for stay with a family member is granted for five years if the sponsor is a Dutch citizen or has a permanent residence permit. The temporary residence permit may be extended under certain conditions for five years. If the</p>

			<p>sponsor has a temporary residence permit, the residence permit of the family member is granted for the duration of the residence permit of the sponsor (less than 5 years). The temporary residence permit may be extended under certain conditions for the duration of the residence permit of the sponsor. - the initial temporary regular residence permit for a highly skilled migrant is granted for the duration of the employment contract with a maximum of five years or directly for 5 years when the highly skilled migrant has an employment contract for an indefinite period of time. The period of validity of the temporary regular residence permit may be extended for the duration of the employment contract with a maximum of five years or directly for 5 years when the highly skilled migrant has an employment contract for an indefinite period of time.</p> <p>2. Yes. If the temporary residence permit is no longer valid and the migrant hasn't applied for an extension or change of purpose of stay, he is then staying in the Netherlands illegally and has to leave the Netherlands as soon as possible.</p> <p>3. See answer to question 1</p>
	Portugal	Yes	<p>1. There are two types of residence permit: a) Temporary residence permit - valid for one-year period to be counted from the date of issue, and is renewable for successive periods of two years; b) Permanent residence permit - has no time limit, the residence title must, however, be renewed every 5 years or whenever there is any alteration to the particulars recorded in it.</p> <p>2. Yes.</p> <p>3. Under art. 75.º of Law 23/07 (amended by Law 29/12), without prejudice to the special legal stipulations applicable, the temporary residence permit is valid for a period of one year, as of the date of issuing the respective title and is renewable for successive periods of two years. The residence title must, nonetheless, be renewed whenever an alteration to the identification elements contained in it occurs.</p>

	Slovak Republic	Yes	<p>1. The following residence permits may be issued in Slovakia to a third country national: a) temporary residence b) permanent residence c) tolerated residence a) Temporary residence may be issued for the following purposes and duration: - for the purpose of business (granted for the assumed time period of business, however, maximum for 3 years); - for the purpose of employment (granted for the period of the assumed duration of employment, however, maximum for 2 years), including seasonal employment (issued for the period of maximum 180 days during 12 months following after each other); - for the purpose of study (granted for the period of the assumed duration of study, however maximum for 6 years); - for the purpose of special activity e.g. artistic, sports, lecturing, volunteering activity, internship, medical treatment etc. (granted for the time period necessary in order to achieve the purpose, however, maximum for 2 years); - for the purpose of research and development (granted for the time period necessary in order to achieve the purpose, however, maximum for 2 years); - for the purpose of family reunification (granted until the end of the validity of residence of a third country national for which the third country national applies the right for family unification, however, maximum for 5 years); - for the purpose of performing service obligations by civil units of armed forces (granted for maximum 5 years); - who has the status of a Slovak living abroad (granted for 5 years); - who has the status of a person with long term residence in another member state (granted for the time period necessary in order to achieve the purpose, however, maximum for 5 years); - EU blue card (issued for 3 years or if the duration of employment is shorter than 3 years, a blue card is issued for the duration of employment period extended by 90 days). b) There are 3 types of permanent residence granted for following durations: - permanent residence for 5 years - permanent residence for an unlimited time period - long-term residence for an unlimited time period c) Tolerated residence can be granted for a maximum of 180 days.</p> <p>2. Yes, it is possible to apply for an extension of the temporary residence and also repeatedly. The maximum period of temporary residence renewal depends on the purpose for which it was granted (for a maximum of 3 or 5 years). For more details see question 3.</p> <p>3. Temporary residence can be extended depending on its purpose as follows: - for the purpose of business (renewable for a maximum of 3 years, if assumed time period of residence will last at least 3 years); - for the purpose of employment (renewable for a maximum of 3 years, if assumed time period of residence will last at least 3 years) including seasonal employment (renewable for a</p>
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			<p>maximum of 180 days if the temporary residence for the purpose of seasonal employment was granted for less than 180 days and further residence is necessary in order to complete the seasonal employment); - for the purpose of study (renewable for a maximum of 5 years if assumed time period of residence will last at least 5 years); - for the purpose of special activity e.g. artistic, sports, lecturing, volunteering activity, internship, medical treatment etc. (renewable for a maximum of 3 years, if assumed time period of residence will last at least 3 years); - for the purpose of research and development (renewable for a maximum of 3 years, if assumed time period of residence will last at least 3 years); - for the purpose of family reunification (renewable for a maximum of 5 years if assumed time period of residence will last at least 5 years); - for the purpose of performing service obligations by civil units of armed forces (renewable for a maximum of 3 years, if assumed time period of residence will last at least 3 years); - who has the status of a Slovak living abroad (renewable for a maximum of 5 years if assumed time period of residence will last at least 5 years); - who has the status of a person with long term residence in another member state (renewable for a maximum of 5 years if assumed time period of residence will last at least 5 years); - EU blue card (renewable for 3 years or if the duration of employment is shorter than 3 years, a blue card is renewed for the duration of employment period extended by 90 days).</p>
	Sweden	Yes	<p>1. Family reunification: Newly established relationships: 2 years or depending on the validity of passport. Extension means normally permanent residence permission. Established relationships: Permanent residence permission. Work permit: First decision up to two years with certain limitation to a specific work as well as employer. Extension: Another two year period without limitation to employer. Students: Up to 13 months. Extension is possible.</p> <p>2. Yes, you have the possibility to apply within Sweden.</p> <p>3. See question 1.</p>
	United Kingdom	Yes	<p>1. For temporary leave the validity period of the residence permit is the same as the length of permission to stay in the UK. However, for non-EEA migrants with permanent settlement status</p>

			<p>the validity period of the residence permit is up to 10 years for individuals aged over 16 and up to 5 years for individuals aged under 16.</p> <p>2. No. If a person needs to extend their stay in the UK they must apply for further permission. If granted we will issue them a new residence permit.</p> <p>3. N/A</p>
	Norway	Yes	<p>1. As a main rule the initial residence permit is valid for three years. For some types of work or study permits the residence permit is given for a shorter period (normally 6 months to two years). Residence permits given on the basis of family reunification are as a main rule given for one year, but may be given for three years in some cases.</p> <p>2. Yes.</p> <p>3. Residence permits given on the basis of family reunification are as a main rule given for one year, but may be given for three years in some cases.</p>