



**AD HOC QUERY ON 2019.60 Use of D-visa in other Member States**

**Requested by Dylano de Wilde on 4 June 2019**

**Compilation produced on 5 July 2019**

**Responses from EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Cyprus, EMN NCP Finland, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Italy, EMN NCP Latvia , EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Malta, EMN NCP Netherlands, EMN NCP Portugal, EMN NCP Slovakia, EMN NCP Sweden plus EMN NCP Czech Republic, EMN NCP Norway (20 in Total)**

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**1. Background information**

Third-country nationals with a certain nationality who want to stay in the Netherlands for more than 90 days need a provisional residence permit (a so called 'MVV') to travel to the Netherlands. Once they arrive in the Netherlands the third-country nationals receive their official residence permit. Some nationalities are excluded from the requirement of an MVV (Australia, New Zealand, Canada, Japan, Monaco, Vatican City, United States of America, or South Korea, and a EU/EEA Member State or Switzerland).

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In the Netherlands a D-visa is used for the MVV. The national visa of "D" category is granted to the certain individuals who are to be studying, working or permanently residing in one of the Schengen countries. Third-country nationals have to apply for an MVV when still residing in their country of origin or country of continuous residence (a country where they may lawfully live for more than 3 months and have a valid residence permit). When all the conditions required for the residence permit are met and the application is granted, the third-country national will get an MVV-sticker in his/her passport to travel to the Netherlands. Once arrived in the Netherlands the residence permit can be acquired at the Dutch Immigration- and Naturalization Service (IND). It turns out that not all EU Member States handle a D-visa in the same manner. To our knowledge, in some Member States a D-visa is issued for a longer period of time (nearly a year) and has the status of a residence permit. The Netherlands would like to have an overview on what kind of D-visa other Member States have and see what rights are attached to their D-visa.

## **2. Questions**

- 1. Does your Member State issue D-visas to third-country nationals who want to stay in your Member State for more than 90 days? Yes/No, please explain.**
- 2. What are the conditions for a third-country national to obtain a D-visa (for example in regards to employment activities)?**
- 3. Besides the third-country national, are others able to apply for a D-visa on behalf of the third-country national (for example an employer, spouse, sponsor)?**
- 4. What is the validity period of the D-visa and is it possible to extend the validity period?**
- 5. Does the D-visa give the right to stay in other countries in the Schengen area? Yes/No. If yes, please explain. If no, please explain any existing restrictions.**
- 6. Does the D-visa give the right to work in your Member State? Yes/No (a) If yes, under what conditions? (b) If no, does the employer have to apply for a work permit in addition to the D-visa?**


We would very much appreciate your responses by **5 July 2019**.

## **3. Responses**

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		Wider Dissemination <sup>2</sup>	
	EMN NCP Austria	Yes	<p>1. Yes, in Austria, according to Art. 20 para 2 Aliens Police Act 2005, D-visas permit residence of more than 90 days.</p> <p>2. In Austria, D-visas can be issued for, inter alia, employment purposes (Art. 20 para 1 subpara 3 in conjunction with Art. 24 para 1 Aliens Police Act 2005). According to Art. 21 para 1 Aliens Police Act 2005 D-visas can be issued if the alien possess a valid travel document, no ground for refusal according to Art. 21 para 2 Aliens Police Act 2005 (for instance, doubts regarding the true identity or the nationality of the alien or regarding the authenticity of the submitted documents or if the alien does not possess health insurance covering all risks) exists and the exit of the alien from Austria seems secured.</p> <p>3. A D-visa has to be requested by form. According to Art. 11 para 1 Aliens Police Act 2005, upon request of the representation authority, the applicant has to appear in person before the authority, if necessary accompanied by an interpreter (Art. 39a General Administrative Procedures Act 1991).</p> <p>4. According to Art. 20 para 3 Aliens Police Act 2005 D-visas have to be permitted limitedly, whereby its validity period must not exceed that of the travel document. The maximum duration of stay in federal territory is between six and 12 months (Art. 20 para 2 Aliens Police Act 2005). The foreseen extension</p>

<sup>1</sup> If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

<sup>2</sup> A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."


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			<p>possibilities according to the Aliens Police Act 2005 relate solely to visas for seasonal workers.</p> <p>5. (National) D-visas, issued by Austria or another Schengen State, permits the owner to move freely within the territory of the Schengen MS up to 90 days in a period of 180 days on basis of this visa and a valid travel document, as long as the entry requirements according to Article 6 paragraph 1 letters a, c and e of the Schengen Borders Code are met and the person is not on the national list of alerts of the concerned Member State (<a href="https://www.oesterreich.gv.at/themen/leben_in_oesterreich/visum_fuer_oesterreich/Seite.3550020.html#visumd">https://www.oesterreich.gv.at/themen/leben_in_oesterreich/visum_fuer_oesterreich/Seite.3550020.html#visumd</a>)</p> <p>6. According to Art. 20 para 2 Aliens Police Act 2005, the pursuit of an employment is only admissible with a visa for employment purposes. This visa can be issued for certain types of employment. This includes, for instance, occupations as seasonal worker or mere temporary self-employed or dependent employment. If the activity underlies the Act Governing the Employment of Foreign Nationals, a visa for employment purposes can predominantly only be issued if a permit by the Public Employment Service exists and no ground for refusal of the visa (see Q2) is given (Art. 24 para 1 Aliens Police Act 2005).</p>
	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. Yes. Third country nationals who want to enter the territory for an intended stay of more than 90 days must be in possession of a D-visa. This applies both for visa-required nationalities (annex I of regulation 2018/1806) and for visa-exempted nationalities (annex II). Only Monaco is exempted from D-visa. Within 8 days after entry, the holder of a D-visa will have to apply for a residence permit at the municipality. The local police will then officially visit the address to see whether the person concerned really does live there. After this residence check proves positive, the foreign national is registered in the register for foreign nationals and he or she receives his or her residence permit. It can be noted that for a stay for more than 90 days the visa D need in principle to be applied for from abroad before coming to Belgium. However, there are exceptions making it possible for people who are already in Belgium to also apply for a right to stay in Belgium, this exception is not limited to certain nationalities.</p> <p>2. Since January 2019, the employer and foreign national can submit an application for a single permit</p>


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			<p>for work and residence to the competent region. The region assesses if the applicant fulfils the labour criteria set out at the regional level (also see above). Subsequently, the federal Immigration Office checks the applicant's travel documents, resources, extract from the judicial record, medical certificate, health insurance and fee payment. In case of a positive decision, the municipality issues a temporary document to the third country national already staying in Belgium. The third country national staying abroad receives a long-term visa (type D) mentioning the single permit to travel to Belgium. In the next phase, the foreign national receives a temporary residence permit ("A-card") with limited access to the labour market. Through his employer, he can apply for a renewal of his authorisation to stay and/or to work. After five years, he can obtain a permanent residence permit ("B-card") with unlimited access to the labour market.</p> <p>3. No</p> <p>4. The validity of a D visa can vary from three months to one year, this is the period in which the visa can be used to travel to Belgium / Schengen zone. A residence permit is valid for one year as a standard, but this can also vary depending on the specific situation. Extension of the D-visa as such is not excluded but rather unusual, as the person will normally have a residence permit in the meantime (with the same or a longer period of validity). If extension of stay is needed, it's rather this residence permit that will be extended.</p> <p>5. Yes, as per regulation 265/2010.</p> <p>6. In principle, a D-visa for economic reasons is only granted if the conditions to be granted a labour permit are fulfilled (see also reply to question 2 referring to the single permit).</p>
	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. In reply to the inquiry concerning the conditions for obtaining a D-visa for the purposes of employment, we would like to inform you on the following: In accordance with Art. 32b and Art.14 para 1 of the Rules</p>


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			<p>on the implementation of the foreigners in the Republic of Bulgaria act: For receiving the right to a long term residence the foreigner shall produce in person to the Migration Directorate or in the RDMI a standard application under Annex N 3, which shall have attached as follows:1. a copy of a valid passport, or replacing document with the pages of the photo, the personal data, and the stamp of the last entry in the country; for comparison of the authenticity of the copy, the original passport, or replacing document shall also be produced;3. evidence for a provided accommodation;4. obligatory medical insurance;5. evidence for stable, regular, providable and sufficient maintenance funds without referring to the social assistance system in the amount not smaller than the minimal monthly work salary, the minimal stipendium or the minimal pension for the country, for the term of residence on the territory of the Republic of Bulgaria;6. certificate showing no previous convictions, issued by the state, whose national the foreigner is, or by the state of his usual residence – in an initial submission of the application.7. a copy of the written permit for exercising employment, issued by the Employment Agency – the document shall be provided to Migration Directorate officially and added to the set of documents by the migration authorities.</p> <p>3. Yes, the existing rules provide for the possibility for the employer to apply.</p> <p>4. Long-stay visa is issued with a validity term of up to 6 months and with right to stay for up to 180 days. There is no possibility to extend the validity period of the D-visa already issued however, based on this visa and provided it is still valid the foreigners have the right to apply for a long-term residence permit.</p> <p>5. No. BG does not issue Schengen visas.</p> <p>6. No, the D-visa itself does not give the right to work and once the foreigner is issued D-visa his/her employer has to apply for a residence permit before the Migration Directorate.</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. No. According to the Foreigners Act issuance of visa D is not prescribed. If a third-country national wishes to stay for more than 90 days in the Republic of Croatia, he can apply for a temporary residence permit in accordance with the Foreigners Act. Temporary residence can be granted for the purpose of</p>



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			<p>reuniting the family, work, work of a posted worker, research, secondary education and study, life partnership, for humanitarian reasons and for other purposes. A third-country national can be granted temporary residence if he/she proves the purpose of temporary residence, has a valid travel document, proof of the means of subsistence, proof of health insurance, does not have ban to entry and stay in the Republic of Croatia and does not present a threat to public order, national security or public health. The temporary residence permit is issued for up to one year. Upon approval of a temporary stay, a third-country national is required to obtain a biometric residence permit. The application for a temporary residence permit is submitted to the diplomatic mission or consular office of the Republic of Croatia and, on the basis of an approved temporary residence permit, a third-country national can enter the Republic of Croatia. In certain cases prescribed by the Foreigners Act (Article 48, paragraph 3, if he/she comes for the purpose of full-time study, research, work outside the annual quota, if he/she is a member of a close family of a Croatian citizen etc.), the application can be lodged in the Republic of Croatia (in police administrations or police stations) and in that cases, a third-country national enters the Republic of Croatia with visa C and then lodges the application. At the same time, we would like to point out that the drafting of the proposal of the Foreigners Act, which foresees the introduction of visa D, is in the process. As the draft of the new Act is still in progress, we are not yet able to provide more information regarding the issuance of visa D.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p> <p>6. N/A</p>
	EMN NCP	Yes	1. No. Cyprus is not a full member of Schengen Zone.

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	Cyprus		<p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p> <p>6. N/A</p>
	EMN NCP Finland	Yes	<p>1. No. In Finland you always need a residence permit if you want to stay longer than 90 days.</p> <p>2. N/a</p> <p>3. N/a</p> <p>4. N/a</p> <p>5. N/a</p> <p>6. N/a</p>
	EMN NCP Germany	Yes	<p>1. Yes, a national visa (D visa) is issued for any entry for which a Schengen visa or airport transit visa is not sufficient for the duration and/or purpose of the subsequent stay.</p>



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			<p>2. As for any residence permit, the general conditions for granting a residence permit (securing one's livelihood, possession of a passport, no interest in being expelled and others) as well as the special conditions for granting a residence permit (e.g. proof of a course of studies or a job) must be fulfilled.</p> <p>3. Foreigners who want to enter the country must always apply to the responsible foreign embassy for a D-visa. Only in the case of family reunification to beneficiaries of protection or persons admitted by way of resettlement can they themselves additionally apply to the foreigners authorities for the reunification of their family members in order to meet the deadline for more favourable entry conditions (no proof of subsistence and sufficient living space required).</p> <p>4. In principle, the period of validity is 90 days, which may be shorter or longer depending on the purpose of the stay, but no longer than 12 months. The D-visa is not extended. If it expires before entry, a new visa must be applied for. After entry, foreigners must apply for a residence permit corresponding to the purpose of entry at the foreigners authorities in good time before the visa expires.</p> <p>5. Yes, the D-visa entitles the holder to enter the territory of the other Member States in accordance with Article 6(1)(b) of Regulation (EU) 2016/399 (Schengen Borders Code).</p> <p>6. Yes, if the purpose of the stay for which the visa has been applied for is in any case the pursuit of gainful employment or the pursuit of gainful employment is permitted by law on the basis of another purpose of the stay (e.g. family reunification).</p>
	<p>EMN NCP Greece</p>	<p>Yes</p>	<p>1. Yes, Greek consular authorities issue national visas to third country nationals in accordance with the Law 4251/2014 (Immigration Code). The national visa regards the entrance of a third country national in Greece with the goal of a long-term residence.</p> <p>2. For the purpose of issuing a national visa, a third-country national must submit to the Greek consular authority specific supporting documents for each category of national visa (e.g. work, studies, internship, research, volunteering, etc.) as defined in Law 4251/2014 and the relevant joint ministerial decision. In</p>


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			<p>any case he has to submit the general supporting documents which are : A fully completed and signed application form for a long - term national visa, accompanied by a recent colour photograph of the applicant, which must meet the relevant standards provided by the International Civil Aviation Organization (ICAO). A passport or other recognized travel document meeting the following criteria: a) its validity exceeds by at least three months the intended date of departure from the territory of the Enhanced Schengen Cooperation Member - States or, in case of more than one visits, after the last intended date of departure from the territory of the Member – States, b) it has at least two blank pages and c) it has been issued within the previous decade. Criminal record certificate issued by the foreign authorities, certifying the criminal status of the applicant in the country of his/her residence. In cases where the applicant lives in a country different from that of his/her origin, for more than a year before lodging the entry visa application, the Consular Authority may, request the presentation of a criminal record certificate issued by the country of origin. Medical certificate issued by a recognized state or private institution, showing that the person concerned does not suffer from a disease capable of constituting a risk to public health, according to the international data of the World Health Organization (WHO) and the European Union acquis, as well as other infectious, contagious or parasitic diseases, imposing the taking of measures to protect public health; Travel insurance, with a duration equal to, at minimum, that of the visa issued, covering the costs which may arise in case of repatriation for medical reasons, for urgent medical care and/or for emergency hospital care. Pay the Visa Fee .</p> <p>3. No. A third country nationals who wishes to obtain a national visa must present himself to the relevant Greek consular authority, submit the necessary supporting documents and then be interviewed by the Consul in order to ascertain his purpose of entry and residence in Greece.</p> <p>4. The validity period of the D- visa is from 91 to 365 days and there can't be an extension of the D- type national visa.</p> <p>5. Any third country national holding a greek national visa, may travel to other Schengen member states for a period of 90 days within any 180 day period.</p> <p>6. The national visa does not automatically grant a right to work. A third country national can work only if he/she has applied for a residence permit. The residence permit is the document that allows the third-country national to reside legally in Greece and to derive all the rights granted by the Greek immigration</p>
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			<p>law, including the right to work.Exceptions to the above are the national visa categories of Article 18 of Law 4251/2014 where the national visa is also a residence permit:-seasonal employment (91 days-6 months)-fishermen (91 days- 11 months)-members of artistic groups (91- 365 days)-3rd country nationals moving from an undertaking established in a EU member state with the purpose of providing services (91- 365 days)-3rd country nationals moving from an undertaking established in a third country with the purpose of providing services (91 days-6 months)-Tour leaders (91 days-8 months)-Trainees (91 days-6 months)-Work and Holiday Visa Australia (91- 365 days).</p>
	<p>EMN NCP Hungary</p>	<p>Yes</p>	<ol style="list-style-type: none"> <li>1. D visa issued by the Hungarian authorities, is an entry visa for receiving a residence permit, therefore D visa issued to third-country nationals is a single-entry visa authorising a stay of not more than 30 days.</li> <li>2. Third-country nationals may apply for an entry visa for entitlement to collect the residence permit before admission to the country in the application for residence permit, without having to lodge a separate application. If the decision of the aliens policing authority is in favour of the application for residence permit, it shall constitute approval for the issue of an entry visa for receiving a residence permit, of which the competent consulate officer shall be notified. The entry visa for receiving a residence permit shall be issued by the competent consulate officer based on the aliens policing authority's decision. Third-country national can receive the residence permit at the local aliens policing authority competent by the place of the applicant's future accomodation.</li> <li>3. The application shall be lodged in person together with the application for residence permit. It is not possible to lodge a separate D visa application.</li> <li>4. The validity period of the entry visa for receiving a residence permit shall be issued by the competent consulate officer based on the aliens policing authority's decision. It is not possible to extend the validity period of the D visa.</li> <li>5. In possession of a D visa third-country nationals are entitled to single entry and stay in the territory of Hungary for a period not exceeding 30 days, therefore D visa holders are not entitled to stay in other</li> </ol>

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			<p>countries in the Schengen area.</p> <p>6. In possession of a D visa the third-country national is not entitled to work, in order to work he/she has to pick up the valid residence permit.</p>
	EMN NCP Italy	Yes	<p>1. Yes. Pursuant to the Visa Code (EC Regulation no. 810/2009, which entered into effect on 5 April 2010), visas are divided into three main categories:- Uniform Schengen Visas (USV): valid for all the Contracting Parties' territories- Limited Territorial Validity Visas (LTV): these are only valid for the Schengen State whose representative issued the visa without any possibility of access to or transit through the territory of any other Schengen State- Long sojourn or "national" Visas (NV), which are only valid for visits that are longer than 90 days (type D), with one or more entries, in the territory of the Schengen State whose diplomatic mission issued the visa. Holders of type D visas are permitted to circulate freely in Schengen countries other than the issuing one for a period of not more than 90 days per half-year and only if the visa is valid. Inter-ministerial decree no. 850 of 11 May 2011 defines 21 types of entry visas, along with the requirements and conditions for obtaining them. Among these 21 types of visas, the following are those of type D: adoption, medical treatment, diplomatic, independent work, subordinate work, mission, family reasons, religious reasons, re-entry, elective residence, research, study, working holiday, volunteer work.</p> <p>2. The conditions for a third-country national to obtain a D-visa depends on the type of residence permit requested. For example, for subordinate work, the reference framework is constituted by articles 5, 5 bis, 21, 22 of Law n. 286/98 and articles 9, 13, 14 of Law n. 394/99. The employer, who desires to hire a foreign worker resident abroad, has to ask for an authorization ("nulla osta") before the competent office. This authorization is a necessary precondition for the issue of entry visa for work purposes. Moreover, a visa requires necessarily a valid travel document, as passport. Within 8 days from the entry in the Italian territory, the foreign has to require from Sportello Unico Immigrazione (before the Prefecture) a residence permit. This office, after verifying the regularity of the visa, the employment relationship and the availability of a suitable accommodation, makes the foreign to subscribe a residence agreement (a photocopy of passport or other valid travel documents has to be attached). In case of self-employment</p>


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			<p>(art. 5 comma 3 quarter and 26 of Law 286/1998 and art. 39 D.P.R. 394/99), the authorization has to be required directly by the worker (before the issue of a visa) who also has to show the documentation about the licence of the activity or the enrolment at the Chamber of Commerce.</p> <p>3. Yes. As said in Q. 1, the employer, who desires to hire a foreign worker resident abroad, has to ask for an authorization to the competent office. Likewise, according to art. 29 comma 7 of law 286/1998, the foreigner - legally residing in Italy (and holding a residence card or a residence permit granted for at least 1 year and issued for the following grounds: employment, asylum, religious or family matters) who wants to apply for family reunification, must ask for an authorization before the prefecture. Once obtained it, the visa to the family member (in which regard the Prefecture has issued the authorization to the reunification) is issued by the Italian Consulate in his country of origin. The issuing of this visa is conditional on the examination about the validity of the documentation regarding the family relationship, the minor age or the state of health, while the verification of the applicant's requirements of income, house and health insurance (comma 3 art. 29) is conducted by the Prefecture (before issuing the authorization).</p> <p>4. The D-Visas are only valid for visits from 90 up to 365 days.</p> <p>5. D-visa gives the right to stay in other countries in the Schengen area only for no more than 90 days within a period of 180 days.</p> <p>6. Yes, but it depends on the kind of residence permit issued. The right to work is not guaranteed, for example, if the residence permit is issued for medical treatment. (a) If yes, under what conditions? The conditions vary depending on the type of residence permit. For example:- Study reasons: the beneficiary of this residence permit is allowed to work (subordinate work) only for a total of 1040 annual hours. If the student has a proposal of recruitment, his residence permit can be converted in a work residence permit within the limits of annual entry quotas.- Family reasons: this type of permit allows the work (self or paid employment) and - when it expires - the holder can convert it in a residence permit for work, study or elective residence (if the conditions for the residence permit for family reasons are lacking and the foreigner is working at that moment).</p>
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	<p>EMN NCP Latvia</p>	<p>Yes</p>	<ol style="list-style-type: none"> <li>1. Latvia issues D visas (a long-stay visa). According to the Immigration Law a D visa may be issued, if the estimated duration of stay of the third-country national exceeds 90 days in any 180 days period and if it conforms to the norms of international law, the State interests of Latvia, or if it is related to force majeure, reasons of a humanitarian nature or significant personal reasons or employment, or if a third-country national enters Latvia in relation to student or pupil exchange programme or as a volunteer. In addition to that D-visas are issued to third-country nationals who have already received a positive decision on granting him/her a residence permit (in these cases D-visa is issued for duration of stay max. 30 days) and to third-country nationals who plan to apply for a residence permit while being in the territory of Latvia (some categories of the third-country nationals are allowed to submit documents in Latvia. In these cases D-visa is issued for max. duration of stay until 90 days).</li>   <li>2. When applying for a visa a third-country national shall submit inter alia documents justifying the necessity to receive a visa in accordance with the reasons mentioned in the Immigration Law, and documents substantiating the place of stay in Latvia, proving sufficient financial resources necessary to stay in Latvia and return to the country of domicile. If a third-country national's intention is to enter Latvia in relation to employment an invitation from potential employer is requested. Prior to the invitation request can be submitted to the Office of Citizenship and Migration Affairs (OCMA) for approving, the employer shall announce a vacancy at the National Agency for Employment and only if in 30 days no candidates from Latvia applied for the job, the employer can submit the invitation request at the OCMA.</li>   <li>3. No, a third-country national shall apply for a visa by him/herself. Documents for a D-visa applying can submit an authorized person as well.</li>   <li>4. The maximum validity of a D-visa is one year (according to the Art.1 of the Regulation (EU) No 265/2010 – amendments of the Art.18 of the Schengen Convention). If a D-visa was issued for shorter period than one year and some significant reasons were arisen the term of staying with a D-visa can be extended until one year (new application, new application filled in the VIS and new visa-sticker).</li>   <li>5. Yes, like travelling with a residence permit (90/180 days) – according to the Art.1 of the Regulation (EU) No 265/2010 – amendments of the Art.21 (1 and 2a) of the Schengen Convention.</li>   <li>6. Yes, but it depends on the reason why a visa was issued. It is allowed to work only when a right to</li> </ol>
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			<p>work is granted and it is written in the visa sticker (for example: “The right to work with a specific employer”, “The right to work with no restrictions”, “The right to work 20H per week”). The employer does not have to apply for a work permit, the employer shall submit an invitation request. An information on the right to work is included both in the visa sticker and in the IT system – “Work Permits Register”.</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. Yes. There are two types of D-visas that may be issued to an alien. A single-entry D-visa (issued to an alien who has been granted temporary or permanent residence in the Republic of Lithuania) and a multi-entry D-visa (usually granted for foreigners who intend to enter the Republic of Lithuania periodically and there is no requirement to get a temporary residence permit in the Republic of Lithuania.)</p> <p>2. The conditions depends on purposes of arrival. Usually D-visas are granted for foreigners who arrive to work, study, conduct scientific research or to engage in legal activities in Lithuania. Multi-entry national visa may be issued to an alien:1. who is a student entering the Republic of Lithuania to study under a student exchange program;2. who is a student admitted into a registered and functioning higher education establishment of the Republic of Lithuania;3. who arrives to the Republic of Lithuania to work as a teacher or conduct scientific researches and have a labour contract or author’s contract signed with a science and research institution registered in the Republic of Lithuania;4. who arrives to the Republic of Lithuania to implement joint government programs with foreign countries as a teacher or conduct scientific researches as a researcher5. who is a professional athlete or coach arriving to the Republic of Lithuania to engage in sports activities6. who arrives to the Republic of Lithuania to work and has a labour permit issued to the alien by the Lithuanian Labour Exchange under the Ministry of Social Security and Labour of the Republic of Lithuania;7. who is a sailor arriving to a ship sailing under the flag of the Republic of Lithuania;8. who is a sailor if the ship whose crew member he or she is, is being repaired in the Republic of Lithuania;9. who is a journalist accredited by the Ministry of Foreign Affairs of the Republic of Lithuania;10. who arrives to the Republic of Lithuania to engage in legal activities and is a participant of a private legal entity registered in the Register of Legal Entities 11. who has applied for the issuance or replacement of a permit to reside in the Republic of Lithuania or a residence card of a family member of a citizen of the European Union;12. who cannot leave the Republic of Lithuania because of illness, personal reason that the alien could not foresee, force majeure;13. who arrives to the Republic of</p>

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			<p>Lithuania to work and has a profession which is included in the list of the most in-demand jobs according to economic activities approved by the Director of the Lithuanian Labour Exchange;14. who arrives to the Republic of Lithuania for seasonal work and has a permit for seasonal work lasting longer than 90 days issued to the alien by the Lithuanian Labour Exchange under the Ministry of Social Security and Labour of the Republic of Lithuania;15. who has an extended permit for seasonal work if the overall period of employment exceeds 90 days, or an alien who has submitted an application for a new or extended permit for seasonal work;16. who arrives to the Republic of Lithuania in accordance with the provisions of international agreements to which the Republic of Lithuania is a party;17. who is indicated in paragraph 6, 13, 15 and 16, and is a citizen of a country included in the lists of Council Regulation (EC) No.18. in other cases, whose purpose for arrival to the Republic of Lithuanian is a long-term stay in the Republic of Lithuania. Additionally, an alien must have sufficient funds and (or) receive a regular income required to live in the Republic of Lithuania as well as sufficient amount of funds required to return to the country of origin. More information and all conditions for obtaining D-visa can be found on the Migration Department's website. LINK: <a href="https://www.migracija.lt/index.php?-1123517310">https://www.migracija.lt/index.php?-1123517310</a></p> <p>3. Third-country nationals have to apply for D-visa in person because fingerprints of all aliens submitting applications for national visa are captured and recorded. However, if the fingerprints of the national visa applicant were taken as part of an earlier application and were entered in the Aliens Register less than 59 months before the date of submission of the new national visa application, they will be copied to the new application. In this case documents required for the D-visa can be submitted by an authorized person on behalf of the applicant. He/she must submit a mandate approved by a notarial or equivalent form or a mandate approved by a legal entity. When an authorized person submits documents to the visa service in Lithuania on behalf of an alien, the alien must legally stay in the territory of the Republic of Lithuania. If there are reasonable doubts regarding the purpose of alien's visit and the authenticity of submitted documents, Visa Office may require to submit the documents in person in order to check alien's reliability. And if there is a doubt concerning the alien's identity, civil servant of the Visa Office may ask to take fingerprints within the 59-month period mentioned above.</p> <p>4. National visas are issued for the duration of no more than 1 year. However, if a foreigner had been granted a 1-year multi-entry national visa, another multi-entry national visa may only be issued if more than 180 days have passed since expiration of the previous visa.</p>
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			<p>5. Yes. An alien holding a valid national visa (D) may travel the territories of other states of the Schengen Area, but no more than 90 days within any 180-day period.</p> <p>6. D-visa itself does not give the right to work in Lithuania; work permit form the Employment Service should be obtained. In some cases work permit is waived: if a foreigner comes to work in a profession that is included in the list of professions requiring a high professional qualification and is in-demand in the Republic of Lithuania; as well as for aliens whose profession is included in the list of shortage occupations by type of economic activity. In these cases when work permit is not required, D-visa is sufficient to enter the country to work.</p>
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. Yes. Luxembourg also has a twostep procedure. First, the third country national applicant has to request a temporary authorisation to stay (AST) as a salaried worker, independent worker, highly skilled worker (EU Blue Card), investor, posted worker, ICT, student, pupil, trainee, volunteer worker, au-pair, sportsmen or coach, student, researcher, for family reasons or private reasons from the country of origin or from a country where the applicant legally resides. A D-Visa is a national visa issued to the third-country national who is from a country which requires a visa to enter the Schengen area and who has been granted such a temporary authorisation to stay. Once the temporary authorisation of stay is granted, the third-country national has 90 days to apply for the D-visa in his country of origin at the diplomatic representation, which represents Luxembourg's interests in the country of origin. Secondly, when the individual enters Luxembourg s/he has to register at the municipality where s/he plans to reside (article 40 (1) of the amended law of 29 August 2008 on free movement of persons and immigration) and with the declaration of arrival, the medical certificate and the payment of the fee (80€ in most cases), the individual will have to apply for the residence permit at the Directorate of Immigration of the Ministry of Foreign and European Affairs. A draft law is currently under revision of the Parliament which includes a provision on the D-visa. Indeed, it is foreseen to have the possibility to use it more generally as a possibility to enter and stay in Luxembourg up to one year.</p> <p>2. There are no specific conditions for the issuance of the D-Visa as the third-country national has already to fulfil the criteria for the respective authorisation of stay. The D-visa is only issued in order that</p>


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			<p>the third-country national will enter the Schengen area because s/he is a national from a country which requires a visa for entering the Schengen area. The applicant must join to the application: the authorisation of stay, his /her valid passport, two pictures and pay a fee of 50€.</p> <p>3. No. The D-visa is personal and the third-country national has to apply for it at the diplomatic mission of the Member State, which represents Luxembourg's interests in the country of origin.</p> <p>4. The duration of the D-visa is 90 days. The D-visa can be extended/a new one delivered in exceptional circumstances (for example if for any reasons the residence permit cannot be issued before the end of validity of the D-visa).</p> <p>5. Yes. The D-visa allows the holder to transit in the Schengen area, to enter and leave Luxembourg and other Member States of the Schengen area (Luxembourg has only one international airport and only few direct connections to third countries so that a lot of applicants have to enter the Schengen area in another Member State). The main purpose is that the holder can enter Luxembourg in order to obtain a residence permit.</p> <p>6. No. The main purpose of the D-visa is that the third-country national enters the Schengen area in order to arrive and stay in Luxembourg. Once in Luxembourg, the third-country national has only the rights that were granted by the temporary authorisation of stay. a) If the authorisation of stay is work related (i.e. salaried worker, independent worker, highly skilled worker, ...) the third-country national can begin working once the residence permit is issued. However, if the authorisation of stay does not allow to work the individual cannot work.b) If the authorisation of stay is work related the employer does not have to apply for an additional work permit because it is already included in the residence permit.</p>
	<p>EMN NCP Malta</p>	<p>Yes</p>	<p>1. Malta issues D-visas for periods exceeding 90 days. Further information regarding the issue of such vis is given in the replies to the questions hereunder.</p>

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			<p>2. The Maltese authorities issue D-Visa for several purposes, including study, extended tourism purposes, family visits and in view that residence permits are issued only whilst the person is on Maltese territory in cases where the said person has been authorized to proceed to Malta for the purpose of work.</p> <p>3. Only the third-country nationals can apply for such type of visa.</p> <p>4. The maximum validity of the visa is, in accordance with the provisions of the Schengen acquis for a period of 365 days. If the original validity of stay is less, in justified reasons it is possible to extend the said validity.</p> <p>5. The D visa issued by the Maltese authorities is valid for travel to Schengen territory in accordance with the established rules.</p> <p>6. The D-visa does not give such right. In accordance with Maltese immigration legislation a third country national requires an employment licence to work in Malta. The said visa does not include such authorization.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. Yes, in the Netherlands it is called a provisional residence permit (MVV). Third-country nationals from countries subject to visa who want to stay in the Netherlands for more than 90 days need to apply for an MVV when still residing in their country of origin or a country of continuous residence. The MVV will be issued when a third country national meets all the conditions required for the residence permit, and the application is granted. The third-country national will get an MVV (D-visa) in his passport to travel to the Netherlands. Once arrived in the Netherlands the residence permit can be acquired at the Dutch Immigration- and Naturalization Service (IND).</p> <p>2. That depends on the purpose of stay based on which the third country national would like to come to the Netherlands and the conditions in the laws and regulations that underlie this. For example, when a third-country national wants to stay in the Netherlands for more than 90 days to work in paid</p>



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			<p>employment, the IND asks advice from the Netherlands Employees Insurance Agency (UWV) about the aspects in regards to the Dutch labour market. The assessment is conducted as follows. UWV assesses the request for advice based on the criteria of the Foreign Nationals Employment Act (Wav). UWV checks whether there are no candidates for the job on the Dutch employment market or within the European Economic Area (EEA). When a job applicant from the Netherlands or another European Member State can fulfil the requirements within a reasonable period of time by means of training, the residence and work permit will be refused. The third country national must also have a sufficient income.</p> <p>3. In the Netherlands this depends on the purpose of stay. If the third country national wants to come to the Netherlands, for example, as a highly skilled migrant, student or researcher, the employer or educational-/research institution – as a recognized sponsor - must apply on behalf of the third-country national. When the third country national wants to come to the Netherlands for paid employment, he, himself or the employer can apply for an MVV. And in the case of family reunification, both the partner/spouse in the Netherlands as well as the third-country national can apply for an MVV.</p> <p>4. The MVV is valid for a period of 90 days. Within that period the third-country national must enter the Netherlands. The validity period can not be extended. When a third-country national has not entered the Netherlands within that period, he/she has to apply for an MVV again.</p> <p>5. Yes, an MVV gives the right to enter and leave the Netherlands and other countries in the Schengen area. However, the purpose of the MVV is to enable the third-country national to travel to the Netherlands and subsequently to collect his residence permit at the IND. The validity of the residence permit depends on the purpose of stay.</p> <p>6. No. It is not allowed for a third-country national to work in the Netherlands with only an MVV.a) Not applicable. b) It is not allowed for a third-country national to work in the Netherlands with only an MVV. To work in the Netherlands the third-country national must first be in the possession of a valid residence permit, in which is stated that he/she is allowed to work. An employer may need a work permit if (s)he wants to hire a third-country national in the Netherlands.</p>
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	<p>EMN NCP Portugal</p>	<p>Yes</p>	<ol style="list-style-type: none"> <li>1. Yes. Long-stay visas, regulated under the terms of the national legislation in force, may be temporary or to obtain a residence permit, depending on the duration of the stay and entitle the holder to stay in Portugal according to different reasons: study, internship, work, medical treatment, among others. The temporary stay visa allows the entry in Portugal for a period of less than one year. This is valid for the duration of the stay and for multiple entries in national territory.</li> <li>2. • Employment contract or promise of employment contract; • Have appropriate qualifications or competences for the exercise of the activity and an individualized manifestation of interest of the employer; • The general conditions established by law</li> <li>3. According to the law "Visa applications may be submitted by appropriate entities duly accredited by the embassy or by using an external service provider"</li> <li>4. The visa is valid up to 12 months, extendable up to another year.</li> <li>5. No. Temporary stay and residence visas are only valid for Portuguese territory.</li> <li>6. Yes, with the above-mentioned conditions</li> </ol>
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<ol style="list-style-type: none"> <li>1. Issuing the national type D visa by the Slovak Republic is regulated by the Act on Residence of Aliens as follows: Art. 15(3) A national visa shall be granted for a residence longer than three months, maximum for a year. National visa can be granted: a) for 90 days, if the visa was granted according to the art. 1. letter a) – see Q2b) for the length of the language education at a language school, at maximum until 31. July of the respective school year, c) for the necessary period of time, if the visa was granted according to the Para 2 of the Art. 15 (A family member of a foreigner who was granted asylum or subsidiary protection, as stated in an individual act, shall be granted national visa, if s/he does not pose a threat to the national security or public order.)</li> <li>2. (1) A TCN can be granted national visa if: a) this is necessary in relation to granting residence in the</li> </ol>


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			<p>Slovak Republic,b) s/he is older than 15 years and accepted to language education at a language school at an extent of at least 25 lessons per week,c) this is necessary for fulfilment of the commitments of the Slovak Republic stemming from international treaties, ord) this is in the interest of the Slovak Republic.A TCN shall apply for a national visa on an official form at an embassy abroad. A TCN may also apply for a national visa at the Ministry of Interior if s/he is legally residing in the Slovak Republic and a national visa is to be granted in the interest of the Slovak Republic. Together with the application, a TCN is obliged to enclose a valid travel document, a 3 x 3.5 cm color photograph showing his current image, a document confirming the purpose of the stay and proof of health insurance. The embassy or the Ministry of the Interior may request further documents from a TCN only if the documents submitted as outlined in the previous sentence are insufficient to decide on the application for a national visa. On request, the TCN is required to attend a personal interview.</p> <p>3. Application must be submitted by a TCN in person.</p> <p>4. See Q1.</p> <p>5. The long-term visa enables the holder to travel to other Schengen countries (outside the country that issued the visa), however the amount of days spent in these countries cannot exceed 90 days during any 6-month period.</p> <p>6. No, D-visa does not give right to work.</p>
	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. Yes. If you prove that, you have specific reasons for obtaining a D-visa.</p> <p>2. D-visas is granted most of the times for applicants that have been granted a permanent residence permit but they do not have any possibility to approach a Swedish mission abroad for taking biometrics. This situation appears when Sweden have granted permit on our resettlement programme in cooperation with UNHCR. You cannot enter Sweden with a D-visa and have the right to work. If you want to work in Sweden, you had to obtain a working permit before you enter the country.</p>

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			<p>3. Earlier it happened that retired persons planning to go to Sweden for visiting children and nursing their grandchildren receive a D-visa for one year. Today we ask the applicants to apply for a short-term resident permit valid for one year. The same policy today is for spouses and other family members who wants to stay more than 90 days. Answer regarding employment se Q.2 above.</p> <p>4. Yes, it is possible to apply for a short-term residence permit but it is not common that your application will be granted because you have already been in the country for approximately one year. Validity period of the D-visa, 91 days up to 364 days.</p> <p>5. Yes, it is possible to stay in another member state during 90 days under a period of 180 days.</p> <p>6. No, see answer at Q2.</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. CZ issues similar long term visa for the purpose of entry and stay in the territory of CZ until the biometric residence permit card is issued and handed over to the third country national.</p> <p>2. A visa for a stay of over 90 days (long-term) – general procedure An application for a long-term visa for over 90 days can be filed at a Czech Embassy abroad in the state of which the TCN is citizen or which issued his/her current travel document or in the state in which he/she has a long-term or permanent residence permit The application should be submitted on the completed form along with all the necessary requirements laid down by law. Only originals or official copies of the documents should be submitted. All of the documents submitted must be made out in the Czech language or officially translated into Czech. Moreover, foreign public documents must be supported by a higher verification (Apostille, superlegalisation). Along with the application for a long-term visa third country national must submit:- a travel document (original),- 1 photograph; not necessary if a pictorial recording has been made of the foreign national,- proof of accommodation,- document on the purpose of stay,- a Consent of parents or any other statutory representative or guardian to the permanent residence of a child in the Czech Republic. Consent of a parent is not required, if the parent, statutory</p>

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			<p>representative or guardian making the request for a child, will stay with a child in the territory and if foreign national proves that he / she is a unable to declare consent due to reasons beyond his / her control, Upon request third country national is further obliged to submit- Document similar to an extract from the Penal Register record, issued by the state of which you are a citizen, as well as the states in which, in the last 3 years, you have resided continuously for a period longer than 6 months, or a signed affidavit in the event that this state does not issue such a document (not required from a foreign national under 15 years).- A document proving the fulfilment of conditions set out in the measure of Ministry of Health on prevention of the spread of infectious illnesses.- Travel document, document confirming the purpose of stay and registrar documents (birth certificate, marriage certificate) shall be submitted in original. Certified copy is not sufficient for this purpose.- If the application is approved, prior to affixing the visa, the TCN is obliged to submit a proof of medical travel insurance that corresponds to the specified conditions (not required if the foreign national subscribes to public health insurance or if the costs for health care are covered on the basis of an international agreement or if the foreign national can demonstrate that health care is covered in another manner), and, upon request, a document on paying the insurance presented in the proof of medical travel insurance.</p> <p>3. It is always necessary to file the application for a long-term visa in person (the Czech Embassy can only waive this obligation in well-substantiated cases).</p> <p>4. It is issued with validity for a half a year and allowed stay for 60 days.</p> <p>5. Third country national is entitled to stay on the territory of CZ. D - visa naturally entitles its holder to stay on the territory of other Schengen states.</p> <p>6. In the Czech Republic are holders of D-visa usually not entitled to work (with an exception of D-visa for the purpose of study). To be entitled to work the person has to have a permit for the purpose of seasonal work (issued for 6 month max. without possible prolongation) or an Employee Card (can be issued for less than one year and can be prolonged).</p>
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	EMN NCP Norway	Yes	<p>1. Yes, Norway issues D-visas. D-visas are issued mainly as an entry visa to TCN who have been granted a residence permit. In some cases Norwegian Embassies can grant a D-visa to a foreigner who has not yet been granted a residence permit, but who without a doubt will fulfil the criteria for a residence permit. This only applies for specific categories of applicants and the Directorate of Immigration has guidelines which specify the criteria for getting a D visa for these groups.</p> <p>2. Norway does not use D visas as separate permits to stay, only for entry to Norway in connection with residence permits, cf. also the previous question.</p> <p>3. No.</p> <p>4. The validity is usually one entry, 30 days within a period of 6 months. A D-visa will not be extended. A new D visa can be issued if there is a documented need for a new entry during the validity of a residence permit.</p> <p>5. Yes. We consider that this follows from art 21 point 2a of the Convention Implementing the Schengen Agreement, as amended by Regulation 610/2010: Article 21 [Reg. 265/2010]. Aliens who hold valid residence permits issued by one of the Member States may, on the basis of that permit and a valid travel document, move freely for up to [Reg. 610/2013: 90 days in any 180-day] period within the territories of the other Member States, provided that they fulfil the entry conditions referred to in [Reg. 2016/399 art 44, annex X: article 6 (1) (a), (c) and (e) of regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (codification)] and are not on the national list of alerts of the Member State concerned.]2. Paragraph 1 shall also apply to aliens who hold provisional residence permits issued by one of the Contracting Parties and travel documents issued by that Contracting Party.[Reg. 265/2010: 2a. The right of free movement laid down in paragraph 1 shall also apply to aliens who hold a valid long-stay visa issued by one of the Member States as provided for in Article 18.]</p> <p>6. The right to work will follow from the residence permit and not from the D-visa.</p>
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