

Study in the Netherlands

Mission IND

Migration poses ever-changing and complex problems for our society. The Immigration and Naturalization Service (IND) is responsible within this dynamic situation for carrying out tasks concerning the admission of aliens, naturalization, regulation, repatriation, and border security. The IND is an open, professional, and reliable organization, and makes its decisions carefully and timely. To this end, the IND invests in expert, motivated, and committed staff who are essential for the quality of the work.

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1 What is the purpose of this brochure?

The Dutch government maintains an admissions policy for aliens who want to come to the Netherlands. This admissions policy is regulated by the Dutch Aliens Act. Depending on your nationality, the purpose of your visit, and how long you want to stay in the Netherlands, you will have to apply for a visa in your country in order to be able to travel to the Netherlands. The Dutch government will check to see if you satisfy the rules in order to be eligible for this. The decision about your visa application is taken by the Immigration and Naturalization Service, an executive body of the Ministry of Justice. Please remember that this procedure does take a certain amount of time. This brochure explains what you must do in order for your application to pass off well.

Please note! no rights can be derived from the contents of this brochure.

2 Who should read this brochure?

This brochure is intended for foreign students who want to come to the Netherlands for a limited stay to study or follow a course. The brochure tells you about the rules that apply for your stay in the Netherlands. If you are following a course in the Netherlands, you must leave the Netherlands when the course is over. This also applies if you do not complete the studies. The stay is therefore of a temporary nature. Foreign students who have a residence permit for study can only carry out part-time work under this permit (10 hours per week or seasonal work). The employer must however have a work permit, which can be applied for at the local employment office.

First of all, you can find out if you satisfy the conditions for a stay as a foreign student. The brochure then takes you through the procedure step-by-step. It also tells you what documents you will need. Read this brochure through carefully, so that you know which steps to take and whether or not you have the right documents. The documents you need depends on the purpose of your visit. If you do not have the right documents, then this usually delays the processing of your application.

If you are a citizen of one of the member states of the European Union or the European Economic Area, then different admission rules apply. You do not need to read this brochure if you have the nationality of one of the following countries: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Norway, Portugal, Spain, Sweden or United Kingdom (Great Britain and Northern Ireland). There is a special brochure for you that can be obtained from the Immigration and Naturalization Service.

3 Under which conditions can you stay in the Netherlands for study?

If you want to stay in the Netherlands as a foreign student, then you have to satisfy certain conditions. There are general conditions, and conditions that apply to your specific purpose for stay in the Netherlands. Below is a list of the conditions which in any event apply to you. You can check to see if you satisfy them.

General conditions

You must in any event:

- Have a valid passport.
- Not have tuberculosis¹.
- Not have a criminal record. You will have to sign a statement about your past to confirm this.
- Have health insurance that covers all risks in the Netherlands.
- Have a visa or an Authorization for temporary stay (if you come from a country where you need to have a visa).

Specific conditions

If you satisfy all the conditions above, you can now check to see which conditions apply to your specific situation of a stay for study in the Netherlands.

¹ Once you have arrived in the Netherlands, you will have to undergo a tuberculosis examination. This examination is not required if you come from one of the countries of the European Union, from Australia, Canada, Iceland, Israel, Japan, Monaco, New Zealand, Norway, Suriname, Switzerland (including Liechtenstein), or the United States.

- (provisional) enrollment at an educational institution
- signing of a written declaration of temporary residence
- Sufficient and continuous means of support

Explanation of the conditions

a Type of educational training

University or polytechnic:

You must have proof of enrollment at the university or polytechnic. The course you want to follow must be given by an institution that is recognized by the Dutch Ministry of Education, Culture and Science.

Entrance exams

- For enrollment on certain courses at a university or polytechnic you might be required to take supplementary exams and entrance exams. This might be a test to see whether or not you have a sufficient command of the Dutch language, or for certain studies the English language. For these so-called supplementary exams, you can get a residence permit for a maximum of one year. In that period you can prepare for the exams. However, if you decide to follow another course at the end of this year you will not be entitled to a new preparation period. The year begins on the date you enter the Netherlands. The period of validity of this permit cannot be extended.

Secondary education or vocational education

It must be an institution that is recognized by the Dutch Ministry of Education, Culture and Science. It regards a full-time daytime course. A residence permit is not issued for correspondence courses or evening classes.

It concerns a study for which the Netherlands is the most suitable country, and with which you can make a positive contribution to development in your own country. That is why it is important, for example, that your Dutch diploma is also recognized in your country of origin.

b *Authorization for temporary stay (MVV)*

If you want to study in the Netherlands, then you must have an Authorization for temporary stay (MVV). If you have the nationality of an

EU/EEA country or of Australia, Canada, Japan, New Zealand, Switzerland or the United States, then you do not need to have an MVV. You can find information about the MVV procedure in chapter 5 'When do you need a visa?'

c Sufficient means of support

You must have sufficient financial means in order to pay for your study and your living expenses in the Netherlands. You must be able to show that you will have this income for at least one year. If, for example, you stay for six months to study, you must be able to show you will have sufficient income during this period. If you have some money in a bank account, then this amount must be equal to at least 12 (or for the number of months the stay will actually last) times the applicable monthly income level. However, this is under the condition that the bank account is jointly or exclusively in the name of the student.

In the event there is uncertainty (about whether or not the income will be continuous and uninterrupted), a person or organization in the Netherlands might be required to act as a guarantor. This means that the government has the guarantee that any costs of your stay are covered. Your study can also be paid for by others. For example, - a student grant in your own country, or a private fund. This income must be continuous and sufficient to pay for your living expenses and the costs of your study.

d Study declaration

You have to sign a declaration of temporary residence. In this you state that you are staying in the Netherlands exclusively to study, and that you will leave the country when you have completed your study or if you end it prematurely.

e Not be a danger to public order

You must not represent a danger to public order or to national security. Students aged 18 and over have to sign a statement about their past confirming they do not have a criminal record.

f Guarantee for return

Your travel document should guarantee that you will return to your country of origin at the end of the study. You must also have enough money for the return journey.

4 Which documents do you need?

For admission to the Netherlands you need various documents. You will need most documents straightaway for your application for admission. There are other documents that you will only need if you are admitted to the Netherlands. For example, if you want to be entered in the register of the local council where you are living. You will need the following documents:

- valid passport or other international travel document
- proof of enrollment at an educational institution
- passport photographs

You will in any event need to sign the following documents when you arrive in the Netherlands:

- declaration about your past
- declaration of cognisance

Legalization and verification

Official documents (for example, birth certificates, marriage certificates, etc.) from foreign countries have to be legalized. Legalization means that the authorities in the country where the documents come from sign a statement saying that the documents were issued by an official body. This statement is usually provided by the Ministry of Foreign Affairs or Ministry of Justice in your country. The Dutch diplomatic representation (embassy or consulate) in your country will then have to approve the documents.

In the Dominican Republic, Ghana, India, Nigeria, and Pakistan, the documents also have to be verified after legalization by the Dutch embassy or consulate². This means that the contents of the documents are checked. Verification takes several months. You will have to pay a fee for this. (See chapter 7 'The costs')

If you have the nationality of one of the following countries: Australia, Canada, Japan, New Zealand, Switzerland, or the United States, then you do not need to apply for a visa. In that case, go on to chapter 6 'What do you have to do when I arrive in the Netherlands?'

5 When do you need a visa?

² You can obtain more information about legalization and verification of documents in the Netherlands from the Legalization department of the Ministry of Foreign Affairs. Telephone number:
+ 31 (0)70 348 4787,
on weekdays from 9.00-12.00 and from 14.30-17.00.

³ If there is no Dutch embassy or consulate in your country, then you should contact the Dutch Ministry of Foreign Affairs to find out where you can make an application. For more information you can call:
+31 (0)70 348 6486.

⁴ A tuberculosis examination is not required if you come from one of the countries of the European Union, from Australia, Canada, Israel, Japan, Monaco, New Zealand, Norway, Suriname, Switzerland (including Liechtenstein), or the United States.

In order to be able to enter the Netherlands, you will need a visa in most cases. This does not apply to everyone. It depends on your nationality. The Dutch embassy or consulate can tell you more about this.

There are different types of visa for the Netherlands. If you want to stay in the Netherlands for less than three months, then you will need a *short stay visa*. If you want to stay in the Netherlands for longer than three months, then you will need to apply for an *Authorization for temporary stay* (Machtiging tot Voorlopig Verblijf, MVV). This is a special visa that will allow you to enter the Netherlands. The MVV is issued to those who satisfy all the requirements for a residence permit in the Netherlands. Once you have arrived in the Netherlands, you have to exchange the MVV for a *temporary residence permit*. You can read about how to apply for this visa below.

Please note!

If you have entered the Netherlands with a short stay visa, you will not be able to obtain a residence permit here. In that case you will first of all have to return to your country of origin, or the country where you have established residence, in order to apply for a so-called Authorization for temporary stay (MVV) at the Dutch embassy or consulate in that country.

You want to stay in the Netherlands for less than three months

You will need a short stay visa. You will have to make a personal application at the Dutch embassy or consulate in your country.³ You should state in your application that you want to come as a foreign student to the Netherlands. The embassy or the Visa Service in the Netherlands will then check to make sure you satisfy the conditions in order to be able to stay in the

Netherlands. It can take up to three months for your application to be dealt with. It is therefore important that you apply for a visa well in advance. The short stay visa is a sticker that is fixed in your passport. You will have to pay a fee for the visa. Once you have your visa, you can travel to the Netherlands. You will find more information in the brochure 'Visa for Short Stay in the Netherlands'. You can read more about what you will have to do when you arrive in the Netherlands in chapter 6.

Please note!

It is advisable to wait until you have been given notification by the Dutch embassy or consulate that your application has been approved before you book your journey. Before your visa is actually handed to you, certain matters will still need to be checked, for example if your passport is still valid, and you must be able to show proof that you have booked your journey.

You want to stay in the Netherlands for longer than three months to study

You will need a special visa: an Authorization for temporary stay (Machtiging tot Voorlopig Verblijf, MVV). This is a special visa that is issued to those who satisfy all the conditions for a residence permit in the Netherlands. You will need a residence permit if you want to stay in the Netherlands for longer than three months. Only when you can produce this MVV will you be able to apply for a residence permit in the Netherlands (as long as you still satisfy all the conditions). The MVV is a sticker that is fixed in your passport. You will have to pay a fee for the MVV and for the residence permit.

There are two ways of starting the application procedure for an MVV. You can make an application yourself at the Dutch embassy or consulate in your country. You can also choose to start this procedure in the Netherlands together with an individual or an organization (a so-called referee). You might prefer to do this because you live a long way away from a Dutch embassy or consulate.

Please note! Both procedures cannot be started at the same time.

How do you make an application for an MVV?

If you satisfy all the conditions, you can apply for an MVV at a Dutch embassy or consulate. In order to do so, you have to take the following documents to the Dutch embassy: a valid passport, passport photographs, and the documents listed in chapter 4. These might need to be legalized and eventually verified (see chapter 4 'Legalization and Verification'). You should state in your application that you want to come as a foreign student to the Netherlands. The embassy or the consulate will pass your application on to the Immigration and Naturalization Service in the Netherlands. In the Netherlands, contact will be made with your referee. A check will also be made to see whether or not the referee satisfies all the conditions. The IND will assess your application based on all the information, and then make a decision.

The IND will send a notification of its decision about your application to the embassy or the consulate where you applied for the MVV. They will then notify you about the decision. If the application is approved, you will not automatically be issued an MVV. The embassy or consulate will first of all check to see if you satisfy several formal conditions, for example if your passport is still valid. It is therefore advisable to wait until you have been issued the MVV before you book a journey. The MVV is valid for six months after the date of issue. You must travel to the Netherlands within this period. If your application is denied, you can object (see chapter 10 'What if you don't agree with a decision?').

How can a referee support your MVV application?

The acquaintance who will meet you in the Netherlands is called the referee. To support your MVV application, your referee can also start the MVV procedure in the Netherlands for you. The referee should ask the Aliens Police in his region whether or not you are eligible for an MVV. All the necessary information and documents have to be handed over in order to find out whether or not you will be allowed to come to the Netherlands. That might mean you have to send documents, possibly legalized (see chapter 4 'Legalization and Verification'), to your referee in the Netherlands. The application will then be sent to the Immigration and Naturalization Service in the Netherlands. The IND will assess your application based on all the information, and then make a decision. The IND

will send a notification of its decision about your application to the Dutch embassy in your country. They will then notify you about the decision. If the application is approved, you will have to go to the embassy in person to collect the MVV. Before the MVV is actually fixed in your passport, the embassy or consulate will check to see if you still satisfy several formal conditions, for example if your passport is still valid. It is therefore advisable to wait until you have been issued the MVV before you book a journey. The MVV is valid for six months after the date of issue. You must travel to the Netherlands within this period. If your application is denied, your referee will be notified. If your referee has been authorized to do so, he can object on your behalf (see chapter 10 'What if you don't agree with a decision?').

Please note! You are not allowed to stay in the Netherlands during the MVV application procedure.

6 What do you have to do when you arrive in the Netherlands?

Once you have arrived in the Netherlands, you must then report to the Aliens Police within three working days in the region where your new residence is. You have to report to the Aliens Police regardless of whether or not you come from a country for which a visa is required. Any alien who wants to stay in the Netherlands for longer than three months has to apply for a temporary residence permit. If you have an MVV, you can exchange this for a residence permit. The Aliens Police will still check to see if you satisfy all the requirements. If it becomes apparent that you have entered the Netherlands without a valid MVV, your application for a residence permit will be refused immediately and you will have to leave the Netherlands. If you do not have to have an MVV, you have to apply for a residence permit at the Aliens Police in the area where your new residence is. They will send your application on to be dealt with by the Immigration and Naturalization Service (IND). The IND will check whether or not you satisfy all the conditions listed in chapter 3 to see if you are eligible for a residence permit. The residence permit is valid for one year and costs € 56,72.

Please note:

After arrival in the Netherlands, you will also have to undergo a tuberculosis examination⁴

7 The costs

An application fee has to be paid to the Dutch government. You must pay a fee for a:

- Short stay visa (The fee depends on the exchange rate and how long the visa is valid for):
 - for 1 month € 25,-
 - for 2 or 3 months € 30,-
- MVV € 50,-
- Temporary residence permit
 - (for people aged 12 and over) € 56,72
 - (for people aged 11 and under) € 22,69
- Legalization € 9,08 per document
- Verification € 136,13 per document
- Work permit (to be paid by the employer)

Handling Fee

As of 1 January 2001, the Dutch government will be charging a so-called 'handling fee' for each new visa application. This means that prior to any decision about the visa application, a charge will be made for handling the application. This will be the same as the fee that has to be paid for the visa being applied for. If the application is approved, this means the applicant has already paid all the costs. If the visa application is refused, however, the handling fee will not be refunded.

8 What should you do if your circumstances have changed or if your residence permit is about to expire?

If the purpose of your visit changes, or if your residence permit is about to expire, this has consequences for your further stay in the Netherlands. If the purpose of your visit changes, for example because you want to stay in the Netherlands to work once you have completed your studies, then you must notify the Aliens Police in your region in advance (no later than four weeks before your residence permit expires). Your new application will then be assessed to see if you meet the conditions applicable to your new purpose for remaining in the Netherlands.

If your residence permit is due to expire and you want to stay in the Netherlands, you will also have to renew your residence permit with the Aliens Police in time (four weeks before the expiry date). Renewal is of course only possible if the conditions of your permit allow this. There are no charges for renewal.

9 Frequently asked questions

Will I get financial assistance as a student if I study in the Netherlands?

No, you are not entitled to student financial support such as is received by Dutch students. It might of course happen that you are given a special grant by the Dutch government (for example, in connection with development assistance).

When can I participate in exchange programmes?

If you are participating in an exchange programme under the supervision of the central government, then in principle you have already been assessed to see whether you satisfy all the conditions. If your study is only financed by the Dutch government or an international organization (and therefore is not part of an exchange programme), a check will have to be made to see whether or not you satisfy the general conditions.

Can I renew my residence permit?

Yes, if you can show:

- that you are still enrolled as a student, and
- that you still have enough money to pay for your study and your living expenses.

The period of time you are allowed to stay in the Netherlands depends on the study:

In principle, you must pass your final examinations within six years. In the event that the total duration of the course is longer or shorter, depending on the subject, the maximum period of stay in the Netherlands will be extended or reduced respectively. Furthermore, you will also be allowed to stay in the Netherlands for a maximum of one year as an external student in order to complete the propaedeutic phase. If, for example, you have completed your studies or ended them prematurely, then your temporary residence permit will in principle be either withdrawn or not renewed by the Aliens Police.

Am I allowed to work as well as study?

If you have a temporary residence permit to study in the Netherlands, then you are allowed to carry out part-time work. That means you cannot work for more than 10 hours per week, or only carry out seasonal work (in the months of June, July, and August). However, the employer must have a work permit. You can also work in the preparation period for your study.

Can I bring my partner and children over to the Netherlands?

Yes, but you must satisfy the following conditions:

- You must be able to prove that your marriage is legal. If you are not married to your partner, you must have a serious and committed relationship;
- You are both going to live at the same address in the Netherlands;
- You must, as a foreign student, have an income that is no less than the applicable level for a family in the sense of the National Social Security Assistance Act for people aged 21 and over, and for at least one year; if you are not married to your partner, you also have to sign a guarantee declaration.
- Your family members must not represent a danger to public order or to national security;
- Your family members who are aged 18 and over have to sign a declaration about their past;
- The entitlement to residence of your family members is completely dependent on you: family members have to sign a written declaration that they are aware of this. Your family members are not allowed to work;
- Your family members must have health insurance.

You can find out more information about this subject in the brochure 'Family Reunification and Family Formation in the Netherlands', which can be obtained from the Immigration and Naturalization Service.

10 What if you don't agree with a decision?

If your application is refused by the Dutch government, then you can take legal steps against this. The Aliens Act provides for a number of legal procedures which you can use if you do not agree with a certain decision. If a

decision has not been made about your case within a certain period of time, you can also object to the slow processing of your application. Your legal representative, your special authorized representative, or any lawyer called in by you can take these steps on your behalf. The decision notification will include details about how you can object/appeal against the decision. You should therefore read the decision through carefully, in particular paying attention to the date before which you must make your objection or appeal. In general, a letter of objection or appeal must be made in writing within four weeks of the date on which notification was given of the decision. It is advisable to enclose a copy of the decision. Moreover, it is important that the Aliens Police is also notified about the submission of a letter of objection or appeal. For more detailed information, you should see a lawyer or go to a legal aid centre.

11 Which official bodies will you have to deal with?

The Dutch embassy or consulate

The diplomatic representation of the Dutch government in your country.

Aliens Police

The Aliens Police is a section of the Dutch police. The Aliens Police is responsible for dealing with the applications for residence permits from aliens and the supervision of aliens who are living in the Netherlands. The Aliens Police has an office in nearly every local council district in the Netherlands.

The Immigration and Naturalization Service (IND)

This organization is a department of the Ministry of Justice. The IND decides on behalf of the state secretary who is admitted to the Netherlands. Furthermore, the IND deals with applications from aliens who want to become Dutch citizens. Together with the police and the Royal Military Police, the IND is responsible for border security, for monitoring the legal residence of aliens, and for returning aliens who are no longer allowed to remain in the Netherlands.

12 Glossary

Alien

A person who does not have Dutch nationality.

Authorization for temporary stay (Machtiging tot Voorlopig Verblijf, MVV)

Visa with which an alien can travel to the Netherlands in order to apply for a residence permit here at the Aliens Police. Before MVV is issued, a check is made to see if the alien satisfies all the conditions for residence in the Netherlands. The MVV is applied for and issued at a Dutch embassy or consulate.

Declaration about your past

Declaration signed by an alien, which states whether or not the alien has a criminal record

Declaration of cognisance

A declaration signed by the alien, which states that he is aware of the conditions that apply for his purpose for visiting the Netherlands. The alien also states here that he is aware of the fact that he has to leave the Netherlands at the end of his temporary stay.

Guarantee declaration

This declaration can be obtained from the Aliens Police in your area. If an alien wants to come to the Netherlands, it might be the case that another person (for example, a family member or acquaintance) might have to stand as a guarantor. This person then signs a guarantee declaration by which he or she is responsible for any costs the government makes in connection with the stay (or departure) of the alien. A guarantee declaration does not need to be signed if it is clear that the alien has sufficient financial means of his own in order to provide for his living expenses during his stay in the Netherlands.

Order

This is a (written) government decision. An alien who has made an application for a residence permit is notified about the decision by way of an order. This is issued by the Aliens Police.

Referee

The acquaintance who receives the alien in the Netherlands.

Short stay visa

Aliens from certain countries need to have a visa before they are allowed to come to the Netherlands. This visa must be applied for at the Dutch embassy or consulate in their own country. With a visa, an alien can stay a maximum period of three months.

Temporary residence permit

Document giving an alien permission to stay in the Netherlands for longer than three months. There is a standard temporary residence permit and an asylum temporary residence permit. The standard permit must in principle be renewed annually.

Work permit

Declaration by the Directorate-General of the Employment Services Authority that an employer is allowed to employ an alien in the Netherlands (does not apply to EU citizens). The permit is issued if for a particular position no one is available in the Netherlands or in the European Union (categories with priority), or if the alien is legally resident in the Netherlands with a residence permit that allows work without reference to priority category conditions.

Important: Throughout this text, 'he' can also be read as 'she'.

13 Do you still have any questions?

If you have any questions, you can get in touch with the staff at the IND Communication department on weekdays from 9.00-12.30 and from 13.30-16.30 on +31 (0)70 370 31 24. You can also put your questions in a letter, fax, or e-mail. You cannot, however, derive any legal rights from any information given to you by this department. If you have a complaint about the way you have been treated by the IND, you should put this in writing.

Ministerie van Justitie
Immigratie- en Naturalisatiedienst
Afdeling Communicatie
Postbus 30125
2500 GC 's-Gravenhage

Telephone: +31 (0)70 - 370 31 24
Fax: +31 (0)70 - 370 31 34
E-mail: voorlichting@ind.minjus.nl
Internet: www.immigratiedienst.nl

Information numbers for regional offices

If your request is dealt with by the IND, you can ask for information about how your application is proceeding. Depending on where you live in the Netherlands, or where your guardian lives, you should get in touch with the relevant regional office of the IND.

Any letters from the IND will as far as is possible detail the direct telephone number of the officer dealing with the application. Anyone asking for information by telephone, must be able to give the following information to the IND straightaway:

- Surname and first name (maiden name if applicable)
- Place of birth and date of birth
- Nationality

Regional office Zuid-West in Rijswijk (Zuid-Holland and Zeeland)

Can be reached by telephone on weekdays from 9.00-12.30 and from 13.30-16.30.

Telephone: +31 (0)70 - 370 34 22
Fax: +31 (0)70 - 370 36 00

Regional office Noord-West in Hoofddorp (Noord-Holland and Utrecht)

Can be reached by telephone on weekdays from 9.00-12.30 and from 13.30-16.30.

Telephone: +31 (0)23 - 568 34 20

This regional office has no fax number for information.

Regional office Zuid-Oost in Den Bosch (Noord-Brabant and Limburg)

Can be reached by telephone on Mondays to Thursdays from 9.00-12.30 and from 14.30-16.30, and on Fridays from 9.00-12.30.

Telephone: +31 (0)73 - 649 53 42 / 649 53 43 / 649 53 44

This regional office has no fax number for information.

Regional office Noord-Oost in Zwolle (Friesland, Groningen, Drenthe, Flevoland, Overijssel and Gelderland)

Can be reached by telephone on weekdays from 9.00-12.30 and from 13.30-16.00.

Telephone: +31 (0)38 - 469 11 50

Fax: +31 (0)38 - 469 11 44

Visa Service

For questions about visas for family visits, holiday, transit, and through travel

Can be reached by telephone on weekdays from 9.00-12.30 and from 14.00-16.00.

Telephone: +31 (0)70 - 370 35 55

Fax: +31 (0)70 - 370 36 55

Postal address:

Immigratie- en Naturalisatiedienst

Afdeling Visadienst

Postbus 30124

2500 GC 's-Gravenhage

Business visa

If you have questions about business visas, please contact

Ministry of Foreign Affairs

It can be reached by telephone on weekdays from 9.00-12.30.

Telephone: +31 (0)70 - 348 64 86

14 **Publication**

This brochure is a brief summary of a subject covered by the laws and regulations concerning aliens in the Netherlands. The brochure has been published by the Communication department of the Immigration and Naturalization Service, an executive body of the Ministry of Justice. No rights can be derived from the contents of this publication. The text of this publication can be used as long as the source and date of publication are also mentioned.