

# *Visa for short stay* **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 aliens who want to come to the Netherlands for a period of less than three months, and come from a country where you need to have a visa. The brochure tells you about the rules that apply for your stay in the Netherlands and about the procedure that has to be followed. 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.

*What is a visa for short stay?*

A visa for short stay is a Schengen visa that entitles the holder to a stay of a maximum of three months in the Schengen countries. These are Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal, Spain and Sweden. The purpose for coming to the Netherlands might be a holiday, a business trip, visiting friends or family, or participation in a convention or sporting event. With a Schengen visa, you can in principle travel freely through the

Schengen countries for as long as your visa is valid. The conditions for issuing visas are set out in relation to the Schengen area. The Schengen Implementation Agreement has been in force since 26 March 1995.

There is a list in the appendix which shows whether or not a citizen of a particular country needs a visa for any of the Schengen countries. If you come from one of the countries where you need a visa, then you will need a valid travel visa in order to be admitted to any of the countries marked with a cross. If you are a citizen of a country where you do not need to have a visa for the relevant member states, then you are free to stay in this country for a maximum period of three months. You can read more about what you have to do when you arrive in the Netherlands in chapter 6.

*Longer than three months in the Netherlands*

If you want to stay in the Netherlands for longer than three months, then you must have a valid Authorization for temporary stay (Machtiging tot Voorlopig Verblijf, MVV) when you arrive. This is a special visa that will allow you to apply for a residence permit. You will have to apply for this MVV in your own country. There are different procedures all according to the purpose of your stay in the Netherlands. You can find information about the MVV application in the brochure that deals with the specific purpose for your stay, such as 'Work Placements and Practical Training in the Netherlands', 'Study in the Netherlands', 'Au pair in the Netherlands', etc. In chapter 12 (Do you still have any questions?), you can find out where to obtain these brochures.

**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?**

If you want to stay in the Netherlands for less than three months, then you have to satisfy certain conditions. Below is a list of all 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/travel document.
- not be considered a danger to public order, to national security, or to the international relations of one of the parties to the Agreement.
- have sufficient means of support. If this is not the case, you will need a guarantee declaration from a third person who has sufficient continuous income.

### **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.

- valid passport/travel document
- evidence to support the purpose of your visit (for example, a letter of invitation from friends or family)
- documents that show you have sufficient means of support for your stay, your onward journey, and/or your journey home
- guarantee declaration
- proof of employment (letter from employer)
- one or more payslips
- one or more bank statements
- Proof that the journey has been booked
- Documents that prove you are going back (for example, showing the enrollment of children at school)
- passport photographs

## 5 When do you need a visa?

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 is a list of countries where a visa is required in the appendix. If you are a citizen of one of these countries, then you will need a valid travel visa if you want to come to the Netherlands. If you are a citizen of another country, and you therefore do not need to have a visa, you are free to stay in the Netherlands for a maximum period of three months. You can also find out in the appendix whether or not your Schengen visa allows you to travel through all Schengen countries.

*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.

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*[1] Important: 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.*

*How do you apply for a visa?*

You will have to make a personal application for a visa at the Dutch diplomatic representation (embassy or consulate) in the country where you come from or have your main place of residence. This is done using a standard Schengen visa application form.

You might also need authorization from the Visa Service in the Netherlands in order to obtain a visa. The service can then decide about the application

immediately, in a number of cases the application is sent on to the chief of police (in the Netherlands) for information and advice. In that case, the referee (the acquaintance who will support you) might be called upon to provide more detailed information and to sign a guarantee declaration. It is also possible that the referee might be approached directly by the Visa Service to provide written information. He will then be sent a number of forms that he has to send back as quickly as possible. That is why 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. The visa is valid for a limited period only.<sup>17)</sup> The start and end date of the valid period are stated on the sticker. You will have to pay a fee for the visa. Once you have your visa in your passport, you can travel to the Netherlands. You can read more about what you will have to do when you arrive in the Netherlands in chapter 6.

*How can the referee in the Netherlands support your visa application?*

The acquaintance who will meet you in the Netherlands is called the referee. To support your visa application, the referee can obtain a standard letter of invitation from his local council. After the referee has filled this in, and when he has shown a valid passport, the letter of invitation is legalized by a council official. However, you cannot derive any rights from the fact that the council has legalized the letter of invitation. This is because the council only certifies the signature of the referee.

The referee can send you this letter of invitation, along with a copy of his passport, copies of his last three payslips (or other proof of his income or assets), and a guarantee declaration.

## **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 you are temporarily going to live. You have to report to the Aliens Police regardless of whether or not you come from a country for which a visa is required. If you are going to stay in the Netherlands for less than three days, then this obligation does not apply.

## 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,-

### *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 fee 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 Additional information

### *Renewal for a maximum stay of three months*

Circumstances might arise where you have to extend your stay in the Netherlands (for example, with your family). For example, in the event of force majeure or for personal or humanitarian reasons. An application for renewal of the visa can only be made at the nearest office of the Aliens Police. Renewal is only possible for a maximum stay of three months. Renewal for more than three months is only granted under exceptional circumstances. In that case the visa is limited to the Benelux countries: Belgium, the Netherlands, and Luxembourg. However, the duration of your stay must not exceed six months. You will have to pay a fee to extend the validity period of your visa.

## 9 What if you don't agree with a decision?

If your application is refused by the Dutch government, then you can submit a letter of objection about this. The Aliens Act provides for a number of legal procedures which you can use if you do not agree with

a certain decision. Your legal representative, your special authorized representative, or any lawyer called in by you can take these steps on your behalf. If a referee submits a letter of objection on your behalf, he must also submit a written authorization from you allowing him to do so. 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.

## **10 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.

## 11 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.

### *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.

### *Letter of invitation*

Standard form, which can be obtained from any local council, that is filled in by the referee in the Netherlands, and on the basis of which the alien in the foreign country can apply for a visa.

### *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.

### *Schengen*

In 1985 and 1990, several member states of what was then the European Community signed the Treaty of Schengen and the Schengen Implementation Agreement in the town of Schengen. These treaties introduced the free movement of people in the so-called Schengen area, which is formed by Austria, Belgium, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal, and Spain. Due to the scrapping of internal borders in this area, the control of the movement of people has also been discontinued.

### *Schengen visa*

With the introduction of the Treaty of Schengen, a Schengen visa has also been introduced. With this visa, it is possible to travel freely within the territory of all the Schengen countries. Nonetheless, each country still has the right to refuse an alien. A Schengen visa is in principle valid for a maximum of three months.

### *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.

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

## **12 Do you still have any questions?**

The Ministry of Foreign Affairs deals with visa applications for such reasons as business trips, conventions, and participation in sporting events.

The Ministry of Foreign Affairs can be contacted by telephone on weekdays between 9.00-12.30 on the following number: +31 (0)70 348 64 86.

The Visa Service of the Immigration and Naturalization Service assesses the visa applications for family visits and tourism/holidays.

The Visa Service information line is open on weekdays between 9.00-12.30 and between 13.30-16.00.

Telephone: +31 (0)70 370 35 55

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Immigratie- en Naturalisatiedienst

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Postbus 30124

2500 GC 's-Gravenhage

### 73 **More information**

This brochure is intended for people who want to apply for a visa for short stay in the Netherlands. The stay in this case does not last longer than three months. Perhaps you still have some questions, or the information in this brochure is not clear enough. 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.

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#### 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.

# Appendix

## List 1: **Countries where nationals require visas for a stay of a maximum of three months**

Afghanistan	Cuba	Libya	Rwanda
Albania	Djibouti	Liechtenstein	Russia
Algeria	Dominica	Lithuania	Saint Christopher
Angola	Dominican Republic	Macedonia	(Saint Kitts) and
Antigua and Barbados	Egypt	Madagascar	Nevis
Armenia	Equatorial Guinea	Maldives	Saint Lucia
Azerbaijan	Eritrea	Malawi	Saint Vincent and the
Bahamas	Etiopia	Mali	Grenadines
Bahrain	Fiji	Marocco	Solomon Islands
Bangladesh	Gabon	Marshall Islands	Sao Tom and Principe
Barbados	Gambia	Mauritania	Saudi Arabia
Belize	Georgia	Mauritius	Senegal
Belarus	Ghana	Micronesia	Seychelles
Benin	Grenada	Moldavia	Sierra Leone
Bhutan	Guinea	Mongolia	Somalia
Bosnia-Herzegovina	Guinea-Bissau	Mozambique	South Africa
Botswana	Guyana	Myanmar	Sri Lanka
Burkina Faso	Haiti	Namibia	Sudan
Burundi	India	Nauru	Suriname
Cambodia	Indonesia	Nepal	Swaziland
Cape Verde	Iraq	Niger	Syria
Cameroon	Iran	Nigeria	Tajikistan
Central African Republic	Jamaica	Northern Mariana Islands	Taiwan
Chad	Jordan	North Korea	Tanzania
China	Kazakhstan	Oman	Thailand
Colombia	Kenya	Pakistan	Togo
Comoros	Kyrgyzstan	Palau	Tonga
Congo Brazzaville	Kiribati	Papua-New Guinea	Trinidad and Tobago
Congo (Democratic Republic)	Kuwait	Peru	Tunisia
Côte d'Ivoire	Laos	Philippines	Turkey
Croatia	Lesotho	Qatar	Turkmenistan
	Lebanon	Romania	Tuvala
	Liberia		Uganda

Ukraine	Vanuatu	Yemen	Zimbabwe
United Arab Emirates	Vietnam	Yugoslavia	Zaire
Uzbekistan	Western Samoa	Zambia	

**List 2: Countries where nationals do not require visas for a stay of a maximum of three months**

Andorra	Estonia	Japan	San Marino
Argentina	Finland	Latvia	Singapore
Australia	France	Liechtenstein	Slovenia
Austria	Germany	Lithuania	Slovakia
Bolivia	Greece	Litouwen	Spain
Brazil	Guatemala	Malaysia	Uruguay
Brunei	Honduras	Malta	United Kingdom
Bulgaria	Hungary	Mexico	United States
Canada	Hongkong (holders	Monaco	Vatican City
Chile	of a BNO British	Nicaragua	Venezuela
Costa Rica	National Overseas	New Zealand	Sweden
Cyprus	passport)	Norway	South Korea
Czech Republic	Ireland	Panama	Switzerland
Denemark	Israel	Paraguay	
Ecuador	Italy	Poland	
El Salvador	Iceland	Portugal	

**List 3: Countries where nationals require a transit visa on a Schengen airport**

Afghanistan	Ghana	Nigeria	Turkey
Angola	India	Pakistan	Zaire
Bangladesh	Iraq	Somalia	
Eritrea	Iran	Sri Lanka	
Etiopia	Lebanon	Syria	