

Au pair 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.

Contents

1	What is the purpose of this brochure?	5
2	Who should read this brochure?	5
3	Under which conditions can you stay in the Netherlands as an au pair?	6
4	Which documents do you need?	7
5	When do you need a visa?	8
6	Information for the host family in the Netherlands	11
7	What do you have to do when you arrive in the Netherlands?	12
8	The costs	13
9	What should you do if your circumstances have changed or if your residence permit is about to expire?	14
10	Frequently asked questions	14
11	What if you don't agree with a decision?	14
12	Which official bodies will you have to deal with?	15
13	Glossary	15
14	Do you still have any questions?	17
15	Publication	20

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 au pairs and their host families. The purpose of a stay as an au pair in the Netherlands is to get to know the Dutch society and culture. As an au pair you will stay with a host family, in exchange for which you will carry out light domestic work. First of all, you can find out if you satisfy the conditions for a stay as an au pair. 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 as an au pair?

If you want to be an au pair in the Netherlands, then you have to satisfy certain conditions. There are general conditions, and conditions that specifically apply to your stay as an au pair 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 tuberculosis.^[1]
- 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 an Authorization for temporary stay (if you come from a country where you need to have such an authorization).

Specific conditions

If you satisfy all the conditions above, you can now check to see which conditions apply to your specific situation:

- You are aged between 18 and 25 when the application is made.
- You are unmarried and you do not have to care for, or actually care for, your family members, for example children or parents.
- You have never previously been granted a residence permit to stay in the Netherlands.
- You have not previously worked for the same host family in another country.
- You are only allowed to work as an au pair. This means light domestic work to help out the host

[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.

- family. Not however more than 30 hours work per week or 8 hours per day. You also have the right to at least two free days per week.
- During your stay in the Netherlands, you must be looked after by a host family. This means that the host family has an income that is no less than the applicable level for a family plus the level for a single person in the sense of the National Social Security Assistance Act.
 - The host family has to act as guarantor for the costs of your stay and any costs of the return journey. The host family has to sign a guarantee declaration to this effect at the Aliens Police. If the family has two parents, both the man and the woman sign the *guarantee declaration*. If the family only has one parent, the head of the family signs the declaration.
 - You and your host family have to sign a *declaration of cognisance*, in which all the conditions are stated once more.

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:

- a valid passport;
- a legalized birth certificate;
- declaration of single status
- colour passport photographs

The following documents will need to be signed after arrival in the Netherlands:

- guarantee declaration
- 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 consulate.^[2] 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 8 'The costs')

[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 64 86.

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.

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 7 'What do you have to do when you arrive in the Netherlands?'

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 an au pair 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 7.

Please note!

It is advisable to wait until you have actually been issued the visa before you book your journey. Even after the application has been approved, certain matters will still need to be checked, for example if your passport is still valid.

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

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 your host family (the 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 the 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 'Legalization and Verification'). You should state in your application that you want to come as an au pair to the Netherlands. The embassy will pass your application on to the *Immigration and Naturalization Service* in the Netherlands. In the Netherlands, contact will be made with your host family. A check will also be made to see whether or not your host family 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 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 11 '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, in this case your host family, 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 (see chapter 6 for more information for the referee). 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 your 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 11 '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 Information for the host family in the Netherlands

If you want to take on an au pair as a host family, you will have to satisfy the following conditions.

- As the host family, you must be able to support the au pair during their stay in the Netherlands. This means that the host family has an income that is no less than the applicable level for a family plus the level for a single person in the sense of the National Social Security Assistance Act. The ministry of Finance has set an amount of € 340,- per month from which no insurance contributions and taxes have to be deducted.

- As the host family, you have to act as guarantor for the costs of the stay and eventually for the costs of the return journey of the au pair. The host family has to sign a guarantee declaration to this effect, which can be obtained from the Aliens Police. If the family has two parents, both the man and the woman sign the *guarantee declaration*. If the family only has one parent, the head of the family signs.
- The host family and the au pair have to sign a declaration of cognisance, in which all the conditions are stated once more.
- If you want to take in an au pair, you can, as the so-called referee, start the application procedure for an Authorization for temporary stay (MVV) for the au pair (see chapter 5).

Please note! the purpose of an au pair's stay in the Netherlands is primarily to get to know the Dutch society and culture. An au pair can carry out light domestic for you, but not more than a maximum of 30 hours work per week or 8 hours per day. The au pair also has the right to at least two free days per week.

What documents does a host family need?

You will need the following documents for your application:

- Valid passport;
- An employment contract for at least one year.
- Last three payslips (in order to show the level of your income).

You must then sign the following documents at the Aliens Police:

- Guarantee declaration
- Declaration of cognisance

7 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 (see chapter 5), 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.

8 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.

9 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.

10 Frequently asked questions

Can an au pair switch to another host family?

Yes, you should make an application for this at least three months before the expiry date of your residence permit. The new host family must in any case satisfy the requirements detailed in this brochure. You may not stay more than a total of one year in the Netherlands as an au pair.

Can the partner of an au pair come over?

No. Family reunification and family formation are not permitted for au pairs. Your partner is, however, allowed to visit you, for example during a holiday, but he or she is not allowed to live with you.

11 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.

12 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.

13 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'.

14 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

15 **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.