

Immigratie- en Naturalisatiedienst Ministerie van Justitie en Veiligheid

# Residence permit for work as a highly skilled migrant

## 1. Why have we published this?

In this publication you can read about:

- the requirements for this residence permit;
- the application process;
- which documents you need;
- which rights and obligations you have;
- what you can do if your situation changes.

If you want to work more than 90 days in the Netherlands as a highly skilled migrant you need a residence permit.

You do not need a residence permit if you have the nationality of one of the following countries: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Norway, Poland, Portugal, Romania, Slovenia, Slovakia, Spain, Sweden, Switzerland.

Other requirements may also apply to Turkish nationals and their family members.

## 2. Requirements

#### **General Requirements**

A number of requirements apply to everyone:

- You have a valid passport or other travel document.
- You do not pose a danger to the public order. If you have committed an offence, your application may be rejected.
- After arriving in the Netherlands, you are willing to have a tuberculosis (TB) test. You do not have to take a TB test in any of the following situations:
  - You have the nationality of one of the countries in the appendix 'Exemption from the obligation to undergo a tuberculosis test' (see www.ind.nl).
  - You already have a valid residence permit in the Netherlands and are applying for a different residence permit.
  - You were born in the Netherlands and you have always lived here.
  - You already had a TB test in the Netherlands less than 6 months ago.
  - You have an EU residence permit as a long-term resident issued by another EU country, or you are a family member of and are residing with a long-term EU resident in another EU country.

#### **Requirements for highly skilled migrants**

In addition to the general requirements, the following requirements apply to you and your employer:

- You have an employment contract with an employer or research institution in the Netherlands. Your employer is a sponsor recognised by the IND. Recognised sponsors are included in the <u>Public Register Regular Labour and Highly Skilled Migrants.</u> In there you can see which companies are recognised as sponsors.
- If you have Turkish nationality, your employer does not have to be recognised as a sponsor. You will earn sufficient income. You can find out more about this under the heading 'The salary criterion'.
- The agreed salary is the market rate (what people in similar jobs earn).
- Are you going to work in individual healthcare? And do you practice a medical profession that is listed in Article 3 and Article 36a of the Individual Health Care Act (BIG Act)? If so, you must be registered in the BIG register. On the BIG register website you can find an overview of healthcare professions subject to BIG registration (www.bigregister.nl/en). Do you have a recognised foreign diploma and do you first have to work under the supervision of a BIG-registered healthcare provider in the same profession for 3 months? Then, you must be in the BIG registration. Your employer must include a proof of your registration in their records.

Would you like to work on assignment for a BIG-registered healthcare provider? You cannot get a residence permit for this. Only if you are already in the Netherlands with a valid residence permit you can work on assignment.

#### Additional requirements for highly skilled migrants as researchers

- You have sufficient income if your gross monthly salary is at least equivalent to the minimum wage.
- The decision to appoint you, or your employment contract, has been signed on behalf of the institution. This decision or contract contains the job classification and job code as set out in the University Job Classification System (UFO).

#### Additional requirements for highly skilled migrants as doctors in training

- You have sufficient income if your gross monthly wage is at least equivalent to the minimum wage.
- The training institute was designated by the Medical Specialists Registration Committee (MSRC), Social Medical Specialists Registration Committee (SGRC) or General Practitioners and Nursing Home Doctors Registration Committee (HVRC).
- You are registered in the BIG Register.

#### Additional requirements for highly skilled migrants in case of intra-company transfer

• You have an employment contract, appointment decision, hosting agreement or employer's declaration from the foreign employer. This specifies the duration of the transfer, the nature of the job and the salary you will receive.

#### The salary criterion

You must meet the amount of the salary criterion each month. Your salary must be paid by the recognised sponsor. On the website of the IND you can find the <u>Required amounts income requirements</u> <u>IND</u>. There are several salary criteria:

- for highly skilled migrants aged 30 or over;
- for highly skilled migrants under the age of 30;
- the reduced salary criterion.

The amounts are set each year.

The reduced salary criterion applies in these 3 cases:

- You apply for the residence permit for work as a highly skilled migrant during or immediately after the orientation year for highly educated migrants.
- You are no longer in possession of a residence permit for the orientation year for highly educated migrants but you did have this residence permit. You apply for the residence permit for work as a highly skilled migrant within 3 years of your graduation or promotion date, or the date on which your residence permit as a researcher expired.

• You have never had a residence permit for the orientation year for highly educated migrants but you still meet the requirements for that residence purpose. For example, because you have graduated, been promoted or have performed research. You apply for the residence permit for work as a highly skilled migrant within 3 years of your graduation or promotion date, or the date on which your residence permit for research expired.

On the website of the IND you can find out more about the residence permit for the <u>orientation year for</u> <u>highly educated migrants</u>.

Which salary criterion applies when you reach the age of 30 and/or you change employers? The (reduced) salary criterion for under 30 will remain applicable to you as long as you still work for the same employer, even if you have reached the age of 30. If you change employers, the salary criterion for your age at the time you can change employers will apply.

This rule does not apply if you come under the reduced salary criterion. The reduced salary criterion will still apply to you even if you change employers. The reduced salary criterion is not age-dependent.

	First application for residence permit	Extending the period of validity of residence permit	Change of sponsor
Highly skilled migrant after having the residence permit for the orientation year as a highly skilled migrant seeking employment or Highly skilled migrant who meets the requirements for the orientation year	Standard amount for reduced salary criterion applicable on the date of the first application.	The (indexed) required amount of the reduced salary criterion, applicable on the date of the application for extension.	The (indexed) required amount of the reduced salary criterion, applicable on the date of change.
Highly skilled migrant under the age of 30	Required amount for salary criterion for highly skilled migrants under the age of 30, applicable on date of first application.	If the highly skilled migrant is now aged 30 or older, the (indexed) required amount for salary criterion for under 30 applicable on date of the application for extension, provided they are still employed by the same sponsor as at the time the permit was first granted.	If the highly skilled migrant is still under the age of 30: indexed required amount for salary criterion for under 30, applicable on the date of change. If the highly skilled migrant is now 30 years of age or older: indexed required amount for salary criterion for age 30 or older, applicable on date of change.
Highly skilled migrant aged 30 or older	Required amount for salary criterion for age 30 or older, applicable on date of first application.	The (indexed) required amount for salary criterion for age 30 and older, applicable on date of application for extension.	The (indexed) required amount for salary criterion for age 30 or older, applicable on date of change.

You will find the correct salary criterion for a highly skilled migrant in this table.

#### When do you meet the salary criterion?

In deciding whether you meet the salary criterion, account is taken of the following.

- Your gross monthly salary without holiday allowance. Your salary must be transferred each month to
  a bank account registered in your name.
- Expense allowances and fixed allowances.
  - The following requirements apply:
    - The expense allowance and fixed allowances are stipulated in your employment contract.
    - The expense allowance and fixed allowances are transferred to a bank account registered in your name for a maximum period of one month.

What does not count?

- Holiday allowance.
- Wages in kind.
- Irregular salary that may not be paid. For example: overtime allowances, tips and payments from funds.

### 3. The application process

To travel to the Netherlands you need a provisional residence permit (in Dutch: *machtiging tot voorlopig verblijf* or MVV). The MVV is a sticker that the Dutch representation (embassy or consulate) places in your passport. In several situations <u>you do not need an MVV</u>.

If you need an MVV, then your employer (the recognised sponsor) apples for the MVV and the residence permit at the same time. You pick up the MVV at the Dutch embassy or consulate that your employer filled in on the application form.

You have a period of 90 days within which you can pick up the MVV. You must make an appointment for this at the Dutch embassy or consulate. On the day the embassy or consulate places the MVV in your passport, your passport must be valid for at least another 180 days.

When you pick up the MVV, you must have biometric data taken. You need to bring 1 new passport photo with you. You also need to provide your signature and have your fingerprints taken.

Once you have picked up the MVV, you must travel to the Netherlands with it within 90 days. The period of validity is indicated on the MVV sticker. There are 2 dates on the MVV sticker:

- Start date: the MVV is valid from this date.
- End date: the MVV is no longer valid starting on this date.

With the MVV you may travel within the Schengen area. With the MVV, you may also start working as a highly skilled migrant immediately after your arrival in the Netherlands.

If you do not need an MVV, then your employer (the recognised sponsor) applies for a residence permit for you. You travel to the Netherlands in the so-called permit-exempt period.

If you get a positive decision your employer receives a letter (written notification). It says in the letter that the IND intends to grant the residence permit.

The period of validity of your residence permit is equal to the term of your employment contract or appointment, with a maximum of 5 years.

If your residence document is not ready when you arrive in the Netherlands, you can apply for a residence endorsement sticker. It says on this residence endorsement sticker whether you are allowed to work and under which conditions. You must make an appointment to apply for a residence endorsement sticker. You can make this appointment online on <u>www.ind.nl</u>.

#### **Duration of the process**

The IND must take a decision on the application within 90 days, but strives to decide on the application within 2 weeks. This is on condition that the application is complete.

#### Costs of the application process

It costs money to apply for an MVV and a residence permit. These are the 'fees'. The fees must be paid when the application is submitted. If no fees have been paid, the IND will not handle your application. You or your employer will not get any money back if the application is rejected. On <u>www.ind.nl</u> you can find a <u>list of the costs of an application</u>.

#### Pick up your residence permit

The IND tries to have the residence permit ready within 2 weeks of the positive decision. You will receive a letter when you can collect the residence permit. You must make an appointment at the IND desk indicated in the letter online via <u>www.ind.nl</u> to collect your residence permit. Your MVV must still be valid when you pick up your residence permit. Take into account that you will not always be able to go to an IND desk immediately. So make an appointment as soon as possible. It is important that when you receive your residence permit you check whether the information on your residence permit is correct. If something is wrong, tell that to the IND staff member immediately.

#### **Tuberculosis (TB) test**

You indicated on your application that you will take a tuberculosis (TB) test. You must make an appointment for this at the public health service (Gemeenschappelijke Gezondheidsdienst or GGD). You must do this within 3 months after you receive the permit. Take the 'TB Test Referral Form' with you to the appointment.

Find out when you do not have to take a TB test on the web page about <u>general requirements for a</u> <u>residence permit</u>.

#### **Registration at your town hall**

When you arrive in the Netherlands you must have yourself registered in the Personal Records Database (BRP) at your local town hall in the area where you are going to live. In order to register in the BRP, you need a legalised and translated birth certificate. Take this with you when you travel to the Netherlands. Always inquire in advance at your town hall which other legalised and translated documents/instruments you also need to take along in order to register in the BRP.

#### Take out healthcare insurance

Everyone who lives in the Netherlands must take out healthcare insurance. You must do so within 4 months of your arrival in the Netherlands. You can take out healthcare insurance as soon as the residence permit has been issued to you.

#### **Residence permit for family members**

If you want to live together in the Netherlands with your spouse, partner and/or minor children, your family member will need a residence permit. This residence permit is dependent on your residency. In that case you are the sponsor of your family member. You can find out on the IND's website how you can apply for a residence permit for your family member.

Your employer (the recognised sponsor) can also submit an application on your behalf for a residence permit for your family member. In that case, you are also the sponsor of your family member. Then the rights and obligations of sponsorship will also apply to you. You must save the supporting documents for the application and inform the IND of any changes. You can find out about this in the section on 'Rights and obligations'.

## 4. Which documents do you need?

You must enclose a copy of your passport with your application for a residence permit and fill in an antecedents certificate. The antecedents certificate is part of the application form. You indicate on it whether you have ever been convicted of a criminal offence.

If your family members also come to live in the Netherlands you must collect some documents for this purpose, such as a marriage certificate and/or document to demonstrate the family relationship. These foreign documents may have to be legalised and translated. Take into account that this can take some time. Costs are also involved in this.

Your family members must of course be in possession of a valid passport or another valid travel document.

To register yourself and your family members in the Personal Records Database (BRP) in the Netherlands you need a legalised and translated birth certificate for yourself and your family members.

#### **Official foreign supporting documents**

Official foreign supporting documents must be issued and then legalised by the competent authorities of the country that issued the documents. In some countries you also have the document legalised afterwards by the Dutch embassy or consulate in the country in question. In apostille countries, an apostille, issued by the competent local authorities, is sufficient. If no Dutch embassy or consulate is present in the country, the document has to be legalised by the Dutch embassy or consulate responsible for that country. Official foreign supporting documents are, for example birth certificates and marriage certificates. The legalisation or placement of an apostille stamp on these supporting documents can take a lot of time. So you should start to have them legalised or have apostille stamps placed on them in your country of origin several months before you submit an application.

#### Legalisation

A document that is legally valid in one country is not automatically legally valid in another country. That is why you should have official foreign documents legalised for use in the Netherlands. This means that the authorities who issued the document declare that the document is official. This confirms the authenticity of the signature on the document and the capacity of the person who signed it. Afterwards the Dutch embassy or consulate legalises the document. The embassy or consulate then verifies whether the signature of the authority is authentic. If there is no Dutch embassy or consulate present in the country in question, the document must be legalised by the Dutch embassy or consulate responsible for that country.

Sometimes an apostille stamp on the document is sufficient. Abroad, the Ministers of Justice or Foreign Affairs place such a stamp. In that case the Dutch embassy or consulate no longer needs to legalise the document. An apostille stamp is possible only if the document comes from a country that, like the Netherlands, is a party to the Apostille Convention. You can enquire at the Consular Service Centre (CDC) of the Ministry of Foreign Affairs if a country is a party to the Apostille Convention.

You have to contact the local authorities yourself to have documents legalised or for placement of an apostille stamp.

Legalisation costs money. You always pay these costs, even if you have not obtained the document or have not obtained it in time. How much legalisation costs varies per country. Ask about this in the country of origin. The Dutch embassy or consulate in the country of origin may charge extra costs (for example fax costs).

For more information about legalisation or requirements for placement of an apostille stamp on documents per country and the exceptions to this, you can call the information line of the Government of the Netherlands on telephone number 1400, or for more information see Legalisation of foreign documents for use in the Netherlands on Rijksoverheid.nl.

#### Translation

All documents must be written in Dutch, English, French or German. If this is not the case, then you need to have them translated by a translator sworn in by a court. In the Netherlands, sworn translators are included in the Register of Sworn Interpreters and Translators (Rbtv). See <u>www.bureauwbtv.nl</u>. Are you having the document translated abroad? Then you also need to have the translation legalised in the same way. By doing so, you demonstrate that you have engaged a competent translator.

## 5. Which rules do you and your employer have to follow?

When your employer applies for a residence permit, they are your sponsor. The sponsor is responsible for your legal residence in the Netherlands. The employer must therefore make sure that you meet the requirements for a residence permit. Not only when applying for a residence permit, but afterwards as well. Your employer must keep to the rules. It is therefore important that you also know which rules your employer must follow. You do of course have your own responsibilities.

#### Your obligations

As an employee you always have an obligation to provide information. So, besides your employer (recognised sponsor) you are also required to notify the IND of major changes. You must in any case inform the IND if you are changing employer.

If you submit an application yourself for a residence permit for relatives or family members, then you are the sponsor yourself. Then an obligation to provide information, keep records and retain them also applies to you. You can also find more information in the publication <u>Enabling a family member or relative to come to the Netherlands</u>'.

#### Your employer's obligations

#### Obligation to provide information

Your employer must report changes to the IND within 4 weeks if they can have an influence on your right of residence. For example:

- you no longer meet the income requirement;
- your employment has been terminated;
- you will have a different job and because of this you will no longer comply with the rules for which the residence permit was issued;
- you are leaving the Netherlands;
- your employer has lost contact with you.

#### Obligation to keep records

Your employer must collect and retain relevant information about you. For example:

- a copy of your passport;
- the employment contract, decision to appoint you, salary specifications, hosting agreement or traineeship agreement;
- documents showing that the duty of care has been followed;
- if an employee is transferred in connection with a group of companies, a statement from the parent or other company abroad and a statement from the business unit in the Netherlands;
- if you practice a (regulated) profession such as that of a doctor, proof of registration in the BIG Register.

If your employer is no longer acting as your sponsor, it must keep relevant information and documents for another 5 years. The IND can request information from your present or former employer at any time to check whether they have met their obligations.

#### Duty of care

Your employer also has a duty of care. This involves carefully selecting and recruiting you. They must also inform you of the requirements for admission and residence that you and they must meet. Your employer is your sponsor until:

- you no longer work for the organisation and the employer has notified the IND of this;
- you have left the Netherlands and will not come back anymore and the employer has notified the IND of this;
- you have received a permanent residence permit or a residence permit for a different purpose of residence;
- your residence permit has been withdrawn;
- your employer may no longer act as a (recognised) sponsor;
- you have become a Dutch citizen.

#### What happens if you do not follow the rules?

The IND may check at any time whether your employer and you are following the rules. If this is not the case, then the IND can take various measures.

#### Withdrawal of your residence permit

Did you or your employer provide wrong information at the time of the application for a residence permit? Then the permit can be withdrawn. This also holds if you no longer meet the requirements for residence, for example if you earn too little salary. Has your employer failed to follow the rules several times? Then the IND can decide that the employer may no longer act as a recognised sponsor. In that case your residence permit can be withdrawn. What if you are not to blame for anything? Then you will be given a period of 3 months to find another employer who can act as a recognised sponsor for you. If your residence permit is valid for less than 3 months, you have until the date that your residence permit is still valid.

#### Report of a criminal offence

The IND must report to the police if there is a reasonable suspicion of a criminal offence. For example, if incorrect information was deliberately provided. The Public Prosecution Service (OM) then determines whether you will be criminally prosecuted. This could result in a prison or a fine. The residence permit can also be withdrawn.

#### Departure from the Netherlands

If you no longer meet the requirements for residence, the IND checks whether you are leaving the Netherlands. If you do not depart on your own initiative, the government can remove you from the country. The costs the government incurs for this can be recovered from you or your sponsor.

#### What can you do if your employer does not follow the rules?

Is your employer does not following the rules the IND sets? Or does the employer show that they are not a good employer, for example because the work and break times are not observed or because you receive less than the salary criterion? In that case you can contact the IND. If necessary, the IND will refer you to a different institution where you can go with your complaint, or you can yourself tell for example the NLA (Nederlandse Arbeidsinspectie/Netherlands Labour Authority) about your complaint.

You can find more information about your obligations, monitoring of this by the IND and penalties for violation on the pages on <u>www.ind.nl</u> about <u>Enforcement</u>, and in the publication 'An administrative fine from the IND'.

## 6. Changes in your situation

#### Change of employer or job

The residence permit is valid as long as you meet the requirements. This can also be the case if you change employers or job. If you no longer work for your employer, or change jobs as a result of which you no longer meet the rules for which the residence permit was issued, then your employer must notify the IND of this. If you have found another job as a highly skilled migrant, your new employer must notify the IND of this within 4 weeks. The IND will then check if the requirements are still met.

#### Unemployment and job search period

If you become unemployed, you may be eligible for a job search period of a maximum of 3 months to find a new job as a highly skilled migrant. The search period cannot be longer than the period of validity of your residence permit. So the search period is less than 3 months if your residence permit expires earlier. The search period starts on the day on which your employment contract ends.

If your residence permit is still valid during the entire search period (therefore more than 3 months) you will receive an intended decision for withdrawal of the residence permit. If you have not found a new job as a highly skilled migrant after expiry of the search period, the IND will withdraw your residence permit on the date the job search period ends.

If you find a new job as a highly skilled migrant within three months, the IND will not withdraw your residence permit. You or your new employer must notify the IND of the new job. All requirements for the residence permit as a highly skilled migrant must of course be met.

#### The recognised sponsorship of your employer is withdrawn

If your employer's recognised sponsorship has been withdrawn, you may no longer work for your employer.

#### What if you temporarily have less income?

If you temporarily have less income, for example because of parental leave, maternity leave, short- or long-term care leave, adoption and foster care leave or extra childbirth leave\*, and because of this you no longer meet the salary criterion, this does not necessarily have consequences for your residence permit if you meet all the following requirements.

- You are legally entitled to leave under the Work and Care Act (zorgverlof) and meet the requirements for granting this leave.
- You and/or your employer can demonstrate that you are legally entitled to paid or unpaid leave. In case of care leave, you and/or your employer must be able to demonstrate that the care leave is actually necessary.
- You and/or your employer notifies the IND of the paid or unpaid leave to which you are entitled, and which consequences this has for the amount of your income;
- The employer notifies this via the Business Portal or with the notification form for labour-related residence purposes (recognised sponsor);
- The IND receives this notification within 4 weeks after the start of the leave.

Other forms of paid or unpaid leave as a result of which you (temporarily) come below the salary criterion may have consequences for your residence permit.

The leave must be well documented and included in the employer's records. You should always contact your employer in order to be well informed. If they have questions, your employer can contact the IND.

\* These types of leave are included in the Work and Care Act.

## 7. Extend or change your residence permit as a highly skilled migrant

#### Extending the validity of your residence permit

When your residence permit expires and your employment contract or appointment is extended, your employer must apply to extend the residence permit in time.

Your employer can submit an application for extension from 3 months before your residence permit expires. Then the IND will have enough time to take a decision. If the decision is positive, your new residence permit will be ready in time. If your employer has applied for extension of your residence permit in time, you may continue working while waiting for the decision. The IND aims to decide on the application for extension within 2 weeks. This is on condition that the application is complete.

If you have had a residence permit as a highly skilled migrant for 5 years, you cna apply for a permanent residence permit or apply for Dutch nationality. You have to submit an application for a permanent residence permit or Dutch nationality yourself, and it cannot be submitted by the recognised sponsor. On <u>the website of the IND</u> you will find more information about the <u>residence permit long-term</u> <u>EU resident and</u> acquiring Dutch nationality.

#### Changing to residence permit for family or employee

If you no longer meet the requirements for the residence permit as a highly skilled migrant you may be eligible for a residence permit for a different purpose of residence.

If you have found a new job, but you do not earn enough for the residence permit as a highly skilled migrant, you may be able to change your residence permit into a residence permit for an employee. In this case, a check will first be carried out into whether other employees are available on the labour market for this job.

If you have a partner in the Netherlands you may be eligible for a residence permit for residence with your partner.

You apply for a different residence permit by submitting a new application for the residence permit for which you now want to apply. On <u>www.ind.nl</u> there is information on each page of the residence permit you now want to apply for about the requirements, costs of the application and the application forms.

#### You are waiting for a decision on your application

You have submitted an application and are waiting for a decision. Your present residence permit is not valid anymore. You are allowed to wait for the decision on your application in the Netherlands. If you want to travel, you may need a <u>re-entry visa</u> to travel back to the Netherlands.

#### **Departure from the Netherlands**

The residence permit is expiring and you have not applied for a new residence permit. You must leave the Netherlands as soon as possible or in any event you must have left the Netherlands at the time that your residence permit is no longer valid.

You are registered at your local town hall as a resident in the Personal Records Database (BRP). Before you leave the Netherlands you must have yourself deregistered from the BRP. You do this at the Civil Affairs Department at the town hall where you live. The council will send your deregistration to the IND. If you have yourself deregistered from the BRP before you leave the Netherlands, you no longer need to notify the IND of your departure from the Netherlands. The council will notify us of your deregistration. If you have not deregistered from the BRP within 4 weeks of your departure from the Netherlands, then you must notify the IND of your departure yourself. If you do not notify your departure, your sponsor must make this notification.

Please note! If you do not notify your departure, you or your sponsor can get a fine from the IND.

Before you leave the Netherlands, you must hand in your residence document to the IND.

## 8. More information

Do you have further questions after reading this brochure? Pleaae contact your employer. They are your first contact point.

#### Internet

You will find more information on the procedure and requirements for applying for a residence permit or Dutch nationality at <u>www.ind.nl/en</u>.

#### **Contact with IND**

Would you like to contact the IND or schedule an appointment to visit an IND desk? Or do you have another request? Please visit <u>www.ind.nl/en/contact</u> for the various contact options.

#### **Questions about legalisation?**

For information about the legalisation of documents (birth certificate, marriage certificate), please visit <u>www.government.nl</u>. Or call at number 1400 (Central government Information).

#### Processing of personal data

The Immigration and Naturalisation Service (IND) processes personal data when it processes your application, notification, or request. This means that if needed the IND will request data from you yourself and other organisations or persons. The IND also uses and stores data and shares them with other organisations. When doing so, the IND strictly adheres to the stipulations of privacy legislation. For instance, the IND must treat data safely and with due care. The law also gives rights. At your request, you are allowed to see which data on you the IND processes. You can also get information on why the IND does so and to whom your data have been passed on. On <u>www.ind.nl</u> you can read how the IND processes your data and which rights you have. You can also read how to use your rights.

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## Appendix Overview of the application process for a residence permit

In the table below you can find out what you, your employer and the IND need to do to obtain a residence permit.

	□ What do you do?	□ What does your employer do?	What does the IND do?
1.	You read the requirements for a residence permit in this publication and see if you meet them. You check on www.ind.nl which supporting documents are needed and whether you need a provisional residence permit (MVV). It also contains a list of recognised sponsors.	Your employer reads the requirements for a residence permit in this publication and then sees if they have been met. Your employer checks on <u>www.ind.nl</u> which supporting documents are needed and whether you need a provisional residence permit (MVV).	
2.	You make sure your employer gets all supporting documents that are needed to submit an application.	Your employer submits an application to the IND.	The IND assesses the application and tells your employer whether you will be admitted to the Netherlands. If your employer is a recognised sponsor and the application is complete, this can be done within 2 weeks.
3.		Your employer tells you what the decision by the IND is. If the decision is negative, your employer can apply for review.	If an MVV is needed, the IND will inform the embassy or consulate of the positive decision. The IND will tell your employer where and when you can pick up the permit in the Netherlands.
4.	If the IND's decision is positive, you can pick up the MVV at the Dutch embassy or consulate. You must then travel to the Netherlands within 90 days. If you do not need an MVV, you can travel to the Netherlands immediately.		
5.	After arrival in the Netherlands, you must make an appointment at the IND within 2 weeks to pick up the residence permit. If required, you must take a TB test at the public health service (GGD) within 3 months. You must then take out healthcare insurance within 4 months.		The IND verifies your identity and issues the residence permit.