



# Bringing a foreign employee to the Netherlands



Immigratie- en Naturalisatiedienst

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## 1. Why this brochure?

**As an employer, what do you need to do to bring a foreign employee to the Netherlands for more than three months? That is the central topic of this brochure.**

Here you will find information on:

- How to bring a foreign employee to the Netherlands.
- The requirements you and the employee have to meet.
- Obtaining a provisional residence permit (mvv) and a residence permit.
- The authorities you and your employee will be dealing with during the admission procedure.

### **The IND Office for Labour and Highly Skilled Migrants (IND-loket kennis- en arbeidsmigratie)**

If you wish to bring a foreign employee to the Netherlands, you can apply to the IND Office for Labour and Highly Skilled Migrants. The IND office is located in Rijswijk and handles residence permit applications for foreign nationals who wish to work as employees in the Netherlands and for their family members. The IND office has been established to handle the applications quickly and with due care.

## 2. Bringing a foreign employee to the Netherlands, in brief

You can bring a foreign employee to the Netherlands as a labour migrant, as a **highly skilled migrant** or as a **scientific researcher in the sense of Directive 2005/71/EC**.

### **Admission as a labour migrant**

A labour migrant is an foreign employee who comes to the Netherlands to work as an employee. You can bring a foreign employee to the Netherlands as a labour migrant if he earns at least the social assistance standard. In most cases you will need a work permit (twv) for the employee, issued by the UWV WERKbedrijf. The IND will, in principle, take a decision relative to a request for advice preceding the actual application for provisional residence permit (mvv) within four weeks after the twv has been issued. If an employee does not require a work permit, the IND will decide within four weeks after receipt of the request for advice. The IND will decide on an application for a residence permit within six months.

### **Admission to the accelerated procedure**

If you satisfy certain conditions, you may qualify for the accelerated procedure concerning the request for advice preceding the actual application for a provisional residence permit (mvv). You will have to conclude a covenant with the IND if you wish to make use of this accelerated procedure. You will have to submit a written request to the IND Office for Labour and Highly Skilled Migrants if you think you qualify for the accelerated procedure. If the IND Office for Labour and Highly Skilled Migrants decides in favour of your request for admission, the IND will conclude a covenant with your organisation. If you have been admitted to the accelerated procedure, the IND will in principle decide within two weeks on a request for advice preceding the actual application for a provisional residence permit (mvv).

### **Admission as a highly skilled migrant**

A highly skilled migrant is also an employee coming to the Netherlands to work as an employee. To bring an employee to the Netherlands as a highly skilled migrant, as an employer you must sign a statement by which you assume a number of responsibilities. In addition, the employee must have a gross annual income of at least € 49,087 or € 35,997\* if he is under 30. This income criterion does not apply for workers being employed in the Netherlands for the purpose of undertaking scientific research, or for medical doctors training to be specialists. The income for these categories of employees

must at least be equivalent to the applicable social assistance benefit level.

#### **A job-seeking year for foreign graduates in order to seek a position as highly skilled migrant**

Foreign students from outside the EU/EEA, who have completed a course in Higher Professional Education/ University Education, may qualify for a search year. This concerns foreign students who, on the basis of a residence permit with a study purpose of stay in the Netherlands, have completed their course of study. From the date of graduation, they are entitled to remain in the Netherlands for a period of one year, during which time they must find a post as a highly skilled migrant. During this period, they must however be self-financing (e.g. using their own money or an occupation that does not require a work permit during this period). They are not entitled to claim assistance in the Netherlands. Graduates, who find a job as highly skilled migrant within one year after graduation, will be eligible for a residence permit as highly skilled migrant. They must however fulfil all of the other conditions that apply under the highly skilled migrant procedure. The minimum starting salary for this category of migrants has been set at € 25,800\* gross per annum.

If a graduate finds a post immediately after graduating (without making use of the 1-year period) and this fulfils the salary requirement of € 25,800\*, he may submit an application for a change in the purpose of residence to that of a highly skilled migrant. An authenticated copy of his diploma must also be enclosed with the application.

#### **A job-seeking year for highly educated persons in order to seek a position as highly skilled migrant**

Highly educated foreign nationals, who have attained at least a Master's degree, can obtain a residence permit for a maximum of one year in order to seek a job as a highly skilled migrant in the Netherlands.

Foreign nationals, who have completed a course at a university listed in the top 150 of two internationally recognised rankings (published by the Times Higher Education Supplement and the Jiao Tong Shanghai University in 2007) or who have completed a Master's degree at a recognised institution for higher education or who have obtained their doctorate at a Dutch institution for higher education, will be eligible for a residence permit for the job-seeking year. All the above-mentioned highly educated persons can apply for the residence permit for the period of maximum one year in order to seek a job as highly skilled migrant up to three years after the date of their graduation.

Highly educated persons who wish to come to the Netherlands to seek a job as highly skilled migrant will not be assessed as regards their means of existence. If the highly educated person also wishes to bring his or her family members to the Netherlands, the regular requirements for family reunification will apply.

The foreign national can look for a job as a highly skilled migrant during the period of validity of the residence permit. The lowered income requirement in order to be considered a highly skilled migrant will apply to the highly educated person in that case. As soon as the highly educated person has found a job, he or she can convert the one-year residence permit into a residence permit as a highly skilled migrant.

Foreign nationals who are awarded a residence permit in order to seek a job as highly skilled migrant are permitted to work in paid employment in order to support themselves during this job-seeking year if their employer has obtained a work permit.

#### ***Changing employer***

*If an employee changes employers, the employee will have to report this to the IND by submitting the application form 'residence permit change in purpose of stay'.*

*This does not apply to highly skilled migrants who still have a valid residence permit as a highly skilled migrant.*

*In such cases, the former employer is required to deregister the highly skilled migrant with the IND while stating the date of termination of activities and the reasons for the dismissal. The new employer must also be admitted to the highly skilled migrants scheme. The new employer must inform the IND in writing that the highly skilled migrant will enter his service. An employment contract signed by both parties must be submitted with this notification.*

#### **Admission as a scientific researcher in the sense of Directive 2005/71/EC**

A scientific researcher is an employee who will perform a research project approved by a Dutch research institute in the Netherlands. You will have to register with the IND if you, as employer, wish to bring an employee as a scientific researcher, in the sense of Directive 2005/71/EC, from abroad.

The employee will have to earn at least the social assistance benefit level. You will not require a work permit for scientific researchers in the sense of Directive 2005/71/EC.

**\* Please note!** These amounts apply to 2009 and are indexed on an annual basis.

### 3. Requirements

You can bring an employee to the Netherlands as a highly skilled migrant, labour migrant or scientific researcher in the sense of Directive 2005/71/EC if you and the employee meet certain requirements. Specific requirements apply to all procedures, which you will find in chapter 7, 8 and 9 of this brochure. In addition, a number of general requirements apply to both procedures:

- The employee must have a valid passport.
- The employee must be prepared to undergo an examination for tuberculosis following arrival in the Netherlands.\*
- The employee may not have a criminal record.
- The employee must have health insurance. In many cases, the employee will require an mvv.
- The employee is not required to take the civic integration examination abroad. This exemption does not apply to employees who come to the Netherlands as spiritual leader or teacher of religious knowledge.

You can read more about this in chapter 6.

*\* Exemption from the tuberculosis test applies to nationals of Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Germany, Estonia, Finland, France, Greece, Hungary, Ireland, Iceland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, New Zealand, Norway, Poland, Portugal, Romania, Slovenia, Slovakia, Spain, Surinam, Sweden, Switzerland, United Kingdom, United States of America and Vatican City.*

### 4. Documents

To bring a foreign employee to the Netherlands as a highly skilled migrant, labour migrant or scientific researchers in the sense of Directive 2005/71/EC the employee must submit to the IND various documents from the country of origin.

Other authorities in the Netherlands will also ask for your employee's documents from the country of origin.

For instance, the municipality where your employee is going to live will need documents to be able to register the employee in the Municipal Administration (GBA). The employee will at least need the following documents:

- A valid passport.
- A legalised birth certificate (for registration in the municipality).

If the employee intends to take his family with him to the Netherlands, the employee and the family members must be able to submit documents from the country of origin that prove the family relationship. Examples of this are documents such as passports, birth certificates and marriage certificates. This list is not exhaustive. The exact documents the employee and his family members need are listed on the application form.

#### **Having documents legalised or provided with an apostille stamp**

In most cases, foreign documents (such as birth and marriage certificates) must be legalised or must carry an apostille stamp appended by the competent authorities in the country of origin. For further information on the legalisation or apostille requirements per individual country, please contact the Ministry of Foreign Affairs on +31 (0)70 348 59 01, or visit the website [www.minbuza.nl](http://www.minbuza.nl).

**Please note!** This process can take a great deal of time so ask the employee to immediately start the procedure of having the documents legalised or furnished with an apostille in the country of origin.

#### ***Language of the documents***

*All documents must be in Dutch, English, French or German. If this is not the case, please have the documents translated by a translator sworn by a Dutch court.*

## 5. Costs

Submitting a request for advice preceding the actual application for mvv is free of charge.

A fee will be charged for an application for an mvv and a residence permit. The application will not be processed before the fee has been paid. For more information about how to pay the fee, please see chapter 7, 8 en 9 under the section entitled 'Costs'. For information about the amount of the fees, please call 0900 1234561 (€ 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone) or visit the website [www.ind.nl](http://www.ind.nl).

## 6. The admission procedure in general

In this chapter, you can read how to obtain a provisional residence permit (mvv) and/or a residence permit for the employee.

- To be allowed to enter the Netherlands for a stay of more than three months, the employee (highly skilled migrant, labour migrant or scientific researcher in the sense of Directive 2005/71/EC) usually needs an mvv. An mvv is a special entry visa. Employees the nationality of Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Germany, Estonia, Finland, France, Greece, Hungary, Ireland, Iceland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, New Zealand, Norway, Poland, Portugal, Romania, Slovenia, Slovakia, South Korea, Spain, United Kingdom, Sweden, Switzerland, United States of America and Vatican City do not require an mvv.
- To be allowed to stay in the Netherlands for more than three months, the employee must apply for a residence permit after entering the Netherlands (with or without an mvv).

How does the employee obtain an mvv?

### Application for an mvv

The employee can apply for an mvv at the Dutch embassy or consulate in the country of origin or continuous residence.\* The employee cannot travel to the Netherlands until he has been issued with an mvv.

*\* A country of continuous residence is a country in which the employee can stay legally for more than three months on the basis of a residence permit or whilst waiting to receive a residence permit.*

### Request for advice

It is recommended that you submit a request to the IND for advice preceding the actual application for mvv before the employee submits the application for an mvv. If you wish to bring a highly skilled migrant or scientific researcher in the sense of Directive 2005/71/EC to the Netherlands, you should always submit a request for advice prior to submitting the application for the mvv. You will also have to submit an application for family members who wish to accompany the

employee. When the IND receives such a request, the IND first checks whether the requirements have been met.

### **Assessment of the request for advice**

The IND will assess the request for advice by examining whether you and the employee meet the requirements. Please see chapter 7, 8 and 9 for the requirements for residence as a highly skilled migrant, labour migrant or scientific researcher in the sense of Directive 2005/71/EC. When it assesses the request for advice, the IND will also take into account whether the employee and any possible family members have the required (legalised) documents. To this end, you must submit copies of the (legalised) documents. If the request you have submitted is incomplete, you will receive a letter from the IND stating which documents you still have to submit.

### **Positive advice**

If the IND does not object to the issuing of an mvv to the employee, it will give a positive advice. The IND will inform you of this in writing. The positive advice is valid for six months. The employee must submit an application for an mvv to the Dutch embassy or consulate in the country of origin or continuous residence within this period. If the application is complete and all conditions are satisfied, you will receive positive advice from the IND. After that, you can have the employee submit the application for an mvv in the country of origin or continuous residence. Since the IND has already issued a positive advice, the Dutch embassy or consulate can quickly issue the employee with an mvv.

**Please note!** A fee will be charged for the submission of an mvv application to the Dutch embassy or consulate in the country of origin or continuous residence. The Dutch embassy or consulate will only be informed of the positive advice after the application fee for an mvv has been received by the IND. Please see chapter 7, 8 and 9 under the section entitled 'Costs' for more information about paying the application fee for an mvv.

### **The issuing of the mvv**

The employee must submit the application for an mvv to the Dutch embassy or consulate in the country of origin or continuous residence. At that time, he must show a valid national passport and possibly his original (legalised) documents. If the fee for the mvv has been paid, the mvv will be inserted into the employee's passport. The mvv is valid for six months. The employee must enter the Netherlands within this period.

### **Negative advice**

If the requirements for the issuing of mvv have not been met, the IND will give a negative advice. You will receive a written

notification to that effect. You cannot appeal against a negative advice. If, at a later date, the requirement(s) on the grounds of which a negative advice was previously given is (or are) met, you can submit a new request for advice.

**Please note!** Only minor children are admitted to the Netherlands for the purpose of family reunification. A child that has reached the age of 18 years is deemed to have become of age. Children aged 18 years or above may, however, be admitted to the Netherlands for other purposes, such as pursuing a course of study.

**Please note!** You need only one application for requests for advice for the employee and the family members.

## **How does the employee obtain a residence permit?**

### **Submitting the application**

When the employee is in the Netherlands and he intends to stay in the Netherlands for more than three months, he must submit an application for a residence permit within three days of entering the country. He can do this at the IND desk in his region (for the locations of the IND desks see the website [www.ind.nl](http://www.ind.nl)). An appointment must be made for this by calling the IND appointments line (0900 1234561, € 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone). If the employee submits an application to the IND desk, a residence sticker will be placed in his passport. He can use this to prove that he is staying in the Netherlands legally, while awaiting the decision on the application. This sticker also states whether the employee is allowed to work while awaiting the decision.

**Please note!** You or the employee must submit an application for a residence permit as a **highly skilled migrant** or **scientific researchers in the sense of Directive 2005/71/EC** at the IND Office for Labour and Highly Skilled Migrants in Rijswijk. It is recommended that the application is submitted **by post**. Once the application has been submitted by post, a sticker will be placed in the employee's passport. This can take place at the IND desk in Rijswijk, or at one of the other IND desks. If you submit the application to the IND desk in Rijswijk in person, the sticker will be placed in the employee's passport at the same time. In order to submit an application in person and/or collect the sticker, an appointment must first be made by calling the IND Office for Labour and Highly Skilled Migrants appointments line (070 779 58 25). The employee will then have to go to the town hall of his place of residence to register as a resident in the municipality in the Municipal Administration (GBA).

### **Assessment of the application**

The IND will assess the application by examining whether you and the employee meet the requirements. Please see chapter 7, 8 and 9 for the requirements for residence as a highly skilled migrant, labour migrant or scientific researcher in the sense of Directive 2005/71/EC. When assessing the application, the IND will examine whether the employee and any family members have the required (legalised) documents. Please note that you must submit copies of these legalised documents.

### **Response to the application**

The employee can get three responses to his application for a residence permit.

1. The application is incomplete. The employee receives a letter requesting him to complete the application.
2. The application is granted and the employee receives a residence permit. He will be notified of this in writing. Subsequently, the employee is invited to the IND desk in his region to collect his residence document.
3. The application of the employee is rejected. He will be notified of this in writing. The **employee** can appeal to the IND against a rejection of the application.

### **Accompanying family members**

If the employee's family members are in the Netherlands and intend to stay in the Netherlands for more than three months, they must also apply for residence permits. If the family members have entered the Netherlands at the same time as the employee, it is recommended that the applications for residence permits for the employee and his family members should be submitted simultaneously. The applications will then be processed by the IND office for labour and highly skilled migrants simultaneously. Besides, the fee will be lower because the family rate will apply.

### **Residence permit without an mvv**

The application procedure for a residence permit for an employee who is exempt from the mvv requirement is roughly the same as the procedure for an employee who does require an mvv. The main difference is that an employee who enters the Netherlands with an mvv needs to show fewer documents when he submits the application. This is because some of the documents have already been verified for the mvv application.

### **Registering in the Municipal Administration**

In a number of municipalities (including Amsterdam, The Hague, Rotterdam, Utrecht and Eindhoven) it has recently also become possible for an employee to declare his residence status and address for registration in the Municipal Administration (GBA) before he obtains a residence sticker (proof of lawful residence). The employee then receives a

'Proof of Disclosure to the GBA' (BvB GBA) from the GBA. This declaration must be enclosed when submitting an application for a residence permit to the IND and it is then forwarded by the IND to the GBA for final registration.

## 7. Stay as a labour migrant

### Requirements

You can bring a foreign employee to the Netherlands as a labour migrant, if:

- you have been granted a work permit (twv) by the UWV WERKbedrijf for this employee;
- the employee will work as an employee and proves this by means of an employment contract;
- the employee will work in paid employment within the context of a transfer within a group of companies. If no employment contract is agreed with the member of the group established in the Netherlands, a declaration from the (parent) company abroad will have to be submitted in any case;
- the amount of the employee's income is at least equal to statutory minimum wage.

### What is a work permit?

In general, you will require a work permit (twv) if you bring a foreign employee to the Netherlands. A twv is required pursuant to the Labour Act for Aliens (WAV). You can submit an application for the twv to the UWV WERKbedrijf.

The employee cannot do this himself. Please see the website [www.werk.nl](http://www.werk.nl) for more information on the twv.

### Admission to the labour migrants procedure

To use the labour migrants procedure, you do not need to sign a declaration. You can immediately submit a request for advice preceding the actual application for mvv. The employee can submit an application for a residence permit immediately.

### How to request an advice preceding the actual application for mvv

1. Fill out the application form entitled 'Request for advice preceding the actual application for mvv working as an employee' on the IND's website ([www.ind.nl](http://www.ind.nl) > IND Office for Labour and Highly Skilled Migrants > Form module) and then print it. You do not need a login name or password for this. (You can also request this form from the IND via the website, [www.ind.nl](http://www.ind.nl) > Brochures & Forms, by calling 0900 1234561, (€ 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone) or you collect one from an IND desk).
2. Sign the printed version and send it, including the requested appendices to the IND Office for Labour and Highly Skilled Migrants.
3. **At the same time**, submit an application for a twv to the UWV WERKbedrijf. If you are not granted a twv, the request for advice preceding the actual application for mvv is always rejected by the IND.

4. If the UWV WERKbedrijf decides to issue a twv, the IND will assess on the basis of the other requirements whether you will receive a positive advice.
5. In principle, you will receive a decision on the request for advice preceding the actual application for mvv within four weeks after the decision on the twv.
6. If you receive a positive advice, the employee can submit an application for an mvv to the Dutch embassy or consulate.

### Digital Labour Migration Desk

If you wish to take on a foreign employee you can now submit a combined application for an mvv and a twv with the IND and the UWV WERKbedrijf. You can complete an electronic form at [www.arbeidsmigratie.nl](http://www.arbeidsmigratie.nl). By answering several questions, it will be automatically determined for you if and, if so, which permits your foreign employee will require in your specific situation.

If it turns out that your foreign employee requires a permit/several permits, you can continue to fill in the application form for a work permit and/or a provisional residence permit for your foreign employee. You can subsequently download the filled in form as a PDF file and print it. Following this, you can sign the form, enclose the indicated documents and send it in. The address is stated on the cover page of the printed form. Your application will subsequently be processed by the UWV WERKbedrijf and/or the IND.

### How to apply for a residence permit

1. You or the employee must fill out the application form entitled 'Application for a residence permit with mvv' \* on the IND's website ([www.ind.nl](http://www.ind.nl) > IND Office for Labour and Highly Skilled Migrants > Form module) Alternatively, you or the employee can use the application form entitled 'Application for a regular residence permit with an mvv' which you can also request via the website, [www.ind.nl](http://www.ind.nl) > Brochures & Forms, by calling 0900 1234561 (€ 0.10 p.m plus any additional costs charged by your operator if you are calling from a mobile phone) or collected from an IND desk. The form must be signed by the employee.
2. The employee must submit the application for a residence permit at the IND desk in his region. To submit an application, an appointment must always be made in advance by calling telephone number 0900 1234561 (€ 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone).
3. The employee will receive a decision on the application within six months of the date of receipt. You will also receive a copy of the decision.

**Please note!** The employee must be in the Netherlands at the time when the application for a residence permit is submitted.

\* For employees who are exempt from the mvv requirement, you can apply for a residence permit using the application form entitled 'Application for a regular residence permit without an mvv, or for a change in purpose of stay'.

### **Residence sticker in passport**

When the employee submits the application to the IND desk in his region, a sticker will be placed in his passport showing that he is staying in the Netherlands legally while awaiting the decision. This sticker also indicates whether he is allowed to work while awaiting the decision. An appointment at the IND desk must be made in advance by calling telephone number 0900 1234561 (€ 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone).

### **Costs**

#### *How to pay the fee for the mvv?*

You or the employee must pay the fee for the application for an mvv by remitting the amount to a bank account of the IND in the Netherlands. You or the employee can pay the fee at two points in time.

1. The IND sends an invoice together with the positive advice, which you or the employee can subsequently pay by remitting an amount to a bank account in the Netherlands.
2. After submitting the application for an mvv to the Dutch embassy or consulate, the employee remits an amount to a bank account in the Netherlands.

#### *How to pay the fee for a residence permit*

The employee pays the fee for the application for a residence permit at the IND desk in his region, either in cash or using a bankcard with PIN.

### **Period of validity of the residence permit**

The residence permit of the employee is granted for the period of the twv. A twv is granted for a maximum of three years.

The labour migrant must hold a valid passport at the time that the application is submitted.

#### *Family members*

The husband or wife or (registered) partner of the labour migrant will be given a residence permit for the period of one year. The period of validity of the residence permit of the children is the same as the residence permit of the labour migrant. The family members must hold a valid passport at the time that the application is submitted.

### **Employment**

The labour migrant is allowed to work in the Netherlands if he has entered the country with a valid mvv and after he has submitted an application for a residence permit, a sticker has

been placed in his passport, and he has obtained a twv.

The labour migrant who has entered the Netherlands without an mvv is allowed to work once he has obtained a twv and has submitted an application for a residence permit and a sticker has been placed in his passport.

#### *Family members*

Family members of a labour migrant require a twv to be allowed to work. The family members can only work if a positive decision has been given regarding their application for a residence permit.

## 8. Stay as a highly skilled migrant

### Requirements

You can bring a foreign employee to the Netherlands as a highly skilled migrant, if:

- you have signed a declaration on the admission of highly skilled migrants and you have been admitted to the highly skilled migrant procedure by the IND; and
- the employee is to work as an employee and proves this by means of an employment contract; and
- the employee earns a gross annual income of at least € 49,087 or € 35,997 \* if he is under 30. This income criterion does not apply for workers being employed in the Netherlands for the purpose of undertaking scientific research, or for medical doctors training to be specialists. The income for these categories of employees must at least be equivalent to the applicable social assistance benefit level.

\* **Please note!** These amounts apply to 2009 and are indexed on an annual basis.

### What is a declaration?

To use the highly skilled migrant procedure, you must first sign a declaration. In this declaration, you assume a number of responsibilities for the employee, for instance that the application as submitted is complete. You will also act as the employee's financial guarantor, which means that the costs of the employee's stay will not be the responsibility of the Dutch authorities. Assumption of these responsibilities enables the IND to deal with the applications for a stay as highly skilled migrant via an accelerated procedure. You can find the declaration on the IND's website ([www.ind.nl](http://www.ind.nl) > IND Office for Labour and Highly Skilled Migrants > Form module).

### Admission to the highly skilled migrant procedure

1. To use the highly skilled migrant procedure, you must complete and sign the declaration. You will find the declaration for the admission of highly skilled migrants on the IND's website ([www.ind.nl](http://www.ind.nl) > IND Office for Labour and Highly Skilled Migrants > Form module).
2. Send the declaration with the requested appendices to the IND Office for Labour and Highly Skilled Migrants.  
**Please note!** The declaration may not be signed by a third party (for instance an authorised person or an intermediary agency).
3. When the IND has received the declaration, you will receive a confirmation of receipt. If everything is correct according to the IND, the confirmation of receipt will include a login name and a password. This will give you access to the application forms for highly skilled migrants on the IND's

website ([www.ind.nl](http://www.ind.nl) > IND Office for Labour and Highly Skilled Migrants > Form module). You can start submitting your applications.

### How to request an advice preceding the actual application for mvv

1. Log in on the IND's website ([www.ind.nl](http://www.ind.nl) > IND Office for Labour and Highly Skilled Migrants > Form module) and select the application form entitled 'Request for advice preceding the actual application for mvv highly skilled migrant'. Fill out the form and print it.
2. Sign the printed version and send it, including the requested appendices to the IND office for labour and highly skilled migrants.
3. If the submitted request is complete, you will, in principle, receive a decision on your request for advice preceding the actual application for mvv within two weeks.
4. If you receive a positive advice, the employee can submit the mvv application to the Dutch embassy or consulate.

### How to apply for a residence permit

1. Log in on the IND's website ([www.ind.nl](http://www.ind.nl) > IND Office for Labour and Highly Skilled Migrants > Form module) and select the application form 'Application for a residence permit with an mvv highly skilled migrant'.\* Fill out the form and print it. The form must be signed by the employee.
2. You or the employee can submit the application for a residence permit at the IND office for labour and highly skilled migrants. You can submit the application to the office for labour and highly skilled migrants by post. To submit an application in person, you must make an appointment by calling telephone number 070 779 58 25. This appointment will take place at the IND desk in Rijswijk.
3. If the application as submitted is complete, the employee will, in principle, receive a decision on the application within two weeks. You will also receive a copy of the decision.

**Please note!** The employee must be in the Netherlands at the time when the application for a residence permit is submitted.

\* For employees who are exempt from the mvv requirement, you can apply for a residence permit using the application form entitled 'Application for a residence permit without an mvv highly skilled migrant'.

### Residence sticker in passport

When the employee submits the application to the IND Office for Labour and Highly Skilled Migrants, a sticker will be placed in his passport showing that he is staying in the Netherlands legally while awaiting the decision. This sticker also indicates whether he is allowed to work while awaiting the decision.

If you have sent the application to the IND Office for Labour and Highly Skilled Migrants by post, you or the employee can subsequently have a sticker placed in the employee's passport at the IND desk in your/his region. An appointment must be made for this in advance by calling telephone number 070 779 58 25. If you or the employee submit the application in person (this is only possible at the IND desk in Rijswijk), the IND will immediately place a sticker in the passport of the employee and those of any family members. An appointment must be made for this in advance by calling telephone number 070 779 58 25.

**Please note!** The sticker cannot be placed in the employee's passport until the application submitted in writing has been received and registered by the IND office for labour and highly skilled migrants. If it emerges on the day of the appointment that an application in writing for a residence permit has not been registered, it will not be possible to place a sticker in the employee's passport!

### **Costs**

#### *How to pay the fee for the mvv?*

The fee for the application for an mvv is paid by one-off direct debit. You must send a signed direct debit form together with the request for an advice. The IND will collect the fee only at the time when you receive a **positive** advice from the IND relative to your request for advice preceding the actual application for mvv. The processing of the request for advice preceding the actual application for mvv is free of charge.

If you do not wish to pay for the application for an mvv by one-off direct debit, you will receive an invoice from the IND with the request to pay the fee into a bank account in the Netherlands. The IND will only inform the embassy about the positive advice given after the fee for the application for an mvv has been received.

#### *How to pay the fee for a residence permit*

By signing the declaration, you agree, as an employer, to pay the fee by one-off direct debit. This means that you must sign a direct debit form for each application. The fee for the application for a residence permit will be debited after you have submitted the application.

### **Period of validity of the residence permit**

The residence permit of a highly skilled migrant is granted for the period of the employment contract, with a maximum of five years. The highly skilled migrant must hold a valid passport at the time that the application is submitted.

#### *Family members*

The husband or wife or (registered) partner of the highly

skilled migrant will be given a residence permit for a period of one year. The residence permit of the children will have the same period of validity as the residence permit of the highly skilled migrant. The family members must hold a valid passport at the time that the application is submitted.

### **Employment**

The highly skilled migrant is allowed to work in the Netherlands if he has entered the country with a valid mvv and after he has submitted an application for a residence permit and a sticker has been placed in his passport. The highly skilled migrant who has entered the Netherlands without an mvv can only work after a positive decision has been reached on his application for a residence permit.

#### *Family members*

Family members of the highly skilled migrant are free to work on the labour market. They do not require a twv. Family members who have entered the Netherlands without a valid mvv can only work after a positive decision has been reached on their application for a residence permit.

## 9. Stay as a scientific researcher in the sense of Directive 2005/71/EC

### Requirements

You may bring a foreign scientific researcher in the sense of Directive 2005/71/EC (*hereinafter mentioned scientific researcher*) to the Netherlands if:

- you are registered with the IND as research institute.
- the IND has admitted you to the procedure for scientific researchers.
- the scientific researcher has obtained a diploma from an institution for higher education and the diploma must entitle the holder to access to a university degree programme;
- the scientific researcher has been selected by a research institution to perform a project in respect of which the relevant diploma is required.
- the scientific researcher has submitted a guest agreement concluded with the research institute
- the scientific researcher has submitted a guarantee from the research institute.
- the income of the scientific researcher is at least equal to the social assistance benefit level. You don't need a work permit for the employee.

### What is a registration?

In order to make use of the procedure for scientific researchers you will first have to fill in and send in a registration form.

According to the Directive, admission within the context of scientific research can only occur in respect to research institutes recognised in advance. This requirement is set to guarantee the quality of the receiving research institute.

A research institute may be public or private.

Recognised research institutes qualify for the accelerated procedure. This means that IND will usually decide within two weeks after receipt of a request for advice preceding the actual application for provisional residence permit or an application for a residence permit. The registration form can be downloaded from the IND website ([www.ind.nl](http://www.ind.nl) > IND Office for Labour and Highly Skilled Migrants > Form module).

### Admission to procedure for the scientific researcher in the sense of Directive 2005/71/EC

1. To use the procedure for the scientific researcher, you must complete and sign the registration form. You will find the registration form on the IND's website ([www.ind.nl](http://www.ind.nl) > IND Office for Labour and Highly Skilled Migrants > Form module).

2. Send the registration form with the requested appendices to the IND Office for Labour and Highly Skilled Migrants.
3. When the IND has received the registration form, you will receive a confirmation of receipt. If everything is correct according to the IND and you are registered, the required application form will be provided to your educational institution. You can start submitting your applications.

### How to request an advice preceding the actual application for mvv

1. Fill out and print the form 'Request for advice preceding the actual application for mvv: purpose of stay residence as scientific researcher in the sense of Directive 2005/71/EC'. Send it, including the requested appendices to the IND Office for Labour and Highly Skilled Migrants;
2. If the submitted request is complete, you will, in principle, receive a decision on your request for advice preceding the actual application for mvv within two weeks.
3. If you receive a positive advice, the employee can submit the mvv application to the Dutch embassy or consulate.

### How to apply for a residence permit

1. Fill out the form 'Application for a residence permit with an mvv: purpose of stay residence as scientific researcher in the sense of Directive 2005/71/EC \* that is required to your educational institution. The form must be signed by the employee.
2. You or the employee can submit the application for a residence permit at the IND Office for Labour and Highly Skilled Migrants. You can submit the application to the Office for Labour and Highly Skilled Migrants by post. To submit an application in person, you must make an appointment by calling telephone number 070 779 58 25. This appointment will take place at the IND desk in Rijswijk.

\* For employees who are exempt from the mvv requirement, you can apply for a residence permit using the application form entitled 'Application for a residence permit without an mvv: purpose of stay residence as scientific researcher in the sense of Directive 2005/71/EC'.

### Residence sticker in passport

When the employee submits the application to the IND Office for Labour and Highly Skilled Migrants, a sticker will be placed in his passport showing that he is staying in the Netherlands legally while awaiting the decision. This sticker also indicates whether he is allowed to work while awaiting the decision. If you have sent the application to the IND Office for Labour and Highly Skilled Migrants by post, you or the employee can subsequently have a sticker placed in the employee's passport

at the IND desk in your/his region. An appointment must be made for this in advance by calling telephone number 070 779 58 25. If you or the employee submit the application in person (this is only possible at the IND desk in Rijswijk), the IND will immediately place a sticker in the passport of the employee and those of any family members. An appointment must be made for this in advance by calling telephone number 070 779 58 25.

### **Costs**

#### *How to pay the fee for the mvv?*

The fee for the application for an mvv is paid by one-off direct debit. You must send a signed direct debit form together with the request for an advice. The IND will collect the fee only at the time when you receive a positive advice from the IND relative to your request for advice preceding the actual application for mvv. The processing of the request for advice preceding the actual application for mvv is free of charge. If you do not wish to pay for the application for an mvv by one-off direct debit, you will receive an invoice from the IND with the request to pay the fee into a bank account in the Netherlands. The IND will only inform the embassy about the positive advice given after the fee for the application for an mvv has been received.

#### *How to pay the fee for a residence permit*

By signing the declaration, you agree, as an employer, to pay the fee by one-off direct debit. This means that you must sign a direct debit form for each application. The fee for the application for a residence permit will be debited after you have submitted the application.

### **Period of validity of the residence permit**

The residence permit of a scientific researcher is granted for the period of the guest agreement, with a maximum of five years. The scientific researcher must hold a valid passport at the time that the application is submitted.

#### *Family members*

The husband or wife or (registered) partner of the scientific researcher will be given a residence permit for a period of one year. The residence permit of the children will have the same period of validity as the residence permit of the scientific researcher. The family members must hold a valid passport at the time that the application is submitted.

### **Employment**

The scientific researcher is allowed to work in the Netherlands if he has entered the country with a valid mvv and after he has submitted an application for a residence permit and a sticker has been placed in his passport. The scientific researcher who

has entered the Netherlands without an mvv can only work after a positive decision has been reached on his application for a residence permit.

#### *Family members*

Family members of the scientific researcher are free to work on the labour market. They do not require a twv. Family members who have entered the Netherlands without a valid mvv can only work after a positive decision has been reached on their application for a residence permit.

#### *Voluntary mvv*

Would you like the scientific researcher who is exempt from the mvv requirement to be allowed to work immediately upon his arrival in the Netherlands? You can submit a request for advice. If the advice is positive, the scientific researcher will be allowed to work in the Netherlands after he has submitted an application for a residence permit and a sticker has been placed in his passport.

## 10. Frequently asked questions

Below are some frequently asked questions and answers about the highly skilled migrant procedure to the IND Office for Labour and Highly Skilled Migrants.

### **Can a foreign company use the highly skilled migrant procedure?**

No, only businesses established in the Netherlands can make use of the highly skilled migrant procedure.

### **Is admission to the highly skilled migrant procedure subject to a minimum number of applications per year?**

No, to be admitted to the highly skilled migrant procedure you are not required to submit a minimum number of applications per year. There is also no limit on the number of applications you can submit.

### **Can I obtain separate access codes for the highly skilled migrant procedure for the various departments within my company?**

Yes, you can. If you want a separate access code for each department of your company, you should fill out, sign and submit to the IND a declaration for each office or each department. If you submit a declaration for the various departments you can indicate a contact and a bank account number for each department.

### **Why is it recommended to have a residence sticker placed in the passport of the highly skilled migrant?**

The sticker in the highly skilled migrant's passport proves that he is staying in the Netherlands legally while awaiting the decision on the application for a residence permit. The sticker also indicates whether the highly skilled migrant is allowed to work while awaiting the decision. The highly skilled migrant can use the sticker to register at his local town hall.

### **Can a highly skilled migrant have someone else collect the residence sticker?**

Yes. As the employer of a highly skilled migrant, you are permitted to collect the sticker from the IND desk. The highly skilled migrant or his husband or wife or (registered) partner can also report to the IND desk with the passports of all the family members to have the stickers placed. The lawyer or a representative of an intermediary agency cannot collect the sticker.

**Please note!** Submitting the application for a residence permit AND having a sticker placed in the passport of the highly skilled migrant is only possible after the highly skilled migrant has entered the Netherlands.

### **My employee has a residence permit for the purpose of 'working as an employee', but also meets the criteria for a residence permit for the purpose of a 'stay as a highly skilled migrant'. What should I do to change the permit?**

The employee can submit an application to have the purpose of stay changed. You can use the application form entitled 'Application for a residence permit for a highly skilled migrant without an mvv or for a change in purpose of stay' to this end. A fee must be paid for this change. These applications are also processed within the target term of two weeks. The family members of the labour migrant are not required to submit an application for a change to their purpose of residence, as their purpose of residence remains unchanged. They can however apply for a residence document with an amended labour market entry.

### **Can I have the fee debited from a foreign account?**

No, the IND can only debit the fee from an account with a bank in the Netherlands.

### **What should I do if I do not wish to pay the fee for the residence permit as a highly skilled migrant by one-off direct debit?**

You can pay the fee by means of a giro collection form. Please indicate in a letter accompanying the declaration that you do not wish to pay by one-off direct debit. Please also state whether the giro collection form should be sent to you or to the highly skilled migrant. You or the highly skilled migrant will then receive a giro collection form for each application. After the fee has been paid, it will take one week to several weeks before the IND is notified of this. Therefore, the IND recommends that you send a receipt as soon as the fee has been debited from your account. After the notice of payment has been received, the IND aims to process the application within two weeks. The IND is under no obligation to decide upon your application within two weeks.

### **What should I do if I do not wish to pay the fee for the application for an mvv by one-off direct debit?**

You should indicate this when you submit your request for advice preceding the actual application for mvv and you will subsequently receive an invoice from the IND.

### **What are the consequences for the residence permit of the highly skilled migrant if he changes jobs or leaves the company?**

The foreign national who has a residence permit as highly skilled migrant can retain this residence permit when he changes jobs or employers as long as he continues to meet the requirements for a stay as highly skilled migrant. However, you must report the change of employer to the IND. The employer

who the highly skilled migrant is leaving must report this. The new employer of the highly skilled migrant must also report the change. If the employee no longer meets the requirements for a stay as highly skilled migrant because of his new job or his new employer, you should report this to the IND. In such a case the IND will withdraw the residence permit, unless involuntary dismissal is concerned. In such a case the highly skilled migrant will be given a period of three months to look for a job.

**Can I submit an application for a residence permit as highly skilled migrant for a highly skilled migrant who is not in the Netherlands yet?**

No, you cannot. The application for a residence permit can only be submitted when the highly skilled migrant is in the Netherlands.

**If the highly skilled migrant does not yet have a permanent address in the Netherlands, can I state the address on the application form of the company/institution where the highly skilled migrant is going to work?**

No, you must always state the address where the highly skilled migrant is staying at the time of the application, even if the highly skilled migrant is staying at that address temporarily (for instance at a hotel).

**What should I do if the highly skilled migrant moves to a different address than the one stated on the application form after the application has been submitted?**

In the event of a change of address or if the municipality in which the highly skilled migrant will be living only becomes known after the application has been submitted, you should report this as soon as possible to the IND Office for Labour and Highly Skilled Migrants. The residence document can then be sent to the appropriate IND desk.

**Can I also submit an application as a highly skilled migrant for an employee from one of the new EU member states\*?**

Yes, you can. If he meets the requirements, he will not need a tvv.

\*The new EU member states are Bulgaria and Romania. These countries joined the EU on 1 January 2007.

**Is it necessary to submit an application as a highly skilled migrant for an employee from one of the other EU member states?**

No, these employees are entitled to work in the Netherlands.

**Which salary criterion will apply if the highly skilled migrant becomes 30 years of age during his stay?**

If the highly skilled migrant has not reached the age of 30 years

when the request for advice or the application is submitted, the salary criterion for highly skilled migrants under 30 years of age shall apply. As long as the highly skilled migrant remains in the service of the same employer, that criterion shall continue to apply, even if he has since become 30 years of age or more and is applying for his residence permit to be extended. Only once the highly skilled migrant changes employer will he be reassessed according to the salary criterion that is applicable at that time. If the highly skilled migrant has since reached the age of 30 years or more, the higher salary criterion shall then apply.

# 11. More information

If you have any further questions after reading this brochure you can contact the IND. You can put your questions to the IND by telephone, letter or email. You can also visit the IND desk. You do not need an appointment for this. To find the desk nearest to you, visit the website [www.ind.nl](http://www.ind.nl).

## Telephone

The IND can be contacted on 0900 1234561 (€ 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone), on weekdays between 9.00 and 17.00. When calling from abroad you can use +31 20 889 30 45 (this number cannot be used if you are telephoning from within the Netherlands). If you have a question about a current application, please have the following information ready:

- Your V-number (your unique 'foreign national number'), if you know what it is;
- Your surname and first name (and, if applicable your maiden name);
- Your place and date of birth;
- Your nationality.

## Letter or email

### General questions

Immigratie- en Naturalisatiedienst  
Afdeling Voorlichting  
Postbus 3211  
2280 GE Rijswijk

Email: [voorlichting@ind.minjus.nl](mailto:voorlichting@ind.minjus.nl)  
Internet: [www.ind.nl](http://www.ind.nl)

### Questions about labour and highly skilled migrants

Immigratie- en Naturalisatiedienst  
IND-loket kennis- en arbeidsmigratie  
Postbus 3022  
2280 GA Rijswijk

Email: [arbeid@ind.minjus.nl](mailto:arbeid@ind.minjus.nl)  
(you will receive a response within 48 hours)  
Internet: [www.ind.nl](http://www.ind.nl) > IND-loket kennis- en arbeidsmigratie

### Questions about legalisation

For further information on the legalisation or apostille requirements per individual country, please contact the Ministry of Foreign Affairs on +31 (0)70 348 59 01, or visit the website [www.minbuza.nl](http://www.minbuza.nl)

### Questions about the work permit (twv)

For further information about applying for a twv, please contact the UWV WERKbedrijf, [www.werk.nl](http://www.werk.nl)

### Questions about registration in a municipality

For more information, please contact the Department of Civil Affairs in the town hall of the municipality where the employee lives.

### Complaints

Complaints about your treatment by the IND can be submitted in writing to:

Immigratie- en Naturalisatiedienst  
Centraal Klachtenbureau  
Postbus 5805  
2280 HV Rijswijk

For complaints you can also call 070 779 54 40.

### Other brochures

The following brochures on admission to and residence in the Netherlands may be of interest to you:

- Residence in the Netherlands
- Short stay visa for the Netherlands
- IND registration for EU citizens

Brochures can be ordered by calling 0900 1234561 (€ 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone), downloaded via [www.ind.nl](http://www.ind.nl) or collected from an IND desk. When calling from abroad you can use +31 20 889 30 45 (this number cannot be used if you are telephoning from within the Netherlands).

### Personal Data Protection Act

The Personal Data Protection Act (Wbp) places an obligation on the IND to inform you and the employee that the IND is the organisation which processes the data in your application. The IND does this to determine whether the employee is eligible for a provisional residence permit or a residence permit. The Minister of Justice is responsible for this. If you have any questions regarding the data processing procedure, you can submit them in writing to the IND, Postbus 1200, 2280 CE Rijswijk. Here you can also submit a request for an overview of information held on your file. Further to this request you can ask to have your personal details changed, removed or protected.



# Appendix 1: Overview of application procedures for highly skilled migrants, labour migrants and scientific researchers in the sense of Directive 2005/71/EC

## Access to the highly skilled migrants procedure

STEP	WHAT DO YOU NEED TO DO	WHAT DOES THE IND NEED TO DO
1	Read the declaration on the website	
2	Fill out the declaration on the website, print it, sign it and send it to the IND. You also sign to agree to the payment of the fee by direct debit	
3		Assess the declaration
4		If the declaration is approved: send you a confirmation of receipt including a login name and a password to give you access to the application forms (if additional documents are required for the assessment, you will first receive a confirmation of receipt with the request to send the additional documents)
5	You may submit applications	

## Access to the procedure for the scientific researchers in the sense of Directive 2005/71/EC

STEP	WHAT DO YOU NEED TO DO	WHAT DOES THE IND NEED TO DO
1	Read the registration form on the website.	
2	Print the registration form, fill out, sign it and send it to the IND. You also sign to agree to the payment of the fee by direct debit.	
3		Assess the registration form
4		If the registration form is approved: send you a confirmation of receipt and the required application forms will be provided. (if the IND needs additional information, you will be sent a letter to this effect)
5	You may submit applications	

## Request for advice preceding the actual application for mvv highly skilled migrants

STEP	WHAT DO YOU NEED TO DO	WHAT DOES THE HIGHLY SKILLED MIGRANT NEED TO DO	WHAT DOES THE IND NEED TO DO	WHAT DOES THE EMBASSY OR CONSULATE NEED TO DO
1	Verify whether you meet the requirements			
2		Legalise documents in the country of origin		
3	Fill out the form on the website. Submit a request for advice preceding the actual application for mvv to the IND			
4			Give advice on the mvv	
5			If the advice is positive: send you a written notice and, after the fee has been paid, inform the embassy	
6		If the advice is positive: submit an application for an mvv and show the documents at the embassy		
7				Assess the mvv application and issue the mvv
8		Enter the Netherlands within six months		
9			If the advice is negative: send you a written notice	
10	If the advice is negative: this is where the procedure ends. You can submit a new request for advice			

**Request for advice preceding the actual application for mvv scientific researchers in the sense of Directive 2005/71/EC**

STEP	WHAT DO YOU NEED TO DO	WHAT DOES THE SCIENTIFIC RESEARCHER NEED TO DO	WHAT DOES THE IND NEED TO DO	WHAT DOES THE EMBASSY OR CONSULATE NEED TO DO
1	Verify whether you meet the requirements			
2		Legalise documents in the country of origin		
3	Fill out the form you have received from the IND and send it to the IND with the requested appendices			
4			Give advice on the mvv	
5			If the advice is positive: send you a written notice and, after the fee has been paid, inform the embassy	
6		If the advice is positive: submit an application for an mvv and show the documents at the embassy		
7				Assess the mvv application and issue the mvv
8		Enter the Netherlands within six months		
9			If the advice is negative: send you a written notice	
10	If the advice is negative: this is where the procedure ends. You can submit a new request for advice			

**Request for advice preceding the actual application for mvv labour migrants**

STEP	WHAT DO YOU NEED TO DO	WHAT DOES THE LABOUR MIGRANT NEED TO DO	WHAT DOES THE IND NEED TO DO	WHAT DOES THE UWV WERKBEDRIJF NEED TO DO	WHAT DOES THE EMBASSY OR CONSULATE NEED TO DO
1	Verify whether you meet the requirements				
2		Legalise documents in the country of origin			
3	Apply for a work permit (twv) at the UWV WERKbedrijf. Submit a request for advice preceding the actual application for mvv to the IND				
4				Assess the application for a twv	
5			Give an advice on the mvv		
6	If the advice is positive: pay the fee for the mvv application as yet to be submitted				
7			If the advice is positive and the fee for the mvv application has been paid: inform the embassy		
8		Submit the application for an mvv, show documents at the embassy			
9					Assess the mvv application and issue the mvv
10		Enter the Netherlands within six months			
11			If the advice is negative: send you a written notice		
12	If the advice is negative: the procedure ends here. You can submit a new request for advice				

**Application for a residence permit (with or without an mvv) highly skilled migrants**

<b>STEP</b>	<b>WHAT DO YOU NEED TO DO</b>	<b>WHAT DOES THE HIGHLY SKILLED MIGRANT NEED TO DO</b>	<b>WHAT DOES THE IND OFFICE FOR LABOUR AND HIGHLY SKILLED MIGRANTS NEED TO DO</b>	<b>WHAT DOES THE IND DESK NEED TO DO</b>
<b>1</b>	Verify whether the employee meets the requirements (if the employee requires a provisional residence permit, he will have a copy of these)			
<b>2</b>	Fill out the form on the website	Sign the application and submit it with the requested documents to the IND by post or in person (you must have an appointment with the IND desk in Rijswijk to submit an application to the IND in person)		
<b>3</b>			Receive the application. Place a sticker in the employee's passport (stickers can be collected from one of the IND desks, however you must have an appointment. You can only submit an application in person and collect the sticker at the same time at the IND desk in Rijswijk)	
<b>4</b>		Register at the town hall		
<b>5</b>			Decide on the application	
<b>6</b>			If the decision is positive: send a notice to the employee and a copy to you	
<b>7</b>				If the decision is positive: call in the employee to collect the residence document
<b>8</b>			If the decision is negative: send a notice to the employee and a copy to you	
<b>9</b>		If the decision is negative: possibly appeal		

**Application for a residence permit (with or without an mvv) scientific researchers in the sense of Directive 2005/71/EC**

STEP	WHAT DO YOU NEED TO DO	WHAT DOES THE SCIENTIFIC RESEARCHER NEED TO DO	WHAT DOES THE IND OFFICE FOR LABOUR AND HIGHLY SKILLED MIGRANTS NEED TO DO	WHAT DOES THE IND DESK NEED TO DO
1	Verify whether the employee meets the requirements (if the employee requires a provisional residence permit, he will have a copy of these)			
2	Fill out the form on the website	Sign the application and submit it with the requested documents to the IND by post or in person (you must have an appointment with the IND desk in Rijswijk to submit an application to the IND in person)		
3			Receive the application. Place a sticker in the employee's passport (stickers can be collected from one of the IND desks, however you must have an appointment. You can only submit an application in person at the IND desk in Rijswijk)	
4		Register at town hall		
5			Decide on the application	
6			If the decision is positive: send a notice to the employee and a copy to you	
7				If the decision is positive: call in the employee to collect the residence document
8			If the decision is negative: send a notice to the employee and a copy to you	
9		If the decision is negative: possibly appeal		

**Application for a residence permit (with or without an mvv) labour migrants**

STEP	WHAT DO YOU NEED TO DO	WHAT DOES THE LABOUR MIGRANT NEED TO DO	WHAT DOES THE IND DESK NEED TO DO	WHAT DOES THE IN OFFICE FOR LABOUR AND HIGHLY SKILLED MIGRANTS NEED TO DO
1	Verify whether the employee meets the requirements (if the employee requires a provisional residence permit, he will have a copy of these)			
2		For an application without an mvv: note that the documents need to be legalised in the country of origin		
3		Fill out the form and submit the application (after making an appointment by telephone) at the IND desk in his region and pay the fee. Register at the town hall of the municipality in which you live	Receive the application and forward it to the IND office for labour and highly skilled migrants. Place a sticker in the employee's passport.	
4				Assess the application
5				If the decision is positive: send a notice to the employee and a copy to you
6			If the decision is positive: call in the employee to collect the residence document	
7				If the decision is negative: send a notice to the employee and a copy to you
8		If the decision is negative: possibly appeal		

## Appendix 2: How long before the IND decides on your application?

<b>PROCEDURE</b>	<b>IND AIMS TO DECIDE WITHIN</b>	<b>IND MUST DECIDE WITHIN</b>
<i>Assessment of the declaration for the admission of highly skilled migrants and scientific researchers</i>	<i>two weeks (if the declaration is filled out completely and is submitted including the requested documents)</i>	<i>not applicable</i>
<i>Request for advice preceding the actual application for mvv – highly skilled migrants and scientific researchers</i>	<i>two weeks (if the application is complete)</i>	<i>three months</i>
<i>Request for advice preceding the actual application for mvv – labour migrants</i>	<i>four weeks (after a complete request has been submitted or after the twv has been received)</i>	<i>three months</i>
<i>Application for a residence permit without an mvv – highly skilled migrants and scientific researchers</i>	<i>two weeks (if the application is complete)</i>	<i>six months</i>
<i>Application for a residence permit without an mvv – labour migrants</i>	<i>not applicable</i>	<i>six months</i>
<i>Application for a residence permit with an mvv – highly skilled migrants and scientific researchers</i>	<i>two weeks (if the application is complete)</i>	<i>six months</i>
<i>Application for a residence permit with an mvv – labour migrants</i>	<i>not applicable</i>	<i>six months</i>
<i>Application for a change in purpose of stay – highly skilled migrants and scientific researchers</i>	<i>two weeks (if the application is complete)</i>	<i>six months</i>
<i>Application for a change in purpose of stay – labour migrants</i>	<i>not applicable</i>	<i>six months</i>
<i>Application for an extension of the residence permit (for highly skilled migrants, labour migrants and scientific researchers)</i>	<i>eight weeks (if the application is complete and the fee has been paid on time)</i>	<i>six months</i>

## Appendix 3: Which form do you require?

YOU OR THE EMPLOYEE AND POSSIBLY FAMILY MEMBERS WOULD LIKE TO	REQUIRED FORM	WHERE TO OBTAIN IT
submit a request for advice preceding the actual application for mvv highly skilled migrants	<p>a) Request for advice preceding the actual application for mvv highly skilled migrant (incl. any family members) (only available in Dutch)</p> <p>b) Request for advice preceding the actual application for provisional residence permit (mvv), family member of a highly skilled migrant travelling at a later date (only for family members who are not submitting an application at the same time as the highly skilled migrant) (only available in Dutch)</p>	www.ind.nl (IND office for labour and highly skilled migrants > Form module)
submit a request for advice preceding the actual application for mvv scientific researchers	Request for advice preceding the actual application for mvv: purpose of stay residence as scientific researcher in the sense of Directive 2005/71/EC	If you are registered with the IND, the required application form will be provided
submit a request for advice preceding the actual application for mvv labour migrants	Request for advice preceding the actual application for provisional residence permit (mvv) working as an employee	<p>- www.ind.nl (IND office for labour and highly skilled migrants &gt; Form module)</p> <p>- www.ind.nl (Brochures &amp; Forms)</p> <p>- 0900 1234561 (EUR 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone)</p> <p>- arbeid@ind.minjus.nl</p>
apply for a residence permit without an mvv highly skilled migrants	<p>a) Application for a residence permit without mvv highly skilled migrant (incl. any family members)</p> <p>b) Application for a regular residence permit without mvv, family member of a highly skilled migrant travelling at a later date (only for family members who are not applying for residence at the same time as the highly skilled migrant) (only available in Dutch)</p>	www.ind.nl (IND office for labour and highly skilled migrants > Form module)
apply for a residence permit without an mvv scientific researchers	Application for a residence permit without an mvv: purpose of stay residence as scientific researcher in the sense of Directive 2005/71/EC	If you are registered with the IND, the required application form will be provided to your educational institution
apply for a residence permit without an mvv labour migrants	<p>a) Application for a residence permit without mvv working as an employee</p> <p>b) Application for a regular residence permit without an mvv, or for a change in purpose of stay</p>	<p>a) www.ind.nl (IND office for labour and highly skilled migrants &gt; Form module)</p> <p>b) - www.ind.nl (Brochures &amp; Forms)</p> <p>- 0900 1234561 (EUR 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone)</p> <p>- IND desk</p>
apply for a residence permit with an mvv highly skilled migrants	<p>a) Application for a residence permit with mvv highly skilled migrant (incl. any family members) (only available in Dutch)</p> <p>b) Application for a regular residence permit with mvv, family member of a highly skilled migrant travelling at a later date (only for family members who are not applying for residence at the same time as the highly skilled migrant) (only available in Dutch)</p>	www.ind.nl (IND office for labour and highly skilled migrants > Form module)
apply for a residence permit with an mvv scientific researchers	Application for a residence permit with an mvv: purpose of stay residence as scientific researcher in the sense of Directive 2005/71/EC	If you are registered with the IND, the required application form will be provided to your educational institution
apply for a residence permit with an mvv labour migrants	<p>a) Application for a residence permit with mvv</p> <p>b) Application for a regular residence permit with mvv</p>	<p>a) www.ind.nl (IND office for labour and highly skilled migrants &gt; Form module)</p> <p>b) - www.ind.nl (Brochures &amp; Forms)</p> <p>- 0900 1234561 (EUR 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone)</p> <p>- IND desk</p>
change a residence permit for highly skilled migrants	Application for a residence permit highly skilled migrant change in purpose of stay (only available in Dutch)	If you are registered with the IND, the required application form will be provided to your educational institution
change a residence permit for scientific researchers	Application for a residence permit scientific researchers change in purpose of stay	If you are registered with the IND, the required application form will be provided to your educational institution
change a residence permit for labour migrants	<p>a) Application for a residence permit change in purpose of stay</p> <p>b) Application for a regular residence permit without an mvv, or for a change in purpose of stay</p>	<p>a) www.ind.nl (IND office for labour and highly skilled migrants &gt; Form module)</p> <p>b) - www.ind.nl (Brochures &amp; Forms)</p> <p>- 0900 1234561 (EUR 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone)</p> <p>- IND desk</p>

<b>YOU OR THE EMPLOYEE AND POSSIBLY FAMILY MEMBERS WOULD LIKE TO</b>	<b>REQUIRED FORM</b>	<b>WHERE TO OBTAIN IT</b>
<i>extend a residence permit for highly skilled migrants</i>	<i>The highly skilled migrant will automatically receive a form from the IND to extend his residence permit</i>	<i>not applicable</i>
<i>extend a residence permit for scientific researchers</i>	<i>The scientific researcher will automatically receive a form from the IND to extend his residence permit</i>	<i>not applicable</i>
<i>extend a residence permit for labour migrants</i>	<p>a) <i>The labour migrant will automatically receive a form from the IND to extend his residence permit</i></p> <p>b) <i>Application to extend a regular residence permit</i></p>	<p>a) <i>not applicable</i></p> <p>b) - <i>www.ind.nl (Brochures &amp; Forms)</i>  - <i>0900 1234561 (EUR 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone)</i></p>
<i>apply for proof of lawful residence as an EU citizen</i>	<i>Application for verification against Community law (proof of lawful residence)</i>	<p>- <i>www.ind.nl (Brochures &amp; Forms)</i>  - <i>0900 1234561 (EUR 0.10 p.m. plus any additional costs charged by your operator if you are calling from a mobile phone)</i>  - <i>IND desk</i></p>

[www.ind.nl](http://www.ind.nl)

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