

دليل باللغة الإنجليزية حول القدوم للدراسة في هولندا



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Coming to study in the Netherlands

1. Why have we written this publication?

Do you want to study in the Netherlands? For a stay of over 90 days, you must apply for a residence permit unless:

- you come from a country that belongs to the European Union, the European Economic Area or Switzerland, or
- possess a residence permit for study issued by another Member State of the European Union and are going to undergo part of the study programme in a Dutch higher education programme or at a Dutch university for a maximum of 360 days (inbound mobility). This brochure does not deal with that. See www.ind.nl for more information on mobility within the European Union.

In this publication you can find out:

- how you can obtain a residence permit;
- the conditions for the residence permits;
- how the application procedure works;
- what rights correspond to the residence permit;
- which rules you must abide by;
- what you have to do if your situation changes;
- where you can obtain further information.

Please note! There is a separate admissions procedure for work experience (working in the Netherlands as part of a course or job outside Europe). For further details see publication 'Coming to work in the Netherlands'.

2. How can you obtain a residence permit?

The educational institution where you are going to study will apply for the residence permit for you. You cannot apply for a residence permit yourself. The educational institution can only submit an application for a residence permit if the institution is recognised as a sponsor by the IND. In order to be recognised, your institution must be affiliated to the Code of Conduct for international students in higher education. Educational institutions that have signed this code of conduct have pledged to provide effective and accessible education to foreign students. An independent, national committee determines and checks whether an institution is fulfilling the code of conduct.

You can find a summary of the institutions that have signed up to the code of conduct on www.internationalstudy.nl. A summary of recognised sponsors can be found on www.ind.nl.

3. Which conditions must your organisation fulfil?

In order to obtain a residence permit for study, you must fulfil the following conditions:

- You are (currently) registered with an educational institution that is recognised as a sponsor.
- You are registered for a full time daytime course.
- You have sufficient money to support yourself for at least one year. This equates to the standard rate per month for external Higher Vocational Education and university students according to the Study Financing Act, excluding tuition or college money. See 'Table of Standard amounts' on www.ind.nl or ask your educational institution.
- You have a valid passport.
- You have not been found guilty of a criminal offence and have not been involved in war crimes, terrorism or crimes against humanity.
- You are insured for healthcare costs in the Netherlands.
- You must be examined for TB by the Municipal Health Service in the Netherlands. This test must be carried out within 3 months of the residence permit being issued. If necessary, you must be treated for TB. Do you have the nationality of one of the countries listed in the 'Appendix Exemption from the obligation to undergo a tuberculosis (TB) test'? Then the TB test is not required. The 'Appendix Exemption from the obligation to undergo a tuberculosis (TB) test' can be found at www.ind.nl.

Sufficient study progress

In order to retain your residence permit, your educational progress must be adequate. As a student, you must obtain at least half of the required number of credits of an academic year. Your educational institution will check this at the end of every study year. If your progress is inadequate, the IND can withdraw your residence permit.

Secondary or vocational education

If you are studying at secondary level or engaging in vocational education instead of professional training or university, there are supplementary requirements. For more information see www.ind.nl.

4. Which documents do you need?

The educational institution will apply for the residence permit for you. In order to obtain the residence permit, the educational institution must be able to demonstrate that you fulfil the conditions; they will need documentation in order to do so. Your educational institution will tell you which documents you need to provide. Examples of these are: a copy of your passport; or evidence that proves you have sufficient money to support yourself.

In order to be able to register in the Municipal Personal Records Database in the Netherlands, you will always need a legalised and translated birth certificate.

Would you like to come to the Netherlands with a family member or relative? Then documents that prove the family ties will also be required. Examples include passports, birth certificates and marriage certificates. For more information, see the publication 'Bringing a family member or relative to the Netherlands'.

Official means of evidence

Official foreign means of evidence must be issued and legalised by the competent authorities of the country that issued the means of evidence. In some countries the document must then also be legalized by the Dutch embassy or the Dutch 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 available in that country, the document must be legalised by the Dutch embassy or consulate responsible for that country. Official foreign means of evidence include, for example, birth certificates and marriage certificates. Having these means of evidence legalised or provided with an apostille stamp can take a long time. You should start several months in advance of submitting your application with having documents legalised or provided with an apostille stamp in the country of origin.

For more information about legalisation or apostille requirements for documents per country and any exceptions to these requirements, you can call the 'Public Information Service', telephone number 1400. You can also visit the website www.government.nl.

Legalisation

A document that is legal in one country is not necessarily legal in another. That is why you must have official foreign documents legalised for use in the Netherlands. This means that the authorities that issued the document must declare that it is official. This confirms the authenticity of the signature on the document and the capacity of the signatory. The Dutch embassy or consulate then legalises the document. The embassy or the consulate then checks to ensure that the signature is genuine.

If no Dutch embassy or consulate is available in that country, the document must be legalised by the Dutch embassy or consulate responsible for that country.

Sometimes a so-called apostille stamp on the document will suffice. The Ministers of Justice or Foreign Affairs can issue this type of stamp abroad. The document does not then need to be legalised by the Dutch embassy or consulate. An apostille stamp is only an option if the document comes from a country that is affiliated to the Netherlands via the Apostille treaty. You can ask the Consular Services Centre within the Foreign Office whether the country is affiliated via the Apostille treaty. Look at www.government.nl for more information.

You can contact the local authorities yourself for legalisation or an apostille stamp.

Legalisation costs money. You must always pay these costs, even if you do not receive the document or it does not arrive on time. The amount you have to pay for legalisation varies per country. You must ask the authorities in your country of origin about these costs. The Dutch embassy or consulate in the country of origin may also impose additional charges (e.g. fax costs).

Translation

All of the documents that you submit with the application must be drawn up in Dutch, English, French or German. If this is not the case, you must have them translated by a translator who has been certified by a court. Certified translators are listed in the Register of certified translators and interpreters (Rbtv). See www.bureauwbvtv.nl for further information. Are you having the document translated abroad? Then the translation must be legalised. You can thus demonstrate that a certified translator has been used.

5. How does the application procedure work?

Once you have collated and handed over all of the necessary paperwork, the educational institution can submit the application for a residence permit.

In many cases, you will need a special visa in order to travel to the Netherlands for a stay of over 90 days. This is called a Regular Provisional Residence Permit (mvv). The procedure is then slightly different to a case which does not require an mvv.

Residence permit without mvv

If you do not need an mvv, the educational institution can submit an application for a residence permit. They are advised to do this while you are still abroad. Once the IND has indicated it will issue a residence permit, you can come to the Netherlands. Then you can be sure that you are not travelling to the Netherlands unnecessarily. The educational institution can also submit an application while you are in the Netherlands. The problem with this is that you do not know, at that moment, whether you will be issued with a residence permit. It can also be difficult to obtain all of the necessary documents in the Netherlands.

Access and residence

If you need an mvv, the educational institution can submit an application for a residence permit and mvv in one go. This is the 'Entry and Residence' procedure (in Dutch: Toelating en Verblijf (TEV)). If you obtain the mvv, the educational institution will notify you of this fact. You can then collect the mvv within 3 months from the Dutch embassy or consulate. You then have 90 days to travel to the Netherlands. Upon arrival in the Netherlands, you can collect your residence permit within two weeks. Your educational institution will tell you where and when you can collect your residence permit. In the appendix, you can find a detailed summary of all steps in the procedure and the parties that are involved.

The cost of the procedure

Applying for an mvv and a residence permit costs money. These costs are referred to as 'fees'. As a student, you pay the fees to the educational institution. The educational institution ensures that the money is paid to the IND. If the fees are not paid, the IND will not process your application. You will not be refunded your money if the application is turned down. There is a summary of the fees on www.ind.nl. Search for 'fee rates'.

Duration of the procedure

If the application is complete, the IND will usually decide within 2 weeks. The legal term within which the IND must make its decision is 90 days. In order to be sure that you can start your course on time, you are advised to register with the educational institution in good time. For more information, contact the institution where you wish to study.

6. What rights correspond to the residence permit?

Here you can read which rights you have with a residence permit for study.

Validity

With a residence permit for study, you may stay in the Netherlands for the duration of your course plus 3 months, for a maximum period of 5 years. Do you need to complete a foundation year in the Netherlands? If so, the IND will include this in the duration of your course. The residence permit is valid as long as you fulfil the conditions. Will your course take longer than 5 years? Then the educational institution can ask for the validity of your residence permit to be extended.

Mobility of students within the European Union

With a residence permit for study in the Netherlands it is possible to undergo part of the study programme at a higher education institution in one or more other Member States of the European Union. This is called intra-EU mobility. If you want to make use of this possibility with a residence permit for study, your programme must be an EU programme or multilateral programme comprising mobility measures or an agreement between your higher education institution and the higher education institution in the other Member State on the basis of which you can pursue part of the study programme at the other higher education institution. You may stay a maximum of 360 days per Member State in one or more other Member States within the framework of intra-EU mobility. If so, the IND must be notified that you will be pursuing part of the study programme in a different Member State. Your Dutch residence permit will then remain valid in principle.

Denmark and Ireland have not bound themselves by the European Directive with regard to EU-mobility. Consequently, the foregoing does not apply to these countries.

Work

Alongside your course you may work as an independent entrepreneur. You may also work in paid employment, but no more than 16 hours per week. Another option is to work full time (in paid employment) through June, July and August only. For paid employment your employer must apply for a work permit. See www.werk.nl. You do not need a work permit in order to complete an internship in the context of your course. The company or the organisation where you are completing your internship must draw up an internship contract with you and the educational institution. If you complete your internship or work in the Netherlands, you must take out Dutch public health care insurance.

Please note! You are not obliged to take out Dutch public health care insurance if you have not found a job yet, or if your internship allowance is less than the Dutch minimum wage. Your foreign health care insurance will be sufficient in those cases.

Family members or relatives

If you study in the Netherlands, the educational institution can also apply for a residence permit for your family- members or relatives. If they travel to the Netherlands at the same time, it is handy if the educational institution applies for the residence permits at the same time too. Ask your educational institution if they will take care of the applications for your family-members or relatives. The educational institution is only ever responsible for you. You are responsible for the legal residence of your family-members or relatives. For more information, see the publication 'Bringing a family-member or relative to the Netherlands' on www.ind.nl.

Please note! If you apply for benefits in the Netherlands, your residence permit can be withdrawn. Housing benefit, health-care allowance, childcare and supplementary child benefit will not effect your right of residence.

7. Which rules must you abide by?

The educational institution that submits the residence permit for you functions as the sponsor. The sponsor is responsible for ensuring that you stay in the Netherlands on a legal basis. Not only when the application for the residence permit is made but also thereafter. In any case, until your course has come to an end. It is important that you are familiar with the rules that the educational institution must abide by. You must also abide by specific rules.

Educational institution's obligations

Information obligation

The educational institution must pass on relevant details, facts and circumstances to the IND. This concerns anything that corresponds to your residence permit. For example:

- if you are achieving insufficient progress in the study context;
- if you have stopped participating in your course;
- if you are going to make use of mobility within the European Union;
- if you no longer study at the educational institution full-time.

Administration obligation

The educational institution also has an administration and retention obligation. It must collate and retain relevant information about you. For example:

- information about your study progress;
- a copy of your passport;
- proof of registration;
- your most recent address details;
- evidence that shows that you have sufficient money to stay in the Netherlands.

If the educational institution is no longer your sponsor, they must still retain the information for 5 years. The IND can request these details at any moment in order to check whether you are fulfilling your obligations.

Duty of care

The educational institution also has a duty of care. This means that they have to recruit and select foreign students carefully. The institution must check, in advance, that you are willing and able to engage in the course. The institution must also inform you about the conditions you must fulfil in order to obtain a residence permit and take a course in the Netherlands.

Your sponsor

The educational institution is your sponsor until:

- you are no longer studying at the educational institution and the institution has notified the IND;
- you have left the Netherlands and will no longer be returning and the educational institution has notified the IND;
- the institution is no longer recognised as a sponsor;
- your residence permit has been withdrawn;
- you have obtained a permanent residence permit or a residence permit for another residence purpose;
- you have taken Dutch nationality.

Your obligations

As a student, you have your own information obligation. You must report important changes to the IND of your own volition. This includes changes to your educational institution. If family-members or relatives come to the Netherlands too, you function as their sponsor. In this regard, you also have an information, administration and retention obligation. See the publication 'Allowing a family-member or relative to come to the Netherlands' on www.ind.nl.

8. What happens if your situation changes?

The educational institution must notify the IND of any changes that could impact upon the residence permit. A change does not immediately have to lead to the residence permit being withdrawn. It is also possible that you may need another type of residence permit.

Another study or another educational institution within the Netherlands

In principle, your residence permit remains valid if you take another course at the educational institution and have made sufficient study progress (see below). You, or the educational institution, can report the new study to the IND, but this is not compulsory. The educational institution must be informed, however, within 4 weeks. The educational institution will pass on the notification to the IND. If you move to another educational institution, you must notify the IND that this institution will become your new sponsor. The educational institution must be recognised as a sponsor by the IND. You must also promptly inform your old educational institution of the transfer.

Pursuing part of your study in one or more other Member States in the European Union (intra-EU mobility)

In principle your residence permit for study will remain valid if you are going to pursue part of your study programme in another Member State in the context of intra-EU mobility. As a recognised sponsor, the higher education institution must indeed notify this in time (4 weeks at most before the start) to the IND.

Insufficient educational progress

If you are achieving insufficient educational progress, you may lose your residence permit. Possibly you will have to leave the Netherlands unless you have other legal grounds to reside in the country.

Changes to the residence permit

In some situations, you may be eligible for another residence permit. For example, because you have found work once you have completed your education. See www.ind.nl for further information.

If you have finished a Bachelor or Master's degree in the Netherlands or graduated at a recognised Dutch educational institution, you may be eligible for a job-seeking year. This means that you can stay in the Netherlands for 1 year in order to search for a job as a highly skilled migrant. This also applies if you completed a course, up to a maximum of three years ago, at a university that is listed in the top-200 of two internationally recognised ranking lists, as published by the 'Times Higher Education Supplement' (see www.timeshighereducation.co.uk/worlduniversity-rankings), the 'QS World University Rankings' (see www.topuniversities.com/university-rankings/world-university-rankings) and the 'Jiao Tong Shanghai University' (see www.shanghairanking.com).

There is the additional condition that you must have sufficient money to support yourself. See the 'Table of norms' on www.ind.nl. More information about the search year can be found in the publication 'Coming to work in the Netherlands' on www.ind.nl. Here, you can also find the application form for a search year.

If you no longer fulfil the conditions to reside as a student, you will have to leave the Netherlands unless you have other legal grounds to reside in the country.

9. What happens if you do not abide by the rules?

The IND can check whether the educational institution is abiding by the rules as and when it sees fit. If this is not the case, you could be faced with the following consequences.

Withdrawal of the residence permit

If you or the educational institution has provided incorrect details for the residence permit, the residence permit may be withdrawn. Also, if you no longer fulfil the conditions for a residence permit, your residence permit may be withdrawn. If the educational institution has broken the rules on numerous occasions, the IND can make the decision that the institution may no longer function as a sponsor. In this instance, your residence permit will be withdrawn. If this was not your fault, you will be given 3 months to find another educational institution that can function as a sponsor.

Reporting a criminal act

The IND has a duty to report any reasonable suspicions of a criminal act. For example, if you have deliberately supplied incorrect details, the Public Prosecution Service will assess whether you will have to face criminal proceedings. If this is the case, you could be sentenced to a prison term or receive a fine. The residence permit may also be withdrawn.

Departure from the Netherlands

If you no longer fulfil the conditions for residence, you must leave the Netherlands. The IND will check this. If you do not leave of your own accord, the government may deport you. The costs incurred by the government can be recuperated from your sponsor.

10. What can you do if the educational institution does not abide by the rules?

If you are not satisfied with the course or if the educational institution where you are studying is not complying with the code of conduct, then you can submit a complaint to the educational institution. If your complaint is not handled properly, you can submit a complaint to the National Committee for the Code of Conduct.

Their address is:

Landelijke Commissie Gedragscode t.a.v. de secretaris
Postbus 260
9700 AG Groningen

If the educational institution is not abiding by the rules set by the IND, you must notify the IND. The IND will then decide whether measures ought to be taken

11. Frequently asked questions

When can I come to the Netherlands to begin my course?

It is wise to only come to the Netherlands once the educational institution has informed you that you will be granted a residence permit. The IND usually makes a decision within 2 weeks but it could take longer, up to a maximum of 3 months. If you would like to be sure that you can start your course on time, register in good time with the educational institution and ensure that the educational institution receives all of your necessary documentation.

What are the most important conditions to which you must adhere as a student?

You must be (currently) registered for a full-time, daytime course with an educational institution that is recognised as a sponsor. You must also have sufficient money to support yourself in the Netherlands.

How you can obtain a residence permit?

You cannot apply for a residence permit yourself. The educational institution where you are registered must do this for you. Only educational institutions that are recognised as sponsors can apply for a residence permit for their students.

How do I know if an educational institution is a recognised sponsor?

A list of recognised sponsors can be found on www.ind.nl.

Do I need an mvv and how can I apply for one?

You will always need an mvv unless you come from Australia, Canada, Japan, Monaco, New-Zeeland, Vatican City, the United Kingdom, the United States of America or South Korea. The educational institution will apply for this visa for you, simultaneously with the residence permit.

Alongside studying, can I work in the Netherlands too?

You may work under certain conditions. In addition to studying, you may work for up to 16 hours a week. If you do not work during your study year, you may work full time through June, July and August. In both cases, your employer must apply for a work permit for you. See www.werk.nl for further information.

Can I change to another educational institution?

Yes, your residence permit will remain valid. You must, however, inform the IND of your transfer. Your new educational institution must also be recognised as a sponsor.

What changes do you have to pass onto the IND yourself ?

Changes that involve your residence permit must always be passed onto the IND. You must always notify the IND if you move to study at another educational institution.

What study progress do you have to achieve?

In order to retain your residence permit, your educational progress must be adequate. As a student, you must usually attain at least half of the number of study points per study year. Your educational institution will check this at the end of every study year.

12. More information

Do you have further questions after reading this brochure? Please consult your educational institution. They are your first point of contact.

Internet

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

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 www.ind.nl/en/contact for the various contact options.

Questions about legalisation?

For information about the legalisation of documents (birth certificate, marriage certificate), please visit www.government.nl. 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 www.ind.nl 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 procedure for a residence permit

The table below sets out what you, your educational institution and the IND need to do in order to obtain a residence permit for study.

| | What do you do? | What does your educational institution do? | What does the IND do? |
|----|---|---|--|
| 1. | On the basis of the publication, check to ensure that you fulfil the conditions for obtaining a residence permit. A summary of the educational institutions that are recognised by the IND as sponsors can be found on www.ind.nl . | The educational institution will check whether you are willing and able to complete the relevant course. If you are accepted into the institution, it will provide you with details of the conditions you must fulfil in order to obtain and keep a residence permit for studying in the Netherlands. | |
| 2. | You must ensure that the educational institution has all the paperwork and documents necessary to submit an application to the IND. | The educational institution will submit an application for a residence permit to the IND. If you need a Regular Provisional Residence Permit (mvv), your application will cover both the mvv and the residence permit (TEV procedure). The educational institution pays the fees to the IND. | The IND will assess the application and then inform the educational institution whether you will be permitted entry to the Netherlands. If the application is complete, this could take 2 weeks. |
| 3. | | The educational institution will let you know what the IND decides. The institution can appeal against the decision. | If an mvv is required, the IND will inform the embassy or the consulate of its positive decision. The IND will let the educational institution know where and when you can collect your residence permit in the Netherlands. |
| 4. | Collect the mvv from the Dutch embassy or the Dutch consulate. You can then travel to the Netherlands within 90 days. If you do not need an mvv, you can travel to the Netherlands immediately. | The educational institution will let you know where you can collect your residence permit in the Netherlands. | |
| 5. | After arrival in the Netherlands, you must report to the IND within 2 weeks so that you can collect your residence permit. If necessary, you must have a TB test conducted by the Municipal Health Service. If you are not insured for healthcare costs in the Netherlands, you must take out healthcare insurance within 4 months. | | The IND will check your identity and then issue your residence permit. |