

## دليل باللغة الإنجليزية حول شروط برنامج التبادل للوكالات أو منظمات التبادل



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[العمل الموسمي في هولندا: شروط الحصول على عقد عمل موسمي لعام 2025 مع روابط التقديم المباشرة](#)

1

[الدليل المفصل لاستئجار سيارة في هولندا](#)

2

[كيفية اختيار شركة تأمين والمواقع الإلكترونية لأهم شركات التأمين](#)

3

[إحازات السوق في هولندا وتعلم قيادة السيارات](#)

4

[أنواع التعليم في هولندا](#)

5

[للمزيد من المقالات التي تهم المهاجرين في هولندا اضغط هنا](#)



# Exchange Programme

Do you have an exchange organisation or an au pair agency and, as a recognised sponsor, you wish to apply for residence permits on behalf of exchange youngsters or on behalf of au pairs, you must then have an exchange programme. This publication sets out the conditions an exchange programme has to meet.

After consulting the Ministry of Social Affairs and Employment, the Immigration- and Naturalisation Service (IND) assesses the content of the exchange programme. Following approval, the IND will monitor its compliance.

In order to carry out these duties properly, the exchange programme must first meet a number of general conditions:

- Het exchange programme must be drawn up in Dutch.
- The exchange programme must be complete and clear.
- When drawing up the exchange programme, please stick to the order as set out in this publication.
- Process all information in one single document and do not make use of appendices.

If the assessment shows that the IND cannot instantly approve the exchange programme, the exchange organisation or the au pair agency will be given one opportunity to adjust the exchange programme.

## What information must be included in the exchange programme?

The exchange programme must in any event include the following information:

1. The details of the exchange organisation or the au pair agency.
2. The way in which the young person taking part in the exchange or the au pair will get acquainted with Dutch culture and society during the temporary stay.
3. The way in which the exchange organisation or the au pair agency meets its duty of care.
4. The nature and extent of the work the young person taking part in the exchange or the au pair will be carrying out.
5. The statement that the au pair and the host family will draw up a daily schedule.
6. The statement that the au pair and the host family will sign the Au Pair Awareness Declaration.

In this publication is set out per part what information has to be included in the exchange programme.

### 1. The details of the exchange organisation or au pair agency

Please state the name, address, telephone number, email address and the Chamber of Commerce number of the exchange organisation or of the au pair agency. Also, include the name and contact details of the contact person at the exchange organisation or the au pair agency.

### 2. The way in which the exchange youngster or the au pair will get acquainted with Dutch culture and society during the temporary stay

#### *Purpose and target group definition*

- Please state the purpose of the exchange programme. This must demonstrate how the exchange youngster or the au pair becomes acquainted with Dutch culture and society. It should also show how the exchange organisation or au pair agency accompanies this introduction.
- Describe the target group of the exchange programme. For example: age, nationality, educational level and language skills.

### *Activities*

List the activities that the exchange organisation, the au pair agency or the host family will organise for the exchange youngster or the au pair.

### *Education/training*

Is education or training offered under the exchange programme? Please then indicate what type of education or training this is and for how long the exchange youngster or the au pair will follow this education or training.

### *Housing*

Please explain how housing for the exchange youngster or the au pair is arranged. An au pair must stay with the host family; in some circumstances this also applies to an exchange youngster.

## **3. The way in which the exchange organisation or the au pair agency meets its duty of care**

### *Careful selection and recruitment*

- Please set out how the recruitment is done for the exchange youngster or the au pair. The exchange youngster or the au pair has to be informed about any relevant regulations during the recruitment process.
- Please set out how the recruitment is done for the host families. The host family must be informed about any relevant regulations during the recruitment process.
- Is the recruitment outsourced to one or more organisations (abroad)? Please provide the contact details of the organisation(s) in question.

*Please note!* Even in the event of outsourcing recruitment, the exchange organisation or the au pair agency that is established in the Netherlands is still responsible for a careful recruitment.

### *Monitoring the well-being of the exchange youngster or the au pair*

- Describe how the exchange youngster or the au pair will be supervised.
- Describe how the circumstances in the host family will be monitored.
- Describe how the compliance with the daily schedule of the au pair will be monitored.
- Describe how the au pair is to be informed about the Au Pair information line (Meldpunt Misbruik au pairs). In case of abuse, the au pair can report this via this information line.

*Please note!* Any relevant changes in the situation of the au pair and the host family must be reported to the IND within 4 weeks. Please make use of the 'Notification form for exchange purposes'. This form can be found online at [www.ind.nl](http://www.ind.nl).

### *Action in the event of abuse or malpractices*

The exchange programme must show that the exchange organisation or the au pair agency is capable of taking action in the event of abuse and malpractices.

- Describe what action will be taken in the event of abuse and malpractices.
- State where and who the exchange youngster or the au pair can turn to in case of abuse, malpractices or an emergency situation.
- Describe how the (temporary) shelter of the exchange youngster or au pair is arranged if needed.

#### **4. The nature and extent of the work the exchange youngster or the au pair will be carrying out**

If an exchange youngster or an au pair is going to perform work within the context of the exchange programme, it must be clearly stated what the work will be. The work may not be in violation of the Foreign Nationals Employment Act (in Dutch: Wet Arbeid Vreemdelingen or Wav). An exchange youngster (not the au pair) may only perform volunteer work that is included in the exchange programme. An au pair may only carry out light domestic work for the host family, which is included in the exchange programme and is laid down in the daily schedule (see point 5).

If an exchange youngster (not an au pair) is going to perform volunteer work within the context of the exchange programme, the following must be defined:

- The work the exchange youngster is going to perform. It cannot be work that could also be done by a paid employee. Volunteer workers who do not have the nationality of a member state of the European Economic Area or Switzerland are not allowed to do restoration work (major maintenance) or work in child care.
- The purpose of the volunteer work.
- If this work already exists.
- What the connection is between the volunteer work and the exchange programme of the exchange organisation. If the exchange youngster is compensated for the work and what the amount of the compensation is.
- The maximum amount of hours a day the exchange youngster will be carrying out work.
- The maximum amount of days per week the exchange youngster will be carrying out work.
- The ratio (expressed as a percentage) between the time that will be spent working and the total duration of the exchange.
- Who the employer is.
- If, and if yes, how many regular (paid) employees are working within the volunteer organisation where the exchange youngster is going to work.

If an au pair is going to carry out light domestic work within the context of the exchange programme, the following must be defined:

- What light domestic work the au pair may carry out in the context of the exchange programme.
- That the au pair may carry out light domestic work for a maximum period of 30 hours a week.
- That the au pair may carry out light domestic work up to 8 hours a day as a maximum.
- That the au pair has at least 2 days a week off.
- That the au pair is not solely responsible for the light domestic work. The au pair may only carry out work that can be done by someone else as well.

#### **5. The au pair and the host family will draw up a daily schedule**

The exchange programme must demonstrate that, prior to the au pair's stay in the Netherlands, the au pair and the host family have made arrangements about the nature and extent of the work, and that they draw these up in a daily schedule. A daily work routine must be drawn up for all 7 days of the week. The host family and the au pair have signed this written daily work routine. The daily work routine must contain at least the following:

- How many hours a day the au pair will do light domestic work.
- Which work the au pair will be carrying out.
- Which 2 days in the week the au pair has off.
- Who will replace the au pair to do the light domestic work in her absence.

*Please note!* The exchange organisations or the au pair agency is not allowed to make use of a standard daily work routine that applies to all au pairs and to set out this routine in the exchange programme.

## **6. The au pair and the host family will sign the Au Pair Awareness Declaration**

Signing the Awareness Declaration, the host family declares to know the conditions that apply to a stay as an au pair in the Netherlands. These conditions are listed in the Awareness Declaration. The host family also declares to be aware that in the context of supervision, the Aliens Police (AVIM), the NLA (Nederlandse Arbeidsinspectie/Netherlands Labour Authority) or the IND may visit or send an invitation for a meeting. If activities are performed that do not comply with laws and regulations, the host family is in violation and an administrative fine will be imposed. The appendix 'Awareness Declaration Au Pair' is found online on [www.ind.nl](http://www.ind.nl).

### *Additional conditions*

An exchange programme may also include the following additional conditions:

- Requirements regarding the civil status of the au pair. The IND does not set conditions to the civil status of other exchange youngsters.
- Additional conditions concerning the age of the young person taking part in the exchange (not the au pair). Taking part in an exchange is allowed as of the age of 15 if this is included in the exchange programme.

## **More information**

Do you have further questions after reading this brochure?

### **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](http://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](http://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](http://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](http://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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