

## General scheme for the family reunification visa

Visa for family members of foreigners who already have legal resident status in Spain and who wish to exercise the right to family reunification.

This type of visa is not issued to family members of citizens of the European Union or of the Member States of the European Economic Area or of Switzerland (see "Visas for family members of EU citizens").

Family members who can obtain a family reunification visa

- The spouse, not separated in fact or in law, or the person who maintains a partnership with the applicant that is analogous to a marital relationship (partner entered on a public register, provided that the registration has not been cancelled, or unregistered partner provided that proof can be provided of the continuity of a cohabitation relationship established before the applicant settled in Spain). Reunification cannot be offered to more than one spouse or partner.
- The children of the applicant, the children of the spouse or partner—including adopted children (provided that the adoption is valid in Spain)—and those represented legally by the applicant, provided that they are under the age of 18 or that they have disabilities and are not objectively capable of providing for their own needs due to their health status.
- The applicant's parents (mother or father) and those of their spouse or partner, provided that they are in the care of the applicant, they are older than 65 and there are reasons substantiating the need to authorize their residence in Spain. On an exceptional basis, and for humanitarian reasons, the reunification of parents under the age of 65 may be permitted.

### **Required documents**

1. National visa application form. Each applicant must complete and sign a visa application form, filling in each of its sections. If the applicant is a minor, one of their parents or guardians or a duly accredited representative must sign the application.
2. Photograph. A recent, passport-size, colour photograph, taken against a light background, facing forward, without dark or reflective glasses, or any garments concealing the oval of the face.
3. Valid, unexpired passport. Original and a photocopy of the page or pages of the passport that contain biometric data. The passport must have a minimum validity period of 4 months and contain two blank pages. Passports issued more than 10 years ago will not be accepted.
4. Initial family reunification permit. Original and a copy of the initial family reunification permit issued by the Delegation or Sub-delegation of the Government in Spain, at the applicant's request.
5. Applicant's residence card. Certified photocopy of the applicant's Foreigner Identification Card, which must be unexpired.
6. Documents proving family relationship with the applicant.
  - Spouses: Marriage certificate issued by the competent civil registry. In the event of second or successive marriage, proof of divorce from the previous spouse.

- Unmarried couples: Certificate of registration as an unmarried couple or, if the couple have not entered their relationship on a register, documents proving the couple's relationship dates back to before the applicant established their residence in Spain.
- Children: Birth certificate issued by the competent civil registry. In the case of the children of just one of the spouses or members of the couple, proof must also be provided that they hold sole parental authority over the child or that they have been awarded custody and that the child is effectively in their care.
- Parents: Birth certificate of the applicant or of the spouse or partner issued by the competent civil registry and documents substantiating the reasons for which it was necessary to authorize their residence in Spain. Among other documents, proof must be provided that, over the past year, the applicant has transferred funds to or covered expenses incurred by the parent representing, at least, 51% of the per capita GDP of the parent's country of residence. Moreover, proof must be submitted of the annual income and properties owned by the parent and information on other direct family members who are resident in the country.

Foreign documents must be legalized or apostilled and, where applicable, must be submitted together with an official translation into Spanish.

7. Criminal record check certificate. Applicants of legal age must submit both the original and a copy of the criminal record check certificate(s) issued by their country or countries of residence for the past 5 years. Foreign documents must be legalized or apostilled and, where applicable, must be submitted together with an official translation into Spanish.

8. Medical certificate. Original and a copy of a medical certificate accrediting that the applicant does not suffer from any disease that could cause serious repercussions for public health pursuant to the 2005 International Health Regulations. Foreign documents must be legalized or apostilled and, where applicable, must be submitted together with an official translation into Spanish.

9. Proof of residence in the consular district.

10. Proof of the representative's identity and capacity. If the applicant is a minor, a copy of the identity document or passport of the parent, guardian or representative and of the document constituting proof of kinship or guardianship or power of attorney or the document accrediting representation must be submitted. Original documents must be shown when submitting the application. Foreign documents must be legalized or apostilled and, where applicable, must be submitted together with an official translation into Spanish.

11. Payment of the visa fee. The visa fee is of an amount equivalent to 80 euros. For nationals of Australia, Bangladesh, Canada, the United States of America and the United Kingdom different rates are applied for reasons of reciprocity. In these cases, the amount of the fee must be consulted with the Consular Office.

When necessary to assess the application, the Consular Office may request additional documents or data and may also ask the applicant to come in for a personal interview.

## **Procedure**

This Consular Office is competent to accept visa applications from individuals residing in the consular district

- Who can apply for a visa: The visa application must be submitted in person by the applicant. If the applicant is a minor, the application may be submitted by one of the parents or guardians or by a duly accredited representative.
- Visa application period: The visa application must be submitted within a period of 2 months, counted as of the day after the date on which the applicant is notified of the decision to authorize the family reunification.
- Place of submission: The application must be submitted in person at the Consular Office. An appointment is necessary.
- Proof of receipt: The Consular Office will provide the applicant with proof of receipt of the application with a code that enables them to check the status of the dossier through the following link: <https://sutramiteconsular.maec.es/Home.aspx>
- Rectifying the application: The Consular Office may ask the applicant to submit any missing documents, or to provide additional documents or data that are necessary for a decision regarding the application. The applicant may also be called in for a personal interview.
- Decision period: The legal period for reaching a decision is of 2 months as of the day after the application submission date, but this period may be extended if an interview or additional documents are requested.
- Collecting the visa: The visa must be collected in person by the applicant or by their representative (if the applicant is a minor) within a maximum period of 1 month, counted as of the day after the date on which the favourable decision is notified. The Consular Office will inform the applicant regarding the procedure for the return of the passport and any other original documentation.
- Visa refusal: Visa refusals will always be notified in writing, setting forth the grounds on which the decision adopted was based.
- Appeals: If a visa is refused, the applicant may submit an appeal for reconsideration to this Consular Office within 1 month of the day following the date on which notification of the refusal is received. An application for judicial review may also be filed with the High Court of Justice of Madrid within the 2-month period beginning the day after the date on which the applicant receives notification of the visa refusal or of the dismissal of the reconsideration appeal.
- Validity period of the visa: The visa will be valid for 90 days. Once in Spain, a Foreigner Identification Card must be applied for within a period of 1 month from the applicant's entry into Spain, at the Foreign Nationals' Office or the Police Station of the province in which the residence permit was processed.