



## Pangea Office of Attention for Foreign Citizen

Mancomunidad la Vega | May | 2021

### Newsletter May 2021: Family Reunification procedure

For the celebration of Family Month in Mancomunidad la Vega, from the PANGEA MLV Office, we publish this newsletter of Family Reunification procedure.

### ¿What is "Reagrupación Familiar" or Family Reunification?

It is a procedure by which a non-EU citizen who regularly resides in Spain can request to bring their family members to reside in Spain, granting them a residence and work permit linked to theirs, as long as both parts meet the established requirements.

### Who can start the reunification of their family members?

The applicant for familiar reunification must be a non-EU citizen in possession of a renewed Spanish Residence Permit: being in possession of the Permit for at least one year and in force. In the case of reunification of ascendants, the sponsor must be the holder of a long-term or long-term-EU authorization.

### What is the basic regulation that regulates Family Reunification in Spain?

- Directiva 2003/86/CE, de 22 de septiembre, sobre el derecho a la reagrupación familiar.
- Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social (artículos del 16 al 19).
- Reglamento de la Ley Orgánica 4/2000, aprobado por Real Decreto 557/2011, de 20 de abril (artículos del 52 al 58).





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### Which family members can be reunited?

Only direct ascendants (parents), direct descendants or officially adopted children, spouse or registered partner can be reunited. It is also possible to reunite the ascendants or descendants of a domestic partnership couple. One has to take into account it will not be possible, with any exceptions, to be reunited with more than one partner.

### What requirements must be met?

- ✓ Not being a citizen of a State of the European Union or a family member of citizens to whom the Union citizen regime applies.
- ✓ Not being irregularly in Spanish territory.
- ✓ Lack of a criminal record in Spain and in their previous countries of residence for crimes under Spanish law.
- ✓ Not being banned from entering Spain and not appearing as rejectable in the territorial space of countries with which Spain has signed an agreement in this regard.
- ✓ Having health care covered by Social Security or have private health insurance.
- ✓ Not suffer from any of the diseases that can have serious public health repercussions in accordance with the provisions of the International Health Regulations of 2005.
- ✓ Not being, within the period of commitment not to return to Spain that the foreigner has assumed when taking advantage of a voluntary return program.
- ✓ Have adequate housing.

### What economic capacity must be demonstrated?

The applicant and his family unit must have sufficient economic capacity to meet the needs of the reunited family. The amount will depend mainly on the number of people to regroup, and can be justified with different means (salary, pensions, savings in a bank account, etc.)





## What is the general procedure?

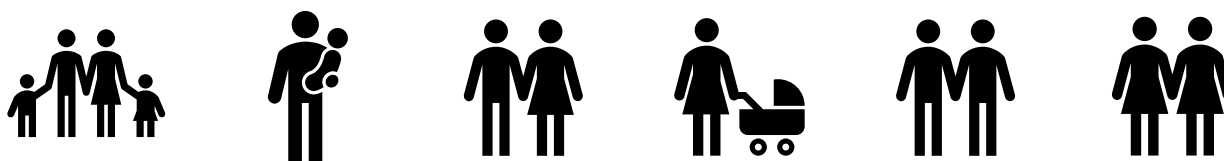
1. A person entitled to submit the application: **the applicant** personally.
2. A place of presentation: **Immigration Office** of the province in which the applicant resides.
3. Temporary residence fee for family reunification: it will accrue at the time of admission to processing of the application, and must be paid within ten business days, they are: **"Modelo 790: código 052, Epígrafe 2.1 Autorización inicial de residencia temporal"**.
4. Main resolution periods:
  - **Forty-five days** counted from the day following the date on which it was entered in the registry. After said period has elapsed without the Administration having made the notification, it may be understood that the request has been rejected due to administrative silence.
  - In the case of concession, the regrouped family member has **two months** from the notification to request the **visa** at the corresponding diplomatic entity or consular office.
  - Once the visa has been granted, if applicable, the regrouped person must collect it in person within **two months** from the date of notification. Once the visa has been collected, the regrouped person must **enter Spanish territory within the validity period of the visa**, which will not exceed three months.
  - Within one month of entering Spain, the regrouped person must personally request the **Foreigners Identity Card (TIE)** at the Immigration Office or Police Station of the province where the authorization has been processed.
  - The validity of the authorization of the family member will be extended until the same date as the authorization held by the applicant at the time of entry in Spain.

## What rights does the reunited person have? What duties does family reunification entail?

Once the reunification is carried out and the family members are in Spain, they will have the same rights and duties as the rest of the citizens.

## Does the regrouped person have working permission in Spain with their residence permit?

Yes, the residence permit for family reunification enables you to work as an employee or self-employed in any part of the national territory.





Please remember that the information offered in this newsletter is general. Each case and family situation has particularities.

For personal advice, ask for an appointment with the Social Services of your municipality of residence.

## Contact of the Pangea Office of Attention for Foreign Citizen MLV:

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You can also request a personal appointment at the Social Services of your municipality:

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