RESIDENCE VISA FOR FAMILY MEMBERS OF FOREIGNERS WITHIN THE SCOPE OF APPLICATION OF THE 14/2013 LAW (RFI)

Intended for the foreign spouse, the person linked with a similar affective relationship, children under 18 years of age or older who, depending economically on the holder, have not constituted a family unit by themselves and dependent parents who travel to meet or accompany the foreigners contemplated within the scope of application of the 14/2013 Law (Law of Entrepreneurs)

REQUIRED DOCUMENTS

1) National visa application form, attached with a passport-type photo
2) **Passport** valid for at least 4 months.
3) **Power of attorney,** in the event that the request is not submitted by the applicant.
4) **If the applicant is not a Vietnamese citizen**, he/she must provide documentation proving his/her residence in Vietnam (temporary or permanent residence card)
5) In the case of minors or disabled persons: **authorization from BOTH parents** or accredited legal representative, along with birth certificates of the minors or supporting documents of the legal representation, as well as the passports or DNIs of the parents or legal representatives.
6) **Public or private health insurance** for a minimum period of one month (Travel insurance is not accepted): The coverage of the insurance plan must allow you to go to the doctor both for check-ups, as well as for illnesses or emergencies. The medical insurance must not have a waiting period or co-payment or coverage limit, that is, it must cover 100% of medical, hospital and out-patient expenses. The insurance company must be authorized to operate in Spain. A list of insurance companies authorized to operate in Spain is available in the following link: http://rrpp.dgsfp.mineco.es/**.** This requirement is not applicable in the cases of accompanying family members of highly qualified professionals, researchers and intra-company transferees
7) **Criminal record certificate** issued by the authorities of the country in which they have resided during the last 2 years since reaching the age of majority, in which there must be no convictions for crimes provided for in Spanish law. In the case of having resided in several countries, it is necessary to present the corresponding certificates issued by each of them. Besides, it is mandatory to present a **responsible statement** indicating the absence of criminal records of the last 5 years.
8) **Proof of having the Foreigner Identity Number (N.I.E.)** If not, it is mandatory to apply for it before the visa application. More information on this procedure can be found **here.**
9) **Document proving the relationship** (marriage or birth certificate, wherever applicable). For the purposes of these visas, family members who may accompany or join the applicant are understood to be:
    a. Spouse or *de-facto* partner,
    b. Children aged under 18
    c. Children aged over 18 who, depending economically on the holder, have not

constituted a family unit by themselves

d. Parents depending economically on the holder

10) **Proof of the substantial – *and not situational* - economic dependence of children over 18 years of age and dependent parents**:

a. A written letter with description of the economic and social situation and personal circumstances of the visa applicant, accompanied by documentation proving these aspects, with a view to demonstrate a substantial – *and not a situational* - economic dependence *(proof of income, employment status, property or income, existence of other family members in the country of residence and the status of the same, proof of health status, etc*.).

b. Proof of co-habitation in the same address as a foreigner that is contemplated within the scope of application of Law 14/2013

c. Proof that the adult child has not established a family unit by him/herself: certificate of single status, duly legalized.

11) **Proof of means of subsistence for maintenance during the stay:** it is necessary to prove availability of a minimum amount that allows the maintenance of the applicant and his/her family members during his/her temporary residence in Spain.

a. for each family member of the **investors**, the amount is set at **100%** of the IPREM (Public Indicator of Income for Multiple Effects) per month

b. for each family member of the **entrepreneurs and workers in the audiovisual sector,** the amount is set at **50%**.

c. for the first family applicant of **the international teleworker**, the amount is set at **75% of the SMI** (*Interprofession Minimum Salary)* and for each of the family applicants from the second one onward, the amount is set at **25% of the SMI**.

NOTES:

- For exact information on the quantity established for each year's IPREM, you are kindly requested to visit the following website**:** https://www.exteriores.gob.es/DocumentosAuxiliaresSC/Vietnam/HANOI%20%28E%29/IPREM.pdf
- For exact information on the quantity established for each year's SMI, you are kindly requested to visit the following website: https://www.exteriores.gob.es/DocumentosAuxiliaresSC/Vietnam/HANOI%20%28E%29/SMI.pdf
- This requirement is not applicable in the cases of accompanying family members of highly qualified professionals, researchers and intra-company transferees

12) **Residence permit for family members** of the foreigners falling into the scope of application of the 14/2013 Law, processed by the Unit for Large Companies and Strategic Groups and granted by the General Directorate of Migration of the Ministry of Employment and Social Security.

This requirement is **exclusively** applicable in the cases of accompanying family members of highly qualified professionals, researchers, intra-company transferees and professionals in audiovisual sector.

IMPORTANT NOTES

* This type of visa will not be applicable to citizens of the European Union and to those foreigners to whom European Union law is applicable because they are beneficiaries of the rights of free movement and residence (community family members).

PHOTOCOPIES. It is recalled that a photocopy of each original document will be presented. The photocopies will be made after the translations have been certified and/or the documents legalized.

LEGALIZATION AND TRANSLATION. Any public document issued by non-Spanish authorities must be previously legalized/Apostilled (https://www.exteriores.gob.es/Embajadas/hanoi/vi/ServiciosConsulares/Paginas/Consular/LEGALIZATION-(ENGLISH).aspx). Documents written in a language other than Spanish must be accompanied by their translation into this language, carried out by a notary or office whose translations are admitted by official bodies, which must be equally legalized and presented just in front of the copy of the original.

LEGITIMATE SUBJECT: The 14/2013 Law does not establish the obligation of personal appearance of the interested party, so that the beneficiaries of the same can request and collect their residence visa through a **duly accredited representative**. Applications for children under 18 shall be lodged by their legal representatives.

WHERE TO LODGE THE VISA APPLICATION: kindly visit the following link: https://www.exteriores.gob.es/Embajadas/hanoi/vi/ServiciosConsulares/Paginas/Consular/LUGAR-PRESENTACI%C3%93N-VISADO-%28EN%29.aspx

APPOINTMENT SYSTEM: Applicants must **book for an appointment** via the appointment system of BLS International Co. Ltd (https://vietnam.blsspainvisa.com/vietnamise/index.php)

APPLICATION RECEIPT: The applicant will be given a receipt of the application with a code allowing verification of the processing status of the application through the following link: https://sutramiteconsular.maec.es/Home.aspx

REQUIREMENT OF ADDITIONAL DOCUMENTS AND/OR INTERVIEW. At any time during the processing of the file, this Embassy may require the presentation of additional documents to those already presented and/or the personal appearance of the applicant for an interview if deemed necessary.

TIME FOR VISA APPLICATION PROCESSING AND RESOLUTION: The legal period for reaching a decision is of 10 days as of the day after the application submission date, but this period may be extended if an interview or additional documents are requested.

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COLLECTION OF PASSPORTS AND DOCUMENTS: Applicants can directly, or through a duly

authorized party, receive visa results, within a maximum of one month from the date of receiving the notification of visa results.

REFUSAL OF THE RESIDENCE AUTHORIZATION OR VISA: Where appropriate, the refusal of the residence authorization or visa will always be notified in writing, stating the reasons on which the decision is based.

APPLICATION FOR RECONSIDERATION / APPEAL: In the event of a refusal to grant a residence permit for reasons of study in Spain or a refusal to issue a visa, the applicant can file an application for reconsideration before the Spanish Embassy within one month from the date of receipt of the notice from the Spanish Embassy. The applicant may also file an appeal before the High Court of Madrid within two months from the date of receipt of the notice of the refusal of the visa or of the dismissal of the application for reconsideration.

VALIDITY OF THE VISA: The visa is valid for 1 year.
The visa accredits residence in Spain during its validity period, making it unnecessary to obtain a Foreigner Identity Card. However, this card may be applied for at the Foreign Nationals' Office or the corresponding Police Station.

GENERAL INFORMATION ON NATIONAL VISAS (download of national visa application form, fees, procedures, etc): kindly visit this link.