

# Changes in immigration status and purpose of stay: an overview of EU Member States approaches

## *Common Template of EMN Focussed Study 2015*

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**Subject:** Final Common Template for the EMN Focussed Study 2015 on "*Changes in immigration status and purpose of stay: an overview of EU Member States approaches*"

### 1 STUDY AIMS AND RATIONALE

#### **Changing in the purpose of stay for third-country nationals**

(Member) States **regulate immigration flows** by providing, on the basis of their immigration legislation, specific channels for immigration, each of which relate to a specific purpose of stay. Respective to each "purpose" or "reason" for immigration, potential immigrants have to fulfil certain requirements in order to be granted access to the territory and be allowed to stay there. Where third-country nationals no longer meet the criteria linked to the respective authorisation to stay they are normally required to leave or become irregular if they remain on the territory. However, third-country nationals admitted under one channel may seek to change their position in order to meet all the requirements of another status and hence remain legally on the territory of a (Member) State. Changing status for the migrant is likely to be more accessible / cost effective if actioned from within the territory of a (Member) State.

**Changes between different purposes of stay** may allow an immigrant to change or acquire a new status (i.e. international students allowed to stay and look for work, employed migrants changing to a self-employment / entrepreneur category, asylum seekers changing to labour immigrant status or family-related stays, etc.). The motivations of legislators in opening channels to allow migrants the possibility, under certain circumstances, to change their status may be to make their immigration systems more flexible, responding to skills-matching needs, providing cost- and time-efficient contribution to (temporary) labour shortages, activating and unlocking the potential of existing skills and preventing third-country nationals from turning into an irregular status, a phenomenon that addressed primarily through restrictive measures (return) or so-called "regularisations" or "amnesties".

Status changes are a **relatively new field of study**: more knowledge is needed on existing possibilities for status changes in the (Member) States, the national experiences with regard to such changes and whether there are benefits in the purpose-based regulation of immigration being made more flexible by enhancing status change opportunities. In many (Member) States, there is **no systematic overview** of whether (and which) status changes are possible and how frequently migrants actually switch from one status to another, and the impacts of such changes on the rights of the migrants themselves. Such information may only indirectly be obtained from a thorough study of immigration law and administrative practice. The aim of this **EMN Focussed Study** is to provide an analysis and further understanding of the conditions in place in EU (Member) States that regulate the changes of status between different categories of third-country nationals.

#### **Scope of the Study**

The Study will include those migrants holding an 'authorisation / right to stay', who are not in an irregular situation (with the exception of applicants for international protection or other national types of protection who have received a final negative decision) and situations where the change of status takes place inside the territory of the (Member) State without the requirement for the individual to first return to their country of origin.

This Study will not examine issues associated with the abuse of such channels, though it is acknowledged that there may be associated risks in temporary migrants abusing this opportunity and undermining the original purpose of a country's immigration laws

The concept of changes in the purpose of stay is interpreted rather broadly: all categories of third-country nationals whose (long) stay is authorised (but not formalised with the granting of a residence permit) are covered (with a few limitations). The scope of the Study will cover exclusively the following categories of third-country nationals (and whose definitions are provided in Section 6):

- ★ Applicants for international protection, including:
  - Third-country nationals whose stay is authorised on the ground that they have a pending asylum application;
  - Third-country nationals after receiving final negative decision;
  - Third-country nationals whose return has been suspended ("tolerated" within asylum acquis);
    - the rejected asylum seekers who are not removable
    - other TCNs who have not applied for asylum and are in a so called "non-removable status"
- ★ Applicants for other national types of protection (i.e. humanitarian, medical, etc.), including
  - Third-country nationals whose stay is authorised on the ground that they have a pending application;
  - Third-country nationals after receiving final negative decision;
  - Third-country nationals whose return has been suspended ("tolerated" outside asylum acquis);<sup>1</sup>
    - the rejected asylum seekers who are not removable;
    - other TCNs who have not applied for asylum and are in a so called "non-removable status".
- ★ Students;
- ★ Researchers;
- ★ Immigrants admitted for the purpose of remunerated activities, including:
  - Employed,
  - Self-employed,
  - Business owners,
  - Highly qualified workers under the Directive 2009/50/EC (Blue Card),
  - Highly qualified workers under national labour permits for (highly) skilled workers,
  - Seasonal workers,
  - intra-corporate transferees;
- ★ Immigrant investors;
- ★ Family members (excluding third-country nationals who are family members of EU citizens);
- ★ D-type visa holders;
- ★ Victims of human trafficking or third-country nationals subject of an action to facilitate illegal immigration (smuggling)<sup>2</sup>;

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<sup>1</sup> Two CJEU judgments clearly differentiate between applicants for international protection and applicants for other (national) types of protection: Case C-542/13, *M'Bodj* and Case C-562/13, *Abdida*, available on the website <http://curia.europa.eu/>

<sup>2</sup> Directive 2004/81/EC defines them as third-country nationals who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities

- ★ Other (i.e. third-country nationals whose unlimited or long-term authorisation to stay falls outside the scope of Directive 2003/109, independent professional, etc.

Changes can take place in both directions, for example, from international student to employed migrant status, or from employed migrant status to international student.

Those who have been granted the status of long-term resident in accordance to **Directive 2003/109/EC** and those recognised as refugees or eligible for subsidiary protection under the **Directive 2011/95/EC** are purposely left **out of the scope** of the present study. Another limitation applies to changes of status resulting from a criminal behaviour, e.g. through fraud or blackmailing of officials. Finally, changes of status resulting from **regularisations** ("amnesty") **are not covered** (i.e. the shift from unauthorised to authorised stay).

The study will explore the following main research questions:

- ★ What migration status changes are permitted by (Member) States?
- ★ What are the motivations of the legislators?
- ★ Are there any debates in the (Member) States about necessities and possibilities of migration status changes? What policy changes are considered?
- ★ What are the impacts of changes of status for migrants in relation to their rights? How do (Member) States address issues related to the potential loss of rights?
- ★ What are the barriers and obstacles to changes of status?
- ★ What have been (Member) States' experiences and good practice?

### **Specific aims of the Study**

The study will address the criteria for issuing a particular authorisation to stay/residence permit of the above categories and their rights, while comparing and contrasting the ways, and extent to which, (Member) States' existing legal framework allows legally admitted third-country nationals to switch from one status to another. It will also seek to learn of specific national practices which aim to facilitate such processes. Moreover, the study will aim to identify and collect good practices and statistics on the number of third-country nationals that have been granted such status changes over the period of the last five years (2010-2014).

The Study will specifically aim to cover the following main research points:

- ★ **Map the national legislation / policies available to third-country nationals covered by the present study and rights acquired;**

*This exercise will allow to have an overview of how admission of different categories works (criteria) and what kind of rights/duties each category provides/requires*

- ★ **Identify the national rules on changes in purpose of stay that (can) apply to the categories above;**

*This part will aim to map and draw links between all available changes of status allowed by each (Member) State, while providing information on how the "switch" works in practice (bodies responsible, where to apply, information available, etc.). Changes are intended as "two-way" (from one status to another and vice versa). Available statistics could reinforce this section by highlighting the most frequently used switches. The results might lead to conclusions that motivations for changing status are linked to:*

- *Rights within status; and*
- *Procedures within the application for a stay.*

- ★ **Examine the various rights that attach to each status and the impact of changes of status on the rights of the migrant;**

*This part will examine how a change of status impacts on the rights of an individual and how (Member) States address the change in / loss of rights. This information will provide an overview of the rights*

that can be acquired or lost due to status changes. Such rights are mostly those covered by EU Directives, i.e. access to employment, social security and health care, education and vocational training, long-term residence status, legal assistance and representation, family unification, mobility and political rights.

★ **Compare and assess the different national policies in place for changes in purposes of stay, identifying the main drivers (from the national legislator perspective);**

*This part will seek to understand the rationale behind such measures, i.e. whether national measures have been changed/introduced in the recent past and for what reasons (i.e. to address labour shortages, retain talent, tackle bottleneck occupations, etc.). If available, information should be provided on whether such decisions are based on specific needs assessments or evaluations.*

★ **Explore specific measures in place in the (Member) States to facilitate such processes;**

*This part will aim to draw attention on facilitations in place to ease changes of status (in comparison with first time applicants) by i.e. lifting restrictions, reducing fees and time for application, document requirements/certifications, etc.*

★ **Examine the challenges associated with the implementation of such policies;**

*This section will try to understand if and what kind of challenges (Member) States encounter when designing and/or implementing such measures (i.e. policy and or legal constraints that prevent changes of status, identification of applicants interested in changes, lack of needs assessment, difficulties in verifying skills/collecting information, providing information, etc.*

★ **Identify and collect good practices and lessons learnt in devising secure and administrative-friendly systems for changes of status for legally admitted third-country nationals**

*This part will aim to collect information on practices implemented by (Member) States which can result into (replicable) good practices, while commenting on lessons learnt about the system devised.*

## 2 TARGET AUDIENCES

The Study would benefit primarily **national and EU policy makers** and officials concerned with developing and implementing policies on immigration, residence and asylum. The Study would also be of interest to other stakeholders, including national **experts, universities, research institutions and think-tanks**, working on asylum and immigration as well and **NGOs and international organisations**. Finally, it could inform the **wider public** with an interest in migration and asylum, including **media**.

## 3 EU LEGAL AND POLICY CONTEXT

The European Union has followed a sector-by-sector approach to legal migration, which has resulted in a common legal framework regulating the admission of certain categories of third-country nationals by means of Directives (such as Directive on students, researchers, highly qualified workers, seasonal workers, family reunification, etc.). However, immigration rules allowing for changes in the purpose of stay are covered by (Member) States national legislation. The variation of approaches will be the focus of this study: however, the relevance of the impact of such measures on the wider EU context may be significant.

As reiterated by the recently adopted **EU agenda on migration**, "*decisions on the volume of admissions of third-country nationals [...] remain the exclusive competence of Member States. But there is a specific role for the EU. [...] The EU needs the tools to identify those economic sectors and occupations that face, or will face, recruitment difficulties or skill gaps.*"<sup>3</sup>

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<sup>3</sup> A European Agenda on Migration – COM (2015) 240

At EU level, the Study should also be seen in the context of the overarching **Europe 2020 Strategy** for economic growth<sup>4</sup> and in particular, within one of its five objectives focusing on high employment levels as well as creation of new skills and jobs. Changes of status may partly address deficiencies of (Member) States' labour markets and can be broadly framed in the array of efforts to better managing legal (economic) migration and potentially addressing sectors of the national economies where skill mismatches, labour shortages or "bottleneck occupations" (i.e. occupations where there is evidence of recruitment difficulties) have been identified.

Finally, as reiterated by the new **EU Agenda on Migration**, efforts should be made in order to successfully address irregular migration. While it is acknowledged that the causes and drivers behind this phenomenon are complex, it can be also assumed that more flexible systems can make a contribution to preventing of irregular stay of third-country nationals: policies for status changes may represent a third way to combating irregularity (as opposed to return and / or regularisations).

## 4 LIST OF RELEVANT SOURCES AND LITERATURE

### **EMN Studies, Informs and Ad-Hoc Queries**

- ★ "Admitting third country nationals for business purposes", EMN focussed Study, published 2015;
- ★ "Identification of victims of trafficking in human beings", EMN focussed Study, published 2014;
- ★ "Attracting highly qualified and qualified third-country nationals", EMN focussed Study, published 2013;
- ★ "Immigration of International Students to the EU", EMN Study, published 2012;
- ★ "Satisfying Labour Demand through Migration", EMN Study, published 2011;
- ★ Ad-hoc query Nr. 655: Changes in labour market access and asylum seekers applications figures (only to BE, DE, NL, SE and UK), requested by AT EMN NCP on 23th January 2015;
- ★ Ad-hoc query Nr. 561: Asylum seekers access to labour market, requested by EE EMN NCP on 25<sup>th</sup> April 2014<sup>5</sup>;
- ★ Ad-hoc query No. 554: Pre-departure campaigns to attract TCN, requested by EE EMN NCP on 10<sup>th</sup> April 2014<sup>6</sup>;
- ★ Ad-Hoc Query Nr. 426: Possibility and conditions for third-country national students to work after the completion of their higher education studies, requested by LU EMN NCP on 4<sup>th</sup> October 2012<sup>7</sup>;
- ★ Ad-Hoc Query Nr. 309: Management procedures for hiring seasonal workers in the country of origin for consecutive seasons, requested by ES EMN NCP on 7th April 2011<sup>8</sup>;
- ★ Ad-Hoc Query Nr. 289: Employment for third country students, requested by SE EMN NCP on 25<sup>th</sup> January 2011<sup>9</sup>;
- ★ Ad-Hoc Query Nr. 171: Admission System for Labour Migration purposes, requested by ES EMN NCP on 3rd November 2009<sup>10</sup>.

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<sup>4</sup> COM (2010) 2020

<sup>5</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/integration/561\\_emn\\_ahq\\_asylum\\_seekers\\_access\\_labour\\_market\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/integration/561_emn_ahq_asylum_seekers_access_labour_market_en.pdf)

<sup>6</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/economic-migration/554\\_emn\\_ahq\\_campaigns\\_attract\\_tcns\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/economic-migration/554_emn_ahq_campaigns_attract_tcns_en.pdf)

<sup>7</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/students/426\\_emn\\_ad-hoc\\_query\\_possibility\\_and\\_conditions\\_for\\_tcns\\_students\\_to\\_work\\_4oct2012\\_wider\\_disseminat\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/students/426_emn_ad-hoc_query_possibility_and_conditions_for_tcns_students_to_work_4oct2012_wider_disseminat_en.pdf)

<sup>8</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/economic-migration/309\\_emn\\_ad-hoc\\_query\\_management\\_procedures\\_for\\_hiring\\_seasonal\\_7apr2011\\_wider\\_dissemination\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/economic-migration/309_emn_ad-hoc_query_management_procedures_for_hiring_seasonal_7apr2011_wider_dissemination_en.pdf)

<sup>9</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/students/289\\_emn\\_ad-hoc\\_query\\_employment\\_for\\_third\\_country\\_students\\_25jan2011\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/students/289_emn_ad-hoc_query_employment_for_third_country_students_25jan2011_en.pdf)

<sup>10</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/ad-hoc-queries/economic-migration/171\\_emn\\_ad-hoc\\_query\\_admission\\_to\\_labour\\_market\\_3nov2009\\_wider\\_dissemination\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/economic-migration/171_emn_ad-hoc_query_admission_to_labour_market_3nov2009_wider_dissemination_en.pdf)

## Other EU and international studies and reports

- ★ "Projected labour market imbalances in Europe: Policy challenges in meeting the Europe 2020 employment targets", Descy - OECD/European Union, Matching Economic Migration with Labour Market Needs, OECD (2014), available at: [http://www.oecd-ilibrary.org/social-issues-migration-health/matching-economic-migration-with-labour-market-needs/projected-labour-market-imbalances-in-europe-policy-challenges-in-meeting-the-europe-2020-employment-targets\\_9789264216501-12-en](http://www.oecd-ilibrary.org/social-issues-migration-health/matching-economic-migration-with-labour-market-needs/projected-labour-market-imbalances-in-europe-policy-challenges-in-meeting-the-europe-2020-employment-targets_9789264216501-12-en)
- ★ "Open for Business: Migrant Entrepreneurship in OECD Countries", OECD (2010), available at: <http://www.seipa.edu.pl/s/p/artykuly/91/917/OECD%20Migrant%20Entrepreneurship%202012.pdf>
- ★ "The new way in: A migrant perspective", Pelling/Nordlund - Migrationsverket/Global utmaning (2013), available at: <http://en.globalutmaning.se/wp-content/uploads/2012/12/engelska-New-way-in-final.pdf>
- ★ "Mapping and analysing Bottleneck Vacancies on the EU Labour Markets", (2014) commissioned by the European Commission, available at: <http://ec.europa.eu/social/BlobServlet?docId=12625&langId=en>
- ★ "REGINE – Regularisations in Europe", ICMPD (2009), available at: [http://ec.europa.eu/home-affairs/doc\\_centre/immigration/docs/studies/regine\\_report\\_january\\_2009\\_en.pdf](http://ec.europa.eu/home-affairs/doc_centre/immigration/docs/studies/regine_report_january_2009_en.pdf)
- ★ "Europe and Immigration of Highly Skilled Labour ", Sami Mahroum, International Migration (2002), available at: <http://onlinelibrary.wiley.com/doi/10.1111/1468-2435.00170/abstract>

## 5 AVAILABLE STATISTICS

The Study Team aims to collect and present statistics on the number of valid residence permits for each category within the scope of this Study. Data will be disaggregated (according to availability) by purpose of stay. The Study will also present (to the extent possible) statistics on "change of status" permits by reason and citizenship: this data will provide an overview on the most frequently used switches. For comparability, the study is looking only at robust statistical data, other sources, e.g. interviews, are not considered.

For comparability purposes, data available from Eurostat will be used. In this regard, *permission to reside*<sup>11</sup> is considered as a change of immigration status or reason to stay if the period between the expiry of the old permit and the start of validity of the following permit is less than 6 months and the immigration status or reason to stay has been changed. Only changes between major categories are recorded as a change of status permit.<sup>12</sup> These major categories are:

- ★ Reasons related to family formation and reunification;
- ★ Reasons related to education and study;
- ★ Reasons related to remunerated activities; and
- ★ Other reasons.

Where no data at the EU level are available, national data will be used.

The table below, presents the overview of the statistics relevant for this study, the data source and the use of these, whilst the actual data tables are provided in ANNEX 1: Statistics.

Table 5.1: Data available at EU level per data source

Data sets	Data source	Use of data
Applicants for international protection (including rejected	Eurostat	These data will help to put in perspective what is the share of

<sup>11</sup> Eurostat Metadata, 3.4. Statistical concepts and definitions, [http://ec.europa.eu/eurostat/cache/metadata/Annexes/migr\\_res\\_esms\\_an6.pdf](http://ec.europa.eu/eurostat/cache/metadata/Annexes/migr_res_esms_an6.pdf)

<sup>12</sup> I.e. changes of permit from 'Highly Skilled Workers' into 'Other remunerated activities' permit category are not interpreted as a change of status

Data sets	Data source	Use of data
"asylum seekers")		people changing the status
All valid residence permits by reason on 31 December: <ul style="list-style-type: none"> <li>Total</li> <li>Family reasons</li> <li>Education reasons</li> <li>Remunerated activities reasons <ul style="list-style-type: none"> <li>Number of highly qualified workers (Number of "EU Blue Cards" granted)</li> </ul> </li> </ul>	Eurostat, (migr_resvalid)  Eurostat, (migr_resbc1)	These data will help to put in perspective what is the share of people changing the status  <i>NB: UK does not have residence permits, but visas that permit to enter and reside for a period. This is in effect a temporary right to reside so should be appropriate for this study, however, a footnote will be made to inform reader of such difference.</i>
All valid residence permits by reason on 31 December: <ul style="list-style-type: none"> <li>Remunerated activities reason: <ul style="list-style-type: none"> <li>Employees</li> <li>Self-employed</li> <li>Investors</li> <li>National labour permits for (highly) skilled workers</li> <li>Seasonal workers</li> <li>ICTs</li> <li>Others (please specify)</li> </ul> </li> <li>Researchers</li> </ul>	National data	Eurostat does not provide further breakdown for 'remunerated activities reasons' therefore national data are required
Number of victims of human trafficking (identified and presumed) by assistance and protection: residence permit based on Directive 2004/81/EC as well as other granted residence permits	Eurostat, Trafficking in Human Beings, 2015 edition <sup>13</sup>	These data will help to put in perspective what is the share of people changing the status
D-type visas issued	National data	These data will help to put in perspective what is the share of people changing the status.
Change of immigration status permits by reason and citizenship: <ul style="list-style-type: none"> <li>Asylum</li> </ul>	National data	Eurostat does not reflect these changes, however these are the migrant groups in the scope of this study
Change of immigration status permits by reason and citizenship <ul style="list-style-type: none"> <li>Family</li> <li>Education</li> <li>Remunerated activities</li> </ul>	Eurostat, (migr_reschange)	<u>Limited or no data on Eurostat for:</u> BE, BG, HR, LT (2013), CY, NL
Change of immigration status permits by reason: <ul style="list-style-type: none"> <li>Remunerated activities: <ul style="list-style-type: none"> <li>Employees</li> <li>Self-employed</li> <li>National labour permits for (highly) skilled workers</li> </ul> </li> </ul>	National data	Eurostat does not provide further breakdown for 'remunerated activities reasons' therefore national data are required

<sup>13</sup> <http://ec.europa.eu/eurostat/documents/3888793/6648090/KS-TC-14-008-EN-1.pdf/b0315d39-e7bd-4da5-8285-854f37bb8801>

Data sets	Data source	Use of data
<ul style="list-style-type: none"> <li>• Highly qualified workers (“EU Blue Cards”)</li> <li>• Seasonal workers</li> <li>• ICTs</li> <li>• Others (please specify)</li> </ul>		
Change of immigration status permits by reason and citizenship: <ul style="list-style-type: none"> <li>• Investors</li> <li>• Researchers</li> <li>• Victims of trafficking</li> <li>• D-type visa</li> </ul>	National data	Eurostat does not reflect these changes, however these are the migrant groups in the scope of this study
Number of persons who have changed immigration status 2 times/ 3 times/ more by type of switch	National data	Very few (Member) States able to provide such data
The average time expected for third-country nationals already present in the (Member) State to change their status (disaggregated per type of change)	National data	To provide an information on towards which groups of migrants the change of status is facilitated



## 6 DEFINITIONS<sup>14</sup>

### **'Applicant for international protection'**

*A third-country national or a stateless person who has made an application for international protection in respect of which a final decision has not yet been taken. (Art. 2(i) of Directive 2011/95/EU (Recast Qualification Directive)*

### **'Applicant for change of status'**

*A third-country national who applies to change his/her current status of residence and purpose of stay into another immigration category.*

### **'Change of status' (intended as potentially, but not necessarily, cumulative of the elements 'change in the purpose of stay' and 'switch of immigration status')<sup>15</sup>**

*The situation of a third-country national authorised to stay under a specific immigration status (category) in a given Member State who has applied to remain in the same Member State but under different legal ground (immigration category).*

### **'Economic migration'**

*Migration mainly for economic reasons or in order to seek material improvements to livelihood.*

### **'Employer'**

*Any natural person or any legal entity, including temporary work agencies, for or under the direction and/or supervision of whom the employment is undertaken. (Art. 2(d) of Directive 2009/52/EC (Employer Sanctions Directive)*

### **'Employment'**

*The exercise of activities covering whatever form of labour or work regulated under national law or in accordance with established practice for or under the direction and/or supervision of an employer. (Art. 2(c) of Directive 2009/52/EC (Employer Sanctions Directive)*

### **'Family member'**

*A third-country national, as specified in Art. 4 of Directive 2003/86/EC (normally members of the nuclear family – i.e. the spouse and the minor children), who has entered the territory of the European Union for the purpose of family reunification. (Recital 9 and Art. 4 of Council Directive 2003/86/EC (Family Reunification Directive)*

### **'Immigrant investor'**

*A third-country national meeting the criteria set by a Member State and admitted to a Member State for the purpose of making a (substantial) financial investment either in financial products or in a business but without involving in the day-to-day operations or in the management of business.*

### **'Immigrant business owner'**

*A third-country national meeting the criteria set by a Member State to be admitted to the Member State to i) set up a business and be involved in its management; ii) take over the running of a business or businesses and be involved in its management; iii) or for self-employment.*

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<sup>14</sup> Source: EMN Glossary 3.0, available at:

[http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary/index\\_a\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/glossary/index_a_en.htm).

Definitions of immigrant business owner and immigrant investor are similar to the EMN Study on Admitting third-country nationals for business purposes. The definition of employee is derived from the ILO Thesaurus, 6th ed., 2008

<sup>15</sup> Definition adapted from [http://www.lawfirmuk.net/switchingrules\\_e.html](http://www.lawfirmuk.net/switchingrules_e.html)

**'Intra-corporate transferee'<sup>16</sup>**

*A third-country national subject to a temporary secondment from an undertaking established outside the territory of a Member State and to which the third-country national is bound by a work contract to an entity belonging to the undertaking or to the same group of undertakings which is established inside this territory.*

**'Long-stay' visa (or National D-Type visa)**

*'Long-stay visa' means the authorisation or decision of a Member State required for entry for an intended stay in that Member State of more than three months.*

**'Person subject of an action to facilitate illegal immigration'**

*A third-country national subject to an action to facilitate illegal immigration as defined by Articles 1 and 2 of Directive 2002/90/EC, who fulfils the conditions set by Directive 2004/81/EC and is allowed to stay legally on the territory of a (Member) State.*

**'Rejected applicant for international protection'**

*A third-country national covered by a first instance decision rejecting an application for international protection, such as decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies during the reference period (Art. 4(2a) of Regulation 862/2007 (Migration Statistics Regulation))*

**'Researcher'**

*A third-country national holding an appropriate higher education qualification, which gives access to doctoral programmes, who is selected by a research organisation for carrying out a research project for which the above qualification is normally required. (Art. 2(d) of Council Directive 2005/71/EC (Researchers Directive))*

**'Residence permit'**

*Any authorisation issued by the authorities of a Member State allowing a third-country national to stay legally in its territory, in accordance with the provisions of Article 1(2)(a) of Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals.*

**'Student'**

*A third-country national accepted by an establishment of higher education and admitted to the territory of a Member State to pursue as their main activity a full-time course of study leading to a higher education qualification recognised by the Member State, including diplomas, certificates or doctoral degrees, which may cover a preparatory course prior to such education according to its national legislation. (Art. 2(b) of Council Directive 2004/114/EC (Student Directive))*

**'Tolerated status'**

*The situation of a third-country national in respect of whom a removal order has been suspended or a period for voluntary departure has been granted within the meaning of Recital 12 and Articles 9 and 14 of Directive 2008/115 (Return Directive), in respect of whom a removal order has been suspended under other national legal grounds or permit to stay/reside has been issued according to the national law.*

**'Victim of trafficking in human beings'**

*A third-country national subject to an offence regulated by Directive 2011/36/EU, who fulfils the conditions set by Directive 2004/81/EC and is allowed to stay legally on the territory of a (Member) State*

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<sup>16</sup> Article 3 c) of the Directive 2014/66/EU



This section will also include an overview of the current EU legal framework and the existing provisions relevant to the scope of the Study. This part will be elaborated by the EMN Service Provider.

EMN NCPs are asked to answer the following questions, at times guided by a non-exhaustive list of prompts of pre-defined tables.

Q1. How does the national legislation of your (Member) State define the categories of third-country nationals covered by this study? Please complete the table below by listing also the admission criteria for each category listed.

EMN NCPs are asked to use the pre-compiled box marked 'example' as reference.

Category	National definition	Admission criteria
Example	<p>Provide the national definition.</p> <p>EMN NCPs are asked to briefly provide the definition under their national legislation in order to clearly understand who is admitted under such category. No detailed information on legal basis are necessary.</p>	<p>List criteria required for the admission.</p> <p>EMN NCPs are asked to provide a complete list of all criteria a third-country national has to meet in order to be admitted under this specific category.</p>
Family		
Education		
Research		
Blue card		
Highly qualified workers		
Employee		
Self-employed		
Business owner		
Seasonal worker		
ICT		
Investor		
D-type visa holder		
Asylum seeker		
Victim of trafficking		
Other (please specify)		

### **Section 3: National legal framework on change of status whilst remaining on the territory of the (Member) State**

*Section 3.1 aims to understand the changes of status permitted by the national legislation from one immigration category to another in cases where the migrant is not compelled to return to their country of origin. It will focus on the conditions to apply for such changes, while providing information on how the "switch" works in practice (i.e. responsible bodies to process applications/take decisions, where to lodge applications, information available, etc.). This section will also aim to understand whether and what facilitations are in place to ease changes of status (in comparison with first time applicants) by i.e. lifting restrictions, reducing fees and time for application, document requirements/certifications, etc. This part will also examine how a change of status impacts on the rights of a third-country nationals and how (Member) States address the change in / loss of rights.*

*Finally, Section 3.2 will highlight whether such measures are driven by specific policy goals (i.e. addressing labour shortages, retaining talents, tackling bottleneck occupations, etc.) and understand to what extent they have been based on needs assessment, have been evaluated and the results are achieved*

*EMN NCPs are asked to answer the following questions, at times guided by a non-exhaustive list of prompts of pre-defined tables.*

#### **Section 3.1: Legal possibilities to changes status from within the (Member) State**

Q2a. Does your (Member) State allow third-country nationals holding any of the immigration status within the scope of this study to change into any of the other ones whilst remaining on the territory of the (Member) State? EMN NCPs are asked to fill in the table by using one of the options provided in each cell (Yes/No). NB: if **all changes are possible**, please indicate using the following option: **Yes to all**

Into From	Family	Education	Research	Blue cards	Highly qualified worker	Employee	Self-employed	Business owner	Seasonal worker	ICT	Investor	D-type visa holder	Asylum	Victim of trafficking	Other (please specify)
<b>Family</b>		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Education</b>	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Research</b>	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Blue card</b>	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Highly qualified worker</b>	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Employee</b>	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Self-employed</b>	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Business owner</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Seasonal worker</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:
<b>ICT</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:
<b>Investor</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:
<b>D-type visa holder</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:
<b>Asylum</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:
<b>Victim of trafficking</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:
<b>Other (please specify)</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Choose:	

Q2b. If changes of status without leaving the territory of the (Member) State are allowed (Q2a), EMN NCPs are asked to fill in the table below by adding the requested information for each possible switch (and add as many rows as possible switches.).

EMN NCPs are asked to use the pre-compiled box marked 'example' as reference and add as many rows as necessary.

<b>From</b>	<b>Into</b>	<b>Legal basis</b>	<b>Policy / practice if no legal basis</b>	<b>Do criteria to switch differ from first time applicant?</b>	<b>Criteria for switch (if different from first time applicant)</b>	<b>Quota limitations</b>
<i>Example</i>	<i>List of category(ies) into which a TCN switches</i>	<i>Law, Decree, etc.</i>	<i>Policy document.</i>	<i>Yes / No</i>	<i>List of criteria required for the switch(es) only if they differ from those listed in Section 1</i>	<i>Yes / No. If Yes, please report the threshold</i>
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Select	Select					
Other (please specify)	Other (please specify)					

Q2c. If any of the change of status provided in the tables above alters the level of rights of the third-country national concerned (enhanced or reduced), please fill in the table below, providing a short overview / analysis of the specific situation in your (Member) State. If rights enjoyed are not subject to changes, EMN NCPs are simply asked to enter "no change".

EMN NCPs are asked to use the pre-compiled box marked 'example' as reference and add as many rows as possible switches.

From	Into	Employment	Social security	Education	Duration of stay	Legal assistance	Mobility	Family reunification	Political rights	Other
Example <sup>17</sup>	Example	<i>Please choose one as follows: No change Enhanced rights: specify Reduced rights: specify</i>	<i>Please choose one as follows: No change Enhanced rights: specify Reduced rights: specify</i>	<i>Please choose one as follows: No change Enhanced rights: specify Reduced rights: specify</i>	<i>Please choose one as follows: No change Enhanced rights: specify Reduced rights: specify</i>	<i>Please choose one as follows: No change Enhanced rights: specify Reduced rights: specify</i>	<i>Please choose one as follows: No change Enhanced rights: specify Reduced rights: specify</i>	<i>Please choose one as follows: No change Enhanced rights: specify Reduced rights: specify</i>	<i>Please choose one as follows: No change Enhanced rights: specify Reduced rights: specify</i>	<i>Please choose one as follows: No change Enhanced rights: specify Reduced rights: specify</i>
Select	Select									
Select	Select									
Select	Select									
Select	Select									
Select	Select									
Select	Select									
Select	Select									
Select	Select									
Select	Select									
Other (please	Other									

<sup>17</sup> Please add as many rows as necessary



specify)	(please specify)									
----------	---------------------	--	--	--	--	--	--	--	--	--

Q3. If the criteria to change status from within the territory of the (Member) State allowed by your national system differ from those of first time applicants, please list the procedural facilitations in place (in comparison with criteria for first time applicants listed in Section 1) by filling in the table below. EMN NCPs are asked to use the pre-compiled box marked 'example' as reference (and add as many rows as possible switches).

From	Into	Procedural facilitations when compares with first time applicants from the country of origin
<i>Example</i>	<i>Example</i>	<ul style="list-style-type: none"> <li>• Possibility to apply online</li> <li>• Shortened processing time</li> <li>• Shortened decision time</li> <li>• Reduced fees</li> <li>• Reduced documentary requirements</li> <li>• Reduced prove of means to support</li> <li>• Extended duration of residence permit</li> <li>• Possibility to stay beyond the expiration of the previous residence permit ("tolerated status" for those who have applied before the permit expires)</li> </ul>
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Select	Select	
Other (please specify)	Other (please specify)	
Please add as many rows as necessary!		

Q4. What is/are the main actor(s) and institution(s) involved in the development of such measures? If multiple authorities are involved, how are they coordinated?

Q5. Do specific institutional communication channels (i.e. Migration Agencies' websites) offer information on the possibility to change status?

**Section 3.2: Aims of national policies to permit changes of status without leaving the territory of the (Member) State**

Q6a. Have the measures in place in your Member State been driven by any specific policy goals (i.e. addressing labour shortages, reducing unemployment, retaining talents, harnessing entrepreneurial skills of third-country nationals, tackling bottleneck occupations, general economic performance targets, etc.)?

**Yes / no**

Q6b. If yes, please explain the rationale behind their design/implementation, whether such decision were based on a needs assessment and if specific indicators/target were identified.

In case a report/publication exists, please summarise the main findings here and include a reference to the assessment in an annex to your national report. If no, please provide also any other evidence/indicator that may be available in your Member State in this regard (media reporting, media debates, assessment by experts/academics, etc.).

Q7a. Have any evaluations or studies in your Member State considered the effectiveness of national measures allowing third-country nationals to change status from within the territory of the (Member) State? Did the evaluations or studies investigate how (Member) States have addressed the change in / loss of rights?

**Yes / no**

Q7b. If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report. If no, please provide also any other evidence/indicator that may be available in your (Member) State in this regard (media reporting, media debates, assessment by experts/academics, etc.).

Q8a. Have any evaluations or studies in your (Member) State considered the impact of such national measures to national economy?

**Yes / no**

Q8b. If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report. If no, please provide also any other evidence/indicator that may be available in your (Member) State in this regard (media reporting, media debates, assessment by experts/academics etc.).

Q9. How are such changes of status perceived in your (Member) State? Please support your argument based on existing evidence (policy documents, political discourses, media coverage, NGO campaigns, case law examples etc.).

Q10a. Is there any evidence or are there any indications that such changes of status contribute to the prevention of irregular stays or to reduce irregularity in your (Member) State?

**Yes / no**

Q10b. If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report. If no, please provide also any other evidence/indicator that may be available in your (Member) State in this regard (media reporting, media debates, assessment by experts/academics etc.).

## **Section 4: Challenges, good practices and lessons learned**

Section 4.1 examines the existing *challenges and obstacles* for the design and implementation of specific policies allowing third-country nationals to change status whilst remaining on the territory of the Member State as experienced by the legislator / policy maker / practitioner. EMN NCPs may also report on any challenges /barriers reported by third-country national applicants if available through available studies / evaluations (primary research is not expected).

This section should (to the extent possible) understand the obstacles to status change (or the current mainstream legal requirements that prevent status change from within the territory of the (Member) State. EMN NCPs are asked to address any obstacle related to the eligibility criteria or to other macro-level areas such as labour market needs, employment, integration, etc. EMN NCPs are asked to present the findings and analysis of any existing studies or evidence collected in any other way and to provide any available statistics in the corresponding tables Annex 1.

Section 4.2 aims to highlight any *good practices* of the (Member) States that have successfully implemented and managed measures allowing third-country nationals to switch status without leaving the territory of the (Member) State. This section can include also lessons learned from the practical implementation of specific policies, programmes or schemes for the targeted categories of third-country nationals: *lessons learned may address also assessments of the expected and/or unintended (positive and negative) consequences of specific measures.*

### **Section 4.1: Challenges and obstacles to measures to enable third-country nationals to change status whilst remaining on the territory of the (Member) State**

Q11. What are the main challenges/obstacles related to the change of status for third-country nationals whilst remaining on the territory of your (Member) State?

EMN NCPs are not required to engage with immigrant communities, but reference to existing evidence-based research/literature/studies will be necessary to duly complete the table.

Please use the space below for information applicable to **all changes** and/ or the table below for change-specific information if required.

--

From	Into	Challenges for national authorities in the design and implementation of measures allowing third-country nationals to change status. <i>If possible studies should be included (sourced as appropriate)</i>	Challenges for applicant to change status at both application stage (e.g. requirements, waiting times, fees, etc.) <i>If possible, the views of the immigrant community and studies should be included (sourced as appropriate)</i>
Select	Select		
Select	Select		
Other (please specify)	Other (please specify)		

*Please add as many rows as necessary!*

### [Section 4.2: Good practices and lessons learned](#)

*If there are specific examples of good practices worth highlighting, EMN NCPs are kindly asked to fill in the box below:*

--

### [Section 5: Conclusions](#)

*The Synthesis Report will outline the key findings, main observations of the Study, present conclusions relevant for policymakers at national and EU level and identify policy pointers for future actions. Specific conclusions drawn by (Member) State should be included in the Top Line Factsheet to prevent duplication of efforts.*

## **ANNEX 1: Statistics**

This annex provides statistics on the topic of change of status. Data for Tables A1-A3; and A5-A6 will be compiled centrally from sources indicated. However, if no data are available centrally, (Member) States are welcomed to provide their national data.

The national data should be provided for Table A4 and Tables A7-A11.

**Table A1: Applicants for international protection (2010-2014)**

	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b><i>Austria</i></b>					
<b><i>Belgium</i></b>					
<b><i>Bulgaria</i></b>					
<b><i>xxx</i></b>					

Source: Eurostat (migr\_asyappctza), data extracted XXX

**Table A2: All valid residence permits by reason on 31 December (2010-2014)**

Year	Reason	AT	BE	BG	CY	CZ	DE	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK	NO	
<b>2010</b>	Total																													
	Family reasons																													
	Education reasons																													
	Remunera ted activities reasons																													
<b>2011</b>	Total																													
	Family reasons																													
	Education reasons																													
	Remunera ted activities reasons																													
<b>2012</b>	Total																													

Year	Reason	AT	BE	BG	CY	CZ	DE	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK	NO	
	Family reasons																													
	Education reasons																													
	Remunerated activities reasons																													
<b>2013</b>	Total																													
	Family reasons																													
	Education reasons																													
	Remunerated activities reasons																													
<b>2014</b>	Total																													
	Family reasons																													
	Education reasons																													



Year	Reason	AT	BE	BG	CY	CZ	DE	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK	NO
	Remunera ted activities reasons																												

Source:

Eurostat

(migr\_resvalid),

data

extracted

XXX

**Table A3: Number of "EU Blue Cards" granted (2010-2014)**

(Member) State	2010	2011	2012	2013	2014
<i>Austria</i>					
<i>Belgium</i>					
<i>Bulgaria</i>					
<i>xxx</i>					

Source: Eurostat (migr\_resbc1), data extracted XXX

**Table A4: Issued skilled or highly skilled national labour permits (2010-2014)**

(Member) State	2010	2011	2012	2013	2014

Source:

National

data

**Table A5: Total number of victims of trafficking (identified and presumed) by assistance and protection: residence permit based on Directive 2004/81 as well as other granted residence permits (2010-2012)**

<b>(Member) State</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<i><b>Austria</b></i>			
<i><b>Belgium</b></i>			
<i><b>Bulgaria</b></i>			
<b>xxx</b>			

*Source: Eurostat (2015) Trafficking in Human Beings, Table A12: Number of victims (identified and presumed) by assistance and protection: residence permit based on Directive 2004/81 as well as other granted residence permits*

**Table A6: Change of immigration status permits by reason (2010-2014)**

Year	Change from:	Change to:	AT	BE	BG	CY	CZ	DE	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK	NO	
2010	Family status	Education																													
		Remunerated activities																													
	Education	Family																													
2011	Family status	Education																													
		Remunerated activities																													
	Education	Family																													
2012	Family status	Education																													
		Remunerated activities																													
	Education	Family																													
2013	Family status	Education																													
		Remunerated activities																													
	Education	Family																													
2014	Family status	Education																													
		Remunerated activities																													
	Education	Family																													

Source: Eurostat (migr\_reschange), data extracted XXXXXX

**Table A7: Change of immigration status permits by reason (2010-2014)**

Change from:	Change to:	2010	2011	2012	2013	2014	Data includes <u>only</u> main applicants	Data includes main applicants <u>and</u> dependants	Source / further information
Family status	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Education	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Research	Family								
	Education								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								

Change from:	Change to:	2010	2011	2012	2013	2014	Data includes <u>only</u> main applicants	Data includes main applicants <u>and</u> dependants	Source / further information
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Remunerated activities: Blue card	Family								
	Education								
	Research								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Remunerated activities: highly qualified worker	Family								
	Education								
	Research								
	Blue card								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Remunerated activities: Employee	Family								
	Education								
	Research								
	Blue card								

Change from:	Change to:	2010	2011	2012	2013	2014	Data includes <u>only</u> main applicants	Data includes main applicants <u>and</u> dependants	Source / further information
	Highly qualified workers								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Remunerated activities: Self-employed	Family								
	Education								
	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Business owner	Family								
	Education								
	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								

Change from:	Change to:	2010	2011	2012	2013	2014	Data includes <u>only</u> main applicants	Data includes main applicants <u>and</u> dependants	Source / further information
	Other (please specify)								
Remunerated activities: Seasonal worker	Family								
	Education								
	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Remunerated activities: ICT	Family								
	Education								
	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Investor	Family								
	Education								
	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								



Change from:	Change to:	2010	2011	2012	2013	2014	Data includes <u>only</u> main applicants	Data includes main applicants <u>and</u> dependants	Source / further information
	Seasonal worker								
	ICT								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
D-type visa holder	Family								
	Education								
	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	Asylum								
	Victim of trafficking								
	Other (please specify)								
Asylum	Family								
	Education								
	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Victim of trafficking								
	Other (please specify)								
Victim of trafficking	Family								
	Education								
	Research								

Change from:	Change to:	2010	2011	2012	2013	2014	Data includes <u>only</u> main applicants	Data includes main applicants <u>and</u> dependants	Source / further information
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Other (please specify)								
Other (Please specify)	Family								
	Education								
	Research								
	Blue card								
	Highly qualified workers								
	Employee								
	Self-employed								
	Business owner								
	Seasonal worker								
	ICT								
	Investor								
	D-type visa holder								
	Asylum								
	Victim of trafficking								
Other (please specify)									

*Note: Please do not leave empty cells, but use the following acronyms where required: NI (no information available), NA (not applicable).*

*Eurostat data will be used for switches between three statuses: Family, Education and Remunerated activities.*

*Please use this space to leave any notes if necessary*

**Table A8: Number of persons who have changed immigration status 2 times by type of switch (2010-2014)**

Change from:	Change to:	2010	2011	2012	2013	2014	Data includes <u>only</u> main applicants	Data includes main applicants <u>and</u> dependants	Source / further information

*Note: In order to fill in columns 'change from' and 'change to' please see examples of changes in tables A6 and A7*

**Table A9: Number of persons who have changed immigration status 3 times by type of switch (2010-2014)**

Change from:	Change to:	2010	2011	2012	2013	2014	Data includes <u>only</u> main applicants	Data includes main applicants <u>and</u> dependants	Source / further information

*Note: In order to fill in columns 'change from' and 'change to' please see examples of changes in tables A6 and A7*

**Table A10: Number of persons who have changed immigration status more than 3 times by type of switch (2010-2014)**

Change from:	Change to:	2010	2011	2012	2013	2014	Data includes <u>only</u> main applicants	Data includes main applicants <u>and</u> dependants	Source / further information

*Note: In order to fill in columns 'change from' and 'change to' please see examples of changes in tables A6 and A7*

**Box A1: Is the processing time set in the national legislation? If yes, does it differ for different groups of migrants – in legislation and/ or in practice?**

If the answer is yes, please fill in the Table A11, specifying in the narrative whether it differs in legislation and/ or practice:

**Table A11: The average processing time to change the status (the time span between the application for change of status and the granting of the change of status), by purpose of stay in 2014**

Into \ From	Family	Education	Research	Blue cards	Highly qualified worker	Employee	Self-employed	Business owner	Seasonal worker	ICT	Investor	D-type visa holder	Asylum	Victim of trafficking	Other (please specify)
<b>Family</b>		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Education</b>	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Research</b>	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Blue card</b>	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Highly qualified worker</b>	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Employee</b>	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Self-employed</b>	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Business owner</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:	Select:
<b>Seasonal worker</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:	Select:
<b>ICT</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:	Select:
<b>Investor</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:	Select:
<b>D-type visa holder</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:	Select:
<b>Asylum</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:	Select:
<b>Victim of trafficking</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:		Select:
<b>Other (please specify)</b>	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	Select:	

Note: Please fill in the table using one of the options provided (by clicking on the cell):

**A few days**

**From a few days to a week**

**Up to two weeks**

**Up to a month**

**More than a month**

**NI – no information available**

**NA – not applicable**