

## LONG-TERM VISAS FOR LANGUAGE ASSISTANTS IN SPAIN

### DOCUMENTS TO BE SUBMITTED

#### General considerations

Any foreigner over 18 years of age who is not a national of an EU/Schengen State and intends to enter and remain in Spain for the sole or main purpose of performing tasks as a foreign language assistant for more than 90 days, must first apply for and obtain a long-term study visa (specializing in "conversation assistant"), with the exceptions set out in current regulations.

If the duration of the conservation assistant activity does not exceed 90 days and the applicant's nationality is subject to a visa requirement (Annex I, EU Regulation 2018/1806 of 14 November), they must apply for a Schengen visa, not a language assistant visa. The general rules for Schengen visas will apply to this application.

Regarding those who, due to their nationality, are not subject to visa requirements (Annex II, EU Regulation 2018/1806 of 14 November), they will not need to apply for any type of visa, but they will need to obtain a travel authorization registered in the European Travel Information and Authorisation System/ETIAS, **once the latter comes into force**. In both cases, the applicant must meet the entry requirements for Spain established by current regulations, and should also bear in mind that border authorities may request supporting documentation for the purpose of the trip.

This visa allows the performance of tasks as a conversation assistant in English, French, German, Italian, Portuguese, Russian or Chinese, under the Agreements in this matter managed by the Ministry of Education or by the respective Education Departments of the Autonomous Communities, exclusively in public primary and secondary schools.

This visa does not allow family reunification of any kind, so the spouse or civil partner or the children (even minors) of the visa holder cannot apply for a family member visa.

Applications for long-stay visas for language assistants may be submitted either in person or through a duly authorized representative. They may be submitted to the consular office in whose jurisdiction the applicant resides, or to the office corresponding to their place of temporary stay, even if this is not their habitual residence, provided the applicant is legally present there. If they are nationals of third countries, they must also have legal residence and/or stay status with a return authorization. Under no circumstances should the application be submitted electronically .

The consular office may establish an appointment system for receiving applications for this type of visa. Granting an appointment to submit a visa application does not automatically imply visa approval.

Visa applications will be rejected in the cases provided for in Additional Provision Four, Organic Law 4/2000, of January 11.

In cases of incomplete files or if any document submitted does not meet the legally required standards, the applicant will be required to rectify the situation.

The issuance of a language assistant visa by the Consular Office requires prior authorization from the corresponding Immigration Office in Spain, a process that takes a minimum of 15 business days from receipt. Therefore, please note that the minimum application period is two months prior to the start date of the activity to be carried out. Applications submitted after this deadline will not be accepted unless the applicant provides a justified reason preventing them from submitting the application earlier.

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<sup>1</sup> Those who will be performing the duties of a conversation assistant in private educational centers or in any case outside of the official programs established for this purpose, will NOT be able to apply for this visa, and must process the one corresponding to employment or, where applicable, work placements.

2. The application and supporting documents must be submitted in person at this Consulate General during public opening hours, Monday to Friday, from 9:00 a.m. to 1:00 p.m. An appointment must be scheduled in advance by emailing [cog.melbourne.visappt@maec.es](mailto:cog.melbourne.visappt@maec.es)

A student visa for a language assistant cannot be provisionally granted, as a precautionary measure, so that the interested party can begin their activity with the course already underway, until a positive decision is received from the corresponding Government Delegation/Subdelegation (Immigration Office).

If the visa is granted, it will be issued for a long-term stay of up to one year. The authorization will be valid one month prior to the start of the teaching activity and will extend for 15 days beyond the end of the activity or studies; therefore, it is not possible to issue a visa outside of these limits.

The deadline for collecting the visa is one month from the date of its issuance. It must be collected in person only if the application was submitted through a duly authorized representative; otherwise, the representative may collect it. If the visa is not collected within this period, the Consular Office will issue a decision to close the application due to renunciation. The visa cannot be collected from any Consular Office other than the one that processed the application.

Possession of a valid long-stay visa does not guarantee automatic entry into Spain. The holder must demonstrate to border authorities that they meet the requirements that led to the visa's issuance. Nor does it, on its own, allow the holder to leave their country of origin, nationality, or residence, which may impose regulations on this matter.

Entry into Spanish territory will be denied, even if a valid visa is held and it is proven to the border authorities that the requirements that motivated its issuance are met, if there is an entry ban.

Once entry into Spain has been authorized by the border authorities, the visa holder must ensure that their passport is stamped by them. If entering Spain from a Schengen State and therefore without crossing external borders, they must, within a maximum of 3 business days, go to a Police Station or an Immigration Office to sign an entry declaration. From the date the Entry-Exit System becomes operational, the information contained therein will supersede the provisions of this paragraph.

For stays exceeding six months, applicants have a maximum of one month from the day following the date of entry stamp or from the date of signing the entry declaration to apply for their Foreigner Identity Card (TIE) at the corresponding Immigration Office. However, they do not need to apply for a Foreigner Identification Number (NIE), as this is included in the appointment resolution as a language assistant.

Possession of a language assistant visa only implies for its holder a right of stay in Spain during its validity, but does not generate any right of residence; consequently, its holders may not impute the time of stay in Spain as students to any other legal calculation for the purposes of Spanish nationality, roots, etc.

If the visa is denied, the Consular Office will issue a decision rejecting the application, which will be communicated in writing to the applicant, with information on the legal basis for the denial, the available appeals and the bodies to which they must be submitted.

#### Documents to be submitted

For all visas for language assistants, the same documentation must be submitted, regardless of their duration (except for number 7), provided that it exceeds 3 months.

1. Original passport or travel document.
2. National visa application form (1 copy).
3. 1 photograph.
4. Official document of appointment or admission as a language assistant in the corresponding program, issued by the Ministry of Education or, where applicable, by the respective Department of Education of an Autonomous Community or City (electronically signed), which MUST indicate the start and end dates of the activity and the remuneration assigned to the

interested, as well as having a medical insurance policy in their favor.

5. Negative certificate attesting that you do not suffer from any disease that could have serious repercussions for public health, in accordance with the provisions of the WHO International Health Regulations of 2005.

6. Amount of the corresponding consular fee; if claiming free service, supporting documents.

In addition, the following documentation must be submitted, depending on each specific case:

7. ONLY IF THE PLANNED ACTIVITY EXCEEDS 6 MONTHS, a negative certificate of criminal records for crimes foreseen in the Spanish legal system, issued by the country or countries in which you have resided in the last 5 years.

8. ONLY IF THE APPLICANT IS A NATIONAL OF A THIRD COUNTRY. Official, valid document proving their legal residence and/or stay status with authorization to return to the country (visa, resident alien identity document, etc.). Driving licenses issued by local authorities, registration certificates, or for this purpose, rental agreements or utility or telephone bills will not be accepted. If the visa or stay permit does not allow the holder to return to the country of issuance after leaving, they must present a flight ticket from Spain to their country of origin, booked for the expected date of arrival in Spain.

#### General rules regarding the documentation to be submitted

The passport or travel document must be recognized by Spain, must have a minimum validity of 3 months after the expiry date of the visa (i.e., 15 months in total) and have at least 2 blank pages, and must allow return to the country of issue.

The visa application form must be completed in its entirety and signed by the applicant. Unsigned applications will not be accepted. The form must clearly state the applicant's home or postal address (which must be within the consular district), telephone number, and email address for communication purposes. This form is free of charge.

The photograph must conform to the technical requirements of ICAO Document 9303 (close-up of the head and shoulders, taken from the front, with eyes open, on a plain and light background, without glare, dark glasses, hats or clothing that hides the face, which must be visible from the hairline to the chin, taken within 6 months prior to the visa application).

The appointment document as a language assistant, issued by the Ministry of Education or, where applicable, by the respective Department of Education of an Autonomous Community, must in all cases be submitted electronically signed.

Foreign certificates must not have an issue date older than six (6) months.

Criminal record certificates must be submitted in their version with fingerprints.

For applicants who are nationals of third countries, the official document proving their legal status of residence and/or stay with authorization to return to the country must have a minimum validity of 3 months after the date of assignment by the Consular Office of the appointment for the processing of the visa.

In the case of official foreign documentation, this Consular Office reserves the right to request that it be apostilled<sup>3</sup> or, where applicable, legalized (unless a bilateral or multilateral agreement is in force<sup>4</sup>), as well as translated into

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<sup>3</sup> The updated list of Member States of the Hague Convention of 5 October 1961, Abolishing the Requirement of Legalisation for Foreign Public Documents (Apostille Convention), can be found at the following link: <https://www.hcch.net/es/instruments/conventions/status-table/?cid=41>

Spanish (however, documentation in English or French is accepted<sup>5</sup>). The obligation to provide the apostilled/legalized documents and translations into Spanish falls on the interested party, who must assume the cost of these procedures.

The visa fee is paid in advance and is not refunded to the applicant in case of visa refusal .

All documents must be submitted in ORIGINAL form or, if that is not possible, a legible COPY. Submitted documentation will not be returned (except upon express and justified request).

**This consular office reserves the right to request additional documentation or carry out any checks it deems necessary for resolving the case. Documentation submitted without being expressly requested will not be considered in resolving the case.**

**COMPLIANCE WITH THESE INSTRUCTIONS IS STRONGLY STRONG, AND APPLICANTS ARE REQUESTED TO SUBMIT ALL REQUIRED DOCUMENTATION AT THE SAME TIME IN ORDER TO AVOID DELAYS IN THE PROCESSING OF THEIR VISA.**

**THIS CONSULAR OFFICE DOES NOT PROVIDE PHOTOCOPY SERVICES FOR THE PUBLIC.**

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<sup>5</sup> For documents written in other languages, please consult this Consular Office.

<sup>6</sup>. Please check with this consular office for the current fee for this type of visa. Please note that only payment by postal order or cash will be accepted.