

## LONG-TERM VISAS FOR LANGUAGE ASSISTANTS IN SPAIN

### DOCUMENTATION REQUIRED

#### 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 with the sole or primary purpose of performing foreign language assistant duties for more than 90 days must first apply for and obtain a long-term study visa (specialty "language assistant"), with the exceptions set out in current regulations.

If the duration of the conservation assistant activity to be performed does not exceed 90 days and the applicant's nationality IS SUBJECT TO A VISA (Annex I, EU Regulation 2018/1806 of November 14), they must submit an application for a Schengen visa, not a study visa. This application must always be accompanied by all supporting documentation for the purpose of travel.

If the duration of the language assistant activity to be performed does not exceed 90 days and the applicant's nationality IS SUBJECT TO THE POSSESSION OF A TRAVEL AUTHORIZATION REGISTERED IN THE EUROPEAN TRAVEL INFORMATION AND AUTHORIZATION SYSTEM/ETIAS, when in force (Annex II, Regulation EU 2018/1806 of November 14), they do not need to apply for a student visa. However, they must be in possession of a valid ETIAS travel authorization. However, it should be noted that border authorities may require documentation justifying the purpose of the trip upon entry to Spain.

This visa allows the performance of language assistant duties, under the agreements on this matter managed by the Ministry of Education or the respective Education Departments of the Autonomous Communities, in public or subsidized primary and secondary schools in English, French, German, Italian, Portuguese, Russian, and Chinese.

Long-stay visa applications for language assistants may be submitted in person, through a duly authorized representative, or at the consular office in whose district the applicant resides, or at the consular office corresponding to their place of temporary stay, even if it is not their habitual residence, provided that the applicant is legally present in that place. This means that, if the applicant is a national of a third country, they must present proof of actual and effective residence in the country or, alternatively, proof of legal stay, in both cases with authorization to return. Under no circumstances may the application be submitted electronically<sup>2</sup>.

The consular office may establish an appointment system for receiving applications for this type of visa. The granting of an appointment for submitting a visa application does not automatically imply authorization for the visa.

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

In the case of incomplete applications or if any document submitted does not meet the legal requirements, the applicant will be required to rectify them.

The issuance of a language assistant visa by the Consular Office requires prior authorization from the corresponding Immigration Office in Spain, a procedure that takes a minimum of 15 business days from receipt. Therefore, please be advised that the minimum deadline for submitting this application will always be 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 interested party can prove a justified reason that prevents them from submitting it within this timeframe.

A student visa for a language assistant cannot be provisionally granted as a precautionary measure, allowing the applicant to begin their activity with the course already started, until a positive resolution is received from the corresponding Government Delegation/Sub delegation (Immigration Office).

<sup>1</sup> Those who will be working as a language assistant in private educational centres or outside of the official programs established for this purpose will NOT be eligible to apply for this visa. They must apply for the visa for employed work or, where applicable, for work experience.

<sup>2</sup> The application and documentation must be submitted in person at this Consulate General during business hours, Monday to Friday, from 9 a.m. to 1 p.m. Appointments are required at [coq.melbourne.visappt@maec.es](mailto:coq.melbourne.visappt@maec.es)

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

The deadline for collecting the visa is one month from its authorization. It must be collected in person only if the application was submitted through a duly authorized representative. Otherwise, the latter may collect it. After this period has elapsed without collecting it, the Consular Office will issue a resolution to dismiss it due to its withdrawal. It cannot be collected at a Consular Office other than the one that processed the application.

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

Entry into Spanish territory will be denied, even if the holder holds a valid visa and proves to the border authorities that they meet the requirements that led to its issuance, if an entry ban exists.

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 period of three working days, go to a Police Station or Immigration Office to sign an entry declaration. Upon entry into operation of the Entry-Exit System, the information contained therein will supersede the application of the provisions of this paragraph.

For stays of more than six months, the interested party will have a maximum period of one month, starting from the day following the date of the entry stamp or from the date of signing the entry declaration, to apply for their Foreigner's Identity Card (TIE) from the corresponding Immigration Office. However, they do not need to apply for a Foreigner's Identification Number (NIE), as this is included in the resolution appointing them as a language assistant.

Possession of a language assistant visa only grants the holder the right to stay in Spain during its validity, but does not generate any right of residence. Consequently, holders cannot count their time spent in Spain as students toward any other legal consideration for 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 interested party. This will include information on the legal basis for the denial, the available appeals, and the bodies to which they must be submitted.

#### Documentation to be submitted

For all visas for language assistants, the same documentation must be submitted, regardless of their duration (except for visa 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 Education Department 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 party, as well as the fact that they have medical insurance contracted in their favour.

<sup>3</sup> The updated list of member states of the Hague Convention of 5.10.1961, which abolishes the requirement for legalization of foreign public documents (Apostille Convention), can be consulted at the following link: <https://www.hcch.net/es/instruments/conventions/status-table/?cid=41>

<sup>4</sup> Consult the list of current Conventions at this Consular Office.

5. ONLY IF, UNDER EXCEPTION, THE PROGRAM DOES NOT INCLUDE MEDICAL INSURANCE FOR THE INTERESTED PARTY. Comprehensive health insurance, with benefits similar to those provided by the National Health System, contracted with an insurance company authorized to operate in Spain, covering 100% of medical, hospital, and out-of-hospital expenses associated with an illness or accident during the applicant's planned stay in Spain, for a minimum amount of €30,000 or its equivalent in local currency, and exempt from co-payments, reimbursements, or waiting periods. This insurance must be contracted with an insurer that must be registered on the list of insurance and reinsurance companies of the Directorate General of Insurance and Pension Funds of the Spanish Ministry of Economy, Trade, and Enterprise. In the case of British applicants, the GHIC card remains valid as medical coverage for visa processing.
6. A negative certificate proving the absence of any disease that could have serious repercussions for public health, in accordance with the provisions of the WHO International Health Regulations of 2005.
7. If the planned activity exceeds 6 months, a negative certificate of criminal record for offenses established under Spanish law, issued by the country or countries in which the applicant has resided in the last 5 years.
8. If the application is submitted less than 2 months before the start date of the activity to be carried out, a supporting document proving the applicant's inability to submit it within the legally established period.
9. Amount of the corresponding consular fee; if claiming free of charge, supporting documents.
10. If the applicant is a national of a third country, proof of actual and effective residence in the country or, alternatively, proof of legal stay there with authorization to return.

#### General Rules Regarding Documentation

The passport or travel document must be recognized by Spain, must be valid for at least 3 months after the visa expiration date (i.e., 15 months in total), have at least 2 blank pages, and must allow return to the issuing country.

The visa application form must be fully completed and signed by the applicant. Applications with unsigned forms will be deemed inadmissible. The address or postal address (which must always be within the consular area), telephone number, and an email address for communication purposes must be clearly stated. This form is free of charge.

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

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

Certificates and other documents issued by Spanish and foreign official bodies, as well as medical certificates, must not be older than six (6) months.

Criminal record certificates must be submitted in their simplest version (without fingerprints).

In the case of official foreign documentation, this Consular Office reserves the right to request that it be apostilled or, where appropriate, legalized (except for a current bilateral or multilateral agreement), as well as translated into Spanish (documentation in English or French is accepted, however). The interested party is responsible for providing the apostilled/legalized documents and their translation into Spanish, who must bear the costs of these procedures.

The visa fee is paid in advance and is not refunded to the applicant in the event of visa denial.

All documents must be submitted in the original or, if this is not possible, in a legible copy. Documentation submitted will not be returned (except upon express and reasoned request).

**This consular office reserves the right to request additional documentation or to carry out any checks it deems necessary to resolve the case. Documentation provided that has not been expressly requested will not be taken into account when resolving the case. Compliance with these instructions is strongly encouraged, and applicants are kindly requested to submit all required documentation at the same time to avoid delays in the processing of their visa applications.**

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

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

<sup>6</sup>Please check the current fee for this type of visa at this consular office at the following link: <https://exteriorediccion.maec.es/Consulados/melbourne/es/Comunicacion/Noticias/Paginas/Precios-Recaudaci%C3%B3n-Consular-a-1012024.aspx> Please note that payment will only be accepted by money order or cash