

Visas for the Recovery of Long-Term Residence Permits

Documentation to be Submitted

General considerations

Foreigners who are not nationals of an EU Member State or a Schengen State and who, having held a national or EU long-term residence permit, have lost their long-term resident status in Spain, may apply for its reinstatement.

With the exception of foreign minors, the loss of a long-term residence permit as a family reunion recipient will not allow them to apply for its reinstatement. Instead, the reunifying family member must apply for a family reunification authorization once their long-term residence permit in Spain has been recovered.

Reinstatement may be requested by those who have resided in Spain, either because they held a long-term residence permit issued by Spain or under a long-term residence permit issued by another European Union country.

The following may apply for reinstatement:

A) Those who held a long-term residence permit issued by Spain:

- as a result of absence from Spanish territory for 12 consecutive months.
- as a result of having acquired long-term residency in another European Union Member State.
- as a result of having voluntarily returned to their country of origin, either through a voluntary return program promoted, funded, or recognized by the General State Administration, or outside of any such program, provided that a minimum period of 3 years has elapsed since the commitment not to return to Spain.

B) Those who have held a long-term residency permit issued by an EU country (having resided in Spain):

- as a result of absence from the European Union for 12 consecutive months.
- as a result of having acquired long-term residency in another European Union Member State.
- as a result of absence from Spain for a period exceeding 6 years.

Except in the case of having assumed the commitment not to return to Spain for a minimum of 3 years, there is no deadline for submitting an application to recover residency.

Under no circumstances will a Schengen visa be issued, nor will any travel authorization registered in the European Travel Information and Authorization System (ETIAS), when in force, be processed if it is determined that the applicant is traveling to Spain solely to request the recovery of long-term residence.

Applications for the recovery of long-term residence authorization must always be submitted in person (those for minors must be submitted by their parents or guardians). Applications for minors may not be submitted through a representative or electronically¹. **Applications for minors may only be submitted if said minors have previously held long-term residence in Spain.**

Only applications submitted by those who are genuinely and permanently resident in the corresponding consular district will be accepted for processing; if they are third-country nationals, they must also be legally resident and/or stay with a return authorization (not a tourist).

The Consular Office may establish an appointment system for receiving applications for this type of visa. Granting an appointment for submitting a visa application does not automatically imply authorization for the application.

¹ 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 cog.melbourne.visappt@maec.es

Visa applications will be rejected in the cases provided for in the Fourth Additional Provision of Organic Law 4/2000 of January 11, as well as in Article 26.1 of Royal Decree 1155/2024 of November 19.

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

The issuance of a visa for the recovery of long-term residence by the Consular Office requires prior authorization from the corresponding Immigration Office in Spain, a process that takes 90 days from receipt. If the authorization is favourable, the interested party must submit a visa application to the corresponding consular office.

The deadline for collecting the issued visa is 1 month from its authorization, and may be collected in person or through a duly accredited representative (those issued to minors must be collected by their parents or guardians); after this period has elapsed without collecting it, this Consular Office will issue a resolution to dismiss it due to renunciation. It cannot be collected at any Consular Office other than the one that processed the application.

The visa holder has a maximum period of 3 months to enter Spain and must, in all cases, travel to Spain and present to the border authorities the same travel document used to enter process your visa, which includes this document.

Possession of a valid visa of this type does not guarantee automatic entry into Spain. The holder must prove to the border authorities that they meet the requirements for issuing it. 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.

Once entry into Spain has been authorized by the border authorities, the visa holder must ensure that their passport is stamped. If entering Spain from a Schengen State and therefore without crossing external borders, they must, within a maximum period of three business days, go to a police station or an Immigration Office to sign an entry declaration.

The interested party (or their representative in the case of minors) 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) at the corresponding Immigration Office.

Once the recovery of long-term residence has been authorized, the interested party, once in Spain, may request family reunification in accordance with the general reunification regime, provided they meet the requirements established in this case.

If the visa is denied by this consular office, it will issue a rejection decision, which will always be communicated to the interested party in writing, including information on the legal basis for the denial, the available appeals, and the bodies to which they must be submitted.

Documentation to be submitted

All applicants must submit in all cases:

A) For the processing of the application to recover long-term residence.

1. Residence permit application form, Form EX-11 (1 copy).
2. Proof of payment of the long-term residence permit application fee, Form 790-052.
3. Certificate of negative conviction certifying that the applicant does 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.
4. Only for applicants of legal age of criminal responsibility, a certificate of positive conviction for offenses under Spanish law, issued by the country or countries in which the applicant has resided in the last 5 years.
5. Photocopy of the document proving legal long-term resident status issued by Spain or another Member State (TIE in the case of Spain, similar document in other cases).
6. Any document proving the applicant's effective residence in Spain: certificate of registration in the Spanish municipality where they had their last address, pay stubs, income tax return, school enrolment certificate in the

case of minors, etc. A notarial deed of statements WILL NOT be valid.

7. Alternatively:

7a. If the status of long-term legal resident in Spain has been lost as a result of having been absent from the territory of Spain or the European Union for 12 consecutive months or, where applicable, from Spain for a period exceeding 6 years, a certificate from the competent local authorities (immigration authorities, police, etc.) proving the length of stay in the country, indicating the dates of entry and exit in the last calendar year or the last 6 calendar years, as applicable, prior to submitting the application.

7b. If the status of legal long-term resident in Spain was lost as a result of acquiring long-term residence in another Member State, documentary evidence of this fact.

7c. If the status of legal long-term resident in Spain was lost as a result of voluntarily returning to their country of origin, evidence of having benefited from a voluntary return program promoted, funded, or recognized by the General State Administration, or outside of any such program.

8. Document proving the applicant's actual and permanent residence in this consular district (rental contract, utility or telephone bills, proof of enrolment in an educational institution provided that classes are compulsorily in person, etc.).

9. If the applicant is a third-country national, official document proving their legal residence and/or stay with authorization to return (visa, foreign resident identity document, etc.). Driving licenses issued by local authorities, registration certificates, rental contracts for housing or utility bills will not be accepted for this purpose.

In the case of an application to recover a long-term residence permit issued by a Member State, in addition to 7a or 7b, as applicable, you must submit:

10. Documentary evidence that you have sufficient financial resources to cover your living expenses and stay in Spain, and possibly those of your family members. By analogy with other similar cases, you must prove a regular source of income in a minimum monthly amount equivalent to 100% of the Public Income Indicator for Multiple Purposes (IPREM). If you have dependent minor relatives, documentary evidence that you have a minimum monthly amount equivalent to 100% of the IPREM for each accompanying family member.

11. 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 the applicant's (and, where applicable, their family's) medical, hospital, and out-of-hospital expenses associated with an illness or accident, for the entire period of 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 company 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 Business.

12. Documentary evidence proving that the applicant meets the requirements for recovery of long-term EU residence required by the Member State that previously authorized such residence.

In the case of minors, they must also present:

13. Civil Registry certificates or documentation proving the family relationship between the minor and the person making the application on their behalf.

14. If these certificates cannot prove the relationship with the sponsoring family member, any public document that allows determining or confirming the relationship (a simple declaration or notarial record of statements is not valid) or, alternatively, DNA or densitometry tests.

B) If the recovery of long-term residence is authorized, the interested party must submit a visa application to this Consular Office accompanied by the following documentation²:

15. Original passport or travel document.

16. National visa application form (1 copy).

17. 1 photograph.

18. Proof of payment of the corresponding consular fee; if claiming free of charge, supporting documents.

General rules on the documentation to be submitted

The residence permit application form, Form EX-11, can be obtained at this Consular Office or alternatively at the following link:

http://extranjeros.inclusion.gob.es/ficheros/Modelos_Solicitudes/mod_solicitudes2/11-Formulario_larga_duracixn.pdf

The receipt for payment of the fee for the long-term residence permit application, Form 790-052, can be obtained at this Consular Office or alternatively at the following link:

<https://sede.administracionespublicas.gob.es/pagina/index/directorio/tasa052>

The visa application form must be completed in all sections. The address or postal address (which must always be within the consular district), the telephone number, and an email address for communication purposes must be clearly stated. This form is free of charge.

All of the aforementioned forms must be signed by the applicant. Applications with unsigned forms will be considered inadmissible.

The passport or travel document must be recognized by Spain, must be valid for at least 4 months after the visa expiration date, have at least 2 blank pages, and must permit reentry into the country of issue. **You must submit a photocopy of all pages of the passport, including those that are blank.**

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

A photocopy of the document proving legal long-term resident status issued by Spain or another Member State (TIE in the case of Spain, or a similar document in other cases) must be submitted locally certified. It may also be certified at the Consular Office, in which case the original must also be presented, even if it has expired³.

Criminal record certificates, civil registry certificates, and other official foreign documentation must not be older than three (3) months, and exceptionally six (6) months. This Consular Office reserves the right to request an apostilled or, where appropriate, legalized document (except under a current bilateral or multilateral agreement⁴), as well as a translation into Spanish (documentation in English or French⁵ is accepted). The obligation to provide the apostilled³/legalized documents and their translation into Spanish falls on the interested party, who must bear the cost of these procedures.

The receipt for payment of the fee for the long-term residence permit application must be paid in advance.

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

The visa fee⁶ is also payable in advance and is not refunded to the applicant in the event of a visa denial.

All documents must be submitted in original and in copy. Submitted documentation will not be returned (unless specifically and substantiated).

THIS CONSULAR OFFICE RESERVES THE RIGHT TO REQUEST ADDITIONAL DOCUMENTATION OR CARRY OUT NECESSARY CHECKS IF IT DEEMS IT 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 INTERESTED PARTIES ARE KINDLY REQUESTED TO SUBMIT ALL REQUIRED DOCUMENTATION AT THE SAME TIME TO AVOID DELAYS IN VISA PROCESSING.

THIS CONSULAR OFFICE DOES NOT OFFER PHOTOCOPYING SERVICES TO THE PUBLIC.

²See Note 1.

³ 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>

⁴ Consult the list of current Conventions at this Consular Office.

⁵ For documents drawn up in other languages, please consult this Consular Office.

⁶ Please check the current fee for this type of visa at this consular office at the following link: <https://exterioresedicion.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.