

LONG-TERM VISAS FOR NON WORKING RESIDENCE IN SPAIN

DOCUMENTATION TO BE PRESENTED

General considerations

Any foreigner who is not a national of an EU/Schengen State may apply for residency in Spain without engaging in work or professional activities (annuitants, retirees, people with guaranteed means of subsistence, etc.) if they meet certain requirements.

The following may also apply for this type of visa:

- **the spouse, registered partner, or duly proven stable partner of the applicant** for the residency permit. A stable partner is defined as one who can prove the existence of a long-term relationship. In any case, this relationship will be deemed to exist if a marital relationship of at least one continuous year can be proven, unless they have children together, in which case duly proven stable cohabitation will suffice. Marriage and civil partnership situations will always be considered incompatible with each other.
- **children under 18 years** of age of the applicant or their spouse, registered partner, or stable partner, provided they are not married or have not formed their own family unit.
- **children over 18 years** of age of the applicant or their spouse, registered partner, or stable partner, who have a disability that requires support or who are objectively unable to provide for their own needs due to their health status.
- **those represented** by the applicant who are under 18 years of age or over that age, provided they are disabled.

On the other hand, this visa application is not provided for by the applicant's ascendants, as it is not covered by current regulations.

Applications for a residence visa for non-work purposes are considered fraudulent:

- **to obtain Spanish nationality when there is no objective right to it or the requirements of the Civil Code are not met.**
- **to access Spanish healthcare without actually residing in Spain.**
- **if the exercise of the applicant's profession necessarily requires their presence in the country.**
- **to carry out a teleworking activity in Spain, since in this case the interested party travels to Spain for the purpose of carrying out a lucrative activity, even if they are employed by a company located in a third country. A specific long-term visa (international teleworking residency) is also available for this type of visa.**

Those who are within the voluntary commitment period not to return to Spain may not submit an application for this type of visa.

Applications for long-term visas for non working residency must be submitted in person (those for minors must always be submitted by their parents or guardians), exclusively at the Consular Office in whose district the interested party resides. Applications cannot be submitted electronically. Only applications submitted by those who actually and permanently reside 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).

Visa applications for a family unit must be submitted jointly by all members of the family wishing to settle in Spain, and not independently.

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 mean that the visa is authorized.

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 1155/2025 of November 19.

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.

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

The issuance of a non-lucrative residence 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.

If the visa is approved, the initial non-lucrative temporary residence authorization will be valid for one year.

The visa must be collected in person only if the application was submitted through a duly authorized representative. Otherwise, the latter may collect it (those issued to minors must be collected by their parents or guardians). After this period has elapsed without collecting it, the Consular Office will issue a resolution to dismiss it due to waiver. It cannot be collected at any Consular Office other than the one that processed the application.

Possession of a valid long-stay visa does not guarantee the 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, by itself, 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 the holder meets the requirements that led to its issuance, if an entry ban exists.

Once authorized to enter Spain by the border authorities, visa holders 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 of three business days, go to a police station or an Immigration Office to sign an entry declaration. Once the Entry-Exit System comes into operation, the information contained therein will supersede the application of the provisions of this paragraph.

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 into Spain or from the date of signing the entry declaration, to apply for their Foreigner's Identity Card (TIE) from the corresponding Immigration Office.

If the visa is denied, a decision will be issued, always in writing, to the applicant, including the legal basis for the denial, the available appeals, and the bodies to which they must be filed.

Documentation to be submitted

All applicants must submit:

1. Form EX-01 (one copy) proving the application for a temporary non-profit residence permit.
2. Form 790-052 (one copy) proving payment of the fee for the application for a temporary non-profit residence permit.
3. Original passport or travel document.
4. Form for the application for a national visa.
5. One photograph.
6. 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 copayments, reimbursements, or waiting periods. This insurance must be registered with an insurance company that is listed in 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.
7. A negative certificate proving 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.
8. Only for applicants of legal age, 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.
9. Documentary evidence of having either sufficient financial means to cover living and subsistence expenses for the period of time the applicant plans to reside in Spain without having to perform any work activity, or a regular source of income, in a minimum monthly amount equivalent to 400% of the Public Income Indicator for Multiple Purposes (IPREM). Title deeds, certified checks, credit cards (in which case they must be accompanied by a bank certification proving the amount available as credit), or shares or equity in companies based in Spain (in which case, a document from the company certifying that the applicant does not work for said company must be

included) will be accepted. If information regarding accounts or financial instruments held abroad is submitted, this must include the full name of the bank or credit institution, as well as its address, the full identification of the accounts, the opening or closing dates or, where applicable, the dates the authorization was granted and revoked, and the account balances as of December 31 of the year prior to the year in which the application is submitted and the average balance for the previous year. In all of the aforementioned cases, the applicant must be able to justify the source of the financial means. In all cases, the applicant must submit, along with the supporting documentation indicated according to the circumstances, a copy of their bank account balance for the last 18 months prior to submitting the application, or, if applicable, for as long as they deem appropriate.

10. Amount of the corresponding consular fee; if claiming free of charge, supporting documents.

If the applicant is accompanied by dependent relatives, they must also submit:

11. Documentary evidence of having either sufficient financial means to cover their living and subsistence expenses during the time they plan to reside in Spain without having to perform any work activity, or a regular source of income, in a minimum monthly amount equivalent to 100% of the IPREM (Spanish Pension Fund for Employment) for each accompanying relative.

The applicant's spouse must also submit:

11. Certificate of the existence of a marital bond.

12. If previously married, final divorce decree or decree.

The person with whom the applicant maintains an emotional relationship analogous to a marital relationship must also present, alternatively:

13a. If said relationship is registered in a public registry established for these purposes and has not been terminated, a certificate of registration.

13b. If said relationship is not registered in a public registry established for these purposes, any means of proof that sufficiently demonstrates a cohabitation relationship analogous to a marital relationship of at least twelve continuous months, or less if the couple has children together, provided the emotional bond is maintained.

14. If previously married, a final divorce decree or ruling.

Children under 18 years of age or over 18 years of age with disabilities of the applicant or their spouse, registered partner, or stable partner, provided they are not married or have not formed their own family unit.

15. Birth certificate issued by the corresponding foreign Civil Registry.

16. If this certificate cannot prove the relationship with the family member seeking reunification, any public document that allows determining or confirming the relationship (a simple declaration or notarial deed of statements is not valid) or, alternatively, DNA or densiometric tests.

17. In the case of children solely belonging to the spouse or registered or stable partner, documents proving sole parental authority, that the applicant has been granted sole custody, that the applicant is effectively in their care, and that the transfer of the minor's residence to Spain has been authorized by the judicial authority or with the consent of the other parent. In the case of joint custody, a document from the other custodian granting their consent for the minor to reside in Spain; if the other custodian has died, a literal death certificate issued by the corresponding Civil Registry.

18. In the case of adopted children, a copy of the resolution granting the adoption, which must also meet the legal requirements to be effective in Spain in accordance with national and international regulations.

19. In the case of children over 18 years of age who are disabled, a copy of the court ruling declaring incapacity, with express mention of the person or persons to whom parental authority is entrusted, either exclusively or jointly.

Those represented by the applicant who are under 18 years of age, or over that age if they are disabled, must also present:

20. A certified copy of the legal act from which the powers of representation of the foreigner regrouping the minor or incapacitated person arise with respect to the minor or incapacitated person represented, which must not be contrary to the principles of the Spanish legal system. In the case of kafala, consult specific regulations.

In all of the above cases, in addition to all the previous documentation, the applicant must present:

21. Document proving the applicant's actual and permanent residence in this consular district (rental contract for a home, utility or telephone bills, proof of enrollment in an educational institution provided that classes are compulsory in person, etc.).

22. 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.). Driver's licenses issued by local authorities, certificates of registration, and rental contracts for a home, utility or telephone bills will not be accepted for this purpose.

General rules on the documentation to be submitted

The application for a temporary non-profit residence permit, Form EX-01, can be obtained from this Consular Office or alternatively from the following link:

https://extranjeros.inclusion.gob.es/ficheros/Modelos_Solicitudes/mod_solicitudes2/01-Formulario_residencia_no_lucrativa.pdf

The payment receipt for the fee for the application for a non-profit temporary residence permit (form 790-052) can be obtained from this Consular Office or alternatively from the following link:

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

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

The visa application form must be completed in all sections and signed by the applicant or, in the case of an incapacitated minor, by both parents or guardians. 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 comply with the technical requirements of ICAO Document 9303 (close-up of the head and shoulders, taken frontally, with eyes open, on a plain, light background, free of 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).

Civil Registry certificates and other documents issued by official bodies, medical certificates, and criminal record certificates must not be older than three (3) months, and in exceptional cases, six (6) months. All other documentation must be as recent as possible.

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

Financial means must always be duly justified, and financial sufficiency must be explicitly demonstrated with sufficient guarantees. The Consular Office may request bank account statements as recent as it deems appropriate.

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). The obligation to provide the apostilled/legalized and translated documents into Spanish falls on the interested party, who must bear the cost of these procedures.

The visa fee is payable in advance and is not refunded to the interested party in the event of visa denial.

An original and a copy of all documents must be presented. The documentation submitted 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.

² 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>

³ Consult the list of current Conventions at this Consular Office.

⁴ For documents drawn up in other languages, please consult this Consular Office.

⁵ 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