

RECOVERY OF LONG-TERM RESIDENCE / EU LONG-TERM RESIDENCE

A foreigner who has had a long-term residence authorization in Spain and who, in addition, has been absent from the territory of the European Union for 12 consecutive months or has obtained a long-term EU residence in another Member State of the European Union or has complied with the non-return commitment period by accepting voluntary return to their country of origin, can apply for this visa for recovery of long-term residence.

A foreigner who has had a long-term EU residence in Spain and who, in addition, has been absent from the territory of the European Union for 12 consecutive months or has obtained an EU long-term residence in another Member State of the European Union or has been outside Spain for more than 6 years, can apply for this visa for recovery of long-term EU residence.

NOTE: The recovery of long-term residence or of EU recovery of long-term residence **is not applicable to family members of an EU citizen**. If those family members have been outside the Spanish territory for a longer period of time as legally permitted (depending on the period of validity of the EU family member Identity Card), it is necessary to apply for a visa for members of an EU citizen.

PHASE 1 - APPLICATION FOR RECOVERY OF LONG-TERM RESIDENCE AT THE SPANISH EMBASSY IN HANOI

A. REQUIRED DOCUMENTS:

1. **Official application form (EX-11)**, in duplicate, duly completed and signed by the foreigner. This form can be obtained at https://inclusion.seg-social.es/documents/410169/2156469/11-Formulario_larga_duracixn.pdf
2. **Full copy of valid passport.**
3. **Proof of payment of the fee for requesting temporary residence permit:** using the form **790 code 052 epigraph 2.6** “autorización de residencia de larga duración y autorización de residencia de larga duración-UE a abonar por el extranjero” (long-term residence permit and long-term residence permit-EU to be paid abroad)
4. **Applicants over 18 years of age** must present a criminal record certificate issued by the authorities of the country in which they have resided during the last 5 years, in which there must be no convictions for crimes provided for in Spanish law. In the case of having resided in several countries, it is necessary to present the corresponding certificates issued by each of them. **For the purposes of determining the countries whose criminal record certificates must be presented, a [declaration on the countries of residence of the visa applicant for the last 5 years](#) must be provided.**
5. **Medical certificate**, in which it is specified literally that the interested party does not suffer from any of the diseases that may have serious public health repercussions in accordance with the provisions of the International Health Regulations of 2005. Certificates that do not contain said literal mention will not be admitted ;
6. **Recovery of the long-term residence: Documentation accrediting** being in one of the cases stipulated in **article 158** (see legal references)
7. **Recovery of the EU long-term residence:**

- a. Proof of having enough fixed and regular resources to support yourself and, where appropriate, that of your family.
- b. **Public or private health insurance** (Travel insurance is not accepted): The coverage of the insurance plan must allow you to go to the doctor both for check-ups, as well as for illnesses or emergencies. The medical insurance must not have a waiting period or co-payment or coverage limit, that is, it must cover 100% of medical, hospital and out-patient expenses. The insurance company must be authorized to operate in Spain. A list of insurance companies authorized to operate in Spain is available in the following link: <https://rrpp.dgsfp.mineco.es/>.
- c. **Documentation accrediting** being in one of the cases stipulated in **article 160** (see legal references)

B. PROCEDURE FOR PHASE I:

LEGITIMATE SUBJECT: Applicants must personally lodge their applications. Applications for children under 18 shall be lodged by their legal representatives.

PLACE OF PRESENTATION OF APPLICATION: at the premises of the Embassy of Spain in Hanoi (4 Le Hong Phong, Ba Dinh, Hanoi)

APPOINTMENT SYSTEM: Applicants must write an email to the following address to book for an appointment: emb.hanoi.vis@maec.es

APPLICATION RECEIPT: The Spanish Embassy will give the applicant a receipt of Form EX11 and of the Form 790-052 (if applicable) and will transmit the application for residence permit to the corresponding Foreigners' Office. This Office has a deadline of 3 months to reach a decision, starting from the date of reception of the dossier of application for residence permit.

NOTIFICATION: The Embassy of Spain will notify the applicant on the decision of the corresponding provincial Government's Office:

- If the decision is favorable, the applicant will then be invited to come to the Embassy to lodge his/her visa application (see Phase II)
- If the decision is unfavorable, the applicant can file an application for reconsideration of the residence permit before the Spanish Embassy within one month from the date of receipt of the notice from the Spanish Embassy. The applicant may also file an appeal before the High Court of Madrid within two months from the date of receipt of the notice of the refusal of the residence permit or of the dismissal of the application for reconsideration

PHOTOCOPIES. It is recalled that a photocopy of each original document will be presented. The photocopies will be made after the translations have been certified and/or the documents legalized.

LEGALIZATION AND TRANSLATION. Any public document issued by non-Spanish authorities must be previously legalized. Documents written in a language other than Spanish must be accompanied by their translation into this language, carried out by a notary or office whose translations are admitted by official bodies, which must be presented just in front of the copy of the original.

C. LEGAL REFERENCES – REGLAMENTO DE EXTRANJERÍA:

Article 158. Scope of application of the recovery of the ownership of a long-term residence.

The procedure regulated in this section for recovering the ownership of a long-term residence permit will be applicable in the following cases:

- a) When the authorization has expired based on the provisions of sections c) and d) of article 166.1 of this Regulation.
- b) When the foreigner returns to Spain at the end of the period of their non-return commitment assumed in accordance with the provisions of Chapter X of Title IV, provided that at the time of their voluntary return to the country of origin they had the status of long-term resident of Spain.

Article 160. Scope of application of the recovery of the ownership of an EU long-term residence.

The procedure regulated in this section for recovering the ownership of an EU long-term residence permit will be applicable in the following cases:

- a) When the authorization has expired based on the provisions of sections c) and d) of article 166.1 of this Regulation.
- b) When the foreigner had remained for a period of more than six years outside Spanish territory.

Article 166. Extinction of the long-term residence permit.

1. The extinction of the long-term residence permit and the long-term residence permit-EU will occur in the following cases:

- c) When the absence from the territory of the European Union occurs for twelve consecutive months. This circumstance will not apply to the holders of a temporary residence and work authorization linked through an employment relationship to non-governmental organizations, foundations or associations, registered in the corresponding general registry and officially recognized as being of public utility as cooperators, and who carry out those research, development cooperation or humanitarian aid projects carried out abroad.
- d) When its holder has acquired EU long-term residence in another Member State.

PHASE 2 – VISA APPLICATION (if the requested permit is granted)

A. REQUIRED DOCUMENTS:

1. National visa application form, attached with a passport-type photo
2. **Passport** valid for at least 4 months.
3. **If the applicant is not a Vietnamese citizen**, he/she must provide documentation proving his/her residence in Vietnam (i.e. temporary or permanent residence card)
4. Temporary residence and self-employment permit
5. Visa fee

B. PROCEDURE FOR PHASE II:

LEGITIMATE SUBJECT: Applicants must personally lodge their visa applications. Applications for children under 18 shall be lodged by their legal representatives.

PLACE OF PRESENTATION OF APPLICATION: exclusively at one of BLS's Visa Application Centers:

- BLS Visa Application Center in Hanoi: 13th floor, Hoa Binh Office Towers 106 Hoang Quoc Viet, Cau Giay, Hanoi, Tel: +84 (0) 24 321 917 55, Email: info.han@blshelpline.com, website: <https://vietnam.blsspainvisa.com>
- BLS Visa Application Center in Ho Chi Minh City: Room 64 RA7, 1st floor, Viet Phone Building, 64 Vo Thi Sau, Tan Dinh Ward, District 1, Ho Chi Minh City, Tel: +84 (0) 28 353 571 02, Email: info.hcmc@blshelpline.com, website: <https://vietnam.blsspainvisa.com>

APPOINTMENT SYSTEM: Applicants must **book for an appointment** via the appointment system of BLS International Co. Ltd (<https://vietnam.blsspainvisa.com/vietnamise/index.php>)

APPLICATION RECEIPT: The applicant will be given a receipt of the application with a code allowing verification of the processing status of the application through the following link: <https://sutramiteconsular.maec.es/Home.aspx>

REQUIREMENT OF ADDITIONAL DOCUMENTS AND/OR INTERVIEW. At any time during the processing of the file, this Embassy may require the presentation of additional documents to those already presented and/or the personal appearance of the applicant for an interview if deemed necessary.

TIME FOR VISA APPLICATION PROCESSING AND RESOLUTION: The legal period for reaching a decision is of 3 months as of the day after the application submission date, but this period may be extended if an interview or additional documents are requested.

COLLECTION OF PASSPORTS AND DOCUMENTS: Applicants must directly receive visa results (except for minors), within a maximum of one month from the date of receiving the notification of visa results.

REFUSAL OF VISA: Where appropriate, the refusal of the visa will always be notified in writing, stating the reasons on which the decision is based.

APPLICATION FOR RECONSIDERATION / APPEAL: In the event of a refusal of visa, the applicant can file an application for reconsideration before the Spanish Embassy within one month from the date of receipt of the notice from the Spanish Embassy. The applicant may also file an appeal before the High Court of Madrid within two months from the date of receipt of the notice of the refusal of the visa or of the dismissal of the application for reconsideration.

VALIDITY OF THE VISA: The visa will be valid for 90 days. Once in Spain, a Foreigner Identity Card must be applied for within a period of 1 month from the applicant's entry into Spain, at the Foreign Nationals' Office or the corresponding Police Station.

PHOTOCOPIES. It is recalled that a photocopy of each original document will be presented. The photocopies will be made after the translations have been certified and/or the documents legalized.

LEGALIZATION AND TRANSLATION. Any public document issued by non-Spanish authorities must be previously legalized. Documents written in a language other than Spanish must be accompanied by their

translation into this language, carried out by a notary or office whose translations are admitted by official bodies, which must be presented just in front of the copy of the original.