



EMN Ad-Hoc Query on Maximum time limit for applications for family reunification of third-country nationals

Requested by BE EMN NCP 14th April 2016

Summary prepared by NO EMN NCP, based on responses from

Austria, Belgium, Estonia, Bulgaria, Croatia, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom and Norway

Disclaimer: The responses were provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs did provide, to the best of their knowledge, information that was up-to-date, objective and reliable. Note, however, that the information provided did not necessarily represent the official policy of an EMN NCPs' Member State.

Background information:

According to article 5, Â§4 of the Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, the competent authorities of the Member State shall give the person who has applied for family reunification written notification of the decision as soon as possible and no later than nine months from the date on which the application was lodged (this may be extended in exceptional circumstances).

The Belgian government planned to increase the maximum time limit for processing applications for family reunification of third-country nationals from 6 to 9 months. The responsible Committee of the federal Parliament was to discuss the proposed legal changes in the near future.

Questions asked:

- What is the current maximum time limit for processing applications for family reunification in your country?
- Did your country recently change this maximum time limit or does your country have plans to do so in the (near) future?

Summary of responses:

- In 5 responding countries there was no maximum processing time for applications of family reunification specified in the relevant legislation. In the countries with a legal maximum deadline for making a decision this ranged 3 weeks to 9 months, with 3 months as the most frequent limit. In one country (NL) the maximum processing period differed with residence status of the sponsor, with 3 months when the sponsor had received international protection (to be extended to 9 months), and 3 months with other sponsors. Several of the replies indicated that the maximum period might be extended to ensure that all relevant information would be available and satisfactorily documented.
- Only one country (LT) signalled that the maximum time limited had recently been changed, from 6 to 4 months, and only one country signalled plans to change the time limited (NL, as already noted).