



Immigration and Naturalisation
Service
Ministry of Security and Justice

Coming to the Netherlands for a cultural exchange



1. Why have we written this publication?

Would you like to come to the Netherlands in the context of a cultural exchange programme? For a stay of over 90 days, you must apply for a residence permit unless you are a national of a country that belongs to the European Union, the European Economic Area or Switzerland.

In this publication you can find out:

- the conditions for the residence permits;
- how the application procedure works;
- what rights correspond to the residence permit;
- which rules you must abide by;
- what you have to do if your situation changes;
- where you can obtain further information.

Would you like to come to the Netherlands for another purpose? Then there are other admission procedures. See www.ind.nl for further information.

When is a residence permit not required?

You do not need a residence permit if you have the nationality of one of the following countries:

Belgium	Bulgaria	Croatia
Cyprus	Denmark	Germany
Estonia	Finland	France
Greece	Hungary	Ireland
Iceland	Italy	Latvia
Liechtenstein	Lithuania	Luxemburg
Malta	Norway	Austria
Poland	Portugal	Romania
Slovenia	Slovakia	Spain
The Czech Republic	United Kingdom	Sweden
Switzerland		

Specifically for Croats

Do you have the nationality of Croatia? You can choose to submit an application for Verification against EU Law. As a result, he may be granted proof of lawful residence. This is not obligatory. For more information see www.ind.nl.

2. How you can obtain a residence permit?

If an au pair would like to come to the Netherlands, the application for a residence permit always runs via the au pair agency. If you wish to come to the Netherlands in the context of European Voluntary Work or a cultural exchange programme provided by a private cultural exchange organisation, the application always runs via the cultural exchange organisation. For more information about European Voluntary work see www.nji.nl. If you wish to stay in the Netherlands on the basis of the Working Holiday Program or Working Holiday Scheme, you can submit your own application to the IND or via a cultural exchange organisation. For more information see www.ind.nl.

If you have the South Korean nationality and you want to participate in the 'Working holiday program' pilot, you can only submit an application at the Dutch embassy in Seoul.

Only recognised sponsors

Not every au pair agency or every cultural exchange programme can submit an application for a residence permit. The au pair agency or the cultural exchange organisation must be recognised by the IND as sponsor. A summary of recognised sponsors can be found on www.ind.nl.

3.

Which conditions must your organisation fulfil?

General conditions

The following applies to all exchange youngsters:

- You have a valid passport.
- You are coming to the Netherlands for a maximum of 1 year.
- You have never had a regular residence permit in the context of a cultural exchange.
- You are aged 18 or older, but are younger than 31.
- You do not pose a risk to public order or national safety. You have not been found guilty of a criminal offence and have not been involved in war crimes, terrorism or crimes against humanity.
- You take out healthcare insurance in the Netherlands.
- You must undergo a test for tuberculosis in the Netherlands. This test must be carried out within 3 months of the residence permit being issued. If necessary, you must be treated for TB. If you have the nationality of one of the countries listed in the appendix 'Exemption from the obligation to undergo a tuberculosis (TB) test'? Then the TB test is not required.
- You may not provide a deposit to a (Dutch or foreign) mediation agency or exchange organisation.
- You may not sign a contract with a host family or a (Dutch or foreign) mediation agency or exchange organisation which obliges you to pay money or a fine as a sanction if you fail to comply with one or more of the specifications in this contract.
- You may not carry out any tasks for persons that have specific care needs, which would require you to have specialist skills.
- You may not have stayed in the Netherlands unlawfully at any time.
- You may not have provided incorrect details for a previous residence permit or failed to mention relevant details.

Working Holiday Program or Working Holiday Scheme

The following general terms and conditions apply to the Working Holiday Program or Working Holiday Scheme:

- You are a national from: Canada, New-Zeeland or Australia.
- You have a return ticket or sufficient resources to buy this.

The 'Working Holiday Program' pilot with South Korea will run for a period of 2 years. The pilot allows for a maximum of 100 participants each year. For more information, please visit www.ind.nl.

Au pairs

Alongside the general terms and conditions, the following also applies to au pairs:

- You must reside within a host family that comprises at least 2 persons.
- Your host family has sufficient income for at least 1 year. There is an income requirement of 1.5 times the legal minimum wage in the Netherlands. See the 'Table of norms' on www.ind.nl.
- You have not previously worked for the host family, even abroad.
- You may carry out light household tasks. You may carry out light household tasks for a maximum 8 hours per day, up to 30 hours per week. You have at least 2 days per week off work. You are not paid for these tasks.
- You are provided with accommodation, food and pocket money by the host family. Your pocket money may not be higher than the amount that the Tax Department has set for au pairs. See www.belastingdienst.nl for further information.
- You must draw up a daily schedule with your host family.
- You may not pay over € 34 for items such as registration fees and/or mediation costs and/or taking a course (set by the government) to prepare for your residence in the Netherlands.

European Voluntary work

For European Voluntary work, there are additional general terms and conditions:

- You reside in the Netherlands in the context of an exchange programme that has been approved by the Dutch Youth Institute.

Private cultural exchanges

Alongside the general terms and conditions, the following applies to private cultural exchanges:

- You must reside within a host family that comprises at least 2 persons.
- You have not previously worked for the host family, even abroad.
- In certain cases, you must be aged between 15 and 18 in order to take part in a cultural exchange programme. This will be made clear by the exchange programme itself.

4. Which documents do you need?

The au pair agency or the cultural exchange organisation will apply for the residence permit for you. In order to obtain the residence permit, the organisation must be able to demonstrate that you fulfil the relevant conditions; they will need documentation in order to do so.

The organisation will let you know which documents you need to provide, e.g. a copy of your passport. In order to register in the Municipal Personal Records Database in the Netherlands, a legalised and translated birth certificate is required.

Official means of evidence

Official foreign means of evidence must be issued and legalised by the competent authorities of the country that issued the means of evidence. The document must also be legalised or provided with an apostille stamp by the Dutch embassy or consulate in the country concerned. If no Dutch embassy or consulate is available in that country, the document must be legalised by the Dutch embassy or consulate responsible for that country. Official foreign means of evidence include, for example, birth certificates and marriage certificates. Having these means of evidence legalised or provided with an apostille stamp can take a long time. You should start several months in advance of submitting your application with having documents legalised or provided with an apostille stamp in the country of origin.

For more information about legalisation or apostille requirements for documents per country and any exceptions to these requirements, you can telephone the 'Public Information Service', telephone number 1400 (Monday to Friday from 08.00 to 20.00 hrs, local rates apply). You can also visit the website www.government.nl.

Legalisation

A document that is legal in one country is not necessarily legal in another. That is why you must have official foreign documents legalised for use in the Netherlands.

This means that the authorities that issued the document must declare that it is official. This confirms the authenticity of the signature on the document and the capacity of the signatory. The Dutch embassy or consulate then legalises the document. The embassy or the consulate then checks to ensure that the signature is genuine.

If no Dutch embassy or consulate is available in that country, the document must be legalised by the Dutch embassy or consulate responsible for that country.

Sometimes a so-called apostille stamp on the document will suffice. The Ministers of Justice or Foreign Affairs can issue this type of stamp abroad. The document does not then need to be legalised by the Dutch embassy or consulate. An apostille stamp is only an option if the document comes from a country that is affiliated to the Netherlands via the Apostille treaty. You can ask the Consular Services Centre within the Foreign Office whether the country is affiliated via the Apostille treaty. Look at www.government.nl for more information. You can contact the local authorities yourself for legalisation or an apostille stamp.

Legalisation costs money. You must always pay these costs, even if you do not receive the document or it does not arrive on time. The amount you have to pay for legalisation varies per country. You must ask the authorities in your country of origin about these costs. The Dutch embassy or consulate in the country of origin may also impose additional charges (e.g. fax costs).

Translation

All of the documents that you submit with the application must be drawn up in Dutch, English, French or German. If this is not the case, you must have them translated by a translator who has been certified by a court.

Certified translators are listed in the Register of certified translators and interpreters (Rbtv). See www.bureaubtv.nl for further information.

Are you having the document translated abroad? Then the translation must be legalised. You can thus demonstrate that a certified translator has been used.

5. How does the application procedure work?

In many cases, you will need a special visa in order to travel to the Netherlands for a stay of over 90 days. This is called a Regular Provisional Residence Permit (mvv). The procedure is then slightly different to a case which does not require an mvv.

Residence permit without mvv

If you do not need an mvv, an 'Entry and Residence' does not have to be requested and the au pair agency or the cultural exchange organisation submits an application for a residence permit. The organisation is advised to do this while you are still abroad. Once the IND has indicated to the organisation that it will issue a residence permit, you can come to the Netherlands. Then you can be sure that you are not travelling to the Netherlands unnecessarily. The employer can also submit an application while you are in the Netherlands. The problem with this is that you do not know, at that moment, whether you will be issued with a residence permit. It can also be difficult to obtain all of the necessary documents in the Netherlands.

Access and residence

The au pair agency or the cultural exchange organisation will apply for an mvv and the residence permit for you. This is the 'Access to Residence' procedure. If you are issued with an mvv, the au pair agency or the cultural exchange organisation will notify you of this fact. You must collect the mvv within 3 months at the Dutch embassy or consulate in the country of origin or country of continuous residence. You then have 3 months to travel to the Netherlands. Upon arrival in the Netherlands, you can collect your residence permit within two weeks. You will be notified of where and when you must collect your residence permit by the au pair agency or the cultural exchange organisation.

In the appendix, you can find a detailed summary of all steps in the procedure and the parties that are involved.

The cost of the procedure

Applying for an mvv and a residence permit costs money. These costs are referred to as 'fees'. The au pair agency or the cultural exchange organisation pays the fees to the IND on your behalf. If the fees are not paid, the IND will not process your application. You will not be refunded your money if the application is turned down. There is a summary of the fees on www.ind.nl. Search for 'fee rates'.

Duration of the procedure

If the application is complete, the IND will usually decide within 2 weeks. The procedure can last up to a maximum of 90 days. Bear in mind that it takes time for the mediation process to take place and to obtain a residence permit. Always register with the au pair agency or cultural exchange organisation in good time. Contact the organisation for further information.

6. What rights correspond to the residence permit?

Here, you can see which rights you have with a residence permit for cultural exchange.

Validity

You stay in the Netherlands for a maximum of 1 year with your residence permit. The residence permit is valid as long as you fulfil the conditions. The residence permit cannot be extended.

Work

As an au pair, you may only carry out light household tasks for your host family. As an exchange youngster, you may only work as a volunteer if this is within the context of the exchange programme set up by the cultural exchange organisation.

Family-members or relatives

You cannot apply for a residence permit for family-members or relatives.

Please note! If you apply for benefits in the Netherlands, your residence permit will be withdrawn.

7. Which rules must you abide by?

The organisation that submits the residence permit for you functions as the sponsor. The sponsor is responsible for ensuring that you stay in the Netherlands on a legal basis. Not only when the application for the residence permit is made but also thereafter. It is important that you are familiar with the rules that apply to the au pair agency or the cultural exchange organisation. You must also abide by specific rules.

The organisation's obligations

Information obligation

The organisation must pass on relevant details, facts and circumstances to the IND. This concerns anything that corresponds to your residence permit. For example:

- if you move to live with another host family;
- if another au pair agency or another cultural exchange organisation becomes your sponsor;
- if you go to work even though that is not permitted;
- if the au pair agency or the cultural exchange organisation is no longer in a position to monitor you;
- if the agreed daily schedule is not adhered to by you or your host family or is amended (this only applies to au pairs);
- if there are any changes to the composition of the host family;
- if you leave the Netherlands.

Administration obligation

The organisation also has an administration obligation. It must collate and retain relevant information about you. For example:

- the daily schedule with the host family where you are staying as an au pair;
- a copy of your passport;
- the name and address of the main person in the host family where you are staying;
- the period for which you are residing with the host family and the composition of the host family;
- documents that show that the host family where you are staying has sufficient income;
- a summary of the efforts that the au pair agency or cultural exchange organisation has made in order to ensure your welfare and wellbeing during your stay in the Netherlands.

If the organisation is no longer your sponsor, they must still retain the information for 5 years. The IND can request these details at any moment in order to check whether the organisation is fulfilling its obligations.

Your sponsor

The au pair agency or the cultural exchange organisation remains your sponsor until:

- you are no longer an exchange youngster with the organisation and the organisation has informed the IND;
- you have left the Netherlands and will no longer be returning and the employer has notified the IND;
- the institution is no longer recognised as a sponsor;
- your residence permit has been withdrawn;
- you have obtained a permanent residence permit or a residence permit for another residence purpose.

Duty of care

The organisation also has a duty of care. This means, for example, that it must use a careful recruitment and selection procedure for exchange youngsters and host families. The organisation must also provide you with information about your stay in the Netherlands, the details of the exchange programme and your accommodation with the host family. Furthermore, the organisation must inform you about your rights and obligation as an au pair or exchange youngster and the rights and obligations of your host family. The organisation must regularly find out how you are getting on, whether things are working out in the host family and if you are being given sufficient opportunity to familiarise yourself with Dutch culture and society. If there are problems (between you and your host family), the organisation must resolve them. If you reside in the Netherlands as an au pair, the au pair agency must ensure that you do not carry out any work other than light household tasks and only for the hours detailed in the daily schedule which has been agreed with the host family.

Your obligations

As an exchange youngster, you also have an information obligation. You must report important changes to the IND. You must also notify the IND if you change your cultural exchange organisation or au pair agency.

8. What happens if your situation changes?

Another host family, au pair agency or cultural exchange organisation?

In principle, your residence permit remains valid if you transfer to another host family or organisation.

If you no longer fulfil the conditions to reside as an exchange youngster, you will have to leave the Netherlands unless you have other legal grounds to reside in the country.

9. What happens if you do not abide by the rules?

The IND can check to ensure that you and the au pair agency or the cultural exchange organisation are abiding by the rules as and when it sees fit. If this is not the case, you could be faced with the following consequences.

Withdrawal of the residence permit

If you or the organisation has provided incorrect details for the residence permit, the residence permit may be withdrawn. The residence permit could also be withdrawn if it transpires that you no longer fulfil the conditions. If the au pair agency or the cultural exchange organisation has failed to abide by the rules on numerous occasions, the IND could decide that the institution may no longer function as a sponsor. In this instance, your residence permit will be withdrawn. If this was not your fault, you will then be given 3 months to find another cultural exchange organisation or au pair agency that can function as a sponsor. The new organisation must be recognised by the IND as a sponsor.

Reporting a criminal act

The IND has a duty to report any reasonable suspicions of a criminal act. For example, if you have deliberately supplied incorrect details, the Public Prosecution Service will assess whether your organisation will have to face criminal proceedings. If this is the case, you could be sentenced to a prison term or receive a fine. The residence permit may also be withdrawn.

Departure from the Netherlands

If your residence permit is no longer valid or is withdrawn, you must leave the Netherlands. The IND will check this. If you do not leave of your own accord, the government may deport you. The costs incurred by the government can be recuperated from your sponsor.

10.

What can you do if the organisation is not abiding by the rules?

If the au pair agency or the cultural exchange organisation is not abiding by the rules set by the IND, you must notify the IND. The IND will investigate whether measures must be taken. Depending on the type of complaint, the IND will pass this onto the police and/or the Social Affairs and Employment Inspectorate. The host family may also contact the IND.

Many exchange youngsters have a great time in the Netherlands, but you may come up against a tricky situation while you are in the country. What can you do if you are confronted with a difficult situation? If you have a complaint about your host family (you no longer have your passport or you have to carry out other tasks - not light household tasks- or work longer hours than has been agreed), you must first try to resolve the issue between yourselves. If that is unsuccessful, you can contact the au pair agency or cultural exchange organisation. If your au pair agency or cultural exchange organisation cannot or does not want to help resolve the issue, you may contact the IND.

In serious case, e.g. abuse or exploitation, you can contact the Dutch Aliens Police directly or call the special reporting point for au pairs on 06 10 82 35 94.

11.

Frequently asked questions

I would like to work as an au pair in the Netherlands, how can I organise this?

Register with an au pair agency. Host families must do the same. The au pair agency will mediate the procedure. An application for a residence permit always runs via the au pair agency. Neither you nor your host family can apply for a residence permit.

How do I find the most suitable au pair agency?

On www.ind.nl, you can find a list of all au pair agencies and cultural exchange organisations that are recognised by the IND as a sponsor. Only recognised sponsors can apply for a residence permit for au pairs or exchange youngsters. The IND recognises organisations only if they are trustworthy and conduct an approved exchange programme.

How long will it take before I obtain a residence permit?

If the application is complete, the IND will usually decide within 2 weeks. The legal time limit is 90 days. Bear in mind that the au pair agency can only submit an application if a host family has been found and all of the paperwork is in order. A cultural exchange organisation must also find voluntary work for you. Ask the organisation how much time they need to do so and register in good time.

Can I come to the Netherlands while I am waiting for the residence permit?

If you do not need an mrv, the organisation can submit an application while you are in the Netherlands. The problem with this is that you do not know, at that moment, whether you will be issued with a residence permit. It can also be difficult to obtain all of the necessary documents in the Netherlands. You therefore run the risk that you will end up in the Netherlands even though you will be unable to stay. If you do need an mrv, you must await the decision regarding the application in your country of origin.

What changes do I have to report the IND?

Any changes that involve your residence permit must always be passed onto the IND, for example:

- if you move to live with another host family;
- if you are to be placed by another au pair agency or cultural exchange organisation;
- if you engage in different voluntary work;
- if you go to work even though that is not permitted;
- if the agreed daily schedule is not adhered to by you or your host family or is amended (this only applies to au pairs);
- if you leave the Netherlands.

If another au pair agency or cultural exchange organisation is to mediate for you, you must also promptly inform your old au pair agency or cultural exchange organisation.

I have not 'clicked' with my host family. Will my residence permit remain valid if I move to another host family?

In principle, your residence permit remains valid if you transfer to another host family. The same goes if you transfer to another au pair agency. Are you going to another host family? Then you and the au pair agency or cultural exchange organisation must notify the IND. If another au pair agency or cultural exchange organisation is to mediate for you, this organisation will become your new sponsor. It is important that you report this to the IND. The organisation must, of course, be recognised as a sponsor by the IND. You must also inform your old au pair agency or cultural exchange organisation promptly about your transfer.

You are not being given the opportunity to familiarise yourself with Dutch culture and society, what now?

If the au pair agency or the cultural exchange organisation is not abiding by the rules set by the IND, you must notify the IND. The IND will investigate whether measures must be taken. Do you have a complaint about your host family? Try to sort it out between yourselves in the first instance. If that is unsuccessful, you can contact the au pair agency or cultural exchange organisation. In serious cases, e.g. abuse or exploitation, you can contact the Dutch Aliens Police directly or call the special reporting point for au pairs on 06 10 82 35 94.

12. More information

Do you have further questions? Then you may address these to the au pair agency or the exchange organisation. They are your first points of contact.

For any questions about your admission to the Netherlands, you can also go directly to the IND. There are a range of options for contacting the IND.

Internet

You can indicate the situation that applies to you on www.ind.nl. You will then be provided with the information that you need to prepare your application.

Letter or e-mail

General questions

Immigratie- en Naturalisatiedienst
Postbus 287
7600 AG Almelo

E-mail: klantinformatiecentrum@ind.minvenj.nl
(or use the e-mail form on www.ind.nl > Contact)

Telephone

The IND is available on 088 043 04 30 (local call charges plus any additional costs charged by your operator if you are calling from a mobile phone). From abroad, please call +31 88 043 04 30.

Do you have a question about the progress of an ongoing application? Please have the following details to hand:

- V-number, if known
- Surname and first name (and maiden name if applicable)
- Place of birth and date of birth
- Nationality

Visit

In the Netherlands, you can also go to an IND desk. Find your closest branch on www.ind.nl.

Complaints

If you have a complaint about the way in which you have been treated by the IND, we advise you to check www.ind.nl > Klantdienstwijzer > Contact > Ik wil een klacht indienen.

Here, you will find a complaint form. You can print this form, complete it and then send it to:

Immigratie- en Naturalisatiedienst
Postbus 10
7600 AA Almelo

If you would rather write a letter, you can also send written correspondence to the above postal address.

For complaints you can also call +31 88 043 04 70.

Questions about legalisation?

For information about the legalisation of documents (birth certificate, marriage certificate), you can call number 1400 (Central government Information). Via internet: www.government.nl.

Data Protection Act

The Data Protection Act obliges the IND to inform you that the IND is the organisation that processes the data in your application or request. The IND does this in order to evaluate your request or application. Questions you may have about this data processing can be asked via a letter sent to the IND, Postbus 287, 7600 AG Almelo. You may also ask for a summary of the data processed about you. On the basis of this request, you may ask for your personal data to be amended, deleted or protected.

APPENDIX

Overview of the application procedure for a residence permit

The table below indicates what you, the au-pair agency or the cultural exchange organisation and the IND must do in order to obtain a residence permit for a cultural exchange.

Application for residence permit for a cultural exchange: who does what?

What do you do?	What does the organisation do?	What does the IND do?
1 On the basis of the publication, check to ensure that you fulfil the conditions to obtain a residence permit. A summary of recognised sponsors can be found on www.ind.nl .	Your au-pair agency or cultural exchange organisation mediates between you and the host family. The organisation will provide information about your stay in the Netherlands, the details of the exchange programme and your accommodation with the host family. The organisation will also tell you about your rights and obligations and those of the host family.	
2 You must ensure that the organisation has all paperwork and documents necessary to submit an application to the IND.	The organisation will submit an application for a residence permit to the IND. If you need a Regular Provisional Residence Permit (mvv), your application will cover both the mvv and the residence permit (TEV procedure). The organisation pays the fees to the IND.	The IND assesses the application and lets the organisation know whether you will be permitted entry to the Netherlands. If the application is complete, this can take place in 2 weeks.
3	The organisation will explain the IND's decision to you. The organisation can also appeal against an IND decision.	If an mvv is required, the IND will inform the embassy or the consulate of its positive decision. The IND will indicate to the organisation where and when you can collect the residence permit in the Netherlands.
4 You will go to the Dutch embassy or the Dutch consulate to collect the mvv. You can then travel to the Netherlands within 3 months. If you do not need an mvv, you can travel to the Netherlands immediately.	The organisation will indicate where you can collect your residence permit once you arrive in the Netherlands.	
5 After arrival in the Netherlands, you must report to the IND within 2 weeks so that you can collect your residence permit. If necessary, you must have a TB test conducted by the Municipal Health Service within 3 months. If you are not insured for healthcare costs in the Netherlands, you must take out healthcare insurance within 4 months.		The IND will check your identity and then issue your residence permit.

APPENDIX

Exemption from the obligation to undergo a tuberculosis (TB) test

If you have the nationality of one of the countries on this list, you do not have to undergo a tuberculosis (TB) test.

Albania	Latvia	United Kingdom
Andorra	Lebanon	United States of America
Antigua and Barbuda	Libya	Uruguay
Argentina	Liechtenstein	Venezuela
Australia	Lithuania	
Austria	Luxembourg	
Bahamas	Macedonia	
Bahrain	Maldives	
Barbados	Malta	
Belgium	Mauritius	
Belize	Mexico	
Bosnia and Herzegovina	Monaco	
Brazil	Montenegro	
Bulgaria	Netherlands	
Canada	New Zealand	
Chile	Nicaragua	
Colombia	Niue	
Comoros	Norway	
Costa Rica	Oman	
Croatia	Panama	
Cuba	Paraguay	
Cyprus	Poland	
Czech Republic	Portugal	
Denmark	Qatar	
Dominica	Romania	
Egypt	Samoa	
El Salvador	San Marino	
Estonia	Saudi Arabia	
Fiji	Serbia	
Finland	Seychelles	
France	Singapore	
Germany	Slovakia	
Greece	Slovenia	
Grenada	Spain	
Hungary	St Kitts & Nevis	
Iceland	St Lucia	
Iran	St Vincent and the Grenadines	
Iraq	Suriname	
Ireland	Sweden	
Israel	Switzerland	
Italy	Syria	
Jamaica	Tonga	
Japan	Trinidad and Tobago	
Jemen	Tunisia	
Jordan	Turkey	
Kuwait	United Arab Emirates	



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