

**TECHNICAL GUIDELINES FOR THE DATA COLLECTION
UNDER ARTICLE 6 OF REGULATION 862/2007**

STATISTICS ON RESIDENCE PERMITS

INCLUDES SPECIFICATION OF THE DATA COLLECTIONS:

- EU BLUE CARDS DATA COLLECTION UNDER ARTICLE 20 OF THE DIRECTIVE 2009/50/EC
- SINGLE PERMIT DATA COLLECTION UNDER ARTICLE 15 DIRECTIVE 2011/98/EU
- SEASONAL WORKERS DATA COLLECTION UNDER ARTICLE 26 DIRECTIVE 2014/36/EU
- INTRA-CORPORATE TRANSFERS DATA COLLECTION UNDER ARTICLE 24 DIRECTIVE 2014/66/EU
- NEW LONG-TERM RESIDENCE PERMITS ISSUED DURING THE YEAR
- RESIDENCE PERMITS ISSUED FOR FAMILY REUNIFICATION WITH BENEFICIARIES OF PROTECTION STATUS
- RESIDENCE PERMITS ISSUED FOR STUDY AND RESEARCH UNDER ARTICLE 38 OF Directive (EU) 2016/8011/EU

VERSION AMENDED IN DECEMBER 2018

Version 1.1

¹ Annex 5 of the Residence permit data collection guidelines.

Contents

<i>Introduction</i>	3
<i>Data coverage</i>	3
<i>Periodicity and reference periods of the residence permit tables</i>	4
<i>Disaggregations</i>	4
<i>Age category</i>	6
<i>Citizenship category</i>	6
<i>Flows / stock data</i>	7
<i>Persons / permits</i>	7
<i>First permits</i>	8
<i>Change of immigration status / reason to stay</i>	9
<i>Categories of permits to be collected according to Article 6</i>	10
<i>Data transmission and format</i>	15
<i>Quality standards</i>	15
<i>Annex 1 - Description of tables and categories of permits</i>	17
<i>Annex 2 - Guidelines to the data collection on EU Blue Cards under Article 20 of the Directive 2009/50/EC</i>	30
<i>Annex 3 - Guidelines to the data collection on Single permit under Art 15 Directive 2011/98/EU...</i>	38
<i>Annex 4 - Guidelines to the data collection on "Seasonal workers" based on Directive 2014/36/EU</i>	42
<i>Annex 5 - Guidelines to the data collection on "Intra-Corporate Transfers" based on Directive 2014/66/EU</i>	48
<i>Annex 6 - Guidelines to the data collection on new long-term residence permits issued during the year (Flow Data)</i>	58
<i>Annex 7 - Guidelines to the data collection on residence permits issued for family reunification with beneficiaries of protection status</i>	60
<i>Annex 8 - Guidelines to the data collection based on Directive (EU) 2016/801 - Students and Researchers Directive</i>	64

Introduction

These guidelines are meant to explain the templates, variables, definitions and disaggregations for the residence permits data collection (referred as Resper data collection). Resper data collection is based on the principles stated in the Union legislation on migration statistics Regulation (EC) No 862/2007² and the Commission Regulation (EU) No 216/2010 implementing the categories of reasons for residence permits³). In addition to this legal framework, residence permit data collection reflects statistical obligations of the Member States stipulated in related EU legislation in the area of legal migration (e.g. EU Directives on Blue Cards, Single permits, Seasonal Workers, Intra-corporate transfers). After consultation with the Member States, these guidelines may be subject of future amendments.

Changes introduced in this version of guidelines

In 2018 the following changes were introduced in the Resper Technical guidelines and data collection templates:

- New guidelines specifying the requirements of the data collection on students and researchers based on Directive (EU) 2016/801 - Students and Researchers Directive
- Some clarifications were introduced in the definition of valid permits in the end of the year (table RP6) and long-term permits in the end of the year (table RP7).

Data coverage

All the requested statistics relate only to **third-country nationals**, defined as "any person who is not a citizen of the Union within the meaning of Article 17.1 of the Treaty, including stateless persons" (Art 2.1(i) of the Regulation).

Article 6 of the Regulation relates to the number of residence **permits** issued to persons. Article 6.1(a)(i) relates to the permissions to reside issued for the **first time** while Article 6.1(a)(ii) relates to the permissions to reside granted on the occasion of **person changing immigration status or reason to stay**.

According to the Article 6.2 when national laws and administrative practices of a Member State allow for **specific categories of long-term visa or immigration status** to be granted instead of residence permits, such visas and grants of statuses are to be included in the statistics required under Article 6.

Renewals of residence permits are not a subject of the Article 6.1(a)(i) and (ii) of the Regulation 862/2007 and shall not be included in the flows statistics required and collected under Article 6. However, renewed permits should be included in stock statistics related to the number of valid permits at the end of the reference period (Table RP6 and RP6_AS).

² [Regulation \(EC\) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation \(EEC\) No 311/76 on the compilation of statistics on foreign workers \(Text with EEA relevance\)](#); OJ L 199, 31.7.2007, p. 23–29.

³ [Commission Regulation \(EU\) No 216/2010 of 15 March 2010 implementing Regulation \(EC\) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection, as regards the definitions of categories of the reasons for the residence permits \(Text with EEA relevance\)](#); OJ L 66, 16.3.2010, p. 1–2.

Periodicity and reference periods of the residence permit tables

The residence permits data collection relates to reference periods of one calendar year and shall be completed by national data suppliers and sent to Eurostat according to the specified data format and data transmission tools.

Residence permits statistics covered by Article 6 shall be supplied to Eurostat **within six months of the end of the reference year**.

First reference year:

- For the initial Residence permits statistics data collection (Table RP1–RP7) the first reference year is 2008 (data to be provided to Eurostat within six months of the end of the reference year; i.e. statistics for 2008 shall be provided to Eurostat not later than by 30th June 2009).
- For the tables RP1AS, RP2AS, RP4AS, RP6AS and RP7AS the first reference year is 2010 (data to be provided to Eurostat within six months of the end of the reference year; i.e. statistics for 2010 shall be provided to Eurostat not later than by 30th June 2011).
- For EU Blue Cards Data collection (tables BC1, BC2 and BC3) the first reference year of the compulsory data provision is 2012 to be provided by 19 June 2013 for the first time. Since 2014 (i.e. data referring to the reference year 2013) statistics shall be supplied to Eurostat within six months of the end of the reference year.
- For Single Permits data collection (Table SP1) the first reference year of the compulsory data provision is 2013 (data to be provided to Eurostat within six months of the end of the reference year).
- For Long-term permits issued during the year (table LTR) the first reference year is 2016 (data to be provided to Eurostat within six months of the end of the reference year).
- For residence permits issued during the year /valid at the end of the year for family reunification with beneficiaries of protection status (Table FRPS1 and FRPS2) the first reference year is 2016 (data to be provided to Eurostat within six months of the end of the reference year).
- For the statistics on Seasonal Workers first reference year is 2017 (data to be provided to Eurostat within six months of the end of the reference year).
- For the statistics on intra-corporate transfers, first reference year is 2017 (data to be provided to Eurostat within six months of the end of the reference year).

As a general rule, the Resper data collection statistics shall be supplied to Eurostat within six months of the end of the reference year.

Disaggregations

In accordance with Article 6, statistics on residence permits are disaggregated by the following variables:

Compulsory disaggregations

1. **Citizenship**
2. **Reason for the permit being issued**
3. **Length of validity of the permit:**
 - a. At least 3 months but less than 6 months;
 - b. At least 6 months but less than 12 months;
 - c. 12 months and more.

Voluntary disaggregations (due to cross-tabulation with the above disaggregations)

4. **Age (5-years age groups):**
 - a. **0–4, 5–9, 10–14, 15–19, 20–24, 25–29, 30–34, 35–39, 40–44, 45–49, 50–54, 55–59, 60–64, 65–69, 70–74, 75–79, 80–84, 85 and over, unknown;**
5. **Sex:**
 - a. **Male;**
 - b. **Female;**
 - c. **Unknown.**

In accordance with the Article 6(b) and Article 8.1(e) of the Regulation, data on '*Population of third-country nationals having long-term legal resident status at the end of the reference period*' is disaggregated only by citizenship, age and sex.

In accordance with Article 8.1(e) of the Regulation, the Commission (Eurostat) proposes to introduce the additional disaggregations for the statistics covered by the Article 6, i.e. age and sex.

Article 8.1(e) foresees the introduction of the following additional disaggregations:

1. Year in which permission to reside was first granted;
2. Age;
3. Sex.

During the Migration Statistics Working Group Meeting in March 2009 Eurostat started the discussions on additional disaggregations necessary for the application of Article 8. These negotiations were continued in June 2010 during the next Working Group Meeting, where Eurostat presented the indicative timetable of the implementation of these disaggregations. Eurostat indicated that the scope of the additional disaggregations will not include the breakdown by 'Year in which permission to reside was first issued'. This breakdown by 'Year in which permission to reside was first issued' was therefore not proposed for implementation.

Article 8 specifies that the additional disaggregations collected under its provisions shall not be **cross-classified** with the disaggregations required by the Article 8 and shall be provided separately. However, due to the extremely limited statistical usefulness of such application of the Article 8 provisions, Eurostat proposed to cross-classify the current and future disaggregations on a **voluntary basis**. Such application was implemented in these Guidelines.

Exceptional arrangements

No disaggregations by the length of validity of the permit, age and sex are requested for the table RP5 (*Grants of permission to stay issued to third-country nationals on the occasion of a person changing immigration status or reason to stay*). It is assumed that the limited usefulness of a full disaggregation does not justify the additional burden of collecting these data. **However, in accordance with the definition of first permit, only residence permits issued for duration of at least 3 months shall be included in the obligatory statistics collected in the table RP5.**

Age category

The basis for recording **ages** is the age accepted by the national authority. For the **flow statistics** covered by the tables RP1_AS – RP4_AS the age reported in these tables shall relate to the age at the administrative event i.e. **at the day of issuance of the permit.**

For the statistics on the number of **valid permits** i.e. for the tables RP6_AS and RP7_AS the **age** should be that **of the person at the end of the reference period** and not at the day of issuing the permit. For example for data related to 2010 (stock of valid permits at 31st December 2010) it shall be the age of the person on 31st December 2010.

Reporting of age is based on the **5-years age groups** (as referred in the section 'Disaggregations'). The reporting of the 5-years age groups is in line with age groupings applied in other statistical domains related to population statistics such as the migration flow data collected under Article 3 of the Regulation. The reporting must be done in accordance with the format provided in the separate technical document related to the data transmission format.

A separate disaggregation 'Unknown age' is included only for situations when there is an error in administrative data or in the extraction of the statistics. This should not exceed 2% of the total of the corresponding table.

Age (and sex) disaggregations are reported only at the total level of permits issued or valid for the following reasons:

- First permits issued for reasons related to family formation and reunification (Table RP1_AS);
- First permits issued for reasons related to education and study (RP2_AS);
- First permits issued for reasons related to remunerated activities (RP3_AS);
- First permits issued for other reasons (RP4_AS);
- The number of valid permissions to stay at the end of the reference period (Table RP6_AS);
- Population of third-country nationals having long-term legal resident status at the end of the reference period (Table RP7_AS).

Citizenship category

The citizenship of holders of residence permits is assumed to be recorded according to that stated in the passport or national identity document. Citizenship recorded in the tables

should relate to the citizenship determined by competent authorities at the date of administrative event i.e. separately for permits to reside issued for the first time and permits issued on the occasion of person changing immigration status. Except where there is clear evidence of another citizenship, the citizenship recorded in the statistics should be that declared by the applicant, even if there are no supporting travel or identity documents.

Persons being citizens of more than one country shall, in this reporting, be recorded only once and not with each citizenship. The citizenship, which is reported for this purpose shall be the one which is determined by the Member State.

The Eurostat citizenship codes list has been compiled from the ISO 3166 code list (using Alpha-2 and with minor changes). The intention behind the list is to assist data providers in the Member States in completing the tables, in addition to helping the Commission to provide data which are as harmonised as possible. This list may be a subject of future amendments if necessary.

In cases where people declare or have documents for a citizenship that no longer formally exists, Member States shall provide the data separately with explanatory notes.

An additional category of citizenship 'Recognised non-citizen' includes persons who are not citizens of the reporting country or of any other country, but who have established links to that country which includes some but not all rights and obligations of full citizenship. This category is particularly relevant in Estonia and Latvia, but may also be of relevance in other EU MS.

Please note that the list of citizenships does not represent an official Commission position and is only meant for statistical purposes.

Flows / stock data

The collection tables RP1 – RP5 and RP1_AS – RP4_AS relate to the number of permissions to reside issued **during the reference period** that is during the reference year (i.e. so called flows statistics).

The collection tables RP6, RP6_AS, RP7 and RP7_AS relate to number of valid permits **at the end of the reference period** that is at the end of the reference year (31st December of each year) (i.e. so called stock statistics).

Persons / permits

Article 6.1(a) of the Regulation relates to the **number of permits issued to persons**. In particular Art.6.1(a)(i) and Art.6.1(a)(ii) relate to the number of permits being issued to persons during the reference period, while Art.6.1(a)(iii) relate to the number of permits valid at the end of the reference period. In the case where one residence permit has been issued to several **family members**, all persons being a subject of that permit should be covered by the statistics provided under Article 6. This further applies also to children being third-country nationals and born in the EU after the issuance of the residence permits to parents.

Article 6.1(b) relates to the number of long-term residents (as defined by Article 2(h) of the Regulation) at the end of the reference period and relates to the number of persons i.e. all persons having such status shall be covered by the statistics under Article 6.

First permits

For the purpose of the reporting under Article 6 a residence permit should be regarded as a first permit in the following situations:

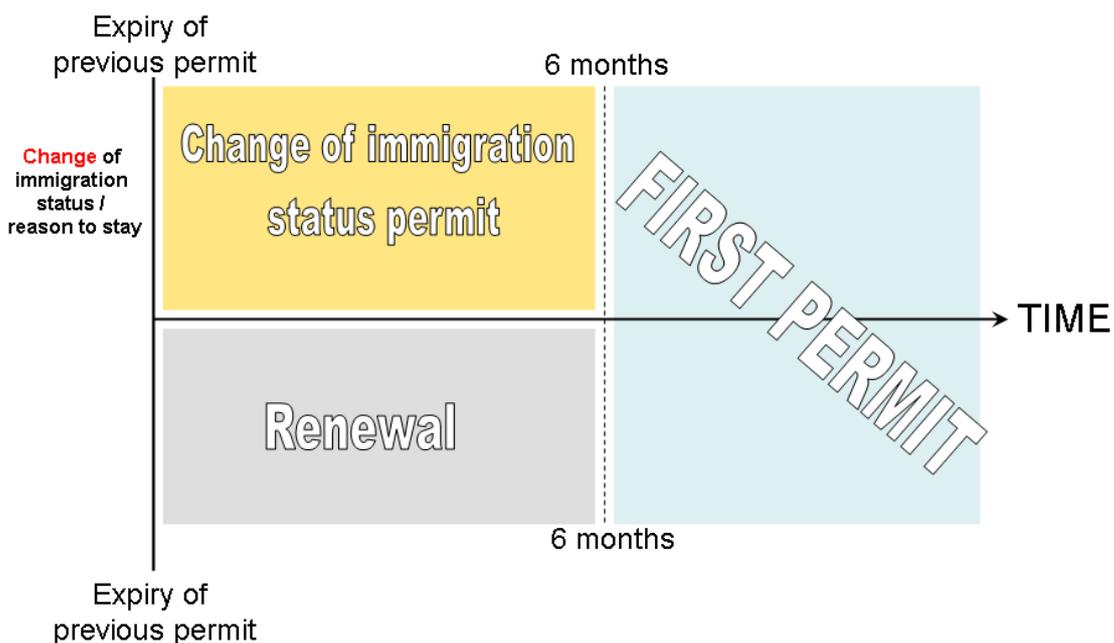
- a) when no residence permit was issued by the Member State to the person concerned before: first permit is every permit issued by the Member State authority to the third-country national with at least 3 months validity;
- b) when a residence permit was issued by the Member State to the person concerned already in the past: first permit is a permit issued by the Member State authority after at least 6 months, since the expiry of the previous permit, irrespective of the year of issuance of the permit and with at least 3 months validity.

If the time gap between the expiry of the previous permit and the start of the validity of the new permit is shorter than 6 MONTHS the new permit should be regarded as a renewal (if no change or reason or immigration status) or as a change of status permit (if change in reason or immigration status).

For example: When the first residence permit was issued on 1st January 2007 with the validity of 12 months, a permit issued after 6 months since the expiry of that permit, i.e. after 30th June 2008, will be recorded as a new permit.

Accordingly permits issued during 6 months after the expiry (i.e. between 1st January 2008 and 30th June 2008) will be treated as renewals if there is no change of immigration status or reason to stay. These renewed permits are not a subject of the flows statistics under Article 6 and are therefore to be excluded from statistics collected under the tables RP1 – RP5 and RP1_AS – RP4_AS.

However, if during that period the immigration status or the reason to stay has been changed (for example, the person had a student permit and afterwards receives a work permit), this permit will be recorded according to the Article 6.1(a)(ii), i.e. under the table RP5 - *Grants of permission to stay issued to third-country nationals on the occasion of a person changing immigration status or reason to stay*.



The definition of first permit relates to permits issued at **all levels of administrative / judicial instances and by all national authorities**. Thus, if at the first instance permission to reside was not granted but an appeal decision was positive at the second instance, the permission (resulting from appeal decision) shall be considered to be a first permit (if of course the time gap conditions are met).

If the **decision** to issue a residence permit has been made but the actual issuance of the residence permit is delayed, and during the waiting period the person is issued with a **provisional document** proving that the person has been granted permission to reside on the territory of the Member State, such provisional document shall be considered as a residence permit if the validity length is of at least 3 months. However, this does not apply to a document issued that only proves that an application for permission to reside has been lodged (i.e. in the case where no decision to grant permission to reside has yet been taken).

Statistics on short-term visas issued to third-country nationals shall not be included in the data provided under Article 6.

In order to avoid double counting, statistics on **long-term visas** issued abroad to third-country nationals, who are not present on the territory of the reporting country for the purpose of the **first entry** to a Member State, shall not be included in the data provided under Article 6, if immediately after entry in the territory of the Member State the third-country national is granted a residence permit.

Change of immigration status / reason to stay

Permission to reside shall be counted as a change of immigration status or reason to stay permit if the period between the expiry of the previous permit and the start of validity of the following permit is less than 6 months and the immigration status or reason to stay has been changed.

For example: When a first residence permit issued for education related reasons expired on 31st March 2008, the following permission to reside will be counted under Article 6.1(a)(ii), i.e. in table RP5 (*Grants of permission to stay issued to third-country nationals on the occasion of a person changing immigration status or reason to stay*) if it was granted not later than by 30th September 2008 and for the reason of the person changing immigration status or reason to stay. If the immigration status or reason to stay has not changed, a permit issued during these 6 months will be treated as a renewal (and therefore falls outside of the scope of the flows statistics collected under Article 6).

Change of immigration status or reason to stay shall be interpreted as a change of the (hypothetical) major category of the permit being issued i.e. only changes between following categories:

1. Reasons related to family formation and reunification;
2. Reasons related to education and study;
3. Reasons related to remunerated activities;
4. Other reasons.

That means that for instance the change of permit from the 'Study reasons' to the 'Other educational-related reasons' **shall not** be interpreted as a change of immigration status or reason to stay as both permits are a subject of the residence permit issued for the reasons related to education and study. Similarly change of permit from 'Highly Skilled Workers' into 'Other remunerated activities' permit category shall not be interpreted as a change of status.

Only changes of statuses between major categories can be recorded as a change of status permit. An example of that change may be a 'Researcher' permit (i.e. permit related to remunerated activities) granted after expiry of a 'Study reasons' permit (permit related to educational reasons).

Statistics related to the change of immigration status/reason to stay shall include permissions granted at all levels of administrative/judicial instances and by all national authorities.

Categories of permits to be collected according to Article 6

Please note that the list of categories of permits presented below differs somewhat from the list of categories annexed to the Commission Regulation (EU) No 216/2010 relating to the definitions of categories of the reasons for the residence permits. This Regulation was negotiated with Member States during 2009 and reflected the initial stage of the development of this data collection. The changes made to the list of categories reflect newly arising policy needs and policy instruments.

Member States have been consulted concerning these changes to the list of permit categories. Any formal changes to the implementing Regulation (repeal and replacement with a new legal text) may be considered at a later stage when this data collection is more fully established and the particular needs for statistics are more defined.

1. Table RP1. Grants of permission to stay issued to third-country nationals for reasons related to family formation and reunification.

1.1. Permissions valid for at least 3 months but less than 6 months

1.1.1. Joining an EU citizen

1.1.1.1. Spouse/Partner

1.1.1.2. Children (Minor/Adult)

1.1.1.3. Other family members

1.1.2. Joining an non-EU citizen

1.1.2.1. Spouse/Partner

1.1.2.2. Children (Minor/Adult)

1.1.2.3. Other family members

1.2. Permissions valid for at least 6 months but less than 12 months

1.2.1. Joining an EU citizen

1.2.1.1. Spouse/Partner

- 1.2.1.2. Children (Minor/Adult)
- 1.2.1.3. Other family members
- 1.2.2. Joining an non-EU citizen
 - 1.2.2.1. Spouse/Partner
 - 1.2.2.2. Children (Minor/Adult)
 - 1.2.2.3. Other family members
- 1.3. Permissions valid for 12 months and more
 - 1.3.1. Joining an EU citizen
 - 1.3.1.1. Spouse/Partner
 - 1.3.1.2. Children (Minor/Adult)
 - 1.3.1.3. Other family members
 - 1.3.2. Joining an non-EU citizen
 - 1.3.2.1. Spouse/Partner
 - 1.3.2.2. Children (Minor/Adult)
 - 1.3.2.3. Other family members

2. Table RP2. Grants of permission to stay issued to third-country nationals for reasons related to education and study.

2.1. Permissions valid for at least 3 months but less than 6 months

2.1.1. Students

2.1.2. Other educational-related

2.2. Permissions valid for at least 6 months but less than 12 months

2.2.1. Students

2.2.2. Other educational-related

2.3. Permissions valid for 12 months and more

2.3.1. Students

2.3.2. Other educational-related

3. Table RP3. Grants of permission to stay issued to third-country nationals for reasons related to remunerated activities.

3.1. Permissions valid for at least 3 months but less than 6 months

3.1.1. Highly skilled workers

3.1.2. EU Blue Card

3.1.3. Researchers

3.1.4. Seasonal workers

3.1.5. Other remunerated activities

3.2. Permissions valid for at least 6 months but less than 12 months

3.2.1. Highly skilled workers

3.2.2. EU Blue Card

3.2.3. Researchers

3.2.4. Seasonal workers

3.2.5. Other remunerated activities

3.3. Permissions valid for 12 months and more

3.3.1. Highly skilled workers

3.3.2. EU Blue Card

3.3.3. Researchers

3.3.4. Seasonal workers

3.3.5. Other remunerated activities

4. Table RP4. Grants of permission to stay issued to third-country nationals for other reasons.

4.1. Permissions valid for at least 3 months but less than 6 months

- 4.1.1. Refugee status and subsidiary protection
- 4.1.2. Humanitarian reasons
- 4.1.3. Unaccompanied minors (non-asylum related)
- 4.1.4. Victims of trafficking in human beings
- 4.1.5. Residence only
- 4.1.6. Residual categories

4.2. Permissions valid for at least 6 months but less than 12 months

- 4.2.1. Refugee status and subsidiary protection
- 4.2.2. Humanitarian reasons
- 4.2.3. Unaccompanied minors (non-asylum related)
- 4.2.4. Victims of trafficking in human beings
- 4.2.5. Residence only
- 4.2.6. Residual categories

4.3. Permissions valid for 12 months and more

- 4.3.1. Refugee status and subsidiary protection
- 4.3.2. Humanitarian reasons
- 4.3.3. Unaccompanied minors (non-asylum related)
- 4.3.4. Victims of trafficking in human beings
- 4.3.5. Residence only
- 4.3.6. Residual categories

5. Table RP5. Grants of permission to stay issued to third-country nationals on the occasion of a person changing immigration status or reason to stay.

5.1. When *previous* permission was granted for reasons related to family formation and reunification

- 5.1.1. Reasons related to education and study
- 5.1.2. Reasons related to remunerated activities
- 5.1.3. Other reasons

5.2. When *previous* permission was granted for reasons related to education and study

- 5.2.1. Reasons related to family formation and reunification
- 5.2.2. Reasons related to remunerated activities
- 5.2.3. Other reasons

- 5.3. When *previous* permission was granted for reasons related to remunerated activities
 - 5.3.1. Reasons related to family formation and reunification
 - 5.3.2. Reasons related to education and study
 - 5.3.3. Other reasons
- 5.4. When *previous* permission was granted for other reasons
 - 5.4.1. Reasons related to family formation and reunification
 - 5.4.2. Reasons related to education and study
 - 5.4.3. Reasons related to remunerated activities

6. Table RP6. The number of valid permissions to stay at the end of the reference period held by third-country nationals:

- 6.1. Permissions valid for at least 3 months but less than 6 months
 - 6.1.1. Family formation and reunification
 - 6.1.2. Education and study
 - 6.1.3. Remunerated activities
 - 6.1.4. Refugee status
 - 6.1.5. Subsidiary protection
 - 6.1.6. Other reasons
- 6.2. Permissions valid for at least 6 months but less than 12 months
 - 6.2.1. Family formation and reunification
 - 6.2.2. Education and study
 - 6.2.3. Remunerated activities
 - 6.2.4. Refugee status
 - 6.2.5. Subsidiary protection
 - 6.2.6. Other reasons
- 6.3. Permission valid for 12 months and more
 - 6.3.1. Family formation and reunification
 - 6.3.2. Education and study
 - 6.3.3. Remunerated activities
 - 6.3.4. Refugee status
 - 6.3.5. Subsidiary protection
 - 6.3.6. Other reasons

7. Table RP7. Population of third-country nationals having long-term legal resident status at the end of the reference period:

- 7.1. EU long-term resident status
- 7.2. National long-term resident status

Data transmission and format

For all regular data transmissions, including annual data collection on residence permits, only Singly Entry Point can be used for supplying data to Eurostat.

The Asylum and Managed Migration Working Group of 10–11th March 2014 agreed on the mandatory use of **only CSV file format** for transmission of data to Eurostat for Residence permit statistics. This rule is applied for reference year 2015 onwards.

To ensure that all data providers are able to generate the CSV files at national level, Eurostat has provided the CSV exporting functionality (embedded macros / radio buttons) for most of the tables (newly developed tables may follow a special procedure until their structure becomes stable).

The CSV specification and EXLM templates are available on [CIRCABC](#)⁴.

Quality standards

According to the Article 9.2 of the Regulation Member States shall report to Eurostat on the data sources used, the reasons for the selection of these sources and the effects of the selected data sources on the quality of the statistics, on the estimation methods used and shall keep Eurostat informed of changes thereto.

Furthermore, according to Article 9.3, Eurostat may request Member States to provide all the information necessary to evaluate the quality, comparability (understood as the extent to which differences between statistics from different geographical areas, non-geographical domains, or over time, can be attributed to differences between the true values of the statistics) and the completeness of the statistical information.

Quality standards may be specified by Eurostat on a later stage.

Member States must apply the initial validation checks of the permit statistics before providing data to Eurostat. These validation checks shall ensure the internal consistency of the datasets at the level of each aggregation, consistency of data between relevant tables as well as consistency of the data between different reporting periods. Eurostat will provide a list of such validation checks in a separate technical document.

In 2015 Eurostat implemented a set of validation rules, to be performed by [EDIT](#)⁵ application, to all incoming files (datasets) before acceptance and processing.

⁴ <https://circabc.europa.eu/w/browse/67b8a237-d2b3-4dc6-b80d-763bbbee0ac4>.

⁵ <https://webgate.ec.europa.eu/eurostat/edit>.

The following general approach is applied to any incoming file to Eurostat: incoming datasets which fail to pass the validation according to the rules agreed by the Working Group (i.e. in case of presence of “ERROR” or “FATAL ERROR”) are REFUSED and are not recognised as an official data transmission.

In exceptional situations when a national data provider can duly justify the non-compliance with the validation rules, such transmission may be accepted by Eurostat. In this case, the national data provider is required to provide Eurostat with a written (email) justification specifying the exact reasons for non-compliance with the validation rules.

A minimal set of validation rules were endorsed by the Member States in the Working Groups from 2014 and 2015 (please see documents on CIRCABC⁶).

In 2016, Eurostat has reviewed and optimised certain rules and the validation messages of the validation process. Following this process, Eurostat has now a stable set of rules that will be from now on subject to revision at every next Working Group meeting⁷. First revision of the set of validation rules is planned in 2017.

The validation reports, which are made available to data providers via EDAMIS, contain already results of these new set of rules (e.g. the rule that compares a current data transmission and the data that is already present in the Eurostat database).

The data providers have endorsed the validation rules used by Eurostat for Resper data collection. Therefore, the data providers have the responsibility to ensure the provision of validated (ERROR-FREE) data to Eurostat and mandatory consultation of validation report provided by Eurostat in EDAMIS application (data transmission tool).

The data providers have also the responsibility to respond in due time to the questions submitted by Eurostat regarding the data quality issues (including technical aspects of the data transmission or methodological aspects).

⁶ <https://circabc.europa.eu/w/browse/d08aa693-2573-4c61-abfa-3939ad3bf379>.
<https://circabc.europa.eu/w/browse/10862bc6-e2ba-4613-ab08-6d3b5b251649>

⁷ If necessary (e.g. in case of bugs in the system, or updates in the data collection), the validation rules may be revised earlier. In such cases, revisions of validation rules will be communicated by Eurostat.

Annex 1 - Description of tables and categories of permits

Data collection on residence permits issued to the third-country nationals - Flows data

Table RP1. Grants of permission to stay issued to third-country nationals for reasons related to family formation and reunification:

- 1.1. Permissions valid for at least 3 months but less than 6 months
 - 1.1.1. Joining an EU citizen
 - 1.1.1.1. Spouse/Partner
 - 1.1.1.2. Children (Minor/Adult)
 - 1.1.1.3. Other family members
 - 1.1.2. Joining an non-EU citizen
 - 1.1.2.1. Spouse/Partner
 - 1.1.2.2. Children (Minor/Adult)
 - 1.1.2.3. Other family members
- 1.2. Permissions valid for at least 6 months but less than 12 months
 - 1.2.1. Joining an EU citizen
 - 1.2.1.1. Spouse/Partner
 - 1.2.1.2. Children (Minor/Adult)
 - 1.2.1.3. Other family members
 - 1.2.2. Joining an non-EU citizen
 - 1.2.2.1. Spouse/Partner
 - 1.2.2.2. Children (Minor/Adult)
 - 1.2.2.3. Other family members
- 1.3. Permissions valid for 12 months and more
 - 1.3.1. Joining an EU citizen
 - 1.3.1.1. Spouse/Partner
 - 1.3.1.2. Children (Minor/Adult)
 - 1.3.1.3. Other family members
 - 1.3.2. Joining an non-EU citizen
 - 1.3.2.1. Spouse/Partner
 - 1.3.2.2. Children (Minor/Adult)
 - 1.3.2.3. Other family members

Further disaggregation applied:

- Citizenship.

Here it is necessary to take into account the fact that the third-country national may be joining either an EU citizen or another third-country national residing in the EU. The rights, obligations and procedures are not the same. The rights of third-country nationals joining other third-country nationals are regulated by Directive 2003/86/EC⁸, while the rights of third-country nationals joining EU nationals are set out in Directive 2004/38/EC⁹.

Directive 2004/38/EC referring to the rights of third-country nationals joining EU-citizens is of EEA (European Economic Area)¹⁰ relevance. Article 3.1 of this Directive specifies that this Directive shall apply to all Union citizens who move to or reside in a Member State **other than that of which they are a national**, and to their family members who accompany or join them. Therefore, this Directive applies only when the **EEA citizen** is in another EEA country but not when he is in his own EEA country of citizenship. In the latter case, the national law applies. For example this Directive is not applicable when a third-country national joins a Norwegian citizen at the territory of Norway or a French citizen in France. In this respect and as the rights are given on the same legislative basis, third-country nationals who join or accompany the citizens of Iceland, Liechtenstein and Norway in the territory of an EEA country (but other than that of which they are a national) shall be reported under category 'Joining an EU citizen'.

Permissions to stay granted for the reasons related to family formation and reunification based on the **national legislation** (not derived from EU Directives 2003/86 and 2004/38) shall be also included in the statistics under the table RP1. For the purpose of the coherent reporting of the third-country nationals joining citizens of Iceland, Liechtenstein and Norway, permissions issued to such third-country nationals on the basis of the national law shall also be reported under the category 'Joining an EU citizen'. For example a third-country national who receives a residence permit on the basis of Norwegian law and who joins or accompany a Norwegian citizen which moves or resides on the territory of Norway, shall be reported in the category "Joining an EU citizen".

Adopted **children**, if the adoption process is legally completed before the permission to reside is granted, shall be recorded under the category 'Children (Minor/Adult)'. However, if the residence permit is issued before the administrative/legal adoption procedure has been completed (for reasons related to family formation), then the permit shall be recorded under the category 'Other family members'.

Children being third-country nationals and born after the issuance of the residence permits to parents shall be reported under category 'Children (Minor/Adults)', even if no separate residence permit is issued to the new born child. Shall one of the parents have an EU-

⁸ [Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification](#); OJ L 251, 3.10.2003, p. 12–18.

⁹ [Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation \(EEC\) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC \(Text with EEA relevance\)](#); OJ L 30, 3.2.2005, p. 27–27.

¹⁰ The following countries are Members of EEA: 27 EU Member States, Iceland, Liechtenstein and Norway. Switzerland is not a Member of EEA, therefore this Directive is not applicable in this country.

citizenship, and this citizenship shall be granted to the new born child, such children are excluded from this reporting (as being EU-citizens).

Family members who are the subject of a family formation/reunification residence permit and who also receive the right to work should be only included in the statistics under the table RP1 and not under the table RP3 (reasons related to remunerated activities). Only family members granted an independent work permit (not linked to the sponsor) can be recorded in the table RP3.

Table RP1_AS. Grants of permission to stay issued to third-country nationals for reasons related to family formation and reunification:

Disaggregations:

- Age:
 - 5 years age groups: (0–4; 5–9; 10–14; 15–19; 20–24; 25–29; 30–34; 35–39; 40–44; 45–49; 50–54; 55–59; 60–64; 65–69; 70–74; 75–79; 80–84; 85 and over; unknown);
- Sex: (Males, Females, unknown);
- Citizenship.

Table RP2. Grants of permission to stay issued to third-country nationals for reasons related to education and study:

1.1. Permissions valid for at least 3 months but less than 6 months

1.1.1. Students

1.1.2. Other educational-related

1.2. Permissions valid for at least 6 months but less than 12 months

1.2.1. Students

1.2.2. Other educational-related

1.3. Permissions valid for 12 months and more

1.3.1. Students

1.3.2. Other educational-related

Further disaggregation applied:

- Citizenship

Category '**Students**' relates to persons granted a first residence permit and who are admitted to pursue a course of study at an establishment of higher or professional education. In accordance with Article 3(3) of the Council Directive (EU) 2016/801¹¹ -

¹¹ [Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service](#); OJ L 375, 23.12.2004, p. 12–18. Directive 2004/114/EC is valid until 23/05/2018 when it will be replaced by [Directive \(EU\) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and](#)

'Student' means a third-country national who has been accepted by a higher education institution and is admitted to the territory of a Member State to pursue as a main activity a full-time course of study leading to a higher education qualification recognised by that Member State, including diplomas, certificates or doctoral degrees in a higher education institution, which may cover a preparatory course prior to such education, in accordance with national law, or compulsory training.

Category '**Other education-related**' relates to first residence permits issued to persons admitted for education and study reasons not covered by the 'Student' definition above. This would include unremunerated trainees (according to Art.2(d) of the Council Directive 2004/114 - unremunerated trainee' means a third-country national who has been admitted to the territory of a Member State for a training period without remuneration in accordance with its national legislation, school pupils (according to Art.2(c) of the Council Directive 2004/114 - 'school pupil' means a third-country national admitted to the territory of a Member State to follow a recognised programme of secondary education in the context of an exchange scheme operated by an organisation recognised for that purpose by the Member State in accordance with its national legislation or administrative practice; this shall also include boarding school pupils who would be admitted under national legislation), and volunteers (according to Art.2(f) of the Council Directive 2004/114 - 'voluntary service scheme' means a programme of activities of practical solidarity, based on a State or a Union scheme, pursuing objectives of general interest). This category does not include researchers (covered by the table RP3).

Table RP2_AS. Grants of permission to stay issued to third-country nationals for reasons related to education and study:

Disaggregation:

- Age:
 - 5 years age groups: (0–4; 5–9; 10–14; 15–19; 20–24; 25–29; 30–34; 35–39; 40–44; 45–49; 50–54; 55–59; 60–64; 65–69; 70–74; 75–79; 80–84; 85 and over; unknown);
- Sex: (Males, Females, unknown);
- Citizenship.

Table RP3. Grants of permission to stay issued to third-country nationals for reasons related to remunerated activities:

- 1.1. Permissions valid for at least 3 months but less than 6 months
 - 1.1.1. Highly skilled workers
 - 1.1.2. EU Blue Card
 - 1.1.3. Researchers

[residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing](#) OJ L 132, 21.5.2016, p. 21–57.

- 1.1.4. Seasonal workers
- 1.1.5. Other remunerated activities
- 1.2. Permissions valid for at least 6 months but less than 12 months
 - 1.2.1. Highly skilled workers
 - 1.2.2. EU Blue Card
 - 1.2.3. Researchers
 - 1.2.4. Seasonal workers
 - 1.2.5. Other remunerated activities
- 1.3. Permissions valid for 12 months and more
 - 1.3.1. Highly skilled workers
 - 1.3.2. EU Blue Card
 - 1.3.3. Researchers
 - 1.3.4. Seasonal workers
 - 1.3.5. Other remunerated activities

Further disaggregation applied:

- Citizenship

Category '**Highly skilled workers**' refers to the first residence permits issued to third-country nationals admitted under national programmes facilitating the admission of highly-skilled workers. For the purpose of defining the scope of this category, the following definitions in Council Directive 2009/50/EC¹² could provide an **indication** of the characteristics of these type of migrants. However, these definitions do not represent the set of criteria to be fulfilled as the category 'Highly skilled workers' refer to the national admission programmes which are based on national legislation specifying other criteria not listed below:

- Article 2(b): 'highly qualified employment' means the employment of a person who:
 - in the Member State concerned, is protected as an employee under national employment law and/or in accordance with national practice, irrespective of the legal relationship, for the purpose of exercising genuine and effective work for, or under the direction of, someone else,
 - is paid, and,
 - has the required adequate and specific competence, as proven by higher professional qualifications,
- Article 2(g): 'higher professional qualifications' means qualifications attested by evidence of higher education qualifications or, by way of derogation, when provided for by national law, attested by at least five years of professional experience of a level comparable to higher education qualifications and which is relevant in the profession or sector specified in the work contract or binding job offer;

¹² [Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment](#); OJ L 155, 18.6.2009, p. 17–29.

- Article 2(h): 'higher education qualification' means any diploma, certificate or other evidence of formal qualifications issued by a competent authority attesting the successful completion of a post-secondary higher education programme, namely a set of courses provided by an educational establishment recognised as a higher education institution by the State in which it is situated. For the purposes of this Directive, a higher education qualification shall be taken into account, on condition that the studies needed to acquire it lasted at least three years;
- Article 2(i): 'professional experience' means the actual and lawful pursuit of the profession concerned;
- Article 2(j): 'regulated profession' means a regulated profession as defined in Article 3(1)(a) of Directive 2005/36/EC¹³ (i.e. a professional activity or group of professional activities, access to which, the pursuit of which, or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative, regulatory or administrative provisions to the possession of specific professional qualifications; in particular, the use of a professional title limited by legislative, regulatory or administrative provisions to holders of a given professional qualification shall constitute a mode of pursuit. Where the first sentence of this definition does not apply, a profession referred to in paragraph 2 shall be treated as a regulated profession).

Category '**EU Blue Card**' refers to the first residence permits issued to persons granted such authorisation to reside.¹⁴ 'EU Blue Cards' means a permit as defined in Article 2(c) of the Council Directive 2009/50/EC i.e. the authorisation bearing the term 'EU Blue Card' entitling its holder to reside and work in the territory of a Member State under the terms of this Directive. In accordance with Article 20.2 of this Directive statistics on this category shall be provided to the Commission annually and for the first time not later than 19 June 2013 i.e. for the reference year 2012.

Category '**Researcher**' refers to the first residence permits issued to persons granted such authorisation to reside. 'Researcher' is defined by Council Directive 2005/71/EC¹⁵ as a third-country national holding an appropriate higher education qualification, which gives access to doctoral programmes, who is selected by a research organisation for carrying out a research project for which the above qualification is normally required. If the national definition of 'Researcher' deviates from the above, Member States are requested to provide the definition used by them for the category 'Researcher'.

¹³ [Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications \(Text with EEA relevance\)](#); OJ L 255, 30.9.2005, p. 22–142.

¹⁴ Please note that the definition of the first 'EU Blue Card' is not fully consistent with the definition of the 'EU Blue Card GRANTED' used for the purpose of the data collection under Article 20 of the Directive 2009/50/EC (see Annex 2).

¹⁵ [Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research](#); OJ L 289, 3.11.2005, p. 15–22. Directive 2005/71/EC is valid until 23/05/2018 when it will be replaced by [Directive \(EU\) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing](#) OJ L 132, 21.5.2016, p. 21–57.

In the absence of the common European legislative framework and common definition of the seasonal workers (the Commission proposal was adopted in July 2010 and is currently being negotiated by Parliament and Council), the category '**Seasonal workers**' could (as long as a new Directive is not adopted) include all 'third-country nationals, who retain their legal domicile in a third country but reside temporarily for the purposes of employment in the territory of a Member State in a sector of activity dependent on the passing of the seasons, under one or more fixed-term work contracts concluded directly between the third country national and the employer established in a Member State'. Further the proposal specifies the term 'activity dependent on the passing of the seasons' which means an activity that is tied to a certain time of the year by an event or pattern during which labour levels are required that are far above those necessary for usually ongoing operations. Seasonal workers should in principle be counted only under the disaggregation 'at least 3 months but less than 6 months' and 'at least 6 months but less than 12 months'.

Although in some MS the large share of seasonal workers may receive an authorisation to work for a period not exceeding 3 months, these persons are not a subject of the statistics collected under Article 6, as they are a subject of visa regulations and procedures.

Category '**Other remunerated activities**' should include first residence permits issued to persons granted authorisation to work not covered by the other categories above. This would include employed and self-employed persons, remunerated trainees, and remunerated au-pairs.

Table RP3_AS. Grants of permission to stay issued to third-country nationals for reasons related to remunerated activities:

Disaggregations:

- Age:
 - 5 years age groups: (0–4; 5–9; 10–14; 15–19; 20–24; 25–29; 30–34; 35–39; 40–44; 45–49; 50–54; 55–59; 60–64; 65–69; 70–74; 75–79; 80–84; 85 and over; unknown);
- Sex: (Males, Females, unknown);
- Citizenship.

Table RP4. Grants of permission to stay issued to third-country nationals for other reasons:

- 1.1. Permissions valid for at least 3 months but less than 6 months
 - 1.1.1. Refugee status and subsidiary protection
 - 1.1.2. Humanitarian reasons
 - 1.1.3. Unaccompanied minors (non-asylum related)
 - 1.1.4. Victims of trafficking in human beings
 - 1.1.5. Residence only
 - 1.1.6. Residual categories
- 1.2. Permissions valid for at least 6 months but less than 12 months

- 1.2.1. Refugee status and subsidiary protection
- 1.2.2. Humanitarian reasons
- 1.2.3. Unaccompanied minors (non-asylum related)
- 1.2.4. Victims of trafficking in human beings
- 1.2.5. Residence only
- 1.2.6. Residual categories
- 1.3. Permissions valid for 12 months and more
 - 1.3.1. Refugee status and subsidiary protection
 - 1.3.2. Humanitarian reasons
 - 1.3.3. Unaccompanied minors (non-asylum related)
 - 1.3.4. Victims of trafficking in human beings
 - 1.3.5. Residence only
 - 1.3.6. Residual categories

Further disaggregation applied:

- Citizenship.

Notwithstanding Commission Regulation (EU) No 216/2010 implementing the list of categories of reasons for residence permits, the category 'International protection status' is now split in two separate categories: 'Refugee status and subsidiary protection' and 'Humanitarian reasons'. The separation of these two categories was necessary in order to distinguish between these types of protection for the purpose of the European Integration Fund. The residence permits statistics collected under Article 6 are used for the purpose of EIF data verification and under the provisions of this Fund; the category 'Refugee status and subsidiary protection' is not eligible to be included in the relevant data reported for EIF. However at the time of preparation of the Regulation 216/2010 this requirement could not be taken into account and was communicated at the latter stage.

Category '**Refugee status and subsidiary protection**' relates to first residence permits issued to persons granted such status. **Refugee status** means a status as defined in Article 2(e) of Directive 2011/95/EU¹⁶ within the meaning of Art.1 of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967. In accordance with Article 2(e) 'Refugee status' means the recognition by a Member State of a third country national or a stateless person as a refugee. **Subsidiary protection** means a status as defined in Article 2(g) of Directive 2011/95/EU. In accordance with Article 2(g) 'Subsidiary protection status' means the recognition by a Member State of a third country national or a stateless person as a person eligible for subsidiary protection.

Category '**Humanitarian reasons**' relates to first residence permits issued to persons granted such status which is granted under national law, as opposed to the two statuses mentioned

¹⁶ [Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.](#)

in the paragraph above which have been harmonised by Directive 2004/83/EC. A residence permit granted for humanitarian reasons could be the outcome of an asylum procedure, when there are no grounds to grant international protection but there's still a need to allow the person concerned to remain in the Member State; or it could be granted without any link to an asylum procedure, in non-asylum contexts¹⁷.

Category '**Unaccompanied minors (non-asylum related)**' relates to first residence permits issued to minors considered to be unaccompanied minor as defined in Article 2(k and l) of Directive 2011/95/EU. As defined in previous Directive 2004/83/EC this legal documents was covering asylum issues but the definition was applicable to unaccompanied minors who are not asylum-seekers. In accordance with new Directive 2011/95/EU Article 2(k and l) 'Unaccompanied minors' means third-country nationals or stateless persons below the age of 18, who arrive on the territory of the Member States unaccompanied by an adult responsible for them whether by law or custom, and for as long as they are not effectively taken into the care of such a person; it includes minors who are left unaccompanied after they have entered the territory of the Member States. This category shall not include unaccompanied minors granted residence permit who are a subject of an asylum application or received refugee/subsidiary protection or who were granted residence permit for victims in trafficking in human beings. Such unaccompanied minors shall be primarily reported under the respective category (i.e. 'Refugee status and subsidiary protection', or 'Victims of trafficking in human beings').

Category '**Victims of trafficking in human beings**' relates to the first residence permits issued to persons in accordance with the provisions of Directive 2004/81/EC¹⁸. The residence permits issued under this Directive refer to third-country nationals who are, or have been victims of offences related to the trafficking in human beings, even if they have illegally entered the territory of the Member States. Member States may apply this Directive to the third-country nationals who have been the subject of an action to facilitate illegal immigration. This Directive shall apply to the third-country nationals concerned having reached the age of majority set out by the law of the Member State concerned. By way of derogation, Member States may decide to apply this Directive to minors under the conditions laid down in their national law.

Category '**Residence only**' shall relate to the first permits issued for the reasons of residence only. However, in the absence of the common European legislative framework and common definition of the 'Residence only' this category includes permits issued for such purpose on the basis of the national legislation and administrative practices. An example of such permit may be the permit issued to the pensioner with no intention to undertake employment, study or family formation or reunification.

Category '**Residual categories**' shall include all other reasons for which first residence permits may be issued and which are not covered by the tables RP1-RP3 and any of the other categories from the table RP4.

¹⁷ The European Migration Network prepared a study on the different national practices concerning the granting of non-EU harmonised protection statuses. Reports are available here: [EMN Study on national practices concerning the granting of non-EU harmonised protection statuses](#).

¹⁸ [Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities](#).

Table RP4_AS. Grants of permission to stay issued to third-country nationals for other reasons:

Disaggregations:

- Age:
 - 5 years age groups: (0–4; 5–9; 10–14; 15–19; 20–24; 25–29; 30–34; 35–39; 40–44; 45–49; 50–54; 55–59; 60–64; 65–69; 70–74; 75–79; 80–84; 85 and over; unknown);
- Sex: (Males, Females, unknown);
- Citizenship.

Table RP5. Grants of permission to stay issued to third-country nationals on the occasion of a person changing immigration status or reason to stay:

- 5.1. When *previous* permission was granted for reasons related to family formation and reunification
 - 5.1.1. Reasons related to education and study
 - 5.1.2. Reasons related to remunerated activities
 - 5.1.3. Other reasons
- 5.2. When *previous* permission was granted for reasons related to education and study
 - 5.2.1. Reasons related to family formation and reunification
 - 5.2.2. Reasons related to remunerated activities
 - 5.2.3. Other reasons
- 5.3. When *previous* permission was granted for reasons related to remunerated activities
 - 5.3.1. Reasons related to family formation and reunification
 - 5.3.2. Reasons related to education and study
 - 5.3.3. Other reasons
- 5.4. When *previous* permission was granted for other reasons
 - 5.4.1. Reasons related to family formation and reunification
 - 5.4.2. Reasons related to education and study
 - 5.4.3. Reasons related to remunerated activities

Further disaggregation applied:

- Citizenship.

Permit type registered in this table indicate the change from the previous status/reason to the new immigration status or reason to stay. For instance, a person having previously held residence permit related to education who then receives a new residence permit for reasons related to remunerated activities will be recorded under category 5.2.2 i.e.:

5.2. When previous permission was granted for reasons related to education and study

5.2.2. Reasons related to remunerated activities

Change of immigration status implies some degree of continuity of residence. For example, a person changing from an education-related permit to an employment-related permit should be included in this table. However, if the person had left the Member States at the end of their studies and was returning as an employee several years later, this should be counted in Table RP3 above, and not as a change of status.

The general rule applied for the permission to be recorded here is that the period between the expiry of the old permit and the start of validation of the new permit should be less than 6 months. Otherwise this permit will be recorded as a new permit and shall be reported under one of the tables RP1-RP4. Please see also the section related to the definition of change of status.

Data collection on residence permits issued to the third-country nationals - Stock data

Table RP6. The number of valid permissions to stay at the end of the reference period held by third-country nationals:

- 1.1. Permissions valid for at least 3 months but less than 6 months
 - 1.1.1. Family formation and reunification
 - 1.1.2. Education and study
 - 1.1.3. Remunerated activities
 - 1.1.4. Refugee status
 - 1.1.5. Subsidiary protection
 - 1.1.6. Other reasons
- 1.2. Permissions valid for at least 6 months but less than 12 months
 - 1.2.1. Family formation and reunification
 - 1.2.2. Education and study
 - 1.2.3. Remunerated activities
 - 1.2.4. Refugee status
 - 1.2.5. Subsidiary protection
 - 1.2.6. Other reasons
- 1.3. Permission valid for 12 months and more
 - 1.3.1. Family formation and reunification
 - 1.3.2. Education and study
 - 1.3.3. Remunerated activities
 - 1.3.4. Refugee status

1.3.5. Subsidiary protection

1.3.6. Other reasons

Further disaggregation applied:

- Citizenship

IMPORTANT: The number of valid permissions to stay contains the permanent residence permits issued to the third country nationals.

This table shall include statistics on all valid permits at the end of reference period, therefore including **renewed** permits.

The length of validity of the permit refers to the total duration of the valid permit (at the date of issuance). For example, if a 12 month permit was issued on 1 July 2008, at the reporting date (i.e. on 31 December 2008), this permit will be recorded as a permit with a duration of 12 months and more.

The permit category '**Other reasons**' shall not include valid permit issued for the reasons related to refugee status or subsidiary protection status. Persons granted one of these statuses and holding a valid residence permit shall be primarily reported under the respective category (i.e. 'Refugee status' or 'Subsidiary protection')

Table RP6_AS. The number of valid permissions to stay at the end of the reference period held by third-country nationals:

Disaggregations:

- Age:
 - 5 years age groups: (0–4; 5–9; 10–14; 15–19; 20–24; 25–29; 30–34; 35–39; 40–44; 45–49; 50–54; 55–59; 60–64; 65–69; 70–74; 75–79; 80–84; 85 and over; unknown);
- Sex: (Males, Females, unknown);
- Citizenship.

Table RP7. Population of third-country nationals having long-term legal resident status at the end of the reference period:

7. Total long-term resident status

7.1. EU long-term resident status

7.2. National long-term resident status

Further disaggregation applied:

- Citizenship.

Category '**EU long-term residence status**' refers to the number of such permits valid at the end of the reference period. This status is defined by Article 2(h) of the Migration Statistics Regulation i.e. to the definition of a long-term resident that is contained in Council Directive

2003/109/EC¹⁹. This is based on a total duration of legal residence of 5 years or longer, combined with a series of other conditions that must be met to qualify for this status.

Category '**National long-term residence status**' refers to the number of such permits valid at the end of the reference period. This category includes **long-term or permanent** residence status granted to third-country nationals under rules which are different from Council Directive 2003/109/EC. In the absence of the common definition, the minimum requirement to qualify permit under this category shall be the duration of the permit of at least 5 years. As Denmark, Ireland and the UK are not implementing Directive 2003/109/EC, these countries shall report statistics on long-term residents under category 'National long-term resident status'.

IMPORTANT: Category **Total long-term resident status** is a subset of all permits valid in the end of the year (table RP7 is a subset of table RP6).

Table RP7_AS. Population of third-country nationals having long-term legal resident status at the end of the reference period:

Disaggregations:

- Age:
 - 5 years age groups: (0–4; 5–9; 10–14; 15–19; 20–24; 25–29; 30–34; 35–39; 40–44; 45–49; 50–54; 55–59; 60–64; 65–69; 70–74; 75–79; 80–84; 85 and over; unknown);
- Sex: (Males, Females, unknown);
- Citizenship.

IMPORTANT: Category **Total long-term resident status** is a subset of all permits valid in the end of the year (table RP7_AS is a subset of table RP6_AS).

¹⁹ [Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents](#); OJ L 16, 23.1.2004, p. 44–53.

Annex 2 - Guidelines to the data collection on EU Blue Cards under Article 20 of the Directive 2009/50/EC

This annex provides guidance about the statistics on EU Blue Cards collected in accordance with Article 20 of the Council Directive 2009/50/EC²⁰. The aim is to provide a methodological and technical guidance for the compilation of the statistical data requested under Article 20.

Legal base

Article 20 (2) of the Directive 2009/50/EC:

"Annually, and for the first time no later than 19 June 2013, Member States shall, in accordance with Regulation (EC) No 862/2007, communicate to the Commission statistics on the volumes of third-country nationals who have been granted an EU Blue Card and, as far as possible, volumes of third-country nationals whose EU Blue Card has been renewed or withdrawn, during the previous calendar year, indicating their nationality and, as far as possible, their occupation. Statistics on admitted family members shall be communicated in the same manner, except as regards information on their occupation. In relation to EU Blue Card holders and members of their families admitted in accordance with Articles 18, 19 and 20, the information provided shall, in addition, specify, as far as possible, the Member State of previous residence."

The "as far as possible" phrase mentioned in this Directive shall be interpreted as an obligation to provide data if the data on the specific category/disaggregation is available to the national data provider in the respective administrative register or database.

Although Denmark, Ireland and the United Kingdom are not implementing Directive 2009/50/EC, these Member States shall, as far as possible, supply statistics based on comparable definitions.²¹ These definitions shall be provided to Eurostat.

Directive 2009/50/EC does not apply to EFTA countries, therefore these countries are not a subject of this data collection, except that there would be any national law derived from this Directive or based on very similar framework. In that case these countries may provide statistics based on comparable definitions. These definitions shall be provided to Eurostat.

After consultation with all Member States, this annex may be subject of future amendments.

Data coverage

All the requested statistics relate only to **third-country nationals**, defined as "any person who is not a citizen of the Union within the meaning of Article 17.1 of the Treaty" (Art 2.a of the Directive).

In accordance with the requirements of the Article 20 of the Directive, data are collected on the number of EU Blue Cards **granted, renewed and withdrawn**.

²⁰ [Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment](#); OJ L 155, 18.6.2009, p. 17–29.

²¹ Discussions with the United Kingdom have established that no such comparable definitions exist and therefore it is agreed that the United Kingdom will not be supplying data until comparable data are available (data available from 2012 onwards).

Definitions

In accordance with the Directive 'EU Blue Card' means the authorisation bearing the term "EU Blue Card" entitling its holder to reside and work in the territory of a Member State under the terms of this Directive (Article 2(c)).

'EU Blue Card GRANTED' means EU Blue Card issued in compliance with the following requirements:

- a. when no residence permit was issued by the Member State to the person concerned before: 'EU Blue Card GRANTED' is each such permit issued by the Member State authority for the first time;
- b. when a residence permit was already issued by the Member State to the person concerned in the past but for a different reason: 'EU Blue Card GRANTED' is each such permit issued by the Member State authority irrespective of the time gap between the expiry of the previous permit and the start of validity of the EU Blue Card²²;
- c. when a residence permit (EU Blue Card) was already issued by the Member State to the person concerned in the past for the same reason: 'EU Blue Card GRANTED' is each such permit issued by the Member State authority after at least 6 months, since the expiry of the previous EU Blue Card;

Practically the term 'EU Blue Card GRANTED' refers to:

- all first time issued EU Blue Cards (irrespective if the person was previously in a possession of a residence permit issued by the same Member State or not)
- EU Blue Card issued after 6 months since the expiry of the previous EU Blue Card (both issued by the same Member State).

For example: When the EU Blue Card was issued on 1st January 2012 with the validity of 12 months, any EU Blue Card issued after 6 months since the expiry of that permit, i.e. **after** 30th June 2013, will be recorded as a 'EU Blue Card GRANTED'.

'EU Blue Card RENEWED' means EU Blue Card issued to the same person with the validity starting immediately after the expiry of the previous EU Blue Card or if the time gap between the expiry of the previous EU Blue Card and the start of the validity of the following EU Blue Card is shorter than 6 months.

For example: When the EU Blue Card was issued on 1st January 2012 with the validity of 12 months and this card was valid (and not withdrawn) until the end of 2012, any following EU Blue Card issued with a validity starting between the period 1st January – 30th June 2013 (i.e. within 6 months since the expiry of EU Blue Card) shall be recorded as a 'EU Blue Card RENEWED'.

'EU Blue Card WITHDRAWN' means EU Blue Card withdrawn in accordance with the Article 9 of the Directive 2009/50/EC.

²² Note that this implies that some of the permits which under the Article 6 data collection (residence permits) would be considered as change of status of renewals will be reported as 'EU Blue Cards GRANTED'. This approach ensures that all first time issued EU Blue Cards which are granted to the TCNs already residing at the territory the EU Member State will be reported under the data collection of Article 20 of the Directive 2009/50/EC.

'First Member State' means the Member State which first grants a third-country national an 'EU Blue Card' (Article 2(d)).

'Second Member State' means any Member State other than the first Member State (Article 2(e)).

'Family members' means third-country nationals as defined in Article 4(1)²³ of Directive 2003/86/EC (Article 2(f)).

'Highly qualified employment' means the employment of a person who:

- in the Member State concerned, is protected as an employee under national employment law and/or in accordance with national practice, irrespective of the legal relationship, for the purpose of exercising genuine and effective work for, or under the direction of, someone else,
- is paid, and,
- has the required adequate and specific competence, as proven by higher professional qualifications ((Article 2(b)).

'Higher professional qualifications' means qualifications attested by evidence of higher education qualifications or, by way of derogation, when provided for by national law, attested by at least five years of professional experience of a level comparable to higher education qualifications and which is relevant in the profession or sector specified in the work contract or binding job offer (Article 2(g)).

'Higher education qualification' means any diploma, certificate or other evidence of formal qualifications issued by a competent authority attesting the successful completion of a post-secondary higher education programme, namely a set of courses provided by an educational establishment recognised as a higher education institution by the State in which it is situated. For the purposes of this Directive, a higher education qualification shall be taken into account, on condition that the studies needed to acquire it lasted at least three years (Article 2(h)).

'Professional experience' means the actual and lawful pursuit of the profession concerned (Article 2(i)).

²³ Article 4

1. The Member States shall authorise the entry and residence, pursuant to this Directive and subject to compliance with the conditions laid down in Chapter IV, as well as in Article 16, of the following family members:

- (a) the sponsor's spouse;
- (b) the minor children of the sponsor and of his/her spouse, including children adopted in accordance with a decision taken by the competent authority in the Member State concerned or a decision which is automatically enforceable due to international obligations of that Member State or must be recognised in accordance with international obligations;
- (c) the minor children including adopted children of the sponsor where the sponsor has custody and the children are dependent on him or her. Member States may authorise the reunification of children of whom custody is shared, provided the other party sharing custody has given his or her agreement;
- (d) the minor children including adopted children of the spouse where the spouse has custody and the children are dependent on him or her. Member States may authorise the reunification of children of whom custody is shared, provided the other party sharing custody has given his or her agreement.

The minor children referred to in this Article must be below the age of majority set by the law of the Member State concerned and must not be married.

By way of derogation, where a child is aged over 12 years and arrives independently from the rest of his/her family, the Member State may, before authorising entry and residence under this Directive, verify whether he or she meets a condition for integration provided for by its existing legislation on the date of implementation of this Directive.

'Regulated profession' means a regulated profession as defined in Article 3(1)(a) of Directive 2005/36/EC²⁴ (i.e. a professional activity or group of professional activities, access to which, the pursuit of which, or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative, regulatory or administrative provisions to the possession of specific professional qualifications; in particular, the use of a professional title limited by legislative, regulatory or administrative provisions to holders of a given professional qualification shall constitute a mode of pursuit. Where the first sentence of this definition does not apply, a profession referred to in paragraph 2 shall be treated as a regulated profession) (Article 2(j)).

Periodicity and reference periods of the residence permit tables

The EU Blue Cards data collection relates to reference periods of one calendar year and shall be completed by national data suppliers and sent to Eurostat according to the specified data format and data transmission tools.

Statistics shall be supplied to Eurostat for the first time no later than 19 June 2013 and in accordance with Regulation (EC) 862/2007. The first reference year of the compulsory data provision is 2012. Since 2014 (i.e. data referring to the reference year 2013) statistics shall be supplied to Eurostat **within six months of the end of the reference year**.

Disaggregations

In accordance with Article 20, statistics on EU Blue Cards are disaggregated by the following variables (please note that not all disaggregations are cross-classified):

1. **Citizenship** (cross-classified with 'Status of EU Blue Card', 'Subject person' and 'Occupation')
2. **Status of EU Blue Card** (cross-classified with 'Citizenship', 'Subject person' and 'Occupation')
 - a. Granted;
 - b. Renewed;
 - c. Withdrawn;
3. **Subject person**
 - a. EU Blue Card holder (cross-classified with 'Citizenship' and 'Status of EU Blue Card', 'Occupation' and 'Member State of previous residence');
 - b. Admitted family member (cross-classified with 'Citizenship', 'Status of EU Blue Card' and 'Member State of previous residence');
4. **Occupation** (cross-classified with 'Citizenship' and 'Status of EU Blue Card')
5. **Member State of previous residence** (cross-classified with 'Subject person')

Article 20.2 of the Directive specifies that the statistics on:

- 'EU Blue Cards RENEWED';

²⁴ [Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications \(Text with EEA relevance\)](#); OJ L 255, 30.9.2005, p. 22–142.

- 'EU Blue Cards WITHDRWAN';
- 'Occupation' (including EU Blue Cards GRANTED, RENEWED and WITHDRAWN);
- 'Member State of previous residence' (including 'EU Blue Cards holders' and 'Admitted family members');

shall be provided to the Commission 'as far as possible'. This phrase shall be interpreted as an obligation to provide data if the data on the specific category/disaggregation is available to the national data provider in the respective administrative register or database).

Occupation category

In accordance with the requirements of the Article 20, data on EU Blue Card holders shall, as far as possible, be disaggregated by the 'Occupation'.

For the purpose of this disaggregation the 'International Standard Classification of Occupations, 2008 version' (ISCO-08) is applied. ISCO-08 is a tool for organising jobs into a clearly defined set of groups according to the tasks and duties undertaken in the job. For more information please consult Eurostat metadata server Ramon²⁵ or International Labour Organization (ILO)²⁶.

In accordance with the requirements of the Directive (Preamble point 10) data on 'Occupation' are collected for the ISCO-08 major groups 1 (Managers) and 2 (Professionals). The level of disaggregation of ISCO-08 applied for this data collection corresponds with the sub-major Groups of ISCO. The list of occupations applied is the following (numerical codes correspond to the ISCO-08 codes):

- 1 Managers
 - 11 Chief executives, senior officials and legislators
 - 12 Administrative and commercial managers
 - 13 Production and specialized services managers
 - 14 Hospitality, retail and other services managers
- 2 Professionals
 - 21 Science and engineering professionals
 - 22 Health professionals
 - 23 Teaching professionals
 - 24 Business and administration professionals
 - 25 Information and communications technology professionals
 - 26 Legal, social and cultural professionals
- UNK Unknown

²⁵ http://ec.europa.eu/eurostat/ramon/index.cfm?TargetUrl=DSP_PUB_WELC.

²⁶ <http://www.ilo.org/public/english/bureau/stat/isco/index.htm>.

For the definitions of the above occupations, including definitions of the occupations at the more detailed level of disaggregation, please refer to the latest definitions published by ILO²⁷.

A separate disaggregation 'Unknown' is included only for situations when there is an error in administrative data or in the extraction of the statistics. This should not exceed 2% of the total of the corresponding table. In addition when no data by occupation can be delivered data on EU Blue Cards GRANTED, RENEWED or WITHDRAWN shall be provided under this category.

Citizenship category

See the corresponding section of the guidelines for residence permit data collection 'Citizenship codes'.

Flows / stock data

All the statistics collected under Article 20 of the Directive refer to the number of permissions issued, renewed or withdrawn **during the reference period** that is during the reference year.

Persons / permits

In accordance with Regulation 862/2007 all the statistics collected refer to the **number of persons**. In the case where one residence permit has been issued to several **family members** of the EU Blue Card holder, all persons being a subject of that permit should be counted individually. This applies also to children being third-country nationals and born in the EU after the issuance of the EU Blue Cards and admission of other family members.

Data transmission and format

See the corresponding section of the guidelines for residence permit data collection 'Data transmission and format'.

Quality standards

See the corresponding section of the guidelines for residence permit data collection 'Quality standards'.

²⁷ <http://www.ilo.org/public/english/bureau/stat/isco/isco08/index.htm>.

Data collection template

Table BC1. EU Blue Cards issued, renewed and withdrawn in accordance with Directive 2009/50/EC:

1.1. EU Blue Cards GRANTED

- 1.1.1. Chief executives, senior officials and legislators
- 1.1.2. Administrative and commercial managers
- 1.1.3. Production and specialized services managers
- 1.1.4. Hospitality, retail and other services managers
- 1.1.5. Science and engineering professionals
- 1.1.6. Health professionals
- 1.1.7. Teaching professionals
- 1.1.8. Business and administration professionals
- 1.1.9. Information and communications technology professionals
- 1.1.10. Legal, social and cultural professionals
- 1.1.11. Unknown

1.2. EU Blue Cards RENEWED

- 1.2.1. Chief executives, senior officials and legislators
- 1.2.2. Administrative and commercial managers
- 1.2.3. Production and specialized services managers
- 1.2.4. Hospitality, retail and other services managers
- 1.2.5. Science and engineering professionals
- 1.2.6. Health professionals
- 1.2.7. Teaching professionals
- 1.2.8. Business and administration professionals
- 1.2.9. Information and communications technology professionals
- 1.2.10. Legal, social and cultural professionals
- 1.2.11. Unknown

1.3. EU Blue Cards WITHDRAWN

- 1.3.1. Chief executives, senior officials and legislators
- 1.3.2. Administrative and commercial managers
- 1.3.3. Production and specialized services managers
- 1.3.4. Hospitality, retail and other services managers
- 1.3.5. Science and engineering professionals
- 1.3.6. Health professionals
- 1.3.7. Teaching professionals
- 1.3.8. Business and administration professionals
- 1.3.9. Information and communications technology professionals
- 1.3.10. Legal, social and cultural professionals
- 1.3.11. Unknown

Further disaggregation applied:

- Citizenship.

All third-country nationals granted EU Blue Card by the national authority shall be reported in this table irrespective of whether they entered the reporting Member State from a third country or from another Member State.

Table BC2. Admitted family members of EU Blue Cards holders:

1.1. Residence permits of admitted family members

- 1.1.1. Granted
- 1.1.2. Renewed
- 1.1.3. Withdrawn

Further disaggregation applied:

- Citizenship

Each family member of the EU Blue Card holders admitted by the Member State shall be reported individually in this table. Those family members who do not receive an individual permission (e.g. minors) shall also be reported in this table.

Table BC3. EU Blue Cards holders and family members admitted in accordance with Articles 18 and 19, by Member State of previous residence:

- 1.1. EU Blue Cards holders
- 1.2. Family members

Further disaggregation applied:

- Member State of previous residence

Only those EU Blue Card holders and their family members issued with EU Blue Card or admitted as family member in accordance with Articles 18 and 19 of the Directive shall be reported in this table.

Each family member of the EU Blue Card holders admitted by the Member State shall be reported individually in this table. Those family members which may not receive an individual permission (e.g. minors) shall also be reported in this table.

Annex 3 - Guidelines to the data collection on Single permit under Art 15 Directive 2011/98/EU

Legal base

Art 15 (2) Directive 2011/98/EU:

“Member States shall communicate to the Commission statistics on the volumes of third-country nationals who have been granted a single permit during the previous calendar year, in accordance with Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection.”

Please note that the technical guidelines for Single Permit data collection follow the general principles of technical guidelines for the Residence Permits data collection, namely the references to “third-country nationals”, the definition of “Residence permit”, the definition of “First permit”, the definition of “Change of status”, the persons/permits rule and the duration/length of validity of the permit.

Ireland, Denmark and United Kingdom are not bound by Directive 2011/98/EU and this Directive is not applicable for EFTA countries. Therefore, these Member States should not send the statistics based on this directive.

Data coverage

All the requested statistics relate to third country nationals who have been granted a single permit. Each person should be counted only once during the reference period.

A ‘Single Permit’ should be understood as a residence permit that meets the following cumulative three main conditions (for each permit):

1. results from single application procedure (as defined under article 2(d) Directive 2011/98/EU)
2. includes the right to reside
3. includes the right to work legally

Type of permits counted

The categories of third country nationals covered by the "Single Permit" are: **new permits**, **renewed permits** and **change of immigration status permits**; including the cases when the third country national is admitted to reside for other main reason than work (permits issued under both article 6 and article 7 Directive 2011/98/EU).

“This Directive shall apply to:

- (a) third country national applying to reside in country for work*
- (b) third country national admitted to country for other purposes (EU or national law) , who are allowed to work and holding a permit in accordance with Regulation (EC) No 1030/2002*

(c) third country nationals already admitted for purpose of work (national or EU law)” (Art 3 (1) Directive 2011/98/EU)

“Member States shall issue a single permit, where the conditions provided for are met, to third-country nationals who apply for admission and to third-country nationals already admitted who apply to renew or modify their residence permit after the entry into force of the national implementing provisions.” (Art 4 (4) Directive 2011/98/EU)

Please note that the “single permits” may have another ‘main reason’ counted for the statistics on residence permits (table RP1-4). Example: one person receives the permits for family reasons (counted in table RP1) and has also the right to work. This case should be counted as Single Permits if this person receives the residence permit following the simplified procedure. This person will be reported also in the statistics on Residence Permits (Table RP1).

A number of categories excluded from the whole Directive are listed in article 3.2 of the Directive. Article 3.3 and 3.4 list categories excluded from the single application procedure and single permit (Chapter II), but to whom the right to equal treatment (Chapter III) still applies.

Definitions

Single permit means a residence permit issued by the authorities of a Member State within a simplified procedure that allow a third-country national to “reside legally in its territory for the purpose of work” (Art 2 (c) Directive 2011/98/EU)

“This Directive lays down: (a) a single application procedure for issuing a single permit for third-country nationals to reside for the purpose of work in the territory of a Member State, in order to simplify the procedures for their admission and to facilitate the control of their status;” (Art 1 (a) of Directive 2011/98/EU on Subject matter)

“Single permit means a residence permit issued by the authorities of a Member State allowing a third-country national to reside legally in its territory for the purpose of work” (Art 2 (c) of Directive 2011/98/EU)

Single application procedure’ means any procedure leading, on the basis of a single application made by a third-country national, or by his or her employer, for the authorisation of residence and work in the territory of a Member State, to a decision ruling on that application for the single permit.

Main reason refers to the main reason to reside in the Member State Territory when the Single Permit was granted.

First permit versus **change of status** and **renewal** - If the time gap between the expiry of the previous permit and the start of the validity of the new permit is shorter than 6 MONTHS the new permit should be regarded as a **renewal** or as a **change of status** permit (see the categories from below).

Renewed is considered the residence permits issued **in maximum 6 months** from the time when the previous permit expire and the main reason of immigration status is the same as in the previous residence permit (a new permits was issued with the same immigration reason).

Periodicity and reference periods

The statistics on 'Single permit' should be reported annually as part of the Residence Permit Statistics based on the Regulation (EC) No 862/2007.

First reference period for the statistics on 'Single permit' is 2013 according to Art 15 (2) from Directive 2011/98/EU. The statistics on single permits can be estimated, using available statistics. The estimation done should be justified and described in the metadata information.

The Single Permit data collection relates to reference periods of one calendar year and shall be completed by national data suppliers and sent to Eurostat according to the specified data format and data transmission tools.

Statistics shall be supplied to Eurostat **for the first time no later than 25 December 2014** and in accordance with Regulation (EC) 862/2007. **The first reference year of the compulsory data provision is 2013.** Since 2015 (i.e. data referring to the reference year 2014) **statistics shall be supplied to Eurostat within six months of the end of the reference year (i.e. by the end of June each year).**

For the first data transmission (2013 reference period) only the totals by main reasons are mandatory (see the grey line in table 1).

Data collection template

Table SP - Single permit under Art 15 Directive 2011/98/EU

The statistics on Single Permit are disaggregated by the following variables:

1. Type of permit
 - Total (First Permit + Change of status + Renewed);
 - First Permit
 - Change of status
 - Renewed
2. Main reason:
 - Total (Family + Education + Occupation + Other)
 - Family reasons (family formation and reunification);
 - Education reasons (education and study);
 - Occupation reasons (remunerated activities);
 - Other reasons.
3. Length of validity of permit:
 - 3-6 months
 - 6–12 months
 - 12 months or more

The statistics on Single permits should be sent to Eurostat using the following cross-tabulation:

Table 1. SP - Single permit under Art 15 Directive 2011/98/EU

Type of permit	Length of validity	Main Reason				
		Total	Family	Education	Occupation	Other
TOTAL	Total	0	0	0	0	0
	3 -< 6 months	0	0	0	0	0
	6 -< 12 months	0	0	0	0	0
	>12 months	0	0	0	0	0
First Permit	Total	0	0	0	0	0
	3 -< 6 months	0	0	0	0	0
	6 -< 12 months	0	0	0	0	0
	>12 months	0	0	0	0	0
Change of status	Total	0	0	0	0	0
	3 -< 6 months	0	0	0	0	0
	6 -< 12 months	0	0	0	0	0
	>12 months	0	0	0	0	0
Renewed	Total	0	0	0	0	0
	3 -< 6 months	0	0	0	0	0
	6 -< 12 months	0	0	0	0	0
	>12 months	0	0	0	0	0

Annex 4 - Guidelines to the data collection on "Seasonal workers" based on Directive 2014/36/EU

Legal base

Art 26 Statistics - Directive 2014/36/EU:

"1. Member States shall communicate to the Commission statistics on the number of authorisations for the purpose of seasonal work issued for the first time and, as far as possible, on the number of third-country nationals whose authorisation for the purpose of seasonal work has been extended/renewed or withdrawn. Those statistics shall be disaggregated by citizenship and as far as possible by the period of validity of the authorisation and the economic sector.

2. The statistics referred to in paragraph 1 shall relate to reference periods of one calendar year and shall be communicated to the Commission within six months of the end of the reference year. The first reference year shall be 2017."

3. The statistics referred to in paragraph 1 shall be communicated in accordance with Regulation (EC) No 862/2007 of the European Parliament and of the Council."

Ireland, Denmark and United Kingdom are not bound by Directive 2014/36/EU and this Directive is not applicable for EFTA countries. Therefore, these Member States should not send the statistics based on this directive.

Data coverage

All the requested statistics on seasonal work (SW) relate to 'third-country nationals' who are issued an AUTHORISATION for the purpose of seasonal work.

Statistical unit

The statistics on seasonal work refers to the NUMBER OF AUTHORISATIONS issued for the purpose of seasonal work.

Definitions

Proper attention should be paid to the definitions and categories applied for the statistics on seasonal workers before data transmission. Some rules/definitions are different from the rules/definitions applied to other datasets from Resper data collection notably due the short term nature of the stay of seasonal workers. For example, the data collected can in some cases be *short-stay visas*; the subcategories of length of validity follow specific rules for seasonal workers; the persons/permits rule differs from the one applied to other residence permits categories.

Residence permits refers in this context to authorisations for the purpose of seasonal work.

The authorisation for the purpose of seasonal work means any of the authorisations referred to in Article 12 (see in the next section - Types of authorisation for the purpose of seasonal work) entitling their holder to stay and work on the territory of the Member State that issued the authorisation under this Directive (Article 3(h) of Directive 2014/36/EU);

Types of authorisations for the purpose of seasonal work

Authorisations for the purpose of seasonal work depend, firstly on the duration (i.e. stays exceeding or not 90 days), secondly, on the type of authorisation each Member State chooses to provide when transposing the Directive. In total, across all Member States, six possible types of authorisations can be issued in accordance Article 12 of Directive 2014/36/EU:

A. For stays not exceeding 90 days²⁸, authorisations can be:

- 1. only a short-stay visa;**
- 2. both a short-stay visa and a work permit** indicating that they are issued for the purpose of seasonal work; or
- 3. only a work permit** indicating that it is issued for the purpose of seasonal work²⁹

B. For stays exceeding 90 days³⁰, authorisations can be:

- 4. only a long-stay visa**, indicating that it is issued for the purpose of seasonal work;
- 5. only a seasonal worker permit;** or
- 6. both a seasonal worker permit and a long-stay visa**, if the long-stay visa is required under national law for entering the territory.

Precise definitions are listed in Article 3 of the Directive:

short-stay visa "means an authorisation issued by a Member State as provided for in point (2)(a) of Article 2 of the Visa Code or issued in accordance with the national law of a Member State not applying the Schengen acquis in full" (Article 3(e) of Directive 2014/36/EU);

work permit "means any authorisation issued by a Member State in accordance with national law for the purpose of work in the territory of that Member State" (Article 3(i) of Directive 2014/36/EU);

long-stay visa "means an authorisation issued by a Member State as provided for in Article 18 of the Schengen Implementing Convention or issued in accordance with the national law of a Member State not applying the Schengen acquis in full"(Article 3(f) of Directive 2014/36/EU);

seasonal worker permit "means an authorisation issued using the format laid down in Council Regulation (EC) No 1030/2002 bearing a reference to seasonal work and entitling its holder to stay and work in the territory of a Member State for a stay exceeding 90 days under the terms of this Directive" (Article 3(d) of Directive 2014/36/EU);

²⁸ Article 12(1), Authorisations for the purpose of seasonal work of Directive 2014/36/EU.

²⁹ where the third-country national is exempted from the visa requirement in accordance with Annex II of Regulation (EC) No 539/2001 and the Member State concerned does not apply Article 4(3) of that Regulation to him or her. In other words, when the third-country national is exempted from the visa requirement, the authorisation consists (only) of a work permit.

³⁰ Article 12(2), Authorisations for the purpose of seasonal work of Directive 2014/36/EU.

Please note that:

- **"authorisation for the purpose of seasonal work" ≠ "seasonal worker permit"**
- **and "work permit" under this Directive ≠ "seasonal worker permit"**

Given the short-term nature of seasonal work, the same third-country national can, in theory, be authorised to stay for the purpose of seasonal work in the same Member State more than once in a given year. In that case, **ONE PERSON CAN BE COUNTED MORE THAN ONCE DURING THE REFERENCE PERIOD** (double counting of persons is therefore allowed for SW statistics) since the number of authorisations is the subject of the SW statistics instead of the number of persons.

In some cases, the authorisation will consist in two distinct documents. **ONLY ONE AUTHORISATION SHOULD BE COUNTED IN THOSE CASES.** For instance, only one authorisation should be counted in case of issuing for the same person, the same working contract and the same period a 'short-stay visa' and a 'work permit'; and the same rule should be applied in the case of issuing for the same person, the same working contract and the same period a 'seasonal worker permit' and a 'long-stay visa'.

Status of authorisation for the purpose of seasonal work

There are three possible statuses of the authorisation for the purpose of seasonal work:

1. **"issued for the first time"** refers to all authorisations for the purpose of seasonal work issued to third-country nationals at the beginning of their stay for seasonal work (excludes renewals/extensions of the SW authorisation). This category differs from the category of "first permit" from the First Permit data collection (e.g. the criteria of 6 months from the previous permit doesn't apply in this context);
2. **"extended"** (synonym with "renewed" in this context) refers to an "authorisation for the purpose of seasonal work" issued to the same person with the validity starting immediately after³¹ the expiry of the previous authorisation, in line with Article 15 of Directive 2014/36/EU (Extension of stay or renewal of the authorisation for the purpose of seasonal work);
3. **"withdrawn"** refers to the situation in which the "authorisation for the purpose of seasonal work" was withdrawn in accordance with Article 9 of Directive 2014/36/EU (withdrawal of the authorisation for the purpose of seasonal work).

Periodicity and reference periods

The statistics on 'Seasonal workers' should be reported annually as part of the Residence Permit Statistics based on the Regulation (EC) No 862/2007.

According to Article 26(2) of Directive 2014/36/EU,

- 'Seasonal workers' statistics relate to reference periods of one calendar year and shall be communicated to the Commission (i.e. Eurostat) within six months of the end of the reference year.
- The first reference year shall be 2017 'seasonal workers' statistics

³¹ In practical terms, an extension/renewal corresponds to the situation where the third-country national applies from the territory of the EU Member State. On the contrary, if the third-country national applies from outside, this is clearly not an extension/renewal but another authorisation issued "for the first time".

The Seasonal Workers data collection relates to reference periods of one calendar year and shall be completed by national data suppliers and sent to Eurostat according to the specified data format and data transmission tools.

Statistics shall be supplied to Eurostat for the first time no later than 30 June 2018 for the first reference year 2017.

Categories and disaggregations

The mandatory data categories and disaggregations to be sent to Eurostat are mentioned in the Art 26 Statistics - Directive 2014/36/EU (see Section 1 – Legal Base). The "*as far as possible*" phrase mentioned in this Directive shall be interpreted as an obligation to provide data if the data on the specific category/disaggregation is available to the national data provider in the respective administrative register or database³².

The only non-obligatory part of this data collection is represented in the table SW2 and refers to the voluntary provision of the information on sex of the person granted a permit subject of this data collection. However, national data providers are highly encouraged to provide the information on sex. It is understood that such information shall be available in the source registers/databases. Moreover this information will be extremely valuable for the assessment of the implementation and the impact of the SW Directive. National data providers are therefore thanked for the provision of this additional information.

The statistics on 'Seasonal workers' are disaggregated by the following variables:

4. Status of authorisation for the purpose of seasonal work
 - Issued for the first time
 - Extended/Renewed
 - Withdrawn
5. Citizenship (all the categories used for Resper data collection)
6. Length of validity of permit:
 - 1-90 days (up to 90 days, 90 days included)
 - 91 days - 6 months (at least 91 days up to 6 months, 6 months included)
 - 7 - 9 months (more than 6 months up to 9 months, 9 months included)

The length of validity refers to:

- for authorisation issued for the first time: the validity of the authorisation;
- for extended/renewed authorisation: the period of extension;
- and for withdrawn authorisation: the initial period of validity of the withdrawn authorisation.

³² As stated also in the conclusions of the Working Group on "Asylum and Managed Migration Statistics", Luxembourg, 19-20 October 2016.

7. Economic sector (NACE Rev 2 first level of detail)
 - A. Agriculture, forestry and fishing
 - B. Mining and quarrying
 - C. Manufacturing
 - D. Electricity, gas, steam and air conditioning supply
 - E. Water supply; sewerage, waste management and remediation activities
 - F. Construction
 - G. Wholesale and retail trade; repair of motor vehicles and motorcycles
 - H. Transportation and storage
 - I. Accommodation and food service activities
 - J. Information and communication
 - K. Financial and insurance activities
 - L. Real estate activities
 - M. Professional, scientific and technical activities
 - N. Administrative and support service activities
 - O. Public administration and defence; compulsory social security
 - P. Education
 - Q. Human health and social work activities
 - R. Arts, entertainment and recreation
 - S. Other service activities
 - T. Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use
 - U. Activities of extraterritorial organisations and bodies
8. Sex
 - Males;
 - Females;
 - Unknown.

Data collection templates

Table SW1. Authorisations for the purpose of seasonal work by status, length of validity, economic sector and citizenship

1. Status of authorisation for the purpose of seasonal work
 - Issued for the first time;
 - Renewed/Extended;
 - Withdrawn.
2. Citizenship
3. Length of validity of permit:
 - 1–90 days (up to 90 days, 90 days included);
 - 91 days - 6 months (at least 91 days up to 6 months, 6 months included);
 - 7–9 months (more than 6 months up to 9 months, 9 months included).
4. Economic sector (NACE Rev 2 first level of detail) A-U

This table was split in three sub-tables for optimal data collection. Therefore, this table is collected via one template with three tables by "status" dimension: SW1.1 (Issued), SW1.2 (Renewed) and SW1.3 (Withdrawn). Eurostat might publish these three tables together online (under SW1 structure)." Please see the data templates.

Table SW2. Authorisations issued (first time) for the purpose of seasonal work by economic sector, sex and citizenship

1. Citizenship
2. Sex:
 - Males;
 - Females;
 - Unknown.
3. Economic sector (NACE Rev 2 first level of detail) A-U

Annex 5 - Guidelines to the data collection on "Intra-Corporate Transfers" based on Directive 2014/66/EU³³

Legal base

Art 24 Statistics - Directive 2014/66/EU:

"1. Member States shall communicate to the Commission statistics on the number of intra-corporate transferee permits and permits for long-term mobility issued for the first time, and, where applicable, the notifications received pursuant to Article 21(2) and, as far as possible, on the number of intra-corporate transferees whose permit has been renewed or withdrawn. Those statistics shall be disaggregated by citizenship and by the period of validity of the permit and, as far as possible, by the economic sector and transferee position.

2. The statistics shall relate to reference periods of one calendar year and shall be communicated to the Commission within six months of the end of the reference year. The first reference year shall be 2017.

3. The statistics shall be communicated in accordance with Regulation (EC) No 862/2007 of the European Parliament and of the Council.

Ireland, Denmark and United Kingdom are not bound by Directive 2014/66/EU and this Directive is not applicable for EFTA countries. Therefore, these Member States should not send the statistics based on this directive."

Data coverage

All the requested statistics on Intra-Corporate Transfers (ICT) relate to 'third-country nationals' who are issued a residence permit for the purpose of an intra-corporate transfer under Directive 2014/66/EU or who are exercising their right to mobility in other Member States. This Directive "shall apply to third-country nationals who reside outside the territory of the Member States at the time of application and apply to be admitted or who have been admitted to the territory of a Member State under the terms of this Directive, in the framework of an intra-corporate transfer as managers, specialists or trainee employees (Art 2(1) Scope - Directive 2014/66/EU).

Statistical unit

Three main categories of data are collected for ICT³⁴:

- the intra-corporate transferee permits
- permits for long-term mobility where applicable
- the notifications received, where applicable (short or long term mobility)

³³ Annex 5 of the Residence permit data collection guidelines.

³⁴ Based on Art 24 Statistics - Directive 2014/66/EU.

The statistics on Intra-Corporate Transfers refers to the number of permits and the number of notifications. One person can be counted more than once during the reference period (double counting of person allowed for ICT statistics).

The statistics on Intra-Corporate Transfers shall refer only to the intra-corporate transferees and not to their family members who have been granted family reunification residence permit.

Definitions

Proper attention should be paid to the definitions and categories applied for the statistics on ICT before data transmission. Some rules/definitions are different from the rules/definitions applied to other datasets from Resper data collection. For example, there is a need to collect data on mobility from a first to a second Member State as the right to mobility is an important feature and added value of the Directive; the subcategories of length of validity follow specific rules for intra-corporate transferees; the persons/permits rule differs from the one applied to other residence permits categories.

Intra-corporate transfer means the temporary secondment for occupational or training purposes of a third-country national who, at the time of application for an intra-corporate transferee permit, resides outside the territory of the Member States, from an undertaking established outside the territory of a Member State, and to which the third-country national is bound by a work contract prior to and during the transfer, to an entity belonging to the undertaking or to the same group of undertakings which is established in that Member State, and, where applicable, the mobility between host entities established in one or several second Member States; (Art 3(b) Definitions - Directive 2014/66/EU).

Intra-corporate transferee means any third-country national who resides outside the territory of the Member States at the time of application for an intra-corporate transferee permit and who is subject to an intra-corporate transfer;

Mobility of intra-corporate transferees

Directive 2014/66/EU sets up a specific intra-EU mobility scheme whereby the holder of a valid intra-corporate transferee permit issued by a Member State is allowed to enter, to stay and to work in one or more Member States; Two types of mobility schemas are considered by this Directive:

1. **Short-term mobility** for the purposes of this Directive should cover stays in Member States other than the one that issued the intra-corporate transferee permit, for a period of up to 90 days per Member State.
2. **Long-term mobility** for the purposes of this Directive should cover stays in Member States other than the one that issued the intra-corporate transferee permit for more than 90 days per Member State.

Distinction between countries of destination

First Member State means the Member State which first issues a third-country national an intra-corporate transferee permit; (Art 3(m) Definitions - Directive 2014/66/EU)

Second Member State means any Member State in which the intra-corporate transferee intends to exercise or exercises the right of mobility within the meaning of this Directive, other than the first Member State; (Art 3(n) Definitions - Directive 2014/66/EU)

Types of permits to reside for ICT reasons

Intra-corporate transferee permit means an authorisation bearing the acronym 'ICT' entitling its holder to reside and work in the territory of the first Member State and, where applicable, of second Member States (implies the possibility of short-term mobility), under the terms of this Directive; (Art 3(i) Definitions - Directive 2014/66/EU).

Permit for long-term mobility means an authorisation bearing the term 'mobile ICT' entitling the holder of an intra-corporate transferee permit to reside and work in the territory of the second Member State under the terms of this Directive (Art 3(j) Definitions - Directive 2014/66/EU).

Notification (related to short-term or long-term mobility)

The notification of the mobility of intra-corporate transferees is related to the right of the intra-corporate transferee "to stay in any second Member State and work in any other entity, established in the latter and belonging to the same undertaking or group of undertakings" (based on Art 21 Short-term mobility - Directive 2014/66/EU).

Notification for the mobility of intra-corporate transfers refers to the notification by the host entity in the "first Member State" to the "second Member State"³⁵ mentioning the intention of the intra-corporate transferee to work in an entity established in the second Member State. (Based on Art 21 Short-term mobility - Directive 2014/66/EU)

The notification for the purpose of intra-corporate transfer is applicable only to the Member States that require this procedure as stated in Article 21(2) Short-term mobility - Directive 2014/66/EU or those that require this procedure as stated in Article 22(1) Long-term mobility - Directive 2014/66/EU.

Depending on the choices made by the Member States in relation to mobility, the following possibilities exist in practice:

- for short-term mobility (<3 months) : the second Member State can ask either : a) nothing or b) a notification (by the host entity in the first Member State);
- for long-term mobility (>3 months): the second Member State can ask: 1) nothing or 2) a notification (by the host entity in the first Member State) or 3) an application for a permit for long-term mobility.

³⁵ See definitions above in the section "Distinction between countries of destination".

In the final version of these guidelines, some information will be provided (through a table in annex or a web link) in order to indicate for each Member State the procedures chosen for short-term and long-term mobility (no procedure / notification / application).

In the present data collection two types of notifications are considered, based on the Directive 2014/66/EU:

1. **Notification received** by the Second Member State;
2. **Notification objected** in accordance with Article 21(6) - Directive 2014/66/EU.

Transferee position

Manager means a person holding a senior position, who primarily directs the management of the host entity, receiving general supervision or guidance principally from the board of directors or shareholders of the business or equivalent; that position shall include: directing the host entity or a department or subdivision of the host entity; supervising and controlling work of the other supervisory, professional or managerial employees; having the authority to recommend hiring, dismissing or other personnel action; (Art 3(e) Definitions - Directive 2014/66/EU).

Specialist means a person working within the group of undertakings possessing specialised knowledge essential to the host entity's areas of activity, techniques or management. In assessing such knowledge, account shall be taken not only of knowledge specific to the host entity, but also of whether the person has a high level of qualification including adequate professional experience referring to a type of work or activity requiring specific technical knowledge, including possible membership of an accredited profession; (Art 3(f) Definitions - Directive 2014/66/EU)

Trainee employee means a person with a university degree who is transferred to a host entity for career development purposes or in order to obtain training in business techniques or methods, and is paid during the transfer; (Art 3(g) Definitions - Directive 2014/66/EU)

Status of authorisation to reside for intra-corporate transfer (ICT)

There are three possible decisions for intra-corporate transferee permits counted:

1. **Permits issued for the first time** refers to all ICT permits issued to third-country nationals when they are admitted to the territory of a Member State under the terms of this Directive, in the framework of an intra-corporate transfer as managers, specialists or trainee employees. This category excludes renewals/extensions of the ICT permits and refers to the "**Intra-corporate transferee permit**".
2. "**Renewed**" refers to ICT permits issued to the same person with the validity starting immediately after the expiry³⁶ of the previous ICT permit (Extension of stay or renewal of the previous ICT permit).

³⁶ In practical terms, an extension/renewal corresponds to the situation where the third-country national applies from the territory of the EU Member State. On the contrary, if the third-country national applies from outside, this is clearly not an extension/renewal but another permit issued "for the first time".

3. **"Withdrawn"** refers to the situation in which the ICT Permit (issued or renewed) was withdrawn in accordance with the Article 8 of the Directive 2014/66/EU (Withdrawal or non-renewal of the intra-corporate transferee permit).

For **"permits for long-term mobility"** the same three possible decisions apply (issuance, renewal, withdrawal).

Notifications (for short or long-term mobility) **should be counted by the second Member State** when they are made by the hosting entity in the first Member State. There is no "renewal", "extension" or "withdrawal" of notification but there can be 'objections' to notification by the second Member State, see Article 21(6).

Periodicity and reference periods

The statistics on 'Intra-corporate transfers' should be reported annually as part of the Residence Permit Statistics based on the Regulation (EC) No 862/2007.

According to Article 24 (2) of the Directive 2014/66/EU,

- The statistics on 'Intra-corporate transfers' shall relate to reference periods of one calendar year and shall be communicated to the Commission within six months of the end of the reference year.
- The first reference year shall be 2017 for ICT statistics

ICT statistics shall be supplied to Eurostat for the first time no later than 30 June 2018 for the first reference year 2017.

Categories and disaggregations

The mandatory data categories and disaggregations to be sent to Eurostat are mentioned in the Art 24 Statistics - Directive 2014/66/EU (see Section 1 – Legal Base). The "as far as possible" phrase mentioned in this Directive shall be interpreted as an obligation to provide data if the data on the specific category/disaggregation is available to the national data provider in the respective administrative register or database³⁷.

The only non-obligatory part of this data collection is represented in the table ICT3 and refers to the identification of the "first Member State" in case of intra-EU mobility. However, national data providers are highly encouraged to provide the information on "first Member State" required by this table. It is understood that such information shall be available in the source registers/databases. Moreover this information will be extremely valuable for the assessment of the implementation and impact of the ICT Directive. National data providers are therefore thanked for the provision of this additional information.

³⁷ As stated also in the conclusions of the Working Group on "Asylum and Managed Migration Statistics", Luxembourg, 19-20 October 2016.

The statistics on 'Intra-corporate transfers' are disaggregated by the following variables:

9. Type of Permit
 - Intra-corporate transferee permit (ICT Permit)
 - Permit for long-term mobility (LTM Permit)
10. Decision of ICT permit and LTM permit
 - Issued
 - Renewed
 - Withdrawn
11. Decision of Notification
 - Notification received (by the second Member State)
 - Notification objected
12. Citizenship (all the categories used for Resper data collection)
13. Length of validity:
 - 0 - 2 months (less than 3 month, only applicable to notifications)
 - 3 - 5 months(at least 3 months but less than 6 months)
 - 6 - 11 months(at least 6 months but less than 12 months)
 - 12 - 36 months(at least 12 months up to 36 months, 36 months included))
14. Economic sector (NACE Rev2 – first level of details)
 - A. Agriculture, forestry and fishing
 - B. Mining and quarrying
 - C. Manufacturing
 - D. Electricity, gas, steam and air conditioning supply
 - E. Water supply; sewerage, waste management and remediation activities
 - F. Construction
 - G. Wholesale and retail trade; repair of motor vehicles and motorcycles
 - H. Transportation and storage
 - I. Accommodation and food service activities
 - J. Information and communication
 - K. Financial and insurance activities
 - L. Real estate activities
 - M. Professional, scientific and technical activities
 - N. Administrative and support service activities
 - O. Public administration and defence; compulsory social security
 - P. Education

Q. Human health and social work activities

R. Arts, entertainment and recreation

S. Other service activities

T. Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use

U. Activities of extraterritorial organisations and bodies

15. Transferee position

- manager
- specialist
- trainee employee

16. First Member State : individual EU Member States

Data collection templates

The ICT statistics should be sent to Eurostat using the following cross-tabulations:

I. Tables related to permits (ICT AND LTM)

Table ICT1.1 The number of intra-corporate transferee permits (ICT permits and permits for long-term mobility) issued, renewed and withdrawn by type of permit, length of validity and citizenship

Breakdowns cross tabulated:

1. Type of Permit:

- ICT permit;
- LTM permit.

2. Decision:

- Issued (first time);
- Renewed;
- Withdrawn.

3. Length of validity: 3–5, 6–12, 12–36

4. Citizenship: list of third countries.

Table ICT1.2 The number of intra-corporate transferee permits issued (ICT permits and permits for long-term mobility) by type of permit, economic sector and citizenship

Breakdowns cross tabulated:

1. Type of Permit:

- ICT permit;
- LTM permit.

2. Citizenship: list of third countries

3. Economic sector: NACE Rev 2 first level of detail

Table ICT1.3 The number of intra-corporate transferee permits issued (ICT permits and permits for long-term mobility) by type of permit, length of validity, transferee position and citizenship

Breakdowns cross tabulated:

1. Type of Permit:

- ICT permit;
- LTM permit.

2. Length of validity: 3–5, 6–11, 12–36

3. Transferee position:

- Manager;
- Specialist;
- Trainee employee.

4. Citizenship: list of third countries.

II. TABLES RELATED TO NOTIFICATIONS

Table ICT2.1 The number of intra-corporate notifications received by length of validity and citizenship

Breakdowns cross tabulated:

1. Notification decision

- Received
- Objected

2. Citizenship: list of third countries

3. Length of validity: 0–2, 3–5, 6–11, 12–36

Table ICT2.2 The number of intra-corporate notifications received by economic sector and citizenship

Breakdowns cross tabulated:

1. Notification decision

- Received;
- Objected.

2. Citizenship: list of third countries

3. Economic sector: NACE Rev 2 first level of detail

III. TABLE RELATED TO IDENTIFICATION OF THE FIRST MEMBER STATE BY THE SECOND MEMBER STATE IN CASE OF INTRA-EU MOBILITY

Table ICT3 The number of permits for long-term mobility issued and notifications received, broken down by "first Member State" (see definition in section IV)

Breakdowns cross tabulated:

1. Type of Permit:

- LTM permit issued,

2. Decision:

- Notification received

3. "First Member State": list of the EU Member States (using Alpha-2)

4. Citizenship: list of third countries

Table indicating for each Member State the procedures chosen for short-term and long-term mobility (no procedure / notification / application) in the frame of the ICT Directive (situation as of 24 November 2017)

	Date email / info	Short-term mobility	Long-term mobility
BE**	20/10/2016	(notification)	(application)
BG	23/10/2017	no procedure	application
CZ	14/04/2016	no procedure	application
DE	23/05/2016	notification	application
EE	07/11/2017	notification	notification
EL**	01/11/2016	(notification)	(notification)
ES	15/04/2016	notification	notification
FR	23/05/2016	notification	application
HR	18/10/2017	no procedure	application
IT	20/10/2016	no procedure	application
CY	23/10/2017	notification	application
LV	18/04/2016	no procedure	application
LT*	20/11/2017	no procedure (tbc)	application (tbc)
LU	23/05/2016	notification	application
HU	20/10/2016	notification	application
MT	20/10/2016	notification	application
NL	23/05/2016	notification	application
AT	15/04/2016	no procedure	application
PL**	20/10/2016	(notification)	(application)
PT*	20/10/2016	no procedure	application
RO	15/04/2016	notification	application
SI**	20/10/2016	(tbc)	(tbc)
SK	21/04/2016	notification	notification
FI**	23/05/2016	(notification)	(application)
SE**	20/10/2016	(no procedure)	(application)

Source: European Commission, DG HOME

Notes: references between brackets may still be subject to changes given that those Member States have not yet notified full transposition to the European Commission.

*information provided by the consultants in the transposition analysis, tbc by the Member State

**full transposition not yet notified

Annex 6 - Guidelines to the data collection on new long-term residence permits issued during the year (Flow Data)

Legal base

The present Annex refers to the data collected on voluntary basis for statistics on third-country nationals who were granted long-term residence permits during the reference year.

These statistics are collected within the framework of Residence permits (Resper) Statistics (data collection under Art. 6 of Regulation 862/2007).

This "flow data" will complement the existing data collection on *stock* of third-country nationals having long-term residence status at the end of the reference period. The long-term residence status data collection does not replace the data collection of table RP7 and it refers to some different definition than other Resper data collections (e.g. New long-term residence status).

Data coverage and definitions

The present guidelines refer to the statistics on 'third-country nationals' who were granted a new long-term residence status (New LTR) during the reference year, excluding the renewed long-term permits. A partial overlap might exist between New LTR data collection and change of status permits data collection (table RP5).

New long-term residence status refers to the long-term residence permits issued during the year with at least five years of validity, excluding the renewal cases (e.g. the prolongation of the EU or National LTR permit). The cases where a new long-term residence status is granted following a change of status or reason to stay should be included in the New LTR permits (i.e. including the change of permit from National long-term residence to EU long term residence).

'EU long-term resident status' refers to the number of such permits issued during the reference period. This status is defined by Article 2(h) of the Migration Statistics Regulation i.e. to the definition of a long-term resident that is contained in Council Directive 2003/109/EC. This is based on a total duration of legal residence of 5 years or longer, combined with a series of other conditions that must be met to qualify for this status.

'National long-term resident status' refers to the number of such permits issued during the reference period. This category includes long-term or permanent residence status granted to third-country nationals under rules which are different from Council Directive 2003/109/EC. In the absence of the national definition, the minimum requirement to qualify permit under this category shall be the validity of the permit of at least 5 years. Permanent residence cards issued to third-country nationals who are family members of EU citizens under Article 20 of Directive 2004/38/EC should not be included in this category.

As Denmark, Ireland and the UK are not implementing Directive 2003/109/EC, these countries shall report statistics on long-term residents under category 'National long-term resident status'.

Statistical unit

The statistics on LTR refers to the **number of persons** issued a residence permit for long-term residence.

Periodicity and reference periods

The statistics on LTR should be **reported** annually as part of the Residence Permit Statistics based on the Regulation (EC) No 862/2007.

The statistics on LTR shall relate to reference periods of one calendar year and shall be communicated to the Commission (Eurostat) within six months of the end of the reference year.

The first reference year for data reporting is 2016.

Categories and disaggregations

The statistics on long-term status are disaggregated by the following variables:

1. **Type of Long-term Permit**
 - 'EU long-term resident status'
 - 'National long-term resident status'
2. **Citizenship** (all the categories used for Resper data collection)

Data collection templates

Table LTR. Population of third-country nationals receiving long-term residence permits during the year (new and change of status or reason to stay) by type of permit and citizenship

Breakdowns cross tabulated:

5. **Type of Permit:**
 - 'EU long-term resident status'
 - 'National long-term resident status'
6. **Citizenship:** list of third countries

Annex 7 - Guidelines to the data collection on residence permits issued for family reunification with beneficiaries of protection status

Legal base

The data submitted according to this Annex are collected by Eurostat in the framework of Residence Permit data collection under Article 6 of the Migration Statistics Regulation 862/2007.

Data coverage

The present guidelines refer to the statistics on third-country nationals who are issued a residence permit for the purpose of "family reunification" with a third-country national who is a beneficiary of protection status (FRPS permit).

The FRPS permits covered by this Annex represent a subset of data reported in tables RP1 (flow data) and RP6 (stock data), following one of the cases:

1. Residence permits issued based on the Family Reunification Directive 2003/86/EC for the purpose of joining third-country nationals who hold a refugee status. In practice, the sponsor receives a refugee status and thereafter applies for family reunification (referred to in the Family Reunification Directive). In most cases the members of the family are outside of the Member State when the application for family reunification is submitted. Therefore, the fact that the member of the family is outside of the Member State when the application for family reunification is submitted can be used as an alternative criterion for including the TCNs in this category (when the information on legal framework is not available), as long as the sponsor holds a refugee status.
2. Residence permits issued for "family unity" reasons under Article 23 of the Qualification Directive (Directive 2011/95/EU). It refers to the specific situation when family members were already present on the territory of the Member State in relation to the application of the sponsor for international protection. This data collection covers cases where the family members are issued a 'family member' residence permit and not a protection status. The fact that the member of the family is in the territory of the Member State when the application for family reunification is submitted can be used as an alternative criterion for including the TCNs in this category (when the information on legal framework is not available).
3. Residence permit issued for the purpose of family reunification based on national legislation (not derived from Directives 2003/86/EC or 2011/95/EU), if the sponsor is a third country national who benefits from a protection status. When there is a national legal framework involved, the criteria mentioned under point 1 and 2 (family member outside/inside of the Member State) is not applied but instead all cases should be reported in the category "based on national legislation".

Beneficiary of protection status = third country national who benefits in the present³⁸ of a protection status (see definition of protection status below). Whenever the beneficiary of protection status applies for family reunification, he or she is referred to as "**sponsor**" in this context. **Note that the beneficiaries of protection status should not be counted for FRPS statistics. Only his/her family members who receive the permission to stay for family reasons (and not as beneficiary of protection status) should be counted for FRPS statistics.**

'**Sponsor**' means a third country national residing lawfully in a Member State whose family members seek to reside in that Member State based on the family relationship with him/her.

Family members are spouses, minor/adult children and all other relatives for whom national law provides for the possibility to be admitted through family reunification or family unity.

FRPS permit = residence permit issued to a third country national for the purpose of family reunification under Family Reunification Directive 2003/86/EC, family unity under Article 23 of the Qualification Directive (Directive 2011/95/EU) or relevant national legislation where the sponsor is a beneficiary of protection status.

FRPS first permit refers to the permit complying with the concept of 'first permit' in the Residence Permit data collection (see the definition of the 'first permit' in the First Permit section above).

FRPS permit valid in the end of the year refers to all **FRPS** permits valid at the end of the year (stock of the permits at the end of the year)

The term 'Beneficiary of protection status' refers to three different categories of protection statuses as defined in the Asylum data collection under Article 4 of the Migration Statistics Regulation:

1. **Person granted refugee status** means a person covered by a decision granting refugee status, taken by administrative or judicial bodies during the reference period. Refugee status means status as defined in Art.2(e) of Directive 2011/95/EC within the meaning of Art.1 of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967. According to Art.2(d) of that Directive refugee means a third country national who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned above, is unable or, owing to such fear, unwilling to return to it.
2. **Person granted subsidiary protection status** means a person covered by a decision granting subsidiary protection status, taken by administrative or judicial bodies during the reference period. According to the Art.2(f) of that Directive a person eligible for subsidiary protection means a third country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to his or her country

³⁸ The sponsor benefits from the protection status when FRPS first permit is issued during the reference year. In case of stock data, the sponsor has the protection status at the end of the year, when the valid FRPS permit is counted.

of citizenship, or in the case of a stateless person, to his or her country of former habitual residence, would face a real risk of suffering serious harm and is unable, or, owing to such risk, unwilling to avail himself or herself of the protection of that country. Subsidiary protection status means a status as defined in Art.2(g) of Directive 2011/95/EC, entailing the recognition by a Member State of a third-country national or a stateless person as a person eligible for subsidiary protection.

3. **Person granted authorisation to stay for humanitarian reasons** means a person covered by a decision granting authorisation to stay for humanitarian reasons exclusively under national law (and not EU law) concerning international protection, taken by administrative or judicial bodies during the reference period. It includes persons who are not eligible for international protection as currently defined in the first stage legal instruments, but are nonetheless protected against removal under the obligations that are imposed on all Member States by international refugee or human rights instruments or on the basis of principles flowing from such instruments. Examples of such categories include persons who are not removable on ill health grounds and unaccompanied minors.

Statistical unit

The statistics on FRPS refers to the number of persons granted FRPS permits during the year (in case of flow data) or valid at the end of the year (in case of stock data).

Periodicity and reference periods

The statistics on FRPS should be reported annually as part of the Residence Permit Statistics based on the Regulation (EC) No 862/2007.

The statistics on FRPS shall relate to reference periods of one calendar year and shall be communicated to the Commission within six months of the end of the reference year.

The first reference year for data reporting is 2016.

Categories and disaggregations

The statistics on FRPS are disaggregated by the following variables:

1. **FRPS first permits issued during the year** (related to RP1 table)
2. **FRPS permits valid at the end of the year** (related to RP6 table)
3. **Legal framework (i.e. legal basis for granting a residence permit as family member of beneficiary of protection) - optional category**
 - Family reunification under Directive 2003/86/EC
 - Family unity (Directive 2011/95/EU, Art. 23)
 - National family reunification framework
 - Unknown
4. **Protection status of the "sponsor" (i.e. status held by the beneficiary of protection) - optional category**

- Sponsor with refugee status
- Sponsor with subsidiary protection status
- Sponsor with humanitarian status (national law)
- Sponsor with unknown status

5. **Citizenship** (list of third countries)

Data collection templates

Table FRPS1. First permits issued for family reunification with a beneficiary of protection status, by sponsor status, legal framework and citizenship (FRPS first permits)

Breakdowns cross tabulated:

1. Protection status of the sponsor (optional breakdown):

- Sponsor with refugee status
- Sponsor with subsidiary protection status
- Sponsor with humanitarian status (national law)
- Sponsor with unknown status

2. Legal framework (optional breakdown):

- Family reunification under Directive 2003/86/EC
- Family unity (Directive 2011/95/EU, Art. 23)
- National family reunification framework
- Unknown

3. Citizenship: list of third countries

Table FRPS2. Permits valid at the end of the year for family reunification with a beneficiary of protection status, by sponsor status, legal framework and citizenship

Breakdowns cross tabulated:

1. Protection status of the "sponsor" (optional breakdown):

- Sponsor with refugee status
- Sponsor with subsidiary protection status
- Sponsor with humanitarian status (national law)
- Sponsor with unknown status

2. Legal framework (optional breakdown):

- Family reunification under Directive 2003/86/EC
- Family unity (Directive 2011/95/EU, Art. 23)
- National family reunification framework
- Unknown

3. Citizenship: list of third countries

Annex 8 - Guidelines to the data collection based on Directive (EU) 2016/801³⁹ - Students and Researchers Directive

The present annex refers to the collection of statistics as defined in Article 38 of Directive (EU) 2016/801 (referred as 'SR' data collection), covering the authorisations issued to third-country nationals for the purpose of **research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing**. This data collection refers also to the authorisations to reside under the SR Directive issued to the family members of researchers.

Denmark and United Kingdom are not bound by Directive (EU) 2016/801. In addition this Directive is not applicable to EFTA countries. Therefore, these countries should not send statistics based on the present Annex. Ireland is not bound by Directive (EU) 2016/801 but remains bound by Directive 2005/71/EC. Ireland is therefore expected to provide statistics only in relation to researchers.

Legal base

Article 38 'Statistics' - Directive (EU) 2016/801:

"1. Member States shall communicate to the Commission statistics on the number of authorisations issued for the purposes of this Directive and notifications received pursuant to Article 28(2) or Article 31(2) and, insofar as possible, the number of third-country nationals whose authorisations have been renewed or withdrawn. Statistics on admitted family members of researchers shall be communicated in the same manner. Those statistics shall be disaggregated by citizenship and, insofar as possible, by the period of validity of the authorisations.

2. The statistics referred to in paragraph 1 shall relate to reference periods of one calendar year and shall be communicated to the Commission within six months of the end of the reference year. The first reference year shall be 2019.

3. The statistics referred to in paragraph 1 shall be communicated in accordance with Regulation (EC) No 862/2007 of the European Parliament and of the Council."

Data coverage

SR data collection covers third-country nationals who are admitted to the territory of a Member State for the purpose of research, studies⁴⁰, training or voluntary service in the European Voluntary Service. Member States may also decide to apply the provisions of Directive (EU) 2016/801 to third-country nationals who apply for admission for the purpose of a pupil exchange scheme or educational project, voluntary service other than the European Voluntary Service or au pairing. This data collection cover also the authorisations to reside under the SR Directive issued to the family members of researchers.

Statistical unit

In accordance with Article 38 of Directive (EU) 2016/801, four main categories of data are collected in the scope of SR statistics:

1. SR authorisations (by a first Member State);
2. Residence permits for family members of researchers.

³⁹ Annex 5 of the Residence permit data collection guidelines.

⁴⁰ Including former students and researchers residing for job-searching or entrepreneurship

3. Notifications pursuant to Article 28(2), Article 30(2) or Article 31(2) of Directive (EU) 2016/801;
4. Authorisations for long-term mobility of researchers and their family members (pursuant to Articles 29 and 30(3) of Directive (EU) 2016/801)

The statistical unit is represented by the **number of authorisations and notifications** referring to third country nationals receiving SR authorisation or exercising mobility under the SR Directive.

Double counting of same person during the year

The same third-country national can, be admitted to the territory of a Member State for the purpose of research, studies (etc.) in the same Member State more than once in a given year. In that case, one person can be reported more than once during the reference year, implying double counting of same persons in SR statistics for the same reference period.

Each family member joining a researcher under the terms of the SR Directive should be counted in SR statistics. When one authorisation is valid for several family members each family member should be reported.

Double counting of same person should be avoided if the person receives first a long-stay visa followed by a residence permit for the same purpose.

Definitions

Proper attention should be paid to the definitions and categories applied before data transmission. Some rules/definitions are different from the rules/definitions applied to other datasets from RESPER data collection.

SR authorisation

SR authorisation means a residence permit or long-stay visa entitling its holder to reside for a period exceeding 90 days in one of the EU Member States for one of the following reasons:

1. **Research** - this covers residence permits/long-stay visas issued to researchers. Research means creative work undertaken on a systematic basis in order to increase the stock of knowledge, including knowledge of man, culture and society, and the use of this stock of knowledge to devise new applications⁴¹. Researcher means a third-country national who holds a doctoral degree or an appropriate higher education qualification which gives that third-country national access to doctoral programmes, who is selected by a research organisation and admitted to the territory of a Member State for carrying out a research activity for which such qualification is normally required⁴².
2. **Studies** - this covers residence permits/long-stay visas issued to students. Student means a third-country national who has been accepted by a higher education institution and is admitted to the territory of a Member State to pursue as a main activity a full-time course of study leading to a higher education qualification recognised by that Member State, including diplomas, certificates or doctoral degrees in a higher education institution, which may cover a preparatory course prior to such education, in accordance with national law, or compulsory training⁴³.
3. **Training** - this covers residence permits/long-stay visas issued to trainees. Trainee means a third-country national who holds a degree of higher education or is pursuing a course of

⁴¹ Article 3 (9) of Directive 2016/801/EU.

⁴² Article 3 (2) of Directive (EU) 2016/801.

⁴³ Article 3 (3) of Directive (EU) 2016/801.

study in a third country that leads to a higher education degree and who is admitted to the territory of a Member State for a training programme for the purpose of gaining knowledge, practice and experience in a professional environment;

4. **Voluntary service** this covers residence permits/long-stay visas issued to volunteers. Volunteer means a third-country national who is admitted to the territory of a Member State to participate in a voluntary service scheme⁴⁴.

There are two categories of volunteers mentioned by Directive (EU) 2016/801:

4.1. Volunteers in the European Voluntary Service (EVS)

4.2. Voluntary service other than the EVS – each Member States can choose whether or not to apply the Directive to this category⁴⁵

5. **Pupil exchange scheme or educational project** - this covers residence permits/long-stay visas issued to school pupils. Member States can choose to apply the Directive to this category at national level. School pupil means a third-country national who is admitted to the territory of a Member State to follow a recognised, state or regional programme of secondary education equivalent to level 2 or 3 of the International Standard Classification of Education, in the context of a pupil exchange scheme or educational project operated by an education establishment in accordance with national law or administrative practice⁴⁶.
6. **Au-pairing** - this covers residence permits/long-stay visas issued to au pairs. Member States can choose to apply the Directive to this category at national level. Au pair means a third-country national who is admitted to the territory of a Member State to be temporarily received by a family in order to improve his or her linguistic skills and knowledge of the Member State concerned in exchange for light housework and taking care of children⁴⁷.
7. **job-searching or entrepreneurship** for researchers and students (Article 25): after the completion of research or studies, researchers and students have the possibility to stay on the territory of the Member State, for a period of at least nine months in order to seek employment or set up a business.
8. **family reasons** - this covers SR authorisations for family reasons issued to the third country nationals who are family members of researchers. The following two categories of family members will be included in this category:
 - 8.1. family members of a researcher** - this covers SR authorisations for family reasons issued to the third country nationals who are family members of researchers (sponsor's spouse and children as defined in Article 4(1) of Directive 2003/86/EC);
 - 8.2. family members of a job-searcher or an entrepreneur** - this covers SR authorisations for family reasons issued to the third country nationals who are family members of former researchers staying for the purpose of job-searching or entrepreneurship under SR directive (sponsor's spouse and children as defined in Article 4(1) of Directive 2003/86/EC).

⁴⁴ Article 3 (6) of Directive (EU) 2016/801.

⁴⁵ Member States may also decide to apply the provisions of this Directive to third-country nationals who apply to be admitted for the purpose of a pupil exchange scheme or educational project, voluntary service other than the European Voluntary Service or au pairing. (Article 1 of Directive (EU) 2016/801).

⁴⁶ Article 3 (4) of Directive (EU) 2016/801.

⁴⁷ Article 3 (8) of Directive (EU) 2016/801.

Authorisations

Authorisations are permissions to stay in the Member State territory issued to the SR authorisation holders and to their family members. There are two types of authorisations, depending on the issuing Member State and the situation with regards to mobility:

- **SR authorisations issued by the first Member State** refer to a residence permit or, if provided for in national law, a long-stay visa issued for the purposes of this Directive⁴⁸.
- **Authorisations for long-term mobility issued by the second Member State** refer to a residence permit or long-stay visa issued by a second Member State to researchers or their family members for stay of more than six months (applicable only for those Member States that choose the application procedure for long-term mobility of researchers, cf. Articles 29 and 30(3) of Directive (EU) 2016/801).

Distinction between countries of destination

- **First Member State** means the Member State which first issues a third-country national an authorisation on the basis of this Directive;
- **Second Member State** means any Member State other than the first Member State⁴⁹; in which the third-country national intends to exercise or exercises the right of mobility within the meaning of this Directive

Residence permit

Residence permit means an authorisation issued using the format laid down in Regulation (EC) No 1030/2002 entitling its holder to stay legally on the territory of a Member State⁵⁰.

Long-stay visa

Long-stay visa means an authorisation issued by a Member State as provided for in Article 18 of the Schengen Convention or issued in accordance with the national law of Member States not applying the Schengen acquis in full⁵¹.

⁴⁸ Article 3 (21) of Directive (EU) 2016/801.

⁴⁹ Article 3(19) of Directive (EU) 2016/801.

⁵⁰ Article 3(22) of Directive (EU) 2016/801.

⁵¹ Article 3(23) of Directive (EU) 2016/801.

Summary of the procedure applied for admission and mobility

Table 1. Procedures applicable for **researchers'** admission and mobility

Member State involved	SR authorisation	Short-term mobility Less than 180 days per Member State	Long-term mobility More than 180 days per Member State
First MS	Residence permit or long-stay visa valid at national level		
Second MS		Short-term mobility notification (optional) for the researcher and for the family member(s)	Long-term mobility authorisation for the researcher and for the family member(s) or notification for the researcher and for the family member(s) (both optional)

Table 2. Procedures applicable for **students'** admission and mobility

Member State involved	SR authorisation	Mobility Up to 360 days per Member State
First MS	Residence permit or long-stay visa valid at national level	
Second MS		Mobility notification (optional) for the student

If the second Member State does not have an application/notification procedure (cases referred to as "optional" in the tables above), SR statistics do not record third-country nationals exercising mobility.

Notification

Notification received by a second Member State refers to the following three situations:

1. Researchers who hold a valid authorisation issued by the first Member State shall be entitled to stay in order to carry out part of their research in any research organisation in one or several second Member States for a period of up to 180 days in any 360-day period per Member State⁵². The second Member State may require the researcher, the

⁵² Article 28(1) of Directive (EU) 2016/801.

research organisation in the first Member State or the research organisation in the second Member State **to notify** the competent authorities of the first Member State and of the second Member State of the intention of the researcher to carry out part of the research in the research organisation in the second Member State⁵³. Member States may also decide to require a notification for long-term mobility (more than 180 days in any 360 day period)⁵⁴.

2. Students who hold a valid authorisation issued by the first Member State and who are covered by a Union or multilateral programme that comprises mobility measures or by an agreement between two or more higher education institutions shall be entitled to enter and stay in order to carry out part of their studies in a higher education institution in one or several second Member States for a period up to 360 days per Member State.⁵⁵ The second Member State may require the higher education institution in the first Member State, the higher education institution in the second Member State or the student **to notify** the competent authorities of the first Member State and of the second Member State of the intention of the student to carry out part of the studies in the higher education institution in the second Member State⁵⁶.
3. Family members accompanying a researcher covered in point 1.

Decision on notification

- **Notifications received** refers to all notifications received by the second Member State regarding the mobility of students and researchers (and their family members)
- **Notification objected** refers to the notifications received and objected in accordance with the SR Directive (the mobility of the student, researcher or family member is refused by the Second Member State).

Family members

Family members refer to third-country nationals as defined in Article 4(1) of Directive 2003/86/EC⁵⁷.

Status of SR authorisations

There are three possible **decisions for SR authorisations** counted:

1. SR authorisations "**Issued**" refers to all SR authorisations issued to third-country nationals when they are admitted to the territory of a Member State under the terms of this Directive.
2. SR authorisations "**Renewed**" refers to SR authorisations issued to the same person with the validity starting immediately after the expiry of the previous SR authorisation (extension of stay or renewal of the previous SR authorisation). "Renewed" refers here only to the renewal of the SR authorisations for the same purpose⁵⁸.
3. SR authorisations "**Withdrawn**" refers to the situation in which the SR authorisation (issued or renewed) was withdrawn in accordance with Article 21 of the Directive (EU) 2016/801 (grounds for withdrawal or non-renewal of an authorisation)

⁵³ Article 28(2) of Directive (EU) 2016/801.

⁵⁴ Article 29(1) of Directive (EU) 2016/801

⁵⁵ Article 31(1) of Directive (EU) 2016/801.

⁵⁶ Article 31 (2) of Directive (EU) 2016/801.

⁵⁷ Article 3 (24) of Directive (EU) 2016/801.

⁵⁸ For example, if a third-country national having a SR authorisation for studies reasons is issued an SR authorisation for research reasons, this case is considered as a new SR authorisation issued (and not renewed).

Periodicity and reference periods

The SR statistics should be reported annually as part of the Residence Permit statistics (RESPER) based on the Article 6 of Regulation (EC) No 862/2007.

According to Article 38 of Directive (EU) 2016/801:

- SR statistics relate to the **reference period of one calendar year** and
- shall be communicated to the Commission **within six months of the end of the reference year**;
- the first reference year shall be **2019**

SR statistics shall be supplied to Eurostat for the first time no later than 30 June 2020 for the first reference year 2019.

Categories and disaggregations

The mandatory data categories and disaggregations to be sent to Eurostat are mentioned in the Article 38 of Directive (EU) 2016/801 (see Section 1 – Legal Base).

The "**insofar as possible**" phrase mentioned in this Directive shall be interpreted as an obligation to provide data if the data on the specific category/disaggregation is available to the national data provider in the respective administrative register or database⁵⁹.

The SR statistics are disaggregated by the following variables:

17. Reason for issuing the authorisation:
 - 1.1. research reasons
 - 1.2. studies reasons
 - 1.3. training reasons
 - 1.4. voluntary service reasons
 - 1.4.1. volunteers in the European Voluntary Service (EVS) reasons
 - 1.4.2. voluntary service other than the EVS reasons
 - 1.5. pupil exchange scheme or educational project reasons
 - 1.6. au-pairing reasons
 - 1.7. job-searching or entrepreneurship (after research or study)
 - 1.8. family member of researchers
18. Type of SR document
 - a. SR authorisations
 - b. residence permits for family members of researchers
 - c. notifications
 - d. authorisations for long-term mobility
19. Decision on SR documents

⁵⁹ As stated also in the conclusions of the Working Group on "Asylum and Managed Migration Statistics", Luxembourg, 19–20 October 2016.

For SR authorisations and authorisations for long-term mobility,

- a. issued
- b. renewed
- c. withdrawn

For notifications,

- d. Notifications received
- e. Notifications objected

20. Citizenship (all the categories used for RESPER data collection)

21. Period of validity:

- a. up to three months (for notifications only)
- b. more than 3 months but less than 6 months (91 to 180 days included)
- c. at least 6 months but less than 12 months (181 to 360 days included)
- d. 12 months and more (361 days or more)

Coherence and consistency with other residence permits statistics

In SR data collection only the authorisation to reside under SR Directive should be reported and the provision of the statistics based on current guidelines will not change the Member States' obligation in providing other residence permits statistics (the SR data collection should be seen rather as separate data collection without excluding links and overlaps with other residence permits statistics). Therefore, some permits will be provided in SR data collection as well as in the first permit data collection (when the third-country national was previously residing outside of the country). If some first permits are issued to students/researchers outside the scope of the Directive, they will be counted in first permits RESPER but not in SR data collection.

As a general rule, proper attention should be paid to the definitions and categories applied before data transmission. Some rules/definitions are different from the rules/definitions applied to other datasets from RESPER data collection.

Please see the following selected aspects that should be taken into account regarding the overlap and links of SR statistics with other Resper statistics:

- SR authorisations should be reported in first permit data collection also if the definition of "first permits" is applicable;
- the renewed and change of status or reason to stay concepts from first permits data collection are not applicable in SR data collection;
- The time gap rule from first permit data collection is not applied to SR data collection (for the distinction between new, renewed or change of status permit);
- Change of status from first permit data collection is considered "SR authorisation issued" in SR data collection (see footnote in the section 'Status of SR authorisations');
- Renewed authorisation in SR data collection refers to the prolongation of the previous SR permit maintaining the same reason to stay.

Data collection templates

The SR statistics should be sent to Eurostat using the following cross-tabulations:

Table SR1. The number of SR authorisations⁶⁰ (by the first Member State) by reason, type of decision, citizenship and length of validity

Breakdowns cross tabulated:

1. Reason for issuing the authorisation:
 - research reasons
 - studies reasons
 - training reasons
 - voluntary service reasons
 - volunteers in the European Voluntary Service (EVS) reasons
 - voluntary service other than the EVS reasons
 - pupil exchange scheme or educational project reasons
 - au-pairing reasons
 - family members of researchers, including the family members of job-searchers or entrepreneurs (former researchers)
 - stay for the purpose of job-searching or entrepreneurship (after research or study)
2. Decision on SR authorisation
 - SR authorisation issued
 - SR authorisation renewed
 - SR authorisation withdrawn
3. Citizenship (all the categories used for RESPER data collection)
4. Period of validity:
 - more than 3 months but less than 6 months (91 to 180 days included)
 - at least 6 months but less than 12 months (181 to 360 days included)
 - 12 months and more (361 days or more)

⁶⁰ By the first Member State only (as authorisation issued for long-term mobility by the second Member State are covered in table 3).

Table SR2. The number of notifications (received by the second Member State) for researchers (and their family members) and students by reason, decision, citizenship and length of validity

Breakdowns cross tabulated:

1. Reason for the notification:
 - research reasons;
 - studies reasons;
 - family members of researchers.
2. Decision of notification
 - notification received (by the second Member State);
 - notification objected (by the second Member State).
3. Citizenship (all the categories used for RESPER data collection).
4. Period of validity:
 - Less than 3 months;
 - at least 3 months but less than 6 months (91 to 180 days included);
 - at least 6 months but less than 12 months (181 to 360 days included);
 - 12 months and more (361 days or more).

Table SR3. The number of authorisations (by the second Member State) for long-term mobility of researchers (and their family members) by reason, type of decision, citizenship and length of validity

Breakdowns cross-tabulated:

1. Reason for issuing the authorisation:
 - research reasons;
 - family members of researchers;
2. Decision on authorisation for long-term mobility;
 - authorisation for long-term mobility issued;
 - authorisation for long-term mobility renewed;
 - authorisation for long-term mobility withdrawn;
3. Citizenship (all the categories used for RESPER data collection)
4. Period of validity:
 - at least 6 months but less than 12 months (181 to 360 days included);
 - 12 months and more (361 days or more).