

# Application for the purpose of stay 'Intra Corporate Transfer/Mobile ICT' (Directive 2014/66/EU) (recognised sponsor)

It is also possible to submit and manage this application online. Start the online application on <u>www.ind.nl/en</u>. Choose the button 'Login Business Portal' and login with eHerkenning.

Please use this form if the foreign national holds an Intra Corporate Transferee residence permit issued by another Member State. If the foreign national does <u>not</u> hold an Intra Corporate Transferee residence permit issued by another Member State, use <u>Application for the purpose of stay 'Intra Corporate Transfer' (Directive 2014/66/EU) (recognised sponsor)</u>.

## **1** Who can submit this application?

You can only use this form if the IND has acknowledged you as a sponsor or if you are the authorized representative of the acknowledged sponsor

> Please tick the applicable situation

It concerns an application for the following procedure:

- Procedure for a regular residence permit: the foreign national does not have the obligation to have a provisional residence permit.
- **D** Extension of the validity of the residence permit.

*Please note!* There is a maximum term of residence. The maximum duration of a transfer to the Netherlands may be no longer than the duration of the Intra Corporate Transfer permit issued by the other Member State. Make sure that the IND has received the application for renewal before expiration of the residence permit of the foreign national. It is important to avoid unlawful residence. Do not submit an application for extension of the validity if the residence permit is still valid for more than 3 months. The IND will disregard an application which is submitted earlier than 3 months before the expiration date of the residence permit.



# 2 Details of the acknowledged sponsor

Write in block letters

2.1	Name of corporation	
2.2	IND Client number	<b>1-</b>
2.3	Name of contact	
2.4	Postal address	Street Number
		P.O. box (if applicable)
		Postcode
		Town
2.5	Telephone number of contact	
2.6	E-mail of contact	
2.7	Registration number Chamber of Commerce	

#### Details of an authorised representative (if applicable) Write in block letters 3

3.1	Name of corporation		
3.2	Name of authorised representative		
3.3	Name of contact		
3.4	Postal address	Street	Number
		P.O. box (if applicable)	
		Street	
		Number	
		Postcode	
3.5	Telephone number of contact		
3.6	E-mail of contact		

# 4 Details of the foreign national

#### 4.1 V-number (if known) 4.2 Citizen Service Number (if known) 4.3 Name Surname (as stated in the passport) Firstr names 4.4 Seks Male Female Day Month Year 4.5 Date of birth Place of birth 4.6 4.7 Country of birth (as stated in the passport) 4.8 Nationality 4.9 Civil status unmarried (single or living together) married registered partnership divorced widow/widower 4.10 Passport data Number Country

Valid from	Day	Month	Year	
to	Day	Month	Year	

Write in block letters

4.11	Address abroad, or the address in the Netherlands if that is already	Street									
	known	Number									
		Postcode									
		Town									
		Country									
4.12	Telephone number										
4.13	E-mail										
4.14	The position concerns > <i>Please tick the applicable</i> <i>situation</i>	<ul><li>Manager</li><li>Specialist</li><li>Trainee e</li></ul>	t (934)	•* '	ŀ).						
4.15	* Job position of the foreign national										
4.16	Is the foreign national (co-) owner of the foreign parent company?	☐ Yes ☐ No If so, for wha	it perce	ntage?			Ι	1 1			
	Is the foreign national (co-) owner of the Dutch branch?	<ul><li>Yes</li><li>No</li></ul>									
		If so, for wha	it perce	ntage?			I	1 1			
4.17	Gross monthly salary	€									
(excluding holiday allowance) kennismigrant (exclusief vakantiegeld)											
4.18	EU-land van de afgegeven ICT-verblijfsvergunning		Day		Month	,	Year				
4.19	Period of validity of the issued ICT residence permit in the other	start			FIGHT	,	rear				
	EU country	end	Day		Month	1	Year				
			L							1	

# 5 A statement of the terms and conditions

I declare the following:

•	The Dutch employer (host entity) and the employer not situated in the EU are part of		Yes		No
	the same company or the same group of companies. It is a position at higher education or university level.	-	Vaa		Ne
•	The foreign national has a valid employment contract with the company not situated		Yes		No
•	in the EU.		Yes		No
•	The foreign national's salary is in line with the market rate, but the foreign national has at least independent, sustainable and sufficient means of support. The IND considers the salary to be in line with the market if it meets the standard amount for employment as a highly skilled migrant. Please check www.ind.nl for the most recent standard amounts.		Yes		No
•	The employment conditions, employment relationships or working conditions of the relevant job are at least at the level required by law and customary in the relevant industry.		Yes		No
•	The Dutch employer (host entity) was not incorporated with the principal aim of		Yes		No
	facilitating the entry of Intra Corporate Transferees.		105		NO
•	Over the past 5 years, no fines have been imposed on the Dutch employer (host		Yes		No
	entity) under the Foreign Nationals Employment Act or the State Taxes Act.				
•	The Dutch employer (host entity) performs economic activities.		Yes		No
•	The foreign national has reached the maximum duration of stay in the Netherlands		Yes		No
	due to previous transfers within a company within the meaning of Directive Intra				
	Corporate Transferees 2014/66/EU.				
	For a manager or specialist, the maximum duration of stay is three years, for a				
	trainee employee one year				
•	If you have ticked 'no' for the above question, you can skip this question. If you have ticked 'yes' to the above question: the foreign national has resided	-	Vaa	-	Ne
•	outside the Netherlands during the period of 6 months immediately prior to this application.		Yes		No
	(Outside the Netherlands here means: in this period not resided in the Netherlands				
	for a previous transfer within a company within the meaning of Directive Intra				
	Corporate Transferees 2014/66/EU).				
•	The other Member State is the country where the foreign national will stay the longest during his transfer.				No
•	During the application, the main residence of the foreign national will be outside the		Yes		No
	Netherlands.				
•	The Dutch employer (host entity) did not submit a notification for short-term mobility for the foreign national with the Netherlands Employees Insurance Agency (UWV) at		Yes		No
•	the same time as this application. The Dutch employer (host entity) uses this form to act as a sponsor for the above-		Vor		Ne
•	mentioned foreign national as referred to in Article 2a of the Aliens Act.		Yes		No
•	The foreign national has filled out and signed the Appendix 'Antecedents Certificate'.		Yes		No
•	In the antecedents certificate the foreign national has stated that he or she has no		Yes		No
	antecedents.		100		110
	> If the antecedents certificate is not signed and / or if the foreign national has not				
	declared that he or she has no antecedents, then enclose the antecedents certificate				
	to the application.				
•	The employee will practice a profession in individual healthcare for which registration		Yes		No
	is mandatory under <u>Articles 3 and 36a of the BIG Act</u> . If so, the employee is registered in the <u>BIG register</u> .		Yes		No
	a boy are employee is registered in the <u>bio register</u> .		165		NU
	<i>Please note!</i> In order to qualify for a regular residence permit to practice a profession in the Netherlands for which BIG registration is required, the foreign national must be registered in the BIG register. It is not permitted to work under the orders of a BIG-registered physician without BIG registration.				
•	It is the intention of the foreign national to subject himself to a TB Yes		No		Not
	examination (if necessary) within 3 months of arrival in the Netherlands		-	_	licable

(only applicable upon first entry).

•	In the practice of a regulated profession, the foreign national has the	Yes	No	🗖 Not
	required recognition of professional qualifications.			applicable

#### Statement employer due to European sanctions against Russia and Belarus

Please note: if you are submitting an application to extend the period of validity of the residence permit and you were already the recognised sponsor for the foreign national in the previous residence application, you do not need to fill in this declaration. For all other applications, you do need to fill in the declaration.

5.1	Is your company a subsidiary of a parent company?		Yes	Skip to question 5.2
	If the company is a sole trader, then tick 'No'		No	Continue with section 6 of this form
5.2	Is the parent company Russian/Belarussian?		Yes	Skip to question 5.3
			No	Continue with section 6 of this form
5.3	Is the parent company in Russia or Belarus on the European sanctions list?		Yes	Skip to question 5.4
	(see <u>www.sanctionsmap.eu)</u>		No	Continue with section 6 of this form
5.4	Is your company under control or owned by the parent company in Russia or Belarus?		Yes	
	See the text box below for a more detailed explanation of control or ownership		No	

#### When does ownership or control exist?

This follows from the European Sanctions Guidelines (pdf (europa.eu) under 55a and 55b:

**Ownership:** The criterion to be taken into account when assessing whether a legal person or entity is owned by another person or entity is possession of more than 50% of the proprietary rights of an entity or having a majority interest in it.

**Control:** The criteria to be taken into account when assessing whether a legal person or entity is controlled by another person or entity, alone or pursuant to an agreement with another shareholder or other third party, could include, inter alia):

- a. having the right or exercising the power to appoint or remove a majority of the members of the administrative, management or supervisory body of such legal person or entity;
- having appointed solely as a result of the exercise of one's voting rights a majority of the members of the administrative, management or supervisory bodies of a legal person or entity who have held office during the present and previous financial year;
- c. controlling alone, pursuant to an agreement with other shareholders in or members of a legal person or entity, a majority of shareholders' or members' voting rights in that legal person or entity;
- d. having the right to exercise a dominant influence over a legal person or entity, pursuant to an agreement entered into with that legal person or entity, or to a provision in its Memorandum or Articles of Association, where the law governing that legal person or entity permits its being subject to such agreement or provision;
- e. having the power to exercise the right to exercise a dominant influence referred to in point (d), without being the holder of that right;
- f. having the right to use all or part of the assets of a legal person or entity;
- g. managing the business of a legal person or entity on a unified basis, while publishing consolidated annual accounts;
- h. sharing jointly and severally the financial liabilities of a legal person or entity or guaranteeing them.

If any of these criteria are satisfied, it is considered that the legal person or entity is controlled by another person or entity.

## 6 Location where the residence permit is collected

Please indicate below the IND Desk where the foreign national will collect the residence permit

Amsterdam	Goes	's-Hertogenbosch (Den Bosch)	Den Haag	
Maastricht	Zwolle			

The foreign national can also collect his residence permit at an Expatcenter (NB. Some Expatcenters charge a fee for this service. To collect the residence permit you must make an appointment)

- Amsterdam
   Den Haag
   Eindhoven
   Enschede

   Groningen
   Maastricht
   Rotterdam
   Utrecht
- Wageningen

### 7 Signing by the recognised sponsor

- $\checkmark$  I declare that I have completed this form fully and truthfully.
- ✓ I declare that I am aware of the rights and obligations of recognised sponsors according to the applicable laws and regulations, and related sanctions for failing to comply with the obligations.
- 7.1 Name
- 7.2 Place and date

Place



7.3 Signature (by a person authorised for this purpose)

### 8 Means of evidence and documents

Please enclose the following documents with this form:

- A copy of the foreign national's passport (only the identity details and stamped pages).
- The completed appendix 'Direct debit collection'.
- A copy of the valid Intra Corporate Transfer residence permit, issued by the other EU Member State.
- The appendix 'Engagement letter' from the employer, as completed, showing the details of the current employment with the employer not based in the EU, the transfer to the EU and the content of the job with the Dutch employer.

If the antecedents certificate is not signed and / or if the foreign national has not declared that he or she has no antecedents:

• The antecedents certificate.

## 9 Biometric information (fingerprints, passport photo) and signature

The foreign national must have his fingerprints and facial image (passport photo) taken to determine his identity. The biometric information is also required to create a residence permit. For the residence permit the IND also needs a signature of the foreign national. See the appendix 'Fingerprints, passport photo and signature'.

## 10 Submitting the application and payment

You have collected, copied and enclosed all the means of evidence necessary for the application. Proceed to the appendix: "Submitting and paying for the application (by the sponsor)".

#### **Processing of personal data**



# **Appendix Antecedents Certificate**

#### Who should complete this appendix?

Pursuant to Articles 3.77, paragraph 11 and 3.86, paragraph 18 of the Aliens Decree, every foreign national aged 12 years or older must complete this appendix.

*Please note!* This statement consists of 2 pages. You must complete **both** pages.

## **1** Declaration of the foreign national

On this form you fill in whether you have ever committed a crime or a criminal offence. These are crimes committed in the Netherlands and criminal offences committed outside the Netherlands. You must answer the questions with *Yes* or *No*. Not completing the form truthfully or failing to report is a criminal offence. This can lead to a sanction. Your answers may have consequences for your application or for a residence permit that you have previously received.

> Please tick the applicable situation

Are you currently being prosecuted for committing a crime in the Netherlands? Or for committing a criminal offence abroad?	Yes	No
Have you ever been sentenced to a fine, community service, penalty order by a public prosecutor, custodial measure or imprisonment or have you accepted an out-of-court settlement for committing a crime in the Netherlands? Or have you ever been convicted of committing a criminal offence abroad?	Yes	No
Have you ever committed a crime, or have you been involved in a crime as referred to in Article 1F of the 1951 Geneva Convention on Refugees? Like a murder, war crime, genocide, terrorist crime or crimes against humanity?	Yes	No
Have you received an entry ban from one of the countries of the EU/EEA or Switzerland?* Or a measure similar to an entry ban?	Yes	No
* This is a ban on travel to the Netherlands, the EU / EEA or Switzerland.		
Have you submitted incorrect data during earlier residence procedures in the Netherlands?	Yes	No
Have you ever stayed illegally in the Netherlands?	Yes	No

> Have you ticked Yes for one or more questions? Then explain why.



## 2 Signature of the foreign national

- $\checkmark$  I have completed this form truthfully.
- ✓ I know that the IND can reject my application or withdraw my residence permit if I have ever been convicted of committing a crime.
- ✓ If something changes in my situation through which my statements on this form are no longer correct, I will notify the IND as soon as possible. I do this within four weeks after the change in my situation.

2.1	V-number (if known)	
2.2	Name	
2.3	Date of birth	Day Month Year
2.4	Place and date	Place
		Day Month Year

#### 2.5 Signature

#### Processing of personal data



# Appendix Fingerprints, passport photo and signature

#### Please do not enclose this appendix with the form!

For every new application you submit, the IND needs your photo, signature and fingerprints. The IND uses these biometric details to establish your identity and make your residence document. We do not need new biometrics in the following situations:

• Your biometrics have been taken at an IND desk or embassy abroad less than 6 months ago.

• You apply for a Foreign Nationals Identity Document (Type W and Type W2). Your biometrics have been taken at an IND desk or embassy abroad less than 5 years and 3 months ago. With a Foreign Nationals Identity Document you show that you are allowed to be in the Netherlands because you are waiting for a decision on your application. The IND then reuses old biometric details.

In all cases, the foreign national must bring a valid passport (this can also be a foreign national passport or a refugee passport) or ID card of the EU, EEA or Switzerland.

#### Situation: application starts when the foreign national is abroad

#### 1. Entry and Residence procedure

- The sponsor (in the Netherlands) will have submitted the application for a residence permit for the foreign national (who is still abroad).
  - When taking the basic civic integration examination abroad, the employee of the Dutch embassy or consulate will scan the passport photo of the foreign national and take his fingerprints. The foreign national must place his signature. The passport photo must comply with the requirements which also apply for Dutch passports. The embassy can inform the foreign national where he is able to have passport photos made locally, which comply with the relevant requirements. A photo that does not comply with the requirements will cause unnecessary delay.
  - If the foreign national does not have to take a basic civic integration examination abroad, the employee of the Dutch embassy or consulate will scan the passport photo of the foreign national and take his fingerprints when collecting the Regular Provisional Residence Permit (mvv). The foreign national must place his signature. The passport photo must comply with the requirements which also apply for Dutch passports. The embassy can inform the foreign national where he/she is able to have passport photos made locally, which comply with the relevant requirements. A photo that does not comply with the requirements will cause unnecessary delay.
- 2. Application for a Regular Provisional Residence Permit (mvv) by the foreign national
- The foreign national has submitted the application for a Regular Provisional Residence Permit to the Dutch embassy or the consulate in the country of origin or long-term residence.
  - When submitting the application, the employee of the Dutch embassy or consulate makes a scan of the passport photo and takes the fingerprints. The foreign national must place his signature. The passport photo must comply with the requirements which also apply for Dutch passports. The embassy can inform the foreign national where he/she is able to have passport photos made locally, which comply with the relevant requirements. A photo that does not comply with the requirements will cause unnecessary delay.
- 3. Application for temporary Regular Residence Permit for persons who do not require a Regular Provisional Residence Permit
- If an application is submitted in the Netherlands by a (recognised) sponsor for a foreign national who does not require a Regular Provisional Residence Permit, then the foreign national must go to an Immigration and Naturalisation Service (IND) desk immediately after arrival in the Netherlands. The Immigration and Naturalisation Service (IND) employee will make fingerprints and a passport photo and the foreign national will be required to place his signature. You have to make an online appointment via the website <u>www.ind.nl</u>.



#### Situation: application starts when the foreign national is in the Netherlands

#### 1. The application is submitted by post

• The foreign national or sponsor sends the application by post to the IND. He will then receive a letter from the IND. This letter states whether the foreign national must have his fingerprints taken and that he must have a passport photo taken and place his signature. For this, the foreign national makes an appointment online at an IND desk. The addresses and opening times of the IND desks can also be found on www.ind.nl. If the application form notes that the foreign national will collect the residence permit at an expat centre, then he can also have a passport photo and his fingerprints taken there. Please check <u>www.ind.nl</u> for how to make an online appointment. The addresses and opening hours of the Expat Centres can be found at <u>www.ind.nl</u>.

#### 2. The foreign national submits the application in person

• The foreign national submits the application personally at the IND desk. A passport photo is made at the desk and fingerprints are taken if necessary. The foreign national must also place his signature there. The application can only be submitted to the IND desk by appointment. To make an appointment, visit <u>www.ind.nl</u>.

#### **Processing of personal data**



# Appendix Submitting and paying for the application by the sponsor

#### Do not enclose this appendix with the form!

Below, you can read how you can submit and pay for the Entrance and Residence Procedure (TEV procedure), the application for a residence permit (without a regular provisional residence permit) or a change to the restriction on the residence permit. *Please note!* If the foreign national relies on an exemption from the requirement to apply for a regular provisional residence permit you cannot send the application by post. In that case, the foreign national must always submit the application to the IND Desk in person. Please visit <u>www.ind.nl</u> for the ways you can contact the IND.

# Submitting the Entrance and Residence Procedure (TEV procedure), a residence permit without a regular provisional residence permit or a change to the restriction on the residence permit

You send the application form, the appendices and the requested evidence to the IND by post. Never send any original evidence. You must send clearly readable and full copies of the original evidence. Do not use any staples or paperclips. Do not send any USB sticks, CDs, DVDs and suchlike. Put all evidence in a sufficiently stamped envelope. Send your application to the following address:

*Application for an economic purpose of residence (work, study, for example)* 

Application for a social purpose of residence (family formation or family reunification, for example)

Immigratie- en Naturalisatiedienst Postbus 5 9560 AA Ter Apel Immigratie- en Naturalisatiedienst Postbus 16 9560 AA Ter Apel

#### How do you pay?

An application is not free of charge. The costs depend on the purpose of the residence applied by you. After the IND has received your application, you will receive a letter stating the amount and the manner in which you have to pay (unless you use a direct debit collection) (*direct debit collection is not available for private persons, non-recognised sponsors, recognised sponsors relating to 'exchange'established in another Member State of the EU, EEA or Switserland and applications for recognition as sponsor).* Here, you can find no information about the costs or any exemption from having to pay fees. Please visit <u>www.ind.nl</u> if you want to know the costs beforehand. If the assessment of your application shows that you do not qualify for the residence permit applied for, you will not receive a refund.

#### What happens with your application?

If you have submitted your application to the IND and paid the related costs, the IND will assess your application. If your application is incomplete, the IND will be unable to properly assess your application. If you fail to make a payment or timely payment or submit an incomplete application, the handling of your application will be delayed. You will be informed in writing once your application has been handled. If your application is granted, you will also receive a letter with information about the follow-up procedure.

#### **Providing correct information**

Providing incorrect information or withholding relevant information may lead to withdrawal of the permit. If punishable offences are observed, the IND reports this to the police.

#### **V-number**

A V-number is a unique number, which is used for identification of a foreign national by the IND and cooperating organisations (such as the Aliens Police). The number is listed in the correspondence which the foreign national or sponsor receives from the IND and other organisations and is also printed on the residence document itself.



#### **Processing of personal data**



# **Appendix Engagement letter**

# Intra Corporate Transfer Directive 2014/66/EU

#### Details of the current employment at the employer established outside 1 the EU

			Write in block letters
1.1	Name of the employer established outside the EU		
1.2	Visiting address	Street	
		Number	
		Postcode	
		Town	
		Country	
1.3	Name of employee (as stated in the passport)	Surname	
		First names	
1.4	Date of birth	Day Month Year	
1.5	Nationality		
1.6	Date of commencement of employment at the foreign employer	Day Month Year	
1.7	Current position at the foreign		

employer



# 2 Details of transfer

#### Write in block letters

2.1	Name of Dutch employer	
2.2 2.3	Registration number at the Chamber of Commerce Visiting address of Dutch employer	Street
		Number
		Postcode
2.4	Period of transfer to the Netherlands	> Enter the period (from (date), to (date) below from Day Month Year
		to Day Month Year
2.5	Declaration	Following the residency in the Netherlands, the employee shall return to the employer established outside the EU or to another branch of the corporation whose registered office is outside the EU
		<ul><li>Yes</li><li>No</li></ul>
3	Details of employment	with Dutch employer Write in block letters
3.1	Name position employee	
3.2	Duties within the job position	
3.3	Job requirements	Educational background
		Experience

3.4	Weekly working hours per week	
3.5	Gross monthly wages during the period of transfer (excluding holiday allowance)	€          All amounts rounded to the nearest full euro

3.6 Is the reward of your organisation and industry common to Dutch standards for someone with such a function in view of the tasks/activities and taking into account the age, knowledge and experience? Would you explain this? Yes
 No
 Explanation (please provide in this note the CAO or the remuneration policy)

#### Processing of personal data

The Immigration and Naturalisation Service (IND) processes personal data when it processes your application, notification, or request. This means that if needed the IND will request data from you yourself and other organisations or persons. The IND also uses and stores data and shares them with other organisations. When doing so, the IND strictly adheres to the stipulations of privacy legislation. For instance, the IND must treat data safely and with due care. The law also gives rights. At your request, you are allowed to see which data on you the IND processes. You can also get information on why the IND does so and to whom your data have been passed on. On <u>www.ind.nl</u> you can read how the IND processes your data and which rights you have. You can also read how to use your rights.

within your organisation/ industry)



Immigration and Naturalisation Service Ministry of Justice and Security

Please note! If you do not agree with this withdrawal, you can have it reversed. Please contact your bank for this within 8 weeks. Ask your bank for the conditions. The IND does not accept a form that is not filled out completely or illegibly. (Version 2018b)

# **Appendix** Direct debit collection

(One time authorisation - SEPA)

Complete and sign the form. Do so for each foreign national separately. (Direct debit is only available for recognised sponsors and their authorised representatives. This paying method is not available for applications for recognition as sponsor.) IND debits your account for legal fees to be paid within three months stating the ID and reference of the collecting officer.

(Debit collection takes place per foreign national and per procedure). If assessment of the application shows that the foreign national does not qualify for the requested residence permit, you will not be reimbursed. See for current fees: www.ind.nl/fees

		1	Details of collecting officer	
1.1	Name		Immigration and Naturalisation Service	
1.2	Postal address		PO Box: 5 Postcode: 9560 AA Town: Ter Apel Country: Netherlan	ds
1.3	ID Collecting Officer		NL77ZZ507204570001	
1.4	Authorisation Reference		(future) invoice number of the application	
		2	<ul> <li>Details of the bank account from wich the fees are debited</li> <li>The IND only accepts authorisations for Euro accounts (SEPA). Fill in the details of the paying party and not the details of the bank.</li> </ul>	
2.1	Name account holder		1	
2.2	Postal address		Street           Image: Postcode         Town	Number
2.3	IBAN			1
2.4	BIC			
3.1	Name	3	Details of the foreign national Surname as stated in the passport          I         First names	
3.2	Date of birth		Day Month Year	



# **4** Signing

By signing this form, you authorise IND to send a once only direct debit collection order to your bank to debit your account for the legal fees to be paid. By signing this form you also authorise the bank to debit your account once only according to the order by IND.

4.1 Name

4.2 Place and date

4.3 Signature account holder (by a person authorised for this purpose) and company/organisation stamp

Place	Day M	Month	Year			
		[		[		
signature account holder	Stamp (optional)					
I	1					

#### Processing of personal data