Title and reference

Non-EU nationals — rules for long-term residence

Languages and formats available

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Multilingual display

Display

Dates

Date of last review: 23/08/2016
Initial creation date: 05/05/2011

Classifications

Summary code:
- 23.01.06.02 Justice, freedom and security / Free movement of persons, asylum and immigration / Immigration and rights of nationals of non-EU countries / Entry and residence

EUROVOC descriptor:
- foreign national
- residence permit
- admission of aliens
- legal status
Non-EU nationals — rules for long-term residence

SUMMARY OF:
Directive 2003/109/EC — status of non-EU nationals who are long-term residents

WHAT IS THE AIM OF THE DIRECTIVE?

- It sets out the terms and conditions for granting — and withdrawing — long-term residence status to non-European Union citizens (third-country nationals*) living legally in a European Union (EU) country for at least 5 years.
- It determines their rights and the areas where they enjoy equal treatment with EU citizens.
- It spells out the conditions which apply if they wish to move to another EU country.

KEY POINTS

- To obtain long-term resident status, non-EU citizens must have lived legally and continuously in an EU country for 5 years.
- Absences of less than 6 consecutive months and no more than 10 months over the whole period are permitted when calculating the 5 years.
- Non-EU nationals must prove they have stable and regular economic resources to support themselves and their family and have sickness insurance.
- National authorities must give a decision on applications, accompanied by the relevant documentation, within 6 months of receiving them.
- Authorities may refuse to grant resident status for reasons of public policy or public security, but not for economic reasons.
Successful applicants are given a residence permit that is valid for at least 5 years and is automatically renewable.

Long-term residents may lose that status if they:
- acquired it by fraud;
- are issued with an expulsion order because they are considered a serious threat to public policy or security; or
- leave the EU for 12 consecutive months.

Long-term residents enjoy equal treatment with the country’s nationals in areas such as employment, education, social security, taxation and freedom of association. However, in certain cases, EU countries may restrict this equal treatment.

Long-term residents may move to live, work or study in another EU country for more than 3 months, provided they satisfy certain conditions. They may be accompanied by their family members.

National contact points exist to send and receive the relevant information between EU countries.

The legislation does not apply to certain categories of non-EU nationals, such as students or those working temporarily as au pairs or seasonal workers.

The legislation does not apply in the UK, Ireland or Denmark which have special arrangements for immigration and asylum policy.

In 2011, the directive was amended to cover non-EU citizens, such as refugees or the stateless, who enjoy international protection.

**FROM WHEN DOES THE DIRECTIVE APPLY?**

It has applied since 23 January 2004. EU countries had to incorporate it into national law by 23 January 2006.

**BACKGROUND**

For more information, see:
- ‘Long-term residents’ on the European Commission's website.

**KEY TERMS**

Third-country national: anyone who is not a citizen of an EU country.

**MAIN DOCUMENT**


Successive amendments and corrections to Directive 2003/109/EC have been incorporated into the basic text. This consolidated version is of documentary value only.

**RELATED DOCUMENTS**


last update 23.08.2016
The United Kingdom withdraws from the European Union and becomes a third country (non-EU country) as of 1 February 2020.