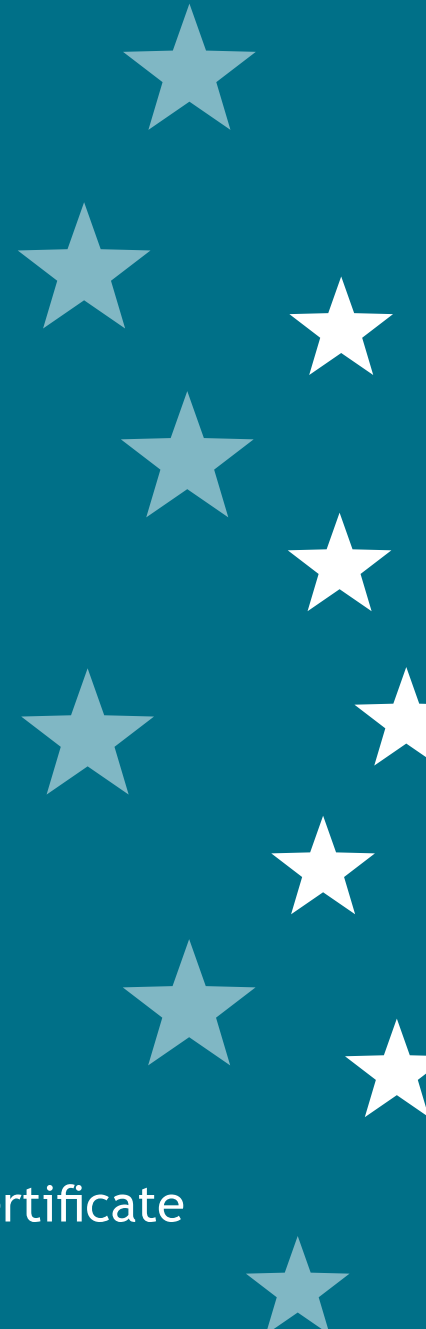




DIPUTACIÓN  
DE ALICANTE

Spanish Residence for EU citizens  
and their families.

European Union Citizens' Registration certificate  
and EU Citizens' family member card.





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(Text drawn up in accordance with the legislation in force on 6 June, 2008)

## 1. On European citizenship

- According to the Maastricht Treaty, a citizen is any person holding the nationality of a Member State.
- European citizenship has been created to strengthen and boost European identity, making it possible for citizens to get more directly involved in the process of European integration, for which purpose they are acknowledged a series of rights in various fields, for instance, that of free entry, circulation and residence in other EU countries, amongst others.
- However, the exercise of these rights is not totally free, but subject to a number of specific requirements envisaged both in the European legislation and in each Member State's own legislation.

## 2. Regulation in Spain

- Concerning residence in Spain of nationals from other European Union States, a significant legal modification has been introduced with the approval of Royal Decree 240/2007 on entry, free circulation and residence in Spain of citizens from European Union Member States.
- This norm, which is complementary to the General Legislation for Foreigners, regulates the conditions for the exercise of the rights of entry and exit, free circulation, stay, residence, permanent residence and work in Spain by citizens from other European Union Member States and, very importantly, of their relatives as well, should the latter not be nationals of a European Union State.
- This norm equally applies to the citizens of States party to the Agreement on the European Economic Area (AEEA) and to Swiss citizens.

- To be precise, this norm applies to:

EUROPEAN UNION MEMBER STATES:

Germany	Finland	Malta
Austria	France	The Netherlands
Belgium	Greece	Poland
Bulgaria	Hungary	Portugal
Cyprus	Ireland	United Kingdom
Denmark	Italy	Czech Republic
Slovakia	Latvia	Romania
Slovenia	Lithuania	Sweden
Estonia	Luxembourg	

STATES PARTY TO THE AGREEMENT ON THE EUROPEAN ECONOMIC AREA:

Iceland	Liechtenstein	Norway
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EUROPEAN AGREEMENT WITH THE SWISS CONFEDERATION:

Switzerland



- This norm grants those to whom it is applicable a set of rights that clearly exceed those foreseen in the General Regulation for Foreigners, establishing a legal regime for them that is closer to that of a Spanish citizen than to that of any other foreigner. It is the so-called 'EU regime'.

### 3. Relatives of EU citizens to whom is applicable the Community Regime

- In general terms, the regime established for EU citizens regarding their entry and residence in Spain will equally be applicable, with slight differences, to their relatives in the following cases:

- To their spouse: as long as they are not legally separated, divorced, or their marriage has not been declared null.

- To their partner with whom they have a partnership analogous to marriage on condition that the said partnership is inscribed at a public registry created for this purpose in any EU Member State or State party to the Agreement on the European Agreement Area. Such public registries must adequately guarantee the impossibility for one person to have more than one partner inscribed simultaneously. Of course, this inscription cannot have been cancelled and is at all events considered incompatible with marriage. At the present day, the Spanish authorities only accept registrations in Germany, France, United Kingdom, Czech Republic, Denmark, Slovenia, Finland, Luxembourg, and Sweden.

- To the EU-citizen's direct ascendants and to those of his/her spouse or registered partner, as long as they are not legally separated, divorced, or their marriage has been declared null, and provided that the said ascendants are supported by the European citizen.

- To the EU-citizen's direct descendants and to those of his/her spouse or registered partner, as long as they are not legally separated, divorced, or their marriage has been declared null, provided that the said descendants are under twenty-one years of age, or being older than 21, that they are supported by the European citizen or are under disability.

- The general legislation for foreigners would apply to the European citizen's remaining relatives, although a special authorisation might be granted, for exceptional reasons, to the following relatives:

- Non-EU relatives to the second degree, in the direct or collateral line, with a consanguinity relationship or by affinity who, in the country of origin, are supported by the European citizen or live with him/her or when, for serious health or disability reasons, it is strictly necessary for the European citizen to take them under his/her personal care.

- Non-EU partner of the European citizen, not inscribed in the public registry, when a duly proven stable relationship exists.

## 4. Main rights acknowledged

EU citizens and their relatives to whom is applicable the Community Regime, on the whole and in accordance with the indications made below, are acknowledged the following rights:

- Free entry, exit, circulation and residence in the Spanish territory, after completion of the formalities foreseen by the legislation in force.
- Access to any employed or self-employed working activity, delivery of services or studies, in the same conditions as Spaniards.
  - However, this right is acknowledged neither to descendants above the age of 21 nor to ascendants who are supported by the European citizen, when the said ascendants or descendants do not hold the nationality of an EU Member State.
  - Some restrictions equally exist in this respect for Romanian and Bulgarian citizens, who will have to obtain the corresponding work authorisation in accordance with the General Legislation for Foreigners (Organic Law 4/2000, and its development regulation) when they are employed workers. The restrictions for Romanian and Bulgarian citizens will last until 1 January, 2009.
  - Likewise, certain restrictions exist in the access to working positions in the Public Administration, since some specific positions can only be held by individuals of Spanish nationality.
- Right to regroup certain relatives in Spain
- All EU citizens, and the specified relatives, residing in Spain will be treated on equal footing with Spanish citizens within the framework of application of the European Community Constitutive Treaty.

The European Union citizens and their relatives who want to stay or fix their residence in Spain for over three months, will in any event be obliged to apply for a certificate of registration (EU citizens) or a European Union Citizen Family Member Card, following the procedure specified in the corresponding section of this guide.

## 5. Entry to and exit from Spain

### Entry

- The European citizen(s) who wish to enter Spain, will only have to show the Spanish authorities their valid passport or national identity card, on which will be specified the nationality of the holder.
- The relatives of a European citizen who do not hold European Union nationality will have show the Spanish authorities a valid passport, but will additionally need the corresponding entry visa.
  - This visa will not be required if the relative is a national of a State whose nationals do not need a visa to enter Spain.
  - This visa will not be required if the relative is a national of a State whose nationals do not need a visa to enter Spain.
  - The possession of a valid European Union citizen family member residence card, issued by a State which fully applies the Schengen Agreement (relating to the gradual suppression of controls at common frontiers) will exempt the holder of that card from having to apply for the above-mentioned visa, in which case the entry or exit stamp on the passport will not be necessary.
  - The corresponding visa, when it is required, can only be denied in the following cases:
    - failure to duly comply with the necessary requirements
    - for law-and-order, security or public health reasons

In any case, the reasons will be made known to the applicant, unless this goes against State security.

- When the citizen of a European Union Member State or their relatives do not have the passport or other documents required for the entry into the Spanish territory, they will be given every chance either to obtain the documents required or to prove that they are EU Regime beneficiaries.

### Exit

- The citizens of a European Union Member State and their family members, regardless of their nationality, will have the right to leave Spain to travel to another Member State, only needing to show the border control officers a valid passport or identity card, if the exit takes place through a fitted post, for their obligatory verification.

- The exit could only be forbidden for national security or public health reasons, or for those foreseen in the Criminal Code.

## ■ 6. Stay and residence

The regime in Spain currently acknowledges three possible situations in which a European citizen or a family member of his/hers can find themselves, namely: stay, residence, and permanent residence.

### a. Stay

- In those cases in which the permanence in Spain of a citizen of a European Union Member State, whatever its purpose, has a duration of less than three months, it will suffice to own a valid passport or identity card, with no other registration administrative formality being necessary.

### b. Residence

#### European citizen

- As said above, any citizen of a European Union Member State has the right to reside in Spain for a period exceeding three months.

- In this case, the European citizen(s) will be obliged to apply for their inscription at the Foreigners' Central Registry, in accordance with the procedure stipulated in the corresponding section of this guide, and providing the documents indicated in that section.

- Once the application for the inscription in the said Registry has been filed, a certificate of registration will be issued to the European citizen(s) that will contain their name, nationality, home address in Spain, their Foreigner's Identification Number (NIE), and the registration date.

#### European Citizen's family members not holding EU nationality

- Also the relatives of a national of a European Union Member State who do not hold the nationality of one of these States will be allowed to stay in Spain for a period exceeding three months. In this case, those relatives will have to apply for a «European Union citizen family member residence card».

- The procedure and documents required to apply for that residence card are explained in the corresponding section of this guide.

- The death of the citizen(s) of the European Union Member State when their relatives are not citizens of one of these States will not automatically affect the said relatives, provided that they have resided in Spain, as members of the family, before the death of the right holder.

- When 6 months have elapsed after the European citizen's death, and unless they have acquired the right to reside in Spain permanently, his/her family member(s) will have to request a residence and work authorisation in accordance with the General Regulation for Foreigners (Article 96.5 Regulations of the Organic Law 4/2000). To that end, they will have to prove that they are registered in the corresponding Social Security Regime, or that they own sufficient resources to support themselves and their family, or that they are members of a family, already constituted in the receiving Member State, of a person fulfilling these requirements.

- The exit from Spain or the death of a European Union Member State citizen(s) will under no circumstances mean the loss of the right of residence either of his children or of the parent to whom their custody is attributed, as long as the children reside in Spain and are registered to attend classes in a teaching centre, and until they finish those studies.

- In the event of nullity of marriage, divorce, legal separation or cancellation of the inscription as a registered partner, the spouse(s) not holding the nationality of a European Union Member State will have to prove that they find themselves in one of the cases below if they want to keep their right of residence.

- Duration of at least three years of the marriage or registered relationship, at least one of them in Spain.

- Granting, by mutual consent or court's decision, of the custody of the EU citizen's children to the non-EU ex-spouse or ex-partner.

- Existence of especially difficult circumstances: for example, having been a victim of gender violence during the years as a married couple or as a registered de facto couple.

- Court's decision or mutual consent between the parties acknowledging the non-EU ex-spouse the right to visit the minor child, when the latter resides in Spain.

- After six months have elapsed since any of the preceding cases took place, and unless they have acquired the right of residence on a permanent basis, the spouse(s) who are not EU citizens will have to request a residence and work authorisation in accordance with the General Legislation for Foreigners in the same terms as those indicated for the case EU-citizen's death.

## c. Permanent residence

- The citizens of a European Union Member State, as well as their family members who are not nationals of one of these States, have the right to reside in Spain permanently as long as they have resided legally in Spain for a continued five-year period.
- The right to permanent residence before the five years have elapsed will equally be granted to:
  - The employed or self-employed worker(s) who, at the time of interruption of their activity, have reached the age foreseen in the Spanish legislation to access retirement with the right to a pension, or in the case of the employed worker(s) who stop performing the paid activity because of an early retirement, when they have performed their activity in Spain for, at least, the previous twelve months and resided in Spain for a continued period exceeding three years.
  - The self-employed or employed worker(s) who have stopped performing their activity as a result of permanent disability, having resided in Spain for a non-interrupted period exceeding two years. There will be no need to provide evidence of any residence period if the disability has resulted from a work-related accident or a professional disease that entitles the worker to a pension for which is totally and partially responsible a Spanish national organism.
  - The self-employed or employed worker(s) who, after three consecutive years of continued activity and residence in the Spanish territory perform their activity as self-employed or employed workers in another Member State, and keep their residence in Spain, returning to the Spanish territory at least once a week.
- The members of the employed or self-employed worker's family residing with him in Spain, regardless of their nationality, will be entitled to permanent residence when the worker(s) have acquired the right of permanent residence for themselves.
- The national(s) of a European Union Member State who fulfil the requirements to obtain permanent residence will have to apply for the corresponding certificate at the Foreigners' Central Registry. Those family members not holding the nationality of a European Union Member State will have to apply for the corresponding European Union Citizen Family Member Residence Card. The procedure, along with the documents needed to obtain both documents, is specified in the corresponding section of this guide.
- If the holder(s) of the right to reside in Spain had died in the course of their working life prior to the acquisition of the right of permanent residence in Spain, the members of their family who have resided with him in the Spanish national territory will be entitled to permanent residence if:

- The holder of the right to reside in Spain had uninterruptedly lived for a period of at least two years on the date of the death.
  - The death has been caused by a work-related accident or a professional disease.
  - The surviving spouse is a Spanish citizen who had lost the Spanish nationality as a result of marrying the deceased.
- The right of permanent residence will be lost after an absence from the Spanish territory of more than two consecutive years.

## ■ 7. The certificate of registration as an EU citizen

### What is the certificate of registration as an EU citizen?

- It is the document by means of which nationals of an EU Member State provide evidence of their legal residence in Spain.
- This document exclusively proves EU citizen's residence in Spain, but does not identify the holder(s) or proves their nationality. These aspects can only be proved through the identification cards/documents of their respective countries of origin (valid national identity card or passport).
- Since 2 April, 2007 the need to obtain a residence card for nationals of an EU Member State whose intention was to reside in Spain for a period exceeding three months has been suppressed. That card has been replaced with a certificate that provides evidence of being inscribed in the corresponding Foreigners' Central Registry. In any case, those European residents whose residence card is still valid can wait until its validity expires before applying for their Certificate of Inscription at the Registry.
- The certificate of inscription contains the applicant's personal information, nationality, home address, Foreigner's Identification Number (NIE) and date of issue, and does not have an expiry date.

### How is it obtained?

- Within three months of the entry into Spain, those who wish to reside in Spain for more than three months will have to apply for their inscription in the Registry and request a certificate providing evidence of that inscription.

- This procedure must be carried out in person. No representatives or attorneys can be used, and it is fulfilled at the Foreigners' Office of the province where the citizen(s) plan to stay or fix their residence or, in the absence of that office, at the corresponding Police Station.
- In the case of the Alicante province, the procedure is being carried out at the National Police quarters corresponding to the applicant's place of residence. The addresses of all the police quarters in the Alicante can be found at the 'Offices and Registries' section.
- The certificates are issued on the spot.
- The registration data can be modified if, for example, there is a change of address, and a new Certificate needs to be issued.
- If the applicant(s) stop residing in Spain, they will have to request being removed from the registry.

#### Documents to be provided:

- Administrative application form (Model EX16), the original and a copy
- A fee payment receipt (fee amount for the year 2008: 6.60.-€). The fee paid is the same that Spanish citizens have to pay to apply for their national identity card (DNI).
- A valid passport or National Identity Card and should it have expired, the actual expired document and the renewal slip.
- If the EU citizen does not have a Foreigners' Identification Number (NIE) at the moment of application for the certificate, the NIE must be assigned first. Both procedures can usually be dealt with on the same day. In order to apply for the NIE, the applicant must have a valid national identity card (DNI) or, should it have expired, the actual expired document and the renewal slip, and the application in the official form (Ex-14), and pay the corresponding fee (for the year 2008: 9.00€).

## 8. The European Union Citizen Family Member Residence Card

### What is the European Union Citizen Family Member Residence Card?

- It is the document by means of which the relative(s) of a national of an EU Member State not holding the nationality of a Member State provide evidence of their residence in Spain.
- The card contains the applicant's personal information, nationality, address, NIE, and a photograph of the applicant.
- Likewise, this card contains the name and surname, and the NIE of the EU relative who grants them the right of residence.

### How is it obtained?

- Within three months of the entry into Spain, the non-EU relatives of EU citizens who wish to reside in this country for a period exceeding three months, will have to request the issue of this card.
- This procedure must be carried out in person. No representatives or attorneys can be used, and it is fulfilled at the Foreigners' Office of the province where the citizen(s) plan to stay or fix their residence.
- In order to carry out this procedure in the Alicante province a Previous Appointment must be requested through the web page [www.consultor.com/oue](http://www.consultor.com/oue). Once you are on the web page, click on the option 'Application Filing Mode', and then click on appointment type 'CITA-4'.
- A slip is given to the applicant, who will receive the card, if it is finally granted, within a maximum period of three months. The effects of the card issue will be backdated to the date of application.
- The card will be valid for 5 years since the issue date, or for the foreseen period of residence of the European Union citizen of whom they are relatives, should that period be less than five years.

### Documents to be provided

- Administrative application form (Model EX16), the original and a copy.
- A fee payment receipt (fee amount for the year 2008: 6.60.-€). The fee paid is the same that Spanish citizens have to pay to apply for their national identity card (DNI).

- A valid passport or National Identity Card and should it have expired, the actual expired document and the renewal slip.
- Documents –if necessary, duly translated and apostilled or legalised– providing evidence of the existence of a family bond; of the validity of marriage; or certification issued of the inscription as a couple (3 months at the most before the application filing date) by the organism in charge of registering couples. The documents must be issued by the authorities of the country of which the EU-citizen is a national <sup>(1)</sup>.
- Certificate of registration of the EU citizen they are accompanying or they are going to meet, shown along with a valid passport or identity card of the latter. If the right derives from a Spanish citizen, National Identity Card (DNI) of the latter or an authorisation to electronically verify his/her identity data. Regarding electronic verification in these cases, this procedure is not carried out telematically yet, which is why a photocopy of the DNI will always be needed.
- In the case of direct 21-year-old or older descendants or direct ascendants: evidence that their resources come from their ascendant or descendant (EU citizen or an EU citizen's spouse or registered partner).
- Three recent colour passport-size photographs, on a white background.
- If the EU citizen's relative(s) do not have the NIE at the moment of application for the card, the corresponding NIE will be written down for him/her on the slip of the application for the card, and they will be able to use it temporarily until the application procedure is completed.

## 9. Certificate of the right to reside in Spain permanently as an EU citizen

### What is the Certificate of Registration as an EU-resident?

- It is the document by means of which the national(s) of a European Union Member State can prove their legal residence in Spain on a permanent basis.
- This document is mostly identical to the above-mentioned certificate, though it incorporates a reference to the fact that the European citizen has resided in the country longer than the five years required or that they have fulfilled the requirements of at least one of the other possible cases.

(1) For instance, if a German citizen is married to a Cuban citizen, the documents will have to be issued by the German authorities.

### How is it obtained?

- Once the requirements regarding time or any other aspects established by the regulations have been fulfilled, those who want to reside in Spain permanently will have to apply for their corresponding certificate.
- This procedure must be carried out in person. No representatives or attorneys can be used, and it is fulfilled at the Foreigners' Office of the province where the citizen(s) plan to stay or fix their residence or, in the absence of that office, at the corresponding Police Station.
- In the case of the Alicante province, the procedure is being carried out at the National Police quarters corresponding to the applicant's place of residence. The addresses of all the police quarters in the Alicante province can be found at the 'Offices and Registries' section.
- The certificate is not issued on the spot, as the authorities must check that all the legally established requirements are fulfilled.
- The registration data can be modified if, for example, there is a change of address, and a new Certificate needs to be issued.
- If the applicant(s) stop residing in Spain, they will have to request being removed from the registry.

### Documents to be provided

- Administrative application form (Model EX16), the original and a copy
- A fee payment receipt (fee amount for the year 2008: 6.60-€). The fee paid is the same that Spanish citizens have to pay to apply for their national identity card (DNI).
- A valid passport or National Identity Card and should it have expired, the actual expired document and the renewal slip.
- Depending on the specific case, the following additional documents will be required:
  - Certificate of registration as an EU-citizen which provides evidence of a minimum 5-year-period of uninterrupted residence in Spain.
  - The worker(s) who have stopped performing their activity as employed or self-employed workers,

having reached the age foreseen in the Spanish regulations to access retirement with the right to a pension, and having resided for a continued period exceeding three years, and performed their activity in Spain during the previous twelve months:

a. Documents providing evidence of the access to retirement.

b. Certificate of work record issued by the Social Security in which it is officially stated that they have carried out their professional activity in Spain during the previous 12 months (unless the EU-citizen's spouse or registered partner is a Spanish citizen or has lost his/her nationality after marrying/being inscribed as the registered partner of the EU-citizen).

c. Certificate of registration as a European Union citizen which provides evidence of a minimum period of 3-year uninterrupted residence in Spain (unless the EU-citizen's spouse or registered partner is a Spanish citizen or has lost his/her nationality after marrying/being inscribed as the registered partner of the EU-citizen).

· The worker(s) who have stopped performing their activity as an employed worker following an early retirement agreement:

a. Documents proving the access to early retirement.

b. Certificate of work record issued by the Social Security in which it is officially stated that they have carried out their professional activity in Spain during the previous 12 months (unless the EU-citizen's spouse or registered partner is a Spanish citizen or has lost his/her nationality after marrying/being inscribed as the registered partner of the EU-citizen).

c. Certificate of registration as a European Union citizen which provides evidence of a minimum period of 3-year uninterrupted residence in Spain (unless the EU-citizen's spouse or registered partner is a Spanish citizen or has lost his/her nationality after marrying/being inscribed as the registered partner of the EU-citizen. In this case, documents proving this circumstance will have to be provided).

· The worker(s) who have stopped performing their employed or self-employed activity, due to permanent disability:

a. Documents providing evidence of permanent disability.

b. Certificate of registration as a European Union citizen which provides evidence of a minimum

period of 2-year uninterrupted residence in Spain (unless the permanent disability has resulted from a work-related accident or professional disease that entitles the worker to a pension for which is totally or partially responsible a Spanish national organism, or the EU-citizen's spouse or registered partner is a Spanish citizen or has lost his/her nationality after marrying/being inscribed as the registered partner of the EU-citizen. In this case, documents proving the circumstance that exempts from compliance with the 2-year previous residence requirement will have to be provided).

- The worker(s) who, after three consecutive years of activity and residence in Spain, perform their activity in another Member State but keep their residence in Spain, returning at least once a week:
  - a. Certificate of registration as an EU-citizen which provides evidence of a minimum period of 3-year uninterrupted residence in Spain.
  - b. Certificate of work record issued by the Social Security which officially states that they have performed their activity in Spain during the previous three years.
  - c. Documents proving that they perform a professional activity in a Member State.
  - d. Evidence that they return to the Spanish territory at least once a week.

## 10. The European Citizen Family Member Permanent Residence Card

### What is the European Citizen Family Member permanent residence card?

- It is the document by means of which the relative(s) of a national of an EU Member State not holding the nationality of a Member State provide evidence of their legal permanent residence in Spain.
- Like the aforementioned one, the card contains the applicant's personal information, nationality, home address, NIE and photograph, as well as the data identifying the EU-citizen granting the right of residence.

### How is it obtained?

- Within a month of the expiry date of their previous residence card.
- It can be requested within three months of the said expiry date, but an administrative sanction would have to be applied in that case.

- This procedure must be carried out in person. No representatives or attorneys can be used, and it is fulfilled at the Foreigners' Office of the province where the citizen(s) have their place of residence.
- A slip is given to the applicant, who will receive the card, if it is finally granted, within a maximum period of three months
- The card will be valid for 10 years, renewal being automatic.

### Documents to be provided

- Administrative application form (Model EX16), the original and a copy
- A fee payment receipt (fee amount for the year 2008: 6.60.-€). The fee paid is the same that Spanish citizens have to pay to apply for their national identity card (DNI).
- A valid passport or National Identity Card and should it have expired, the actual expired document and the renewal slip.
- Documents –if necessary, duly translated and apostilled or legalised– providing evidence of a family, marriage or registered partnership bond.
- Three recent passport-size colour photographs, on a white background.
- Depending on the specific case, the following additional documents will be required.
  - The relative(s) of an EU-citizen entitled to permanent residence:
    - The EU-citizen's certificate of registration as a permanent resident.
  - The relative(s) of an EU-citizen who died during his working life prior to access to the right of permanent residence:
    - a. European Union Citizen Family Member Residence Card derived from having resided with the deceased EU-citizen.

b. Depending on the specific case, the following additional documents will be required:

- Certificate of registration as an EU-citizen of the deceased relative which provides evidence of a minimum period of 2-year uninterrupted residence in Spain;

- Documents proving that the death was due to a work-related accident or professional disease; or

- Documents proving that the surviving spouse was a Spanish citizen who had lost the Spanish nationality as a result of marrying the deceased EU-citizen.

- In any case, it must be remembered that the validity of the certificates of registration or residence cards and their replacement with a document providing evidence of permanent residence or a permanent residence card, respectively, will be conditioned to the fact that their holders continue to find themselves in one of the cases that gives the right to obtaining these documents.

- The applicants will have to communicate any eventual change of circumstances referring to their nationality, marital status or home address to the Foreigners' Office of the province where they reside or, in the absence of that office, to the corresponding police station.

## 11. Foreigners' Identification Number

- The Foreigners' Identification Number (NIE) is a personal, unique and exclusive number that the Police General Directorate assigns to foreigners. This number will have to appear on all the public documents that are issued or processed for the foreign citizen in Spain, as well as in all the applications addressed to the Administration and in a considerable part of the procedures between private parties (banks, insurance companies, supply companies: water, electricity, telephone...).

- The NIE is an identification number of the person mainly used for tax purposes, but it is not an identity card, which is why along with the NIE, the European citizen(s) will have to provide the corresponding documents that prove their identity (passport, identity card of their respective countries...).

- The NIE must be requested at the competent National Police quarters according to the applicant's municipality of residence. Information about the different police stations existing in the Alicante province is provided below.

- In any case, a specific informative guide about the NIE published by the European Residents Area of the Diputación de Alicante (Alicante Province Government) is available and can be accessed on our web page (<http://www.residenteseuropeos.com/>). This guide explains in great detail what the NIE is, what it is useful for, the way to obtain it, the documents required to apply for it, etc.

## 12. Recommendations

- Before carrying out any procedures at the Foreigners' Office in Alicante, it is advisable to visit the web page of this service, and especially to check the list of documents required for each procedure.
- It is important to go to the police quarters or foreigners' office with all the necessary documents, as no requests are usually made in these procedures and, if the applicant(s) have not brought one of the documents, they will have to return another day.
- All the translated and apostilled or legalised documents providing evidence of the bond with the EU-citizen will have to be provided.
- When the marriage between the EU-citizen and the national of a non-EU State takes place outside the EU-citizen's country of origin, that marriage will have to be inscribed at the Civil Registry of the EU-citizen's country of origin. Therefore, it is advisable to carry out this procedure before entering the Spanish territory. In the case of a marriage between a Spanish citizen and a non-EU citizen having taking place abroad, that marriage must be inscribed at the Central Civil Registry in Madrid, so that it has official effects in Spain. This inscription must be requested at the Spanish consulate or consular office in the country where the marriage has taken place.

## 13. Reference Legislation

- Organic Law 4/2000, of January 11, on the Rights and Liberties of Foreigners in Spain and their Social Integration, modified by Organic Laws 8/2000, 11/2003 and 14/2003
- Royal Decree 240/2007, of February 16, on Entry, Free Circulation and Residence in Spain of Citizens of EU Member States or other States Party to the Agreement on the European Economic Area.
- Royal Decree 2393/2004, of December 31, through which is approved the regulation for the development of the Organic Law 4/2000.
- (EC) Regulation No. 539/2001, modified by (EC) Regulation No. 2414/2001, by (EC) Regulation No. 453/2003, and by (EC) Regulation No. 1932/2006, through which is approved the common list of third countries, the nationals of which will not need a visa in the Member States.

- Instruction DGI/SGRJ/03/2007, relating to Royal Decree 240/2007, of February 16, on Entry, Free Circulation and Residence in Spain of Citizens of EU Member States or other States Party to the Agreement on the European Economic Area.
- Instruction DGI/SGRJ/08/2006, of December 26, about the regime applicable to nationals of Bulgaria and Romania during the transitory period of free circulation for employed workers.
- ORDER PRE 3654/2007 (Presidency Ministry), of December 14, which establishes the amounts corresponding to the fees for the granting of administrative authorisations, the issue of documents related to immigration and foreigners, or the procedure to obtain visas at the border.

## 14. Offices and registries

- Police quarters in Alicante. In order to obtain the Certificate of Registration as a UE citizen or the NIE (on November 2008): C/ Pintor Aparicio, 15. Other procedures: C/ Campo de Mirra 6, CP: 03005 - Alicante. Telephone No.: 965 125 531. Public opening hours: 9 am to 2 pm from Monday to Friday.
- Foreigners' Office in Altea: C/ San Isidro Labrador, nº1. 03590, Altea. Telephone No: 965 019 260. Public opening hours: 9 am to 2 pm from Monday to Friday.
- National Police Station in Elche. C/ Abeto 1 , CP: 03203 - Elche. Telephone No.: 966 613 968. Public opening hours: 9 am to 2 pm from Monday to Friday.
- National Police Station in Torrevieja. C/ Maldonado 57. CP: 03181 - Torrevieja. Telephone No.: 965 708 834. Public opening hours: 9 am to 2 pm from Monday to Friday.
- National Police Station in Orihuela. C/ Sol 34, CP: 03300 - Orihuela. Telephone No.: 965 303 244. Public opening hours: 9 am to 2 pm from Monday to Friday.
- National Police Station in Benidorm. C/Apolo XI, 36 , CP: 03500 - Benidorm. Telephone: 965 855 308. Public opening hours: 9 am to 2 pm from Monday to Friday.
- National Police Station in Denia. C/ Castel d'Olimbroi, 5, CP: 03700 - Denia. Telephone No.: 966 420 555. Public opening hours: 9 am to 2 pm from Monday to Friday.
- National Police Station in Elda. C/ Lamberto Amat 26, CP: 03600 - Elda. Telephone No.: 966 980 101. Public opening hours: 9 am to 2 pm from Monday to Friday.

- National Police Station in Alcoy. C/ Peru 10, CP: 03803 - Alcoy. Telephone No.: 965 330 493. Public opening hours: 9 am to 2 pm from Monday to Friday.
- Foreigners' Office in Alicante. C/ Ebanistería 4-6, CP: 03008 - Alicante. Telephone No.: 965 019 338.
- Unit of Information and Attention to the Citizen at the General Immigration Directorate of the Ministry of Labour and Social Affairs (91 363 90 71; 91 363 90 69; 91 363 71 08).

## 15. Websites of interest

- Web page of the Home Office (Ministerio del Interior) on the legal status of European residents  
[http://www.mir.es/SGACAVT/extranje/ciudadanos\\_UE/](http://www.mir.es/SGACAVT/extranje/ciudadanos_UE/)
- Web page of the Ministry of Public Administrations on residence situations of EU citizens in Spain  
[http://www.map.es/servicios/servicios\\_on\\_line/extranjeria/ciudadanos\\_UE.html](http://www.map.es/servicios/servicios_on_line/extranjeria/ciudadanos_UE.html)
- Web page of the Ministry of Labour and Immigration referring to the regime of EU citizens in Spain  
<http://extranjeros.mtas.es>
- Web page of the Ministry of Foreign Affairs and Cooperation  
<http://www.maec.es/es/home/Paginas/HomeEs.aspx>
- Web page of the Foreigners' Office dependent on the Alicante Government Subdelegation with specific information on the regime of UE citizens. <http://www.consultor.com/oue/regcomun.html>
- Web page of the European Residents Area of the Diputación de Alicante (Alicante Province Government), which provides abundant legal, administrative, current affairs and leisure information addressed to European residents in the Alicante province. <http://www.residenteseuropeos.com/>

*Legal warning: the information contained in this guide has a merely informative nature, and generates no rights, expectations or responsibilities whatsoever for the Diputación de Alicante (Alicante Province Government)*



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