



**Family reunification of a third-country national as a family member
of a Union citizen¹ or a Luxembourg national**

1. Family members eligible for family reunification

Are eligible for family reunification as family members of a Union citizen or a Luxembourg national:

- the sponsor's spouse (husband/wife) ;
- the registered partner (PACS);
- the immediate descendant (child) of the Union citizen or his/her spouse if the child is less than 21 years of age or dependent;
- the immediate dependent ascendant (parent) of the Union citizen or his/her spouse ;

May be eligible (only with the Minister's agreement) all other family members not mentioned above, if one of the conditions below is fulfilled:

- in the country of providence, he/she was dependent on or part of the household of the Union citizen who has the main residence right;
- if it is absolutely necessary for the Union citizen to look after the family member personally due to major health problems;
- the partner with whom the Union citizen has a long-term relationship with, duly attested.
The long-term nature of the relationship is examined by considering the intensity, the length and the stability of the bonds between the partners. The long-term nature of the relationship can be proved by all means. It is considered proved if partners:
 - a) have been living together for at least one year in a legal and continuous way;
 - b) have a child together for whom they share parental responsibilities.The partners must not be engaged in bonds of marriage, declared partnership (PACS) or a long-term relationship with any other person aside from the person they wish to accompany to Luxembourg.

IMPORTANT : The person that claims to be dependent must bring proof of financial support and proof of regular money transfers made to his/her attention by the person he/she wishes to join in Luxembourg (bank transfers, transfers made by an agency, etc mentioning the name of the person transferring the money as well as the recipient's name). Also, the state of indigence in the country of origin must be proved. These money transfers must have been made regularly over a period of at least six months before applying for family reunification. The amounts must be sufficient to allow the petitioner to cover his/her needs in the country of origin.

2. Visa application (before entering Luxembourg)

If a visa is required, the family member must submit an application for a visa "type D" before entering the country. The terms of application can be found on the sheet "documents to be presented by a third-country national for a visa application to join a Union citizen or a Luxembourg national".

¹ Is considered a Union citizen: the national of one of the member States of the European Union: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Greece, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden. The nationals of the member States of the agreement on the European Economic Area (Norway, Iceland and Liechtenstein) and the Swiss Confederation are assimilated to EU nationals. The same rules and procedures are applicable to nationals of the United Kingdom until the end of the transition period provided for in the Withdrawal Agreement concluded between the United Kingdom and the European Union.

3. Application for a residence permit (after entering Luxembourg)

At the latest 3 month after entering the country, the third-country national, family member of a Union citizen or a Luxembourg national must make an application for a residence permit (“carte de séjour”) at the commune of residence in Luxembourg.

If the family member entered Luxembourg with a visa “type D” for a family reunification, he/she needs the following document for a residence permit application:

- a copy of his/her valid passport, in its entity (all pages)

If the family member entered Luxembourg without a visa or with any document other than a visa D (residence permit of another EU country or touristic visa), he/she needs the following documents for a residence permit application:

- a copy of his/her valid passport, in its entity (all pages)
- proves that he/she is a family member, according to the following cases:
 - In case the third country national is the spouse or registered partner of the Union citizen:
 - an extract of the marriage certificate / a copy of the registered partnership;
 - in case of marriage ceremony performed abroad between a Luxembourg national and a foreigner: the record (transcription) of the marriage in the civil register of the commune of residence in Luxembourg.²
 - In case the third-country national is the child of the Union citizen or his/her spouse/registered partner :
 - a document attesting the family relationship with the EU national (e.g. a birth certificate of the child, a family book) ;
 - in case the child is over 21 years of age: proof that the child is dependent on the sponsor (e.g. proof of material support, proof of school enrollment) ;
 - in case of divorce (for minors only):
 - the judgment conferring the custody of the minor child to the parent living in Luxembourg and
 - if the other party has a visitation right: the notarial authorisation of the parental party living abroad to prove this party's agreement that the minor child is allowed to reside in Luxembourg ;
 - in case of joint custody (for minors only): the notarial authorisation of the parental party living abroad to prove this party's agreement that the minor child is allowed to reside in Luxembourg;
 - In case the third-country national is the ascendant (parent) of the Union citizen or his/her spouse/registered partner:
 - a document attesting the family relationship with the sponsor (e.g. a birth certificate of the sponsor or the sponsor's spouse/partner, a family book)
 - an extract of the civil status of the ascendant ;
 - proof that the ascendant is dependent on the sponsor (e.g. proof of material support) ;
 - In case the third country national is the partner with whom the EU national is having a long-term relationship:
 - a copy of the identity document of the Union citizen or the Luxembourg national joined/accompanied
 - proof that neither of the two partners is bound by marriage, registered partnership or long-term relationship to another person (e.g. a certificate of civil status; certificate of family composition and/or a residence certificate issued by the last country of residence);
 - proof of the long-term nature of the relationship, which means:
 - in case of a common child: proof that the two partners ensure the parental responsibilities for the child together (birth certificate of the child; proof that the partner makes financial contributions to the costs of the child; if applicable, a residence certificate and/or certificate of family composition issued by the last country of residence); or

² For further information on the procedure to follow in case of a civil marriage abroad, please visit the website : www.guichet.lu

- in case of cohabitation: proof that the partners lived together (legal stay) during an uninterrupted period of at least one year before the submission of the request (residence certificate and/or certificate of family composition issued by the authorities of the country of common residence); proof of legal stay of the partners in the country of residence (residence permit issued by the country of residence); or
- in all other cases: proof of the long-term nature of the relationship by all means.

In case the documents are not in German, French or English, a conforming translation by a sworn translator must be enclosed.

For further information (in English, French and German), please visit the web site www.guichet.lu

Information note on the protection of personal data

The Directorate of Immigration of the Ministry of Foreign and European Affairs collects and uses your personal data in the context of its public interest mission in implementation of the amended law of 29 August 2008 on the free movement of persons and immigration, and in compliance with the legal provisions on data protection. More detailed information on the processing of your data, as well as on your rights in the matter, are available on the website: <https://maee.gouvernement.lu/en/services-aux-citoyens/visa-immigration.html>