

GETTING THE RIGHT OF LONG TERM RESIDENCY IN ROMANIA

What is domicile?

In keeping with the Romanian law, a natural person's domicile is the place where their fixed and principal home is. The foreigners who get the right of long term residency in Romania, have the right to establish or change domicile on Romanian soil just like Romanian citizen.

When can you apply for or get the right of long term residency in Romania ?

The following foreigners can apply for the status of long term resident in Romania:

- The foreigners who have lived in Romania for at least 5 years, have had a residency permit (for work, family reunification, commercial activities, etc.), without having left the country for more than 6 consecutive months or 10 months in total;

(!) The foreign citizens who have a short stay visa (like, for instance, tourists), a visa/permit for studies, a diplomatic visa or a labour visa, or those who are asylum-seekers MAY NOT apply for getting the right of long term residency.

(!) The period during which the foreign citizen stayed in Romania on a short term visa, diplomatic visa, labour visa or a seasonal worker IS NOT taken into consideration when deciding upon granting a long term residency right. Only half of the period in which the foreign citizen stayed in Romania on a study visa/permit is taken into account.

- The citizen who, while in Romania, did not commit any action leading to the cancellation of their right of residency or their deportation by the General Inspectorate for Immigration;
- The foreigners who can provide for themselves in Romania, either by working and getting a salary, or by having a pension. They must every month get the equivalent of the minimum salary in Romania. Students and pupils who have turned 18 can prove they are being provided for by their parents.
- A person can prove he/she can provide for himself/herself in Romania also by proving he/she has money in a bank account, in the amount of minimum 12 months of minimum net salary.

(!) Those who are members of Romanian citizens' families ARE NOT SUPPOSED TO provide evidence of their means of subsistence in Romania.

- Those who are part of the social health insurance system (have a labour contract and pay their health insurance contributions in due time);
- Those who have a home (as owners, tenants, under a lease contract, etc.)
- Has minimum knowledge of Romanian;
- Has displayed good behaviour, has not broken any Romanian law and has been no threat to national security.

ATTENTION!

Underage foreigners (under 18) can get the right of long term residency in Romania only if one of their parents has already got this right. Minors ARE NOT SUPPOSED TO meet the conditions listed above.

Foreigners of Romanian origin (for instance those who used to have Romanian citizenship but gave it up or lost it), those who were born in Romania and those who have served the Romanian state in a significant way can get the long term residency right without having to meet the obligations mentioned above, unless they are a threat to public order and national security.

Foreigners who can prove they have invested at least 1 million Euros or have created over 100 full time jobs can be granted the right of residency without them having to meet the requirements regarding subsistence or duration of stay on Romanian soil.

What are you supposed to do in order to get the right of long term residency in Romania?

Step 1:

You must get in contact with the **General Inspectorate for Immigration**, to find out what documents you need to submit along with the application for long term residency in Romania (see appendix 1 and appendix 2);

Step 2:

You must compile a dossier with all the necessary documents, in keeping with the list drawn up by the General Inspectorate for Immigration.

Step 3:

You must personally submit the filled in application and all the other substantiating documents to the General Inspectorate for Immigrations. The list of necessary papers can be found in Appendix 1.

Step 4:

Your application and dossier will be verified by a **special committee** with the General Inspectorate for Immigration. The institution will provide you with an answer within approximately 6 months since you filed the application.

Step 5:

- If you will meet all the requirements, your application will be **approved**.

- If your file is **rejected**, you will get an answer in writing, explaining the reason why your application was denied.

(!) If your application was denied, you can appeal at the Court of Appeal within 30 days since the date on which you got the answer.

Step 6:

If your application was approved, within 30 days you must go to the GII to request a long term residency permit. For that you will have to submit a new dossier, containing a number of documents. The list of these documents can be found in Appendix 2.

What are your rights upon getting the right of long term residency in Romania?

The foreigners who have been granted the right of long term residency benefit from the same rights as the Romanian citizens, with regard to:

- **Employment;** You will be able to work in the same conditions as the Romanian citizens, but you may not work in public institutions.
- **Education;** You have the same rights as the Romanian citizens with regard to enrolment in an education institution (school, high-school, college, etc.) or scholarships;

(!) The individuals who have the right of long term residency ARE NOT SUPPOSED TO pay tuition fees for the 1-12 grades (primary school, secondary school, and high-school). Also, they can enrol in bachelor, master and doctoral studies on budget seats (no tuition fee) or on paid seats (the fee is equal to the one paid by Romanian citizen).

- **Study equivalency and recognition of diplomas;**
- **Social assistance and protection;**
- **Health care;**
- **Fee and tax exemptions;**
- **Getting public goods and services,** including lodging;
- **Freedom of association** and membership to professional associations or trade unions;

(!) As a person who's got the right of long term residency, **you have the right to travel** alone outside the country and to return to Romania without an entry visa. You may travel to the EU member countries without a visa, by presenting on the border the passport and the long term residency permit.

Still, the right of long term residency may be cancelled if you stay outside the country for a period of more than 12 consecutive months (a year). In this situation, if your document has not expired, you will no longer have the right to enter Romania unless you've got a visa from a diplomatic mission abroad.

When does the right of long term residency expire?

You can lose the right of long term residency if you are in one of the following situations:

- If it is proven that you have provided false information or forged documents to get the right of long term residency;
- If you commit serious crimes on Romanian soil and you are deemed threat to public order;
- If you obtained **the right of long term residency on the territory of another state;**
- If you call for the cancelation of the right of long term residency or if you get Romanian citizenship;
- If you've been away from Romania for a period longer than 12 consecutive months.

ATTENTION!

- *You will not lose your right of long term residency in Romania if during the period of absence from this country you benefited from a right of temporary stay (for instance, for work, studies, etc.) on the territory of another EU Member State. In this case, the period of absence must not exceed 6 consecutive years.*
- *The foreign citizen who lost the right of long term residency in Romania for having been absent from Romania for more than 12 months in a row or for having obtained permanent residency in another state, can again request permanent residency only after a legal and continuous stay of at least 12 months and provided they meet the other requirements provided by law.*

REQUIRED DOCUMENTS

Appendix 1

GETTING THE RIGHT OF LONG TERM RESIDENCY

If you meet the conditions listed above and you want to obtain the right of long term residency in Romania, you can submit a dossier to the General Inspectorate for Immigration, which must contain the following documents:

1. **A standard application form** which you can get from the General Inspectorate for Immigration;
2. **A border crossing document** (passport, travel documents, etc.), copy and original;
3. **Documents proving the existence of a home/a place to live** (copy and original). You will have to submit one of the following documents:
 - The purchase contract, if you are the owner;
 - The lease contract, registered with the Public Finance Administration of the sector/town/city you live in;
 - The bailment agreement (commodatum), authenticated by a notary public;
 - A declaration made by the owner approving your living in that home, accompanied by a copy of the ownership deed, authenticated by a notary public;
4. **Proof of health insurance;** you can prove that with one of the following documents:
 - Certificate of employment issued by your employer, if you work on a labour contract;
 - Proof of insuree issued by the Health Insurance Agency in the county you reside in. If you do not work, you will have to pay health insurance as person with no incomes, after which you can ask for an insuree certificate from the Health Insurance Agency.
 - Proof of co-insuree provided by your spouse's employer.
5. **Proof that you can provide for yourself,** except for the situation in which you have a residency permit as member of a Romanian citizen's family.
 - A personal bank statement, if you don't work under an employment contract
 - An individual employment contract, if you are an employee
 - The annual balance sheet indicating the profits resulting from the activities carried out on Romanian soil, if you carry out commercial activities
6. **A criminal record,** issued by the Romanian Police.

7. fees

- a. **3 RON** application fee, paid at the Treasury / CEC BANK to the state budget account nr. 20330102. If you are member of a Romanian citizen's family you don't have to pay this fee.
- b. **4RON** stamp duty, to be paid at the Treasury / CEC BANK to the local budget account no. 21340202 (you can submit a stamp of the same value).

Appendix 2

GETTING A LONG TERM RESIDENCY PERMIT

If you get a positive answer and are granted the right of long term stay, in order to get the long term residency permit, within 30 days you must submit to the General Inspectorate for Immigrations the following documents:

1. **A standard application form**, which you can get from the General Inspectorate for Immigration;
2. **The border crossing document** (passport, other travel documents), copy and original;
3. **Deeds proving you have a place to live** (copy and original). You will have to submit one of the following documents:
 - a. The purchase contract – if you own the place;
 - b. The leasing contract registered with the Public Finance Administration of the sector or county you live in;
 - c. The bailment contract, authenticated by a notary public;
 - d. A declaration given by the owner, in which the latter agrees to provide you with lodging, accompanied by a copy of the ownership deed, authenticated by a notary public;

1. **Various fees**, depending on the right of residency that you have:

a. **If you are a Romanian citizen's family member**

- **260 lei** (the value of the long term residency permit, paid at CEC Bank, to the account of the *Imprimeria Nationala* Company no. RO5CECEB30033RON2244514
- **A 4 RON** extra stamp duty, in keeping with Emergency Ordinance no. 70/2009, paid at CEC Bank;

b. **If you are not a Romanian citizen's family member:**

- A fee of **124.5 RON** (in exchange for the approval of the application for long-term residency in Romania, in keeping with GEO no.24/1992, reissued (paid at Treasury/CEC Bank);
- **3 RON** application fee for the long term residency permit , in keeping with the same ordinance (paid at CEC Bank);

- **260 RON** (for the long term residency permit, paid at CEC Bank, to the account of the *Imprimeria Nationala Company*, account no. RO5CECEB30033RON2244514;
- **4 RON** extra stamp duty, in keeping with GEO no. 70/2009 (paid at CEC Bank)

GETTING ROMANIAN CITIZENSHIP

After getting the long term residency permit, you can consider Romanian citizenship, which is the last step towards your integration into Romanian society.

What is Romanian citizenship?

Romanian citizenship is a person's connection with the Romanian state. The Romanian citizen lives, studies, works and votes by the laws of the Romanian state, benefiting from the Romanian state's protection when they need it.

How can a person become a Romanian citizen?

You may become a Romanian citizen if you fulfil one of the following conditions:

- You have at least one parent who is a Romanian citizen, whether you were born in Romania or abroad;
- You are a foreign citizen and you have been **adopted** by a Romanian citizen;
- You are a foreign citizen and you **ask for** Romanian citizenship, in keeping with the Romanian laws.

When can you ask for and get Romanian citizenship?

As a foreign citizen, you can request and get Romanian citizenship if you have a long term residency permit and if you meet the following conditions:

- You have been legally residing on Romanian soil for at least 8 years. If you are married to a Romanian citizen, you must have lived in Romania for at least 5 years since marriage and must have not been away for more than 6 months in a year.
- You have had a good behavior and have been loyal to the Romanian state and you have not committed, in Romania or elsewhere, anything breaking the Romanian state's laws or jeopardizing national security;
- You are above 18;
- You have a place to live (as owner, tenant, etc.);

- You can provide for yourself in Romania, either by working and getting a salary or by having a company, getting a pension or renting a home or a thing and getting money as rent. Students and pupils who have turned 18 can prove there are provided for by their parents. You will have to provide evidence of incomes for the past 3 years (employment contract or other types of contracts, business, renting of property, etc.)
- You have knowledge of Romanian language, culture and civilization, at least at an intermediate – advanced level;
- You are familiar with the provisions of the Romanian Constitutions (the fundamental law of the Romanian state) and the national anthem (a major symbol of the state);
- You have knowledge of Romanian history and geography;

In order to get Romanian citizenship, you will have to take an examination for verification of your knowledge of the Romanian constitution, history and geography.

(!) Foreign citizens' minor children get Romanian citizenship alongside their parents, without them having to apply for that separately.

(!) For further details regarding Romanian citizenship, as well as the documents required and conditions that a foreign citizen must meet, you can contact the National Authority for Citizenship with the Ministry of Justice.