



Authorisation to stay for a third-country national as an "au pair"

(article 62bis of the modified law of 29 August 2008 on the free movement of people and immigration)

The third-country national who wishes to reside on Luxembourg territory for more than three months in the framework of an "au pair" placement, must be holder of an authorisation to stay as an "au pair". The application must be made and favourably advised **before entering on Luxembourg territory**. An application made after the entry on the territory is inadmissible.

1. Requirements

In order to qualify for the application for an authorisation to stay as an "au pair", the third-country national must fulfil the conditions established by the law of 18th February 2013 on "au pair" placement. Further information on the "au pair" placement is available on: www.accueil-aupair.lu

2. Application for authorisation to stay

The applicant must submit an application to the minister in charge of immigration.¹ He/she must disclose his/her identity (names, first names) as well as his/her exact address in the country of residence. He/she must also enclose the following documents:

- a copy of his/her valid passport, in its entirety (all pages);
- a recent extract from his/her police record or an *affidavit* issued in the country of residence;
- a written agreement established by the minister in charge of youth in conformity to article 3 of the law of 18th February 2013 on "au pair" placement ;
- if need be, a mandate/proxy².

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

The decision on the complete application shall be taken within 60 days. Where the information or documentation supplied in support of the application is incomplete, the Ministry shall notify the applicant within a reasonable period of the additional information that is required and set a reasonable deadline for providing it. The period of 60 days shall be suspended until the Ministry has received the additional information required. If additional information or documents have not been provided within the deadline, the application may be rejected.

If granted, the third-country national receives a "temporary authorisation to stay" ("*autorisation de séjour temporaire*"). This temporary authorisation to stay is valid for a period of 90 days. During this time, the third-country national must:

- either request a visa to enter the Schengen area, if subject to visa obligation;

¹ The application can be submitted by sending it to the General Department of immigration (see address below) or by handing it in to a diplomatic or consular representation of Luxembourg or the diplomatic or consular mission representing Luxembourg.

² The third-country national may confer mandate to a third person so as to submit the application in his/her place. In this case, the appointed person, except for juridical consultants, must present a duly signed and dated mandate from the third-country national. The signature must be preceded by the handwritten phrase « good for power of attorney ». You can find a model of a mandate/proxy on the internet site www.guichet.lu.

- or, if not subject to visa obligation, enter on the territory of Luxembourg and make his/her declaration of arrival at the municipality ("*administration communale*") of the chosen place of residence.
After entering Luxembourg, the third-country national has to follow the procedure to apply for the residence permit ("*titre de séjour*").

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 General Department of immigration of the Ministry of Home 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, 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://gd.lu/immigration>.