

Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (recast)

CHAPTER VI

MOBILITY BETWEEN MEMBER STATES

Article 30

Mobility of researchers' family members

1 Family members of a researcher who hold a valid residence permit issued by the first Member State shall be entitled to enter, and stay in, one or several second Member States in order to accompany the researcher.

2 When the second Member State applies the notification procedure referred to in Article 28(2), it shall require the transmission of the following documents and information:

- a the documents and information required under paragraph 5 and points (b), (c) and (d) of paragraph 6 of Article 28 related to the family members accompanying the researcher;
- b evidence that the family member has resided as a member of the family of the researcher in the first Member State in accordance with Article 26.

The second Member State may require the notifier to present the documents in an official language of that Member State or in any official language of the Union determined by that Member State.

The second Member State may object to the mobility of the family member to its territory where the conditions set out in the first subparagraph are not complied with. Points (b) and (c) of paragraph 7 and paragraph 9 of Article 28 shall apply to those family members accordingly.

3 When the second Member State applies the procedure referred to in point (b) of Article 29(1), an application shall be submitted by the researcher or by the family members of the researcher to the competent authorities of the second Member State. The second Member State shall require the applicant to transmit the following documents and information in relation to the family members:

- a the documents and information required under points (i), (ii), (iii) and (v) of point (a) of Article 29(2) related to the family members accompanying the researcher;
- b evidence that the family member has resided as a member of the family of the researcher in the first Member State in accordance with Article 26.

The second Member State may require the applicant to present the documents in an official language of that Member State or in any official language of the Union determined by that Member State.

The second Member State may reject the application for long-term mobility of the family member to its territory where the conditions set out in the first subparagraph are not complied with. Points (b) and (c) of paragraph 2, points (b), (c) and (d) of

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

paragraph 3, paragraph 5, point (b) of paragraph 6 and paragraph 7 of Article 29 shall apply to those family members accordingly.

The validity of the authorisation for long-term mobility of the family members shall, as a general rule, end on the date of expiry of the researcher's authorisation issued by the second Member State.

The authorisation for long-term mobility of family members may be withdrawn or its renewal refused if the authorisation for long-term mobility of the researcher they are accompanying is withdrawn or its renewal refused and they do not enjoy any autonomous right of residence.

4 Family members who are considered to pose a threat to public policy, public security or public health shall not be allowed to enter or to stay on the territory of the second Member State.