

# **STUDY AND WORK PERMITS**

A brochure on immigration law



**Jussbuss**

## Brochure about study and work permits

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# Introduction

In order to be able to live and work in Norway you need to have a residence permit. A residence permit could, for example, be a study permit, a work permit or a permit for job seekers. This brochure explains the rules which apply to such residence permits.

If you are a citizen of an EU/EEA country, other separate rules apply. The information provided here only applies to you if you are a citizen of a non-EU country.

## Study permits

### 1. Requirements which need to be fulfilled in order to obtain a study permit

#### 1.1 You must be accepted in a study programme

In order to obtain a residence permit for studying you have to be accepted to a programme of study at a university college or university. As a general rule you cannot obtain a study permit for attending high school (upper secondary school), but there are some exceptions. If this applies to you, you can contact the UDI (Directorate of Immigration) for more information.

The university or college university which has offered you a place must be an *officially approved* educational institution. Most colleges offering higher education are officially approved, but in order to be sure you can contact NOKUT (the Norwegian Agency for Quality Assurance in Education) which is responsible for this. If you are going to attend a vocational college (*folkehøyskole*) you must contact the UDI or check their website to see if they have approved your college. Other rules apply to religion or belief-based school (*livssynsskoler*) and you should contact the school concerned in order to find out if it is approved.

The course you are going to attend must be a *full-time course*. This means that the college concerned must provide an entitlement to full support from the Norwegian State Educational Loan Fund (*Lånekassen*). This rule applies, even if you do not receive support from this Fund. The requirements for high school may be different, and you should contact the UDI if you want to attend a high school.

In order to show that your course is a full-time one, you must also present a course plan. This can be done by simply enclosing a letter of admission from the college which you are going to attend.

Applications for a study place are received by the Norwegian Universities and Colleges Admission Service (NUCAS). You can contact them or the college you are hoping to attend about any questions you might have about courses and the application process.

#### 1.2 Entrance qualifications

In order to study in Norway you must have what are called *Higher Educational Entrance Qualifications*. This usually means that you should have completed studies at a high school. The citizens of some countries may also be required to have completed some other type of

education. In order to find out if you have what you need, you can contact NUCAS, or visit their website:

[http://www.samordnaopptak.no/info/utenlandsk\\_utdanning/](http://www.samordnaopptak.no/info/utenlandsk_utdanning/)

### 1.3 Language skills

Most studies in Norway require knowledge of Norwegian and English in order to gain admission. The required level of knowledge may vary, and you should contact the college you are going to attend or NUCAS to find out more about this. The website below provides some information about how you can meet this language requirement.

[http://www.samordnaopptak.no/info/utenlandsk\\_utdanning/sprakkrav/krav-til-norsk-og-engelsk-for\\_hoyere\\_utdannning/index.html](http://www.samordnaopptak.no/info/utenlandsk_utdanning/sprakkrav/krav-til-norsk-og-engelsk-for_hoyere_utdannning/index.html)

### 1.4 Income requirements

In order to obtain a residence permit for studying you must also show that you have enough money to support yourself while you are in Norway. This is called *income requirement*. To meet the income requirement you need to have the same amount of money each year as the amount provided by the State Educational Loan Fund. For the 2016/2017 school year this amounts to NOK 103,950, but this changes each year. You can contact the Norwegian State Educational Loan Fund for further information about this.

This amount can be covered by grants which you receive from your home country, or it could be your own money. If you are going to cover the amount by using a grant from your home country, you must enclose documentation about this with your application. If you are going to use your own money, you must show that you have the money in a Norwegian bank account. If you are unable to open a Norwegian account, you must either provide documentation from your bank that the money is in an account in your name, or you can ask the college that you are going to attend if they have another solution.

If you are going to attend a vocational college, the rules about income requirements are different. You can contact the college concerned or the UDI for more information about this.

### 1.5 Accommodation

You are also required to have somewhere to live while you are in Norway. This could be your own accommodation, rented accommodation or living arrangements provided by the college.

If you are going to rent accommodation from someone, you must present a written lease that has been approved by the owner of the accommodation concerned. If the college provides accommodation, it's enough if the college provides information in their letter of admission.

### 1.6 Contingencies for returning home

When the Norwegian authorities assess applications for study permits, they also look at how likely it is that you will return to your home country once you have completed your studies.

This is referred to as *contingencies for returning home*. The reason why they undertake such an assessment is because study permits are only issued as temporary residence permits.

When making such assessments the UDI places great emphasis on which country you come from. The UDI ranks countries in accordance with how likely they believe it is that citizens from that country will want to live in another country. If your country is ranked as a so-called "red", "orange" or "yellow" country, then the UDI thinks there is a certain amount of risk that you might stay in Norway after your study permit has expired. Therefore it might be a good idea to contact the UDI in order to find out which group your home country belongs to.

When you apply for a residence permit as a student you must prove to the UDI that you intend to return to your home country once you have completed your studies. If you do this there is a greater chance that your application will be granted. You can do this by explaining the links that you have with your home country. For example, it might be relevant to say something about your family, job, responsibilities, property and financial commitments in your home country. It is important that you can provide documentation of this information.

If you have previously applied for other residence permits in Norway and have been turned down, for example, an application for asylum, this have a negative impact on such assessment.

## **2. Part-time work**

In order to obtain a residence permit for studying, your studies must be the aim of your stay here in Norway. This means that you cannot come here if your actual reason for coming is that you want to do something else. Therefore you are not allowed to work for more than 20 hours a week alongside your studies.

If such work is part of your studies you can apply to work full-time for certain periods of time. During holidays you can always work full-time.

Part-time jobs can help you to comply with the subsistence requirement. Your work does not need to have anything to do with your studies. If you have been offered a job when you apply, you must enclose any documentation relating to it, e.g. an employment contract. The UDI may require a slightly higher amount if you are going to comply with the subsistence requirement by having a part-time job.

## **3. Applications**

Applications for study permits shall be submitted to a Norwegian Embassy in your home country or in a country for which you have held a residence permit during the last six months.

In some cases applications can be registered with the Police in Norway. This might apply, for example, if you already have a residence permit in Norway. If this is the case, it is very important that you submit your application by no later than one month before your permit expires.

There are many documents which you need to send with an application. You can see a list of these on the UDI's website (udi.no), or you can use the following link:

<https://www.udi.no/en/checklists-container/studies-au-pair/checklist-student/>

If you have any questions about where to submit your application, please contact the UDI.

#### **4. Duration and renewal**

A study permit will generally be valid for the period during which you are going to study. If you are going to study for three years, your permit will usually last for three years.

A permit can never be granted for more than three years at a time. If the course you are attending lasts for longer than this, or if you take longer to complete your studies for other reasons, you will need to apply for a renewal. The same applies if you are going to start a new course of studies.

If you apply for a renewal because your studies have been delayed, you must explain why they have been delayed. It is an advantage if you can provide documentary proof of this, e.g. a medical certificate issued by a doctor.

If you are going to start a new course of studies, this must be regarded as a continuation of the studies for which you received your original study permit. You must enclose a statement from the college that you are going to attend that says something about this. If you have not completed your first course of studies, a new course of studies will normally not be regarded as a continuation of your studies. It is therefore important that you complete the studies which your permit was granted for if you want to continue studying in Norway.

It is very important that you apply for a renewal by no later than a month before your current permit expires. You can find information about how to apply for renewal on the UDI's website.

A study permit does not provide a basis for a permanent residence permit.

# Residence permits for skilled employees

## 1. Brief information about different work permits

There are many different types of work which can provide you with a residence permit in Norway. This brochure concerns work which involves people being *employed as a skilled employee by an employer in Norway*.

Separate rules apply to work permits for anyone who wants to be self-employed, or who is employed by a foreign employer. If this applies to you, you can contact the UDI (Directorate of Immigration) for more information.

## 2. Requirements which need to be fulfilled in order for skilled employees to obtain a residence permit

### 2.1 Skilled employees

The first requirement which needs to be fulfilled is that you must be "*skilled*". This means that you have completed your education at a college or university, or that you have undergone vocational training at a high school or a vocational college.

Vocational training means training which is aimed at a particular profession. "General studies" at a sixth form college do not entitle you to a residence permit for skilled employees. College or university education does not need to be vocational, in order to meet this requirement.

Such education can be provided in Norway or in another country. It is important that you can provide documentation of your education.

Even if you do not have this type of education you could still be regarded as being a skilled employee if you are able to prove that you have *special qualifications*. This means having worked in the same profession for a long time and being able to provide documentation of such. You must be able to show that you have the same expertise as someone who has been educated in the specialist field concerned. It will be harder to obtain a work permit in this way than if you have had an education.

### 2.2 Offers of a relevant job

In addition to being skilled or having special qualifications you must have *an offer of work in Norway*. Your education or special qualifications must be *relevant* for this job.

Relevant education for the job means that it must be necessary in order to obtain the job concerned. For example, if you are a qualified nurse, you must have an offer of a job which involves working as a nurse. In this case your education will not be regarded as relevant if you have received an offer to work as a carpenter.

If an uneducated person could do the same job, then your education will not be regarded as being necessary for doing the job.

In order to work in some professions in Norway your education will need to be approved by the Norwegian authorities. If you want to know if your education needs approval you should contact NOKUT.

### 2.3 Full-time work for one employer

The job you have must be a *full-time job*. This normally means that you must have a fulltime job (100% position), but in most cases it will be enough with a 80% position. You can contact the UDI if you are uncertain about whether or not the percentage of your working hours is high enough.

The fact that you are only supposed to work for *one employer* means that you cannot obtain a work permit for working half-time for two different employers

In some situations you might be exceptions from both the requirement relating to full-time work and to the requirement relating to working for just one employer. If you want to know more about this, you can contact the UDI (Directorate of Immigration) for more information.

### 2.4 Salary

In order to obtain a residence permit for skilled employees you must receive a salary that is common in Norway for the type of job that you have been offered. If you have a college or university education, e.g. a Bachelor's degree, you must receive a salary that is common in Norway for an employee with such qualifications.

Your salary can never be lower than a specific amount that is determined each year by the Norwegian authorities. For applications submitted between 1 May 2016 and 1 May 2017 this amount is NOK 236,406. You can contact the UDI if you want to know what amount will apply to applications which are submitted after 1 May 2017.

### 2.5 Accommodation

You are also required to have somewhere to live while you are in Norway. This could be your own accommodation, or you could rent accommodation from someone.

If you are going to rent accommodation from someone, you must present a written lease which has been approved by the owner of the accommodation concerned.

### 2.6 Age

In order to obtain a work permit as a skilled employee in Norway you must be over the age of 18.

## 3. Applications

Applications for study permits shall be submitted to a Norwegian Embassy in your home country or in a country for which you have held a residence permit during the last six months.

If you are legally resident in Norway and you can provide documentary proof showing that you are a skilled employee, you may submit your application to the Police in Norway.

There are many documents which you need to send with an application. You can view a list of these on the UDI's website. You can find this by searching on the word "skilled" on the UDI's website, or by using the following link:

<https://www.udi.no/en/checklists-container/work/checklist-for-skilled-worker-with-an-employer-in-norway/>

#### **4. If you lose your job**

If you lose your job you must tell the Police within seven days. Then you are allowed to stay in Norway for up to six months in order to search for a new job. You are not allowed to stay here after your permit expires, even if it is for less than six months.

If you obtain a new job within six months you must tell the Police within seven days. Any new job you obtain must be the same type of job as the one for which you already have a residence permit.

#### **5. Duration and renewal**

A work permit will basically last for as long as the length of your employment, and you must say something about the duration of your employment when you submit your application.

However, work permits will not be valid for more than three years. If your employment lasts for longer than three years, or for longer than the length of time which you specified in your application, you will need to renew your permit in order to continue working in Norway.

When you apply for a renewal the work involved must be the same type of work as the work that you originally applied for, but it does not necessarily have to be for the same employer. It is very important that you apply for a renewal no later than one month before your current permit expires.

Please refer to the list under point 3 to see which documents you need to enclose with a renewal application. You can find more information about how to apply on the UDI's website.

A residence permit for skilled employees provides the basis for a *permanent residence permit*. A permanent residence permit is a permit that does not need to be renewed. You can apply for a permanent residence permit when you have held a work permit in Norway for three years. You can contact the UDI if you want to know more about permanent residence permit.

## Residence permit for job seekers

If you are a skilled worker (see point 2.2 under Work Permits) and you are living in Norway with a study permit, you can apply to obtain a *residence permit for seeking work*. Such a permit would allow you to stay in Norway for up to one year after your study permit expires in order to apply for relevant jobs.

Any jobs which you apply for must have a connection to your qualifications. On the other hand the studies for which you have a residence permit do not need to be relevant to the jobs you apply for.

In order to obtain such a permit you must have enough money to support yourself while you are in Norway. You must have at least NOK 19,701 per month, i.e. NOK 236,406 per year. This money must be your own money and it should normally be in a Norwegian bank account. If you have been offered a job in Norway while you are searching for a relevant skilled job, the income from such a job can be included.

It is very important that you apply for a permit for job seekers by no later than one month before your current study permit expires.

You can find more information about permits for job seekers and how to apply on the following link:

<https://www.udi.no/en/want-to-apply/work-immigration/job-seekers/>

## Processing applications

On page 11 you will see details about the application process for residence permits for work or study purposes. Applications will be processed as follows:

### 1. Applications

Firstly you must *register your application online* and *pay a fee*. You can do this on the UDI's website (udi.no).

After you have done this you must *submit your application and any accompanying documents*. This should be done by attending in person. As mentioned above the main rule is that you have to deliver your application to a Norwegian Embassy or foreign service mission in the country where you are a citizen. In some case you can also apply from Norway. This is done by delivering your application and any accompanying documents to the Police station where you live.

### 2. Applications are processed by the UDI (Norwegian Directorate of Immigration)

Once you have done this the UDI will consider your application. They can either grant your application or turn it down.

If the UDI *grants* your application you will receive a residence permit and you can come to Norway.

If the UDI *rejects* your application, you will not receive a residence permit. In such cases you cannot come to Norway unless you have another type of residence permit. The matter will then be closed if you do not appeal.

### 3. Dealing with appeals

If your application has been turned down you can *appeal the decision*. You must submit your appeal by no later than three weeks after you received notification about the refusal.

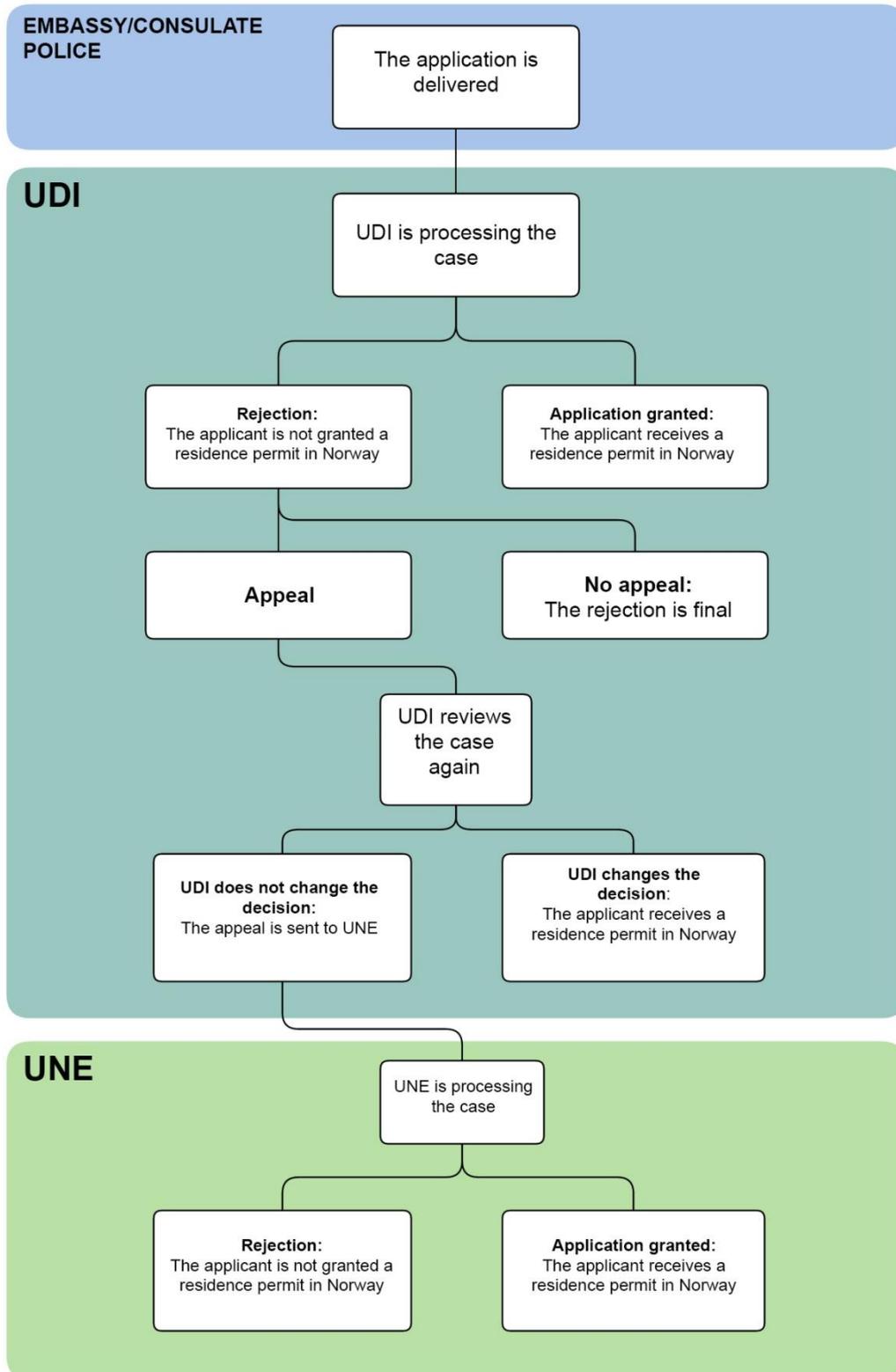
When you submit an appeal the UDI will reconsider your case. If they still think that you should not receive a residence permit, they will forward the appeal to the UNE (the Norwegian Immigration Appeals Board) for a final decision.

If the UNE disagrees with the UDI they may change the UDI's decision and grant you a residence permit. If they agree with the UDI, the decision will stand and you will not receive a residence permit.

You cannot appeal against the UNE's decisions. If they do not amend the refusal, the matter will basically be concluded. However, if there are circumstances they have not been aware of, or if anything has changed since you applied, you can send them a letter asking them to have another look at your case. This is called *an appeal for reversal*.

An appeal for reversal should be submitted by no later than one month after the UNE made their decision.

#### 4. Summary of how applications are processed



## How to write an appeal

Below is an example of a draft appeal. You should try to provide documents to support what you write in your appeal, for example, an employment contract, tax settlement and marriage certificate.

*Your local police office/foreign service mission/UDI*

*Their address*

*Their post code*

*Date*

*Your name*

*Your address*

Reference number (DUF number): *xxxx xx xxxx-xx*

APPEAL AGAINST THE DECISION TO REJECT YOUR APPLICATION FOR THE PERMIT YOU HAVE APPLIED FOR – CITIZEN OF HOME COUNTRY – FIRST NAME – SURNAME – DATE OF BIRTH

I refer to the UDI's decision to reject my application for *the permit I applied for* on *date*. The deadline for appealing against this decision was *date*. My appeal has therefore been submitted within the deadline.

I want to submit information about my case. I would request that the following should be taken into consideration:

- *Information about why the conditions for the permit for which you have applied have been fulfilled*. The UDI's decision will state why your application was rejected, and you must try to prove why their decision was wrong.

Yours sincerely

*(signature)*

*First name Surname*

*Appendix 1: Title*

*Appendices...*

You must fill in the bits marked in *italics* yourself. All appendices must be marked with an appendix number, your name and your reference number (DUF number).

**Jussbuss can help you if your application has been rejected.** It is best if you contact us as quickly as possible after you have received a refusal so that you can receive our help before the deadline for submitting appeals expires. Please see the next page for contact details.

