

Application

For a certificate of admission by operation of law

More information

For more information about the application procedure you may contact the IND Caribbean Netherlands Unit of the public body where you submitted the application.

This document is issued by the Immigration and Naturalisation Service (IND)

Clarification

Why this form?

With this form people can submit an application for a certificate of admission by operation of law (section 3 of the Admission and Expulsion Act (WTU-BES)). Fill in one form per applicant.

Who qualify for a certificate by operation of law?

The following foreign nationals or Dutch nationals are admitted to the public bodies by operation of the law pursuant to section 3 of the WTUBES):

- a. posted by government agencies, as long as they are in the civil service;
- b. those who have been employed by a public body and for that reason receive a pension or benefit by way of a pension and unmarried widows of such foreign nationals;
- c. professional consuls, professional consular officials and other consular personnel admitted as such in public bodies;
- d. members of the armed forces, for the time that they are posted in the public bodies;
- e. crew members of ships or aircraft that are part of the navy or air force of any nation for the time that the public bodies are subject to the permission of the competent authority;
- f. the spouse not legally separated and minor children of the persons mentioned under a, b, c, and d;
- g. born in a public body, provided that they have reached the age of sixteen and have been admitted to the public bodies without interruption since their births;
- h. Dutch nationals as referred to in section 1a of the WTU-BES, who are of age and meet certain conditions (Certificate of Good Conduct, accommodation and sufficient means of support);
- i. minor children of the Dutch nationals mentioned under h, if one of the parents has parental authority.

What happens to your application?

If you have submitted your application in person at one of the offices of the IND Caribbean Netherlands Unit (see the visiting addresses below) and your application is complete, your application will be processed. If your application is not complete, it cannot be assessed. You will receive a notification in writing when a decision has been made on your application.

Visitor addresses of the offices of the IND Caribbean Netherlands Unit

Bonaire:

Kaya Almirante Pedro
Luis Brion 12 Kralendijk
Telephone: +599-715 8330

Opening hours:

Monday till Thursday: 08.00 – 15.00.
(between 08.00 till 11.00 an application for a residence permit can be submitted)
Contact by telephone: Monday till Friday: 8.00 – 15.00

Sint Eustatius:

Cottageroad z/n, Oranjestad
Telephone: +599-318 3377

Opening hours:

Monday till Thursday: 08.00 – 12.00.
Contact by telephone: Monday till Friday: 8.00 – 12.00 and 13.00 – 15.00.

Saba:

Cap. Matthew Levenstone Street z/n, The Bottom
Telephone: +599-416 3805

Opening hours:

Monday till Thursday: 08.00 – 12.00.
Contact by telephone: Monday till Friday: 8.00 – 12.00 and 13.00 – 15.00.

Application Certificate of admission by operation of law
Rijksdienst Caribisch Nederland

General information:

Telephone: +599-7158330

Fax: +599-7172722 t.a.v. de IND-unit Caribisch Nederland

E-mail: IND@rijksdienstCN.com

Website: www.rijksdienstcn.com

If you have any questions you can contact one of the above offices during office hours. You can also call during office hours to make an appointment to submit the application.

Annexes to this form

- List of required documents
- Models:
 - MBES22 Declaration of Intent to Undergo a TB Test
 - MBES25 Permission statement for the departure of a minor > 15 years of age
 - MBES29 Employer's Declaration

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Application Certificate of admission by operation of law
Rijksdienst Caribisch Nederland

1. Details of the applicant

1.1 Family name _____

1.2 Given names _____

1.3 Gender male female

1.4 Date of birth Day month year
 I _ I _ I I _ I _ I I _ I _ I _ I _ I

1.5 Place of birth _____

1.6 Country of birth _____

1.7 Nationality _____

1.8 Address abroad _____

1.9 Public Body Bonaire Sint Eustatius Saba

1.10 Telephone number I _ I _ I _ I _ I _ I _ I _ I _ I _ I

1.11 Passport number I _ I _ I _ I _ I _ I _ I _ I _ I _ I

1.12 Place of issue _____

1.13 Date of issue Day month year
 I _ I _ I I _ I _ I I _ I _ I _ I _ I

1.14 Valid until Day month year
 I _ I _ I I _ I _ I I _ I _ I _ I _ I

1.15 E-mail _____

2. Details of the partner

> Only fill in if applicable

2.1 Family name _____

2.2 Given names _____

2.3 Date of birth Day month year
 I _ I _ I I _ I _ I I _ I _ I _ I _ I

2.4 Country of birth _____

2.5 Nationality _____

3. Your residence in the public bodies

3.1 Since when have you been in the public bodies? Day month year
 I _ I _ I I _ I _ I I _ I _ I _ I _ I

3.2 When do you think you will settle in the public bodies? Day month year
 I _ I _ I I _ I _ I I _ I _ I _ I _ I

3.3 Future address _____

3.4 Public Body Bonaire Sint Eustatius Saba

Please note! If you are already staying in the public bodies without a valid residence permit, this can be a reason to reject your application.

4. Details of work (foreign national)

> Only fill in if applicable

- 4.1 Profession _____
- 4.2 Employer's name _____
- 4.3 Public body Bonaire Sint Eustatius Saba
- 4.4 Salary USD _____ weekly monthly annually
- 4.5 Telephone number _____
- 4.6 E-mail address _____
- 4.7 CRV number _____
(if you already have one)
- 4.8 Personal CRIB number _____
(if you already have one)

5. Reason for application for a certificate by operation of law

> Here you can indicate the reason why you are applying for a certificate of admission by operation of law

- posted by government agencies, as long as they are in the civil service;
- employed by a public body and for that reason receiving a pension or benefit by way of a pension, and unmarried widows of such applicants;
- professional consuls, professional consular officials and other consular personnel admitted as such in public bodies;
- members of the armed forces, for the time that they are posted in the public bodies;
- crew members of ships or aircraft that are part of the navy or air force of any nation for the time that the public bodies are subject to the permission of the competent authority;
- the spouse not legally separated and minor children of the persons mentioned under a, b, c, and d;
- born in a public body, provided that they have reached the age of sixteen and have been admitted to the public bodies without interruption since their births;
- Dutch nationals as referred to in section 1a of the WTU-BES, who are of age and meet with certain conditions (Certificate of Good Conduct, accommodation and sufficient means of support);
- minor children of the Dutch nationals mentioned under h, if one of the parents has parental authority.

6. Antecedents Declaration

> Indicate below which situation applies to you. You need only fill in this declaration if you (the applicant) are aged 12 or over. If you do not fill in this background certificate truthfully, it may have consequences for your right to residence

- I declare that:
 - a. I have never, for reasons of committing a crime in or outside the Caribbean Netherlands:
 - been sentenced to a term of imprisonment or a custodial measure nor has such been implemented against me;
 - been sentenced to nor carried out a learning order or a community punishment order;
 - received a penalty order issued by a public prosecutor nor has such ever been enforced against me;
 - been obliged to pay a fine;
 - accepted a fixed penalty order nor has such ever been enforced against me;
 - b. At this time, there is no criminal prosecution against me for planning a crime inside or outside the Caribbean Netherlands: such applies if at this time a police report has been drawn up against me or if I have submitted an appeal against a previous conviction;
 - c. There are no outstanding punishments against me for committing a crime inside or outside the Caribbean Netherlands nor does such still need to be implemented;
 - d. I have never been guilty of one or more acts as referred to in Article 1F of the Convention on Refugees of 1951: a crime against peace, a war crime, or a crime against humanity, a serious non-political crime (such as murder), or acts contrary to the purposes and principles of the United Nations (such as acts of terrorism);
 - e. I will immediately inform the IND unit Caribbean Netherlands if criminal prosecution is initiated against me inside or outside the Caribbean Netherlands for the commission of a crime after submission of my application for a residence permit;
 - f. I am aware that providing inaccurate information or withholding relevant information may have consequences for my rights of residence;

I cannot declare the above for the following reasons:

7. Tuberculosis (TB)

> Indicate below what applies to you. If you want a residence permit, you need to be examined and if necessary treated for tuberculosis. If you are applying for a residence permit for the first time, you will have to proven with the TB test referral form that you have undergone this examination. Some nationalities are exempt from this. Indicate below which situation applies to you. If as a foster or adoptive child, you successfully underwent a TB test in your country of origin and this is evident on a recent medical certificate to be submitted, you do not have to undergo a TB examination.

- I do not have to undergo a TB examination because I am a national of one of the following countries: Australia, Canada, Israel, Japan, Monaco, New Zealand, Surinam, the United States of America, Switzerland, or an EEA or EU country.
- I do not have to undergo a TB test because I was born in the public bodies.
- I have a different nationality and :
 - I have already undergone a TB test the public bodies
 - > Add to the application an original recent TB test referral form. This form is the proof that you have undergone a TB test and it may not be older than 6 months.
 - I have not yet undergone a TB test in the public bodies
 - > Enclose with the application a signed declaration of intent for a TBC test showing that you are prepared to undergo a TB test. For this you can use the Annex comprising the Declaration of Intent to Undergo a TBC Test. After that you must make an appointment for this test. For this purpose you may apply to the Municipal Health Service in the public body where you wish to stay. Use for this the Annex comprising the TBC Test Referral Form.

The following countries are members of the European Union (EU): Belgium, Bulgaria, Cyprus (the Greek part), Denmark, Germany, Estonia, Finland, France, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Austria, Poland, Portugal, Rumania, Slovenia, Slovakia, Spain, the Czech Republic, the United Kingdom and Sweden.

The following countries are members of the European Economic Area (EEA): Lichtenstein, Norway and Iceland

8. Signature by applicant

I have filled in this form truthfully. I know that if this declaration is not truthful, this will constitute a punishable offence, which may have consequences for my right to residence relating to the granting of or the granted certificate of admission by operation of law.

8.1 Date Day month year

 |_|_|_|_| |_|_|_|_| |_|_|_|_|_|_|_|_|_|_|

8.2 In _____

8.3 Public body Bonaire Sint Eustatius Saba

8.4 Signature _____

This form must be signed by the applicant himself or by his legal representative. Minor children who have reached the age of 12 must also sign this form themselves.

Application Certificate of admission by operation of law
Rijksdienst Caribisch Nederland

List of required documents

**Depending on the country the deed must be legalised by the Dutch embassy in the country of origin or be provided with an apostille stamp. If the deed has been drawn up in a language other than Dutch or English, a translation of the deed made by a reliable translator must also be added.*

Please note! For registration in the personal records database a birth certificate that is legalised or provided with an apostille will be necessary.

Certificate of admission by operation of law

- completed and signed application form;
- copy valid passport
 - if applicable: accompanied by a valid Provisional Residence Permit (MVV) issued for the purpose of stay applied for ;

Foreign nationals as referred to in section 3(1) (a) through (g), of the WTU-BES

- documents showing that the applicant belongs to one of the categories mentioned in section 3(1) (a) through (g), of the WTU-BES;

Dutch nationals as referred to in section 3(5) and (6), of the WTU-BES:

- (12 years and older and when you have also lived outside the Kingdom of the Netherlands the last five years): copy *legalised certificate of good conduct, for the last five years, issued by the competent authority where you have lived for the last five years (not older than 3 months on date of application);
- proof of accommodation in the public bodies;
- proof of independent, sustainable and sufficient financial resources;
 - If employed:*
 - employer's declaration (MBES29) + copy valid passport/identification employer; **or**
 - a valid work contract;
 - if self-employed:*
 - (in case of a company): business/corporate permit, issued by the Executive Council;
 - excerpt from the trade register from the Chamber of Commerce (not older than 6 months on date of application);
 - recent bank statement with minimum of USD 20.160;
 - the company's crib number, issued by the Tax Inspectorate;

People of independent means:

- declaration by a bank which states the amount of the interest received (minimum USD 20.160 annually) on the account(s) in the name of the applicant;

Pensioners

- declaration or letter from the pension fund which shows the amount and term of the pension benefit received;

Trainee or apprentice

- trainee agreement which mentions the trainee compensation; and/or
- declaration of study allowance (minimum 50% of minimum wages); and/or
- bank statement showing that you have sufficient financial resources during the course of the trainee- or apprenticeship

Children as referred to in section 3 (6) of the WTU-BES, also:

- copy *legalised birth certificate of each child (not older than 1 year on date of application);
- if applicable: proof showing that one of the parents referred to in the fifth paragraph has parental authority;

If one of the parents does not come along to the public bodies:

- copy valid passport of the parent who is staying behind;
- permission statement of the parent staying behind (MBES25);
- if the parent who lives in the public bodies has sole parental authority: copy *legalised order granting this .

Please note! If you have enclosed a copy of a document with the application, you will be asked at the office to show the original document. This is necessary in order to check the authenticity of the original document. You must always be able to show the original document.