

Recognised sponsorship study Procedure EUR 2024

This procedure was adopted by the Executive Board on 2 July 2024.

This procedure will enter into force on 2 July 2024.

Erasmus University Rotterdam

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Recognised sponsor Study category since: 01-06-2013 (covenant since 2001 for Study)

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General

EUR has been a recognised sponsor in the Category Study for the Immigration and Naturalisation Service (IND) since 1 June 2013. This sponsorship entails certain rights and duties, which are laid down in laws and regulations. Given that EUR is a recognised sponsor, we have the ability to act independently on behalf of the student and have the ability to assess whether the student meets the requirements for a residence permit

The IND monitors the recognised sponsor's compliance with statutory obligations. The conditions for (and maintenance of) recognition are set out in:

- The Aliens Act (*Vreemdelingenwet* (Vw 2000))
- The Aliens Regulations (Vv 2000)
- The Aliens Decree (*Vreemdelingenbesluit* (Vb. 2000))
- B1/2 Aliens Act Implementation Guidelines (*Vreemdelingencirculaire* (Vc 2000)).

In addition, there is reliance on information disseminated by the IND.

Position of recognised sponsor

A recognised sponsor holds an independent position in the Aliens Act. This means that the recognised sponsor may submit residence applications, on behalf of the student, even if the student is still abroad.

The recognised sponsor assesses whether a student meets the requirements for a residence permit established by law. In this regard, recognised sponsorship is a conscious and voluntary decision. As such, the educational institution does not have to act as a sponsor for a student and submit an application, even though the student formally meets the requirements for admission to the programme and the conditions for a residence permit.

As a recognised sponsor, we have a duty to provide information (regarding the position as recognised sponsor and the student's circumstances), a duty of care and requirement to keep records, which apply for as long as the educational institution acts as a sponsor, i.e. until the student's deregistration is received by the IND. In addition, a recognised sponsor is responsible for the return of the foreign national (the student) after deregistration. If the checks or otherwise by the IND reveal that the sponsor is not fulfilling its statutory obligations, there may be consequences for both the recognised sponsor and the student in question.

In the context of this sponsorship, the Head of the International Office, acting on behalf of the Executive Board, assesses whether to apply for, amend or renew a residence permit for students and makes decisions on students holding a residence permit for the purpose of study. This is set out in these Recognised sponsorship study Procedure Regulations EUR 2024.

Article 1 – Definitions

1. For the purposes of this procedure, the following definitions shall apply:

- a) The Act, the Dutch Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*, or WHW).
- b) Aliens Act: the law in the Netherlands regulating the admission, residence, and deportation of foreign nationals. This law contains provisions on visas, residence permits, asylum applications, and the procedures to be followed by the Immigration and Naturalisation Service (IND) in implementing immigration policy. The Aliens Act forms the legal basis for the policies and practices surrounding immigration and naturalisation in the Netherlands.
- c) Institution: Erasmus University Rotterdam (EUR)
- d) Board: the Executive Board of Erasmus University Rotterdam, an administrative body as defined in Section 1(1)(a) of Book 1 of the General Administrative Law Act;
- e) Academic year: (1.1 of the WHW) the period beginning on 1 September and ending on 31 August of the following year.
- f) Student: the person enrolled and admitted at the EUR, as referred to in Chapter 7 Title 3 of the WHW;
- g) Termination: the formal termination of enrolment at Erasmus University Rotterdam whereby all rights and obligations in respect of that degree programme lapse as of the termination date, with the exception of the payment obligation in accordance with the Debtor Protocol.
- h) Provisional residence permit (*Machtiging tot voorlopig verblijf*, MVV): A long-term entry visa that is intended for the international student who want to stay in the Netherlands for more than 90 days. With the MVV the student can travel to the Netherlands and pick up it's residence permit. Applied for in combination with a temporary standard residence permit (*verblijfsvergunning regulier voor bepaalde tijd*, VVR). The combination of the MVV and VVR, namely providing access and residence, is referred to as a TEV (*toegang en verblijf*).
- i) Temporary standard residence permit (VVR): A residence permit for students who do not need an MVV to enter the Netherlands.
- j) Code of Conduct for International Students in Higher Education: A set of agreements between higher education institutions in the Netherlands and the government that ensures the quality and reliability of higher education for international students. This Code of Conduct includes rules and guidelines for recruitment, admission, supervision, and residence of international students in the Netherlands. Institutions that subscribe to this Code of Conduct are expected to act fairly and transparently in the interests of international students.
- k) Immigration and Naturalisation Service (IND): The Dutch government agency responsible for implementing immigration policy, including the residence, and departure of international students and other migrants.
- l) Recognised sponsor: an organisation or institution approved by the IND (Immigration and Naturalisation Service) to apply for a residence permit and handle other immigration-related matters on behalf of an international student.
- m) Nominal study load: The standard time officially established for completing a degree programme, e.g. three years for a Bachelor's programme and one year for a Master's programme. This is the period in which a student is expected to complete the degree programme with a full-time study load.
- n) Osiris: The teaching and registration system of the educational institution in which, among other things, the registration of students is logged.
- o) Full-time programme: the curriculum of a full-time degree programme followed by the student.
- p) Exchange programme: a temporary programme in which a student attends part of their studies at an educational institution abroad.

- q) Premaster: a preparatory period (up to 12 months) for students who are not immediately eligible for admission to a Master's programme and are required to remediate deficiencies.
 - r) Antecedents certificate: A form on which the student states to have no criminal record that poses a danger to public order or national security.
 - s) IND fees: Fees payable to the IND for applying for a residence permit.
 - t) Excusable reasons: valid reasons why a student has not met the study progress requirements, such as illness or family circumstances, as set out as personal circumstances under Section 7.51(2) of the WHW, as well as Section 2.1 of the WHW 2008 Implementation Decree.
 - u) Directive 2016/801: European directive governing the conditions of admission and residence of third-country nationals for the purposes of research, study, exchange, education, volunteering, exchange for school children or educational projects.
 - v) Debtors protocol: Regulations prescribing how to deal with students who do not pay their tuition fees or other amounts due on time.
 - w) Study progress requirements: the specific criteria and standards a student must meet to demonstrate satisfactory study progress.
2. In the event the terms in these regulations also appear in legislation, they shall be considered to have the same meaning as in that legislation.

Article 2 - Decision to act as a recognised sponsor

1. The recognised sponsor will submit an application to the IND via Studielink if the student meets all the conditions for the application. A recognised sponsor can submit the following five applications:
 - a. Application for a temporary residence permit (MVV) in combination with a temporary standard residence permit. The purpose of stay/restriction 'Study'.
 - b. Application for temporary regular residence permit. The purpose of stay/restriction 'Study'.
 - c. A temporary standard residence permit. The purpose of stay/restriction 'Study'.
 - d. An application to extend the period of validity of the residence permit. The purpose of stay/restriction 'Study'.
 - e. A notification to register the foreign national in possession of a residence permit for the purpose of Study at Erasmus University. Or submit a change of educational institution.
2. As a recognised sponsor, EUR makes the decision whether or not to act as an recognised sponsor on the basis of individual students. This takes place on the basis of checking the conditions below:
 1. Student enrolment:
 - a. The student should be enrolled in a full-time degree programme or an exchange programme. Enrolment must be evidenced by the institution's registration system (Osiris).
 - b. The student can be admitted to the degree programme. If a student cannot be immediately admitted to the relevant degree programme, deficiencies must be eliminated before the student is allowed to start the programme. To do so, students can rely on a preparatory programme, such as a Premaster (full-time, up to 12 months). Upon successful completion of the preparatory programme, the student should be admitted to the intended degree programme immediately.

2. Assessment of the admissibility of the student through careful recruitment and selection (as included in the Code of Conduct for International Students in Higher Education) and thereby preventing a student from obtaining a study permit and coming to the Netherlands with incorrect motives. In case of reasonable doubt about the student's motives for study, the sponsorship will be refused, even if the student formally meets the conditions for admission to the degree programme, as described under paragraph 1 (see Article 3).
3. Validity of passport. The passport should be valid for at least three months after the visa (MVV) is issued. During the student's stay in the Netherlands, the student must have a valid passport at all times. The passport must be signed by the student.
4. An antecedents certificate completed and signed by the student. The student must not pose a danger to public order or national security.
5. A letter of intent for TB examination completed and signed by the student. The student is obliged to cooperate in the examination and possible treatment of TB. Nationalities excluded from this provision are included in [this IND list](#).
6. Proof that the student has sufficient financial resources to provide for study and [living expenses](#). The assessment will examine both streams of funds. A direct debit in instalments for tuition fees does not apply in this case. Educational institutions may set out a preference for students to demonstrate financial resources in a certain way, however this cannot be made compulsory. The Erasmus University Rotterdam only accepts deposits of the amount into the institution's bank account and scholarships. The scholarship must meet the requirements described on the IND website and must be sufficient. In conclusion, if a student does not want to deposit the funds and/or does not hold a scholarship, we will not become a sponsor and the student cannot be enrolled as the residence document is absent. When renewing a study permit of an existing student, the student will again have to demonstrate their financial resources (study costs and [living expenses](#)). Students re-enrolling at EUR will have to have paid the tuition fees before submitting an extension of the residence permit and, in addition, demonstrated sufficient financial resources. Proving sufficient financial resources (living expenses) may be done via a 'Foreign nationals declaration: income in the context of study'. However, the recognised sponsor and the IND may always request additional evidence such as a bank statement or a deposit of living expenses.
7. In the case of a first application (TEV or permit without MVV, extension and change of purpose of stay) payment of IND fees.
8. 'EUR rights and duties as a recognised sponsor and duties for the student' form completed and signed by the student.
9. 'Student Progress Monitoring Document' form completed and signed by the student.

Article 3 - Decision not to act as a recognised sponsor

1. If there is a strong and substantiated suspicion that the student will abuse the study visa and does not intend to actually study, the EUR may intend not to act as a recognised sponsor.
2. This intention will be discussed with the relevant faculty.
3. The student will be informed of EUR's intention not to become a sponsor.
4. The student will have the opportunity to respond to this intention in writing within two weeks.
5. If this does not alter the EUR's position, an official decision by the Executive Board will follow stating that the EUR will not become a sponsor and therefore will not apply for a visa and/or residence permit.
6. This decision is subject to appeal to [the Student Disputes Committee \(GAS\)](#).

Article 4 - Study progress monitoring¹

1. At the end of each academic year in September or October, the institution shall determine the study progress of the student who is subject to a residence permit, with the exception of exchange students.
2. When applying for a permit, students are made aware of the study progress requirements and students are reminded of the study progress requirements by email throughout the year. In the event of any problems, it is recommended that the study advisor/student counsellor be contacted.
3. Sufficient study progress refers to successful achievement of at least 50% of the nominal study load for that (part of the) academic year. For the preparatory programme and the Premaster programme, a student with a residence permit must ensure successful completion of said programmes before being admitted to the intended main degree programme (Master programme).
4. If a student has obtained less than 50 % of the credits or the student cannot be admitted to the intended main degree programme after preparatory education, the institution will determine the cause, e.g. through a study progress interview with a study advisor. Based on the documentary evidence submitted by the student (on time), the institution will assess whether there are personal circumstances as referred to in Section 7.51 of the WHW and Section 2.1 of the WHW Implementation Decree, as a result of which the student has made insufficient study progress.
5. The student will receive an email stating the intention of the decision to deregister based on insufficient study progress and lack of registered personal circumstances. The student has six weeks to appeal for reconsideration and will need to make an appointment with a student counsellor. If the student has not demonstrated valid personal circumstances and/or failed to come forward within these six weeks, this will be regarded as insufficient study progress or existence of excusable reasons based on personal circumstances. The recognised sponsor will deregister the student within one month. The residence permit will be revoked by the IND and the sponsorship will be terminated. The student will receive confirmation of the decision by email and has six weeks to appeal to the GAS.

Article 5 – Student notifications to the IND

1. Within the framework of the duty to provide information (see Article 5), the following circumstances that have or may have consequences for the student's right of residence must be reported to the IND within four weeks:
 - a. The student has decided not to come to the Netherlands and has informed the institution.
 - b. The student has prematurely terminated participation in the degree programme and has disenrolled as a student at the institution.
 - c. The student has successfully completed the programme and disenrolled as a student at the institution.
 - d. The student has made insufficient study progress, as described in Article 4.
 - e. The student no longer meets the means requirement (tuition fees and [study standard](#)), as evidenced by payment arrears or non-payment of tuition fees (see the Debtors Protocol) and/or failure to submit 'Foreign nationals declaration; income in the context

¹ Based on Code of Conduct for International Students, Article 6.5 and 6.6.

of study' and/or prove the income requirement by means of a bank statement (see Article 6).

- f. The student relies on outward mobility within the meaning of Directive 2016/801
2. Notifications a to e will result in the student being deregistered by the recognised sponsor and possibly also a revocation of the residence permit by the IND.
3. Students have the option of submitting a written objection to the decision made by or on behalf of the Executive Board to the Student Disputes Committee (GAS) within six weeks of its announcement.

Article 6 – Tuition fees obligation under recognised sponsorship

1. If the student fails to pay the tuition fees on time, EUR's Debtors Protocol will come into effect.
2. If tuition fees are not paid after the second reminder, the student (in consultation with the faculty) will:
 - a. be reported to the IND by the recognised sponsor. This may lead to the revocation of the residence permit by the IND.
 - b. be disenrolled as a EUR student based on the EUR Procedural Rules for Enrolment under 3.4 and Section 7.42 of the WHW.
 - c. The remaining tuition fees will be transferred to a collection agency.
3. Non-EEA students, for whom EUR is a recognised sponsor, can only pay by bank transfer rather than in instalments by direct debit in the first year of enrolment.
4. However, students with continuous re-enrolment are allowed to pay in instalments via direct debit.

Article 7 - Obligation to provide information

1. The rules surrounding the obligation to provide information are set out in [Sections 4.17 to 4.26 of the Aliens Regulations](#).

Article 8 – Requirement to keep records

1. The rules surrounding the requirement to keep records are set out in [Sections 4.27 to 4.42 of the Aliens Regulations](#).

Article 9 – Duty of care

1. The rules surrounding the duty of care are laid down in [Section 1.16 of the Aliens Decree](#) and [Section 1.8 of the Aliens Regulations](#).

Article 10 - Final and transitional provisions

Article 10.1 – Interpretation

1. In cases relating to the matters stipulated in these Regulations for which these Regulations make no provision or if these Regulations allow for more than one interpretation, the Executive Board will make a decision.

Article 10.2 – Administration of Regulations

1. These Regulations are administered by: Education & Student Affairs, International Office.

Article 10.3 – Translation

1. If these Regulations are translated and any conflict arises between the translation and the Dutch version, the Dutch version will prevail.

Article 10.4 – Publication

1. The Executive Board will publish these Regulations on the University's website.

Article 10.5 – Entry into force

1. These Regulations will enter into force on [date].

Article 10.6 – Official title

1. These Regulations are referred to as: Recognised sponsorship study Procedure EUR 2024.
2. These Regulations shall be abbreviated as the Recognised sponsorship study Procedure.

Article 10.7 – Applicable law

1. These Regulations are governed exclusively by Dutch law.

Article 10.8 – Withdrawal

1. There are no previous versions of this document that need to be withdrawn.