

# ALL CHILDREN HAVE RIGHTS

## How are minors born in Spain granted residency?

- Children born in Spain to a father or mother with a residency permit have the right to apply for a minor's residency card at the immigration offices once they have obtained their registration of birth and passport at their respective consulate.
- Parents who have applied for international protection can apply for their international family protection rights to be extended to their children born in Spain.
- If either parent has obtained Spanish nationality through residency, their minor children have the right to opt for Spanish nationality up to the age of 20 years.



## REGULARISATION OF MINORS

### Residence authorisation, international protection and nationality

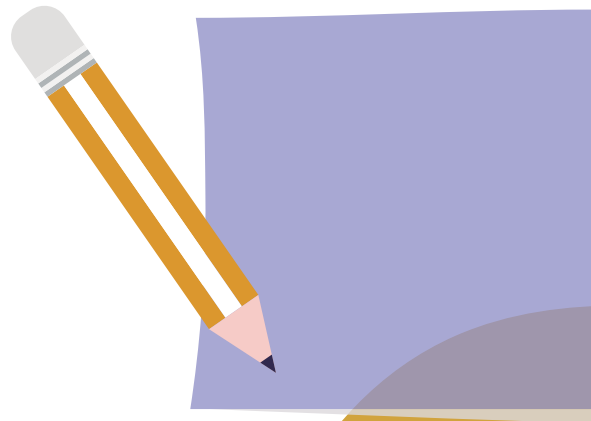
#### Link of interest

Ministry of the Interior. Foreign minors.  
<https://bit.ly/2LArBta>

Ministry of the Interior. International protection.  
<https://bit.ly/3qU67aS>

Immigration Office - Appointments.  
<https://bit.ly/2OEr33a>

Migration portal.  
<http://extranjeros.mitramiss.gob.es/>



## Who can apply for a residency permit?

Minors outside or in the country who are children of people residing in Spain.

## What does the reunification of children consist of?

**Minors may be reunited by one of their parents with a residency permit in Spain. Proof of the following conditions must be provided:**

- The father/mother must have had a residency permit for at least the last year and it must have been renewed.
- Financial means (an employment agreement, for example).
- Adequate housing report (issued by the town council social services), electoral registration.
- The minor's birth certificate (certified and translated) and passport.
- Resemblance to the other members of the reunited family.
- A family member who works: similar to reunification, family member's agreement over six month's pay.

## Where is it processed?

The permit is processed at the immigration offices in the father or mother's town/city of residence.

In the case of minors living outside Spain, once approved, the visa will be processed at the Spanish consulate in the minor's country of residence.

## What can minors in the country illegally do?

In cases where minors enter Spain with no residency permit to reunite with their parents, or when they enter Spain as a family unit, once one of their parents has obtained the permit, they can apply for a residency card for their dependent and school-going minor children who have lived in Spain for at least 2 years.

### The requirements are:

- Evidence that the child has been living in Spain for at least 2 years (certified through education centre - healthcare card - bus pass registration/enrollment).
- That the parents meet the residency permit requirements.
- Financial means (employment agreement) and accommodation (residence).
- The father/mother must have had a residence permit for at least the last year and have it re-newed.
- Proof of financial means (e.g. an employment agreement).
- Adequate housing report (conducted by the city council social services), registration.
- The minor's birth certificate (legally certified and translated) and passport.
- Resemblance to other members of the reunited family.
- A family member who works: similar to reunification, family member's agreement over six month's pay.

## How can a minor obtain Spanish nationality?

### Some common cases:

- Children born in Spain when the nationality law applicable to their parents does not automatically grant their children nationality can apply for a non-consular registration certificate (at their parents' consulate) and process their child's nationality at their local Civil Registry Office through mere presumption (stateless person).
- All minors born in Spain when one of their parents was also born in Spain (even if they are of foreign nationality).
- When either of the child's parents has acquired Spanish nationality through residency (when the child has already been born), they may apply for Spanish nationality up to the age of 20 years.
- When one of the minor's parents is Spanish by origin. There are no time restrictions.
- When a minor is born to a Spanish father or mother (the father or mother is Spanish at the time the child is born). There are no time restrictions.

