

Checklist for a short stay visa to join a EU citizen residing in Belgium

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Note : this visa is free of charges and only applies to join a family member that is a beneficiary of Directive 2004/38/EC (free circulation of EU citizens)*. A visa valid 90 days will be delivered. The request for a residence permit will be handled by the local administration upon arrival.

If you cannot establish that you are a beneficiary of directive 2004/38/EC, your visa application will be rejected, or if you wish, processed in line with the general provisions in the Schengen code on visas.

You remain free to apply for a national long-stay visa (D visa) pursuant to Articles 40bis or 40ter of the law of 15 December 1980 on entry, stay, settlement and removal of foreign nationals if your intention is to stay for more than 3 months in Belgium as part of a family reunification.

It is essential that your file contain the following:

The original documents, plus two (2) photocopies of **each** documents.

The originals will be returned along with the passport.

- A valid passport + copy :
 - should be valid at least 3 months after the intended date of departure from the Schengen territory or, in the case of several visits, after the last intended date of departure;
 - should contain at least 2 empty pages when applying for the visa.
- please provide one copy of the passport (the empty pages don't need to be copied).
- for foreigners: copy of temporary residence card (if any) or of your residence permit.

Application form

- **Two** application forms fully filled in, signed (two times: at the point nr. 37 **AND** on the last page!) and dated by the applicant.

Photo

- Three passport photos not older than 6 months

Medical certificate

- A medical certificate attesting that you are not carrying any of the diseases which might endanger public health. This certificate must be no older than 6 months from the date of issuance. The specific form must be signed and stamped by one of the Embassy's agreed physicians : _Dr. Kewal Thakore, Warwick Medical Centre, United Nations Avenue, Giriri, Nairobi - Tel. +254-20-7120558.

Non-criminal record certificate

- A notarized and legalized certificate attesting to the lack of any convictions for crimes or offences under common law, together with a translation.

This certificate must be no older than 6 months from date of issuance.

Proof of relationship

- proof that you are accompanying or joining a citizen of the Union who is himself a beneficiary of the directive DIRECTIVE 2004/38/EC and thus, proof that the citizen of the Union is already residing in Belgium (residence permit for nationals of the EEA, application for an attestation of registration/annex 19, attestation of registration/annex 8, E card, document attesting to the permanence of his stay/annex 8bis or E+ card) or confirmation that he intends to travel there or stay there for more than 3 months (declaration of presence/annex 3ter, work contract, lease contract, registration in an organised, recognised or subsidised educational establishment, concrete plan shown during an interview, etc.) and a copy of his identity card or valid national passport.
- Copy of the ID Card/residence permit AND passport of the person to be joined in Belgium
- - Spouse:
 - Your marriage certificate: i.e. a true certified copy in the notarized and legalized form
 - Your notarized and legalized birth certificate mentioning the name of both parents
 - In case of divorce or widowhood: your notarized and legalized certificate of divorce / death of spouse.
- - Children under 18:
 - A notarized and legalized birth certificate mentioning the name of both parents
 - In case the parents are divorced: a true certified, notarized and legalized, copy of the divorce decision mentioning to whom of the parents the full guardianship was entrusted, together with a notarized and legalized authorization from the parent, stating that the child can permanently leave with a copy of the parent ID.
 - If travelling alone or without one of the parents : a legalized parental authorization with a copy of the parent(s) ID.
 - In case the child was adopted: a notarized and legalized adoption certificate.

- In case a parent has deceased: a notarized and legalized death certificate of the deceased parent.

Flight reservation

Attention: Only a round-trip flight reservation is required. The ticket should be bought only after the visa has been issued!

When applying for a visa for multiple visits: round-trip reservation of the first visit.

NOTE

Applicants, who cannot enclose all documents from the list, should consider adding alternatives or making an explanation about the reason for not handing them in.

Our Consulate may in justified individual cases, request additional documents during the examination of an application which are not mentioned in the above harmonized list. The applicant is hereby informed that submitting the above-mentioned documents does not guarantee automatic issuance of a visa.

Kenyan notarized certificates have to be authenticated by the Ministry of Foreign Affairs before being authenticated by the Embassy / Consulate General of Belgium. They should not be older than six months.

** A citizen of the European Union has the right to move and reside freely within the territory of the Member States (MS). His family members enjoy the same right, irrespective of their nationality. Only the obligation to hold an entry visa may be imposed by the MS on family members who are nationals of third countries. The conditions for the exercise of, and the limitations upon, the right to move and reside freely within the Union are laid down by directive 2004/38/EC. This directive provides inter alia that the MS grant family members subject to the visa obligation „every facility to obtain the necessary visas. Such visas shall be issued free of charge as soon as possible and on the basis of an accelerated procedure“. Nationals of the European Economic Area (European Union + Norway, Iceland and Lichtenstein) and members of their families are likewise beneficiaries of these provisions.*