

EXPLANATORY NOTE

NB: Read the explanatory note and the guidelines through carefully before completing the application form.

Kingdom of the Netherlands

The Kingdom of the Netherlands comprises four countries: the Netherlands, Aruba, Curaçao and Sint Maarten. In terms of geography, the Netherlands as a country is split into two: the Netherlands in Europe, and the Caribbean parts of the Netherlands. Schengen visa regulations only apply to the Netherlands in Europe.

The Kingdom of the Netherlands in the Caribbean consists of the countries Aruba, Curaçao and Sint Maarten and the three Dutch public bodies Bonaire, Sint Eustatius and Saba (sometimes shortened to BES or B.E.S.).

The terms 'countries', 'Caribbean parts of the Netherlands' and 'Caribbean' used in the application form and in this explanatory note refer to Aruba, Curaçao, Sint Maarten and the B.E.S.. 'Embassy', 'consulate' and 'mission' all refer to the missions of the Kingdom of the Netherlands in third countries. Contact details are available at www.minbuza.nl.

This application form can be used to apply for a short stay visa/short stay Caribbean visa (up to 90 days) for these countries only. The Caribbean visa is valid for the Caribbean only, i.e. it is not valid for the Netherlands in Europe.

For a stay exceeding 90 days in Aruba, Curaçao and Sint Maarten (e.g. in the case of relocation or work) a host in the Caribbean country in question will need to submit the application for you. If you wish to stay for more than 90 days in the B.E.S., you will need to apply for an authorisation for temporary stay for the B.E.S. ('MVV-B.E.S.'), using a form available from the embassy. You can, if you wish, submit this application to the embassy yourself.

Objective of granting a visa

In accordance with prevailing international practice, the purpose of visa policy and of granting visas for the Caribbean is, on the one hand, to ensure that undesirable aliens whose admission to the countries would have unfavourable effects are turned away in advance. This may be linked to illegal immigration, threats to public health, national security or public order, or human trafficking/people smuggling. On the other hand, visa policy and granting visas are an effective and efficient way of facilitating the admission of bona fide travellers who, in a broad sense, can make a positive economic and social contribution to the Caribbean countries.

Caribbean visa

In principle, all aliens require a visa for the Caribbean, in accordance with prevailing international practice. Exceptions may be made for specific target groups on the basis of nationality, international agreements or exemptions. If you are unsure whether you fall into one of these categories the embassy or consulate of the Kingdom (hereafter: 'the mission') in your region will be able to tell you.

Period of stay The Caribbean visa is intended for short stays, i.e. a maximum period of 90 days per calendar year, in total, for all countries in the Caribbean. Each continuous period of stay in any one country may not exceed 30 days.

In which countries is the visa valid? The Caribbean visa is issued on behalf of the authorities of the country of your main destination and/or where the purpose of your intended journey lies, and is also valid for all the other Caribbean countries. Exceptions may be made (in the form of a territorial limitation, i.e. the visa

This form is provided free of charge.

will not be valid in all countries) if you are considered to be a threat, or possible threat, to national security, public order or public health in one or more parts of the Kingdom of the Netherlands in the Caribbean, or in the case of certain specific purposes of travel (for example, entry for the purpose of long-term stay).

Main destination / purpose of travel In the application form you are asked to state your main destination (country) and main purpose of travel. You are also asked to state any other destinations and/or purposes of travel. In principle, your application will be assessed according to the destination and purpose you fill in on the form. It is, however, up to the mission to determine which purpose of travel is the most important element of your intended journey/journeys. This is done in your own interest.

For example: you are planning to go to Aruba on holiday and continue on to Curaçao for a family visit. Both visits will last 14 days. You want to start your journey in Aruba, so fill in 'Aruba' as main destination, with 'Tourism' as the purpose of travel. Under other destinations, you fill in 'Curaçao', giving 'Family visit' as purpose of travel. For the purpose 'Family visit' you will need to submit extra documents and/or will be subject to extra requirements, for example a guarantee or guarantor's declaration, as part of your application.

If the mission did not check this, you could find yourself at the border control in Curaçao without the required documents. As it would be impossible for you to produce a guarantee or guarantor's declaration there and then, you would be refused entry on the grounds that you failed to satisfy the requirements for your purpose of travel. If your travel plans are assessed by the mission, this problem can be avoided.

NB: At all times you remain fully responsible and liable for the correct use of your visa and for satisfying the specific admission requirements for your purpose/purposes of travel.

Period of validity of visas

Standard visa

As a rule multiple-entry visas are valid for six months. This means that you can enter the Caribbean country/countries in question several times within the six-month period for which the visa is valid (see 'valid from...to...' on the visa sticker in your travel document).

NB: This does NOT mean that you can stay in any one or all of the countries for six consecutive months.

Non-standard visa

- For long-term stay, e.g. for temporary or permanent relocation or performance of work, submit your application to the competent authority of the country in question. Assuming permission is granted, in the form of a temporary admission document (VTA) (for Aruba), a letter of notification (*oproepingsbrief*) (for Curaçao), a landing permit (for Sint Maarten) or an authorisation for temporary stay (MvV) (for the B.E.S.), a single-entry visa valid for 90 days will be issued in response to your application for entry to the country. This means that you can use the visa once within the 90-day period of validity. Once you have entered the country of destination you must apply to the competent authority, specified in the conditions of the temporary admission document, letter of notification, landing permit or authorisation for temporary stay, for a residence permit.
- Multiple-entry visas valid for one year, one to two years, or longer (to a maximum of four years) may be issued to travellers who have previously been issued with a visa for the Caribbean countries and who can show that they have used their visa correctly. Examples of people in this category are frequent travellers, e.g. tourists who own property in the Caribbean or business travellers who need to visit the Caribbean frequently. In principle you cannot be granted a visa valid for more than one year ('multi-year visa') the first time you submit a visa application. The mission may refer a multi-year visa application to more than one country for advice/approval, given how such a visa may be used. This may mean that you will have to wait longer for a decision.

Extending or changing a visa / extending your stay

- **Extending or changing a visa.** Once you have used the visa to enter one of the countries covered by the visa you can no longer extend or change the visa. After all, the visa represents an assessment conducted before you enter the country or countries in question of whether you satisfy the admission requirements at the moment you make the application. The competent authority in the country where you are staying is, however, authorised to cancel a visa, declare it invalid or to curtail it, for example in the case of misuse.
- **Extending your stay** In principle, you cannot apply to extend your stay once you have entered the country of your destination. Exceptions can be made but are subject to very strict conditions. You should apply directly to the competent authority in the country in question, usually the aliens department (e.g. DIMAS or NTOs) or the local police. Permission to extend a stay only applies to the country in question. The next time you make a visa application you will need to provide proof of the extension (e.g. a document issued by local authorities or a stamp in your travel document). For Aruba, specific categories of alien (for example those who own a timeshare or other property in the country) can apply after entry to extend their stay to a maximum of 180 days per calendar year.

Rules and conditions

You must comply with the legislation of the Caribbean country or countries you visit with the visa.

This means that you must in any case satisfy the conditions and requirements of the visa and the purpose/purposes of travel. You should, therefore, observe the period of validity of your visa, the permitted period of stay for each uninterrupted stay in any one country (a maximum of 30 days) and the maximum total period of stay of 90 days per calendar year in the countries in the Caribbean. This will be checked at every border control.

The visa affixed to your passport will state the permitted period of stay for each individual stay and the period of validity. At all times you remain fully responsible and liable for the correct use of your visa.

Violation may lead not only to possible criminal prosecution, but also to your removal from the country and inclusion on the Caribbean alert list, which means that you will no longer be granted a visa and/or admission to all or part of the Kingdom of the Netherlands in the Caribbean in the future.

How is an application assessed?

Your signed and completed application form will be assessed to see whether, at the moment the application is made, you satisfy all the visa requirements. These include a number of standard requirements applying to every visa application. In addition, extra or special requirements apply for specific purposes of travel or types of visa, for example family visit, stay in a timeshare (Aruba), relocation or work or issue of a multi-year visa.

In principle the mission will decide whether to issue you with a visa, on behalf of the competent country authority. In specific cases the mission will not be able, or allowed, to make a decision. In that case it will refer your application to the competent authority/authorities. This may mean your application will take longer to process.

Examples of when your application may, or will, be referred include:

- if you are on the Caribbean alert list (for example, for overstay)
- if you are on an international (e.g. UN) sanction list
- if you constitute a potential threat to national security, public order or public health
- if you lack the required permits, or if the authorities believe your documents may be forged or falsified
- if you have applied for a multi-year visa.

Admission to the Caribbean parts of the Kingdom of the Netherlands

If you wish to be admitted to the Caribbean parts of the Kingdom you will need a valid Caribbean visa. Having a visa is only one of the entry requirements and it does not guarantee entry. Each border control will again check, before you enter, whether you meet the entry requirements. This check is based on the requirements for the specific purpose of travel for which you wish to enter the country.

If, at that moment, you do not satisfy visa the policy and legislation of the Caribbean parts of the Kingdom of the Netherlands you can be refused entry. The fact that a visa has been granted does not mean you are entitled to compensation for any potential damage if entry is denied.

Visa fees / the cost of a visa application

When applying for a visa you will need to pay a fee up front for your visa application to be processed. After all, processing your application, whether you are issued with a visa/visa sticker or not, requires buildings, staff, computer and telecommunications systems and security. Fees are based on the actual costs incurred. The principle of cost recovery is laid down by law in the Consular Fees Act (*Wet op de Consulaire tarieven*).

Paying a fee does not, therefore, necessarily mean that you will be granted a visa. It is, however, a condition of initiating the visa application procedure. You are paying for the work that will be carried out, not for a 'positive' result.

Refusal of a visa application

If your application is refused, you will receive a written notification stating the grounds for the refusal. You will also be informed whether there are any legal remedies against the refusal, such as an objection or application for judicial review. If this is an option, the notification will also state the competent authority to which you should address yourself and the time limit for doing so.

Visa requirements and conditions / documents required for the application

The embassy or consulate in your region will be able to tell you about the requirements and conditions that apply to your intended destination/destinations and purpose/purposes of travel, and about the documents you will need for the visa in question. This information is also available on the embassy or consulate's website. Contact details/website addresses are available at www.minbuza.nl.

GUIDELINES FOR COMPLETING THE FORM

This section provides explanatory notes and/or guidelines on specific questions.

NB: Read the explanatory notes and the guidelines through carefully before completing the application form.

If after reading the explanatory notes you still have questions or are unsure about your answers, contact the embassy or consulate in your region or raise the issue when submitting the form. Forms which are completed incorrectly or which are not completed in full will not be processed. Nor will your application be processed if you do not submit all the documents required.

Question 7 ID number

Fill in your personal ID number issued by your national authority. This number can be found on your passport, driving licence, *sédula*, birth certificate or other official document issued by your government. The ID number is different from your travel document number, which you are asked to provide in question 15.

Questions 8 and 9 Nationality

Question 8 asks you to fill in your current nationality, as stated in the travel document you wish to use for your journey/journeys to the Caribbean. If you previously had another nationality, or if you currently have multiple nationalities, fill these in under question 9.

Questions 12 and 13 Names of father and mother

If you are a minor according to the laws of your country, fill in the names of your father and mother or of the person/persons who has/have parental responsibility for you.

Questions 22 and 30 Main destination and additional destinations

Fill in your main destination under question 22. Your main destination is the place where your main purpose of travel lies, or the place you will be staying for the longest.

NB: If you have more than one purpose of travel (in one or more countries), you will need to determine which purpose of travel has the most extra requirements (e.g. a guarantor's declaration, proof of ownership, proof of registration with a university).

Generally speaking, this will be your main purpose of travel and the country your main destination. Specific or extra conditions apply to all purposes of travel, except 'Tourism' and, in some cases, 'Business'.

The embassy, will where necessary, determine your main purpose of travel and main destination for you. This is in your own interest and will prevent you finding yourself at a border control without the required documents and being refused entry. Under question 30 you can fill in additional destinations (countries) and purposes of travel.

For example: you want to travel to Curaçao to visit family and to Aruba for tourism. You will spend two days with your family and two weeks on holiday. Going by the general rule, tourism would be your main purpose of travel and Aruba your main destination. However, because extra conditions apply to family visits, your main purpose of travel is 'Family visit' and Curaçao your main destination. You can fill in the visit to Aruba (purpose of travel 'Tourism') under question 30.

Questions 23 and 25 Period of validity

Here you need to fill in the period in which you wish to use the visa. The standard visa is valid for six months. This does NOT mean that you can stay in the Caribbean for six consecutive months. Fill in your intended period of stay (for each time you enter a country) under question 24.

Question 24 Period of stay each time you enter a country

Fill in your intended period of stay (for each visit to each country). At each border control you will need to be able to show that you have sufficient means to fund the period of stay indicated on your visa. This means that if your visa sticker indicates a period of stay of 30 days, you will need to be able to show you have sufficient means for those 30 days even if you are only actually going to stay for two or three days

No continuous period of stay in a Caribbean country may exceed 30 days. You yourself are responsible, and liable, for ensuring that you leave in time. Overstay will result in sanctions.

NB: The islands of Bonaire, Sint Eustatius and Saba count as one country.

Question 29 Purpose of travel

Fill in your purpose of travel here. If you only wish to visit one country, but have more than one purpose of travel, fill in the main purpose of travel under question 29 and any others under question 30 (filling in the same country/island as under question 22). The explanatory note explains how you determine your main purpose of travel. If in doubt, contact the embassy.

Question 32 Visa issued by other countries

Your answers to this question will allow the embassy to determine whether you are exempt from the visa requirement. This may be the case if you have a valid Schengen, American or Canadian multiple-entry visa.

Questions 36 to 41 Family

If you are travelling as a family you will need to fill in the details of your spouse or registered partner and any children travelling with you, where applicable. If your children have their own passports they will need to fill in their own application form.

Questions 42 and 43 Your host/host business or guarantor in the Caribbean

Fill in question 42 if you will be staying in the country/countries at the invitation of an organisation. If in doubt, contact the embassy. In all other cases, fill in the details of any addresses and/or hotels you will be staying at under question 42. Fill in question 43 if your purpose of travel requires a guarantor or guarantor's declaration.