

Special provisions for family members of EU citizens

Who is a “family member of EU citizen”?

The expression “family member of EU citizen” is further used for family members of a citizen of any of the EU countries or Iceland, Lichtenstein, Norway and Switzerland (further only “EU citizen” for the purposes of these provisions), who is a:

- spouse,
- parent of an EU citizen, on condition that the EU citizen is under 21 years of age and lives in a common household with the applicant,
- child under 21 of an EU citizen, or such a child of the spouse of an EU citizen
- dependent direct relative in an ascending or descending line of an EU citizen, or such a relative of the spouse of an EU citizen

Note 1: A dependent person is a third-country national supported by a EU citizen or the spouse thereof who:

- *is systematically preparing for a future profession and is up 26 years of age;*
- *cannot systematically prepare for a future profession or perform gainful activities due to illness or injury; or*
- *is not capable of performing systematic gainful activities due to a chronic adverse health condition.*

Note 2: A family member of an EU citizen can also be a foreign national who can credibly prove that:

- *s/he is a relative of an EU citizen that is not specified above if:*
- *s/he lived in a common household with an EU citizen in the country whose citizenship they hold or in the country in which they held long-term or permanent residence;*
- *s/he is supported by an EU citizen; or*
- *s/he cannot care for him/herself without the personal care provided by an EU citizen due to a chronic adverse health condition;*

or

- *s/he is in a permanent relationship with an EU citizen that is comparable to a family relationship and they share a common household.*

By the provisions of the [Act on Residence of Foreign Nationals](#), the visa facilitations for family members of EU citizens are equally applied to family members of citizens of the Czech Republic.

Special visa procedures for family members of EU citizens

Family members of EU citizens are entitled to:

- priority appointment to submit the application, should they need an appointment
- processing the visa application free of charge

When applying for Schengen visa, family members of EU citizens provide the following:

- fully completed and signed [application form for a Schengen visa](#); please note that you do not fill in the fields marked by *, but you need to fill in fields 34 and 35
- valid travel document (your passport containing at least two empty pages for affixing visa stickers, issued within the last 10 years)
- Photograph [conforming to ICAO standards](#)
- Fingerprints (the same rules apply as to all applicants)
- Documents confirming the identity of an EU citizen and his/her family relationship with the applicant (primarily, but not exclusively, the original or certified copy of the marriage / birth / other certificate with official translation into Czech, if necessary)

Visa applications of family members of EU citizens are generally proceeded in the shortest possible time. The legal processing time limit is 14 days, exceptionally extended up to 30 or yet to 45 days.

In case of missing proof of the EU citizen identity and the family relationship, the applicant cannot be considered to be a family member of an EU citizen and standard rules of procedures will be applied.

Appeal against visa refusal

The administrative appeal procedure against visa refusal is the same for family members of EU citizens as for any other Schengen visa applicant. The appeal must be submitted within 15 days of the receipt of visa refusal form to the consulate which decided to refuse the visa. The appeal must include the name of the applicant and reasons, why the applicant considers the refusal decision to be contrary to the law. The appeal will be reviewed by the Ministry of Foreign Affairs of the Czech Republic within 35 days from the receipt of the appeal by the consulate. The information on the outcome of the review is sent to the applicant via the same consulate.

In case of a negative decision by the Ministry of Foreign Affairs on the administrative appeal, you can also file a judicial appeal against the decision of the Ministry of Foreign Affairs. The judicial appeal can be submitted to the respective administrative Court of the Czech Republic (in the location where you planned to stay in the Czech Republic). The appeal must be sent to the Court in writing within 30 days after the receipt of the negative decision of the Ministry of Foreign Affairs.