



DIRECTIVE 2004/38/EC

Family members of an EU citizen,

himself or herself covered by the application of Directive 2004/38/EC – VISA C

This information is also intended for family members of a national of the European Economic Area and family members of a Belgian who returns to Belgium after having legally resided for more than 3 months in another state of the Union.

The family member of a Union citizen who applies for an entry visa, applies **by referring to Directive 2004/38/EC** on the visa application form.

Supporting documents to present :

- A file of original documents in the order of the list below;
- A file of copies of the same documents, in the same order.

For your information :

1. The underlined text in the list are **links** containing detailed explanations. The **texts in bold** concern a **point of attention**.
2. Kenyan official documents and their translation must be legalized. Official documents of non-Kenyan residents, drawn up in their country of origin; consult the [website of the relevant Belgian Embassy or Consulate](#).
3. The original documents will be returned to you at the end of the procedure together with your passport.

1) Passport valid for at least 12 months and showing at least 2 unused pages. (the 2 copies of the files must include a copy of the passport).
2) 2 visa application forms, duly completed, signed and dated.
3) 2 recent passport photos.
4) Copy of Kenyan National Identity Card OR Residence Card (if non-Kenyan applicant)
5) A copy of the identity card or passport of the Union citizen.

<p>6) Proof that the EU citizen exercises his right to free movement and is therefore himself covered by Directive 2004/38/EC:</p> <ul style="list-style-type: none"> • Proof that the EU citizen is moving to Belgium, OR • Proof that the EU citizen already resides in Belgium, OR • Proof that the Union citizen is a Belgian who returns to Belgium after having resided legally for more than 3 months in another State of the Union
<p>7) Proof that the applicant is traveling with, or joining, that EU citizen.</p>
<p>8) Either proof that the applicant is a close family member of the Union citizen by civil status certificates or equivalent. These close family members are detailed in article 40-bis of the law of 15/12/1980 :</p> <ul style="list-style-type: none"> • The spouse, the registered legal partner and the children of a spouse of the couple under the age of 21; • Dependent children of a spouse of the couple who exercises the right of custody (in the event of shared custody, the official agreement of the other parent is required); • The parents of a minor EU citizen under their care, of whom they officially have custody rights; • Dependent parents of a spouse of the couple. <p>Or, proof that the applicant is a distant family member of the Union citizen by acts of civil status or equivalent. These distant family members are detailed in article 47/1 of the law of 15/12/1980:</p> <ul style="list-style-type: none"> • The partner with whom the Union citizen has a duly attested lasting relationship (de facto partnership); • Family members who, in the country of origin, are dependent on or form part of the household of the Union citizen; • Family members for whom the Union citizen must imperatively and personally take care because of serious health problems.
<p>9) If you are dependent on a Union citizen or you have a Union citizen in your care: proof of financial support and absence of own sufficient means of subsistence for at least 6 months before the submission of the visa application - if applicable - either from yourself or from the Union citizen.</p>
<p>10) If you depend on the Union citizen for your care of a serious health problem: a medical certificate confirming the existence of this serious health problem and a document explaining the reason why the Union citizen must imperatively and personally take care of you.</p>

Only submit legalized/apostilled and translated official documents.

In exceptional cases, additional documents may be requested by the Embassy, even documents not listed at all.

For more information on the procedure and processing times, please consult the website of the Immigration Office: <https://dofi.ibz.be/en/themes/third-country-nationals>