

HOW TO OBTAIN A RESIDENT PERMIT?

In order to be maintained legally on the French territory, it is necessary to profit from a visa or a resident permit.

The short stay visa or “tourist visa” allows to stay on the territory for three months at most, with no right to work.

For all stay longer than three months, it is necessary to go to prefecture to obtain a resident permit.

It does exist **several kind of resident permit** that meet very accurate conditions which will be **checked out by the prefectural authorities**.

Some conditions are common to all request:

- **Lack of threat to public order**
- **-Lack of recourse to polygamy**
- **-Control of the French language**

What are the different kind of resident permit?

The resident permit recognized by the French law are numerous and cover various situations:

- **Private life and family:**
 - o French spouse (see legal card)
 - o French child parent (see legal card)
 - o Someone having family and personal ties in France

“The private life and family one” requires the applicant to justify its strong personal and family ties in France.

According to the situation, the resident permit may be given automatically, especially for a French child parent.

The foreigner who do not fall within the conventional categories of the private life and family card delivery (spouse or French parent...) but owns strong personal and family ties in France can be admitted to stay.

Must prove:

- **The reality, the age, the intensity and the stability of his personal ties** in France (time spent in France and his life couple, children born from that union...),
- **His life conditions** in France,

- His **integration** into French society (in particular being capable of speaking French properly even in an elementary way).
- The nature of the links with the family in the country of origin.

This resident permit **authorizes the holder to work.**

It is valid for **one year.**

- [Employee:](#)

To obtain the employee status or temporary worker, you must **be authorized to work in France.**

The **request for authorization to work is the future employer responsibility.**

In case of agreement, **a long stay visa that worth a resident permit** is given, allowing the applicant to enter legally on the French territory.

This resident permit is **valid for one year** to renew.

Might be good as soon as the holder is working or is paid by Pôle Emploi (Labor compensation).

- [Visitor:](#)

This resident permit concerns the foreigners living in France as **inactive.**

It does not allow the holder to work.

The applicant must **engage himself not to work in France and have sufficient resources to live in France.** Furthermore, prefecture will check out the conditions of the applicant's accommodation.

The permit last one year and is renewable.

[-Sick \(see legal card\)](#)

[-Refugee \(see legal card\)](#)

[-Young foreigner entered France as a minor \(see legal card\)](#)

[-Special admission to stay “private life and family”](#)

You can request your exceptional admission for stay under the private life and family for humanitarian reason or exceptional motives.

The prefecture enjoys a discretion that allows to grant resident permit even though the conditions wanted by the law are not all fulfilled.

Thus, it is possible to make an application if the person has been illegally for **more than 10 years** in France or if lives in France **since less than 5 years with a child in school since at least 3 years**.

Furthermore, all person justifying of particular circumstances that justify the stay on the French territory under penalty of violating his fundamental right to his private and family life, can make an application.

- [Exceptional admission to stay work](#)

The foreigner with a work contract or promise to hire and a long time stay work in France can make a request for an exceptional admission stay.

The foreigner will have to justify of 5 years spent in France minimum and an 8 month work on the 2 last years or 30 months on the 5 last years.

- [Others: Student, trader, on training, scientific researcher, au pair etc...](#)

PROCEDURE

For all first request of resident permit, it is necessary to visit the web site or directly at the prefecture to remove a **file for the resident permit application**.

This file must be filled in, completed with the required documents and sent to prefecture:

For residents out
of Saint-Laurent-du Maroni

PRÉFECTURE DE GUYANE
*(FRENCH GUIANA
PREFECTURE)*
**Bureau de l'Immigration et de
l'Intégration**
(Immigration and Integration Office)
rue Fiedmond - BP 7008
97307 Cayenne Cedex.

For the Saint-Laurent-du Maroni residents' :

Awala-Yalimapo, Mana, Saint-Laurent-du-Maroni,
Grand-Santi, Papaïchton, Maripa-Soula et Saül.

**SOUS-PRÉFECTURE DE SAINT-LAURENT-
DU-MARONI**
*(SOUS-PREFECTURE OF SAINT-LAURENT-
DU-MARONI)*
Bureau de l'Immigration et des titres
(Immigration and titles Office)
4 Bld Charles de Gaulle - BP 244
97393 Saint-Laurent-du-Maroni Cedex

DOCUMENTS TO PROVIDE

- Passport or any identity document
- Residence proof, dating less than 3 months
- 3 identity pictures (standards)
- A 50 euros tax stamp.

According to the reason for the resident permit request, **documents will be required** by the prefecture to prove the applicant situation.

The foreign language documents should be enclosed with their **translation into French by a sworn translator** by the courts.

The list of the documents required is available on the prefecture site (see useful link).

After giving the complete file, the applicant will have an **appointment with the Prefecture** during which the situation will be checked out, especially the **presentation of originals and copies**.

If the file is complete, a receipt must be given pending the request investigation. This document allows the foreigner to justify he's having a legal stay on the French territory in the meantime. He must walk with it just in case of ID control.

Useful link:

Prefecture website, foreign section: <http://www.guyane.gouv.fr/Demarches-administratives/Etrangers-en-France/Formulaires-et-listes-de-pieces>

What is the procedure to renew a resident permit?

It is essential to **anticipate the resident permit renewal** before it expired.

The prefecture may have given a convocation for renewal while giving the first resident permit.

If the summon is missing, better have an appointment with the Prefecture through the website: <http://www.guyane.gouv.fr/Demarches-administratives/Etrangers-en-France/Titres-de-sejour2/Renouveler-modifier-votre-titre-de-sejour/Usagers-de-la-prefecture-de-Cayenne/Usagers-de-la-prefecture-de-Cayenne>

During this appointment, the resident permit holder **will complete his file with the last proving documents showing that his situation remains the same** and so, still needs the resident permit.

What is the procedure in case of refusal the resident permit?

The Prefecture has got a discretion allowing to refuse the resident permit request if considers the criteria fixed by the law do not match.

In case of refusal the resident permit, the Prefecture must give a **written and motivated decision**, in which explanations will be mentioned.

This decision is basically made with an **obligation to leave the territory with or without delay**. This refusal entails an obligation to return voluntarily or by force to the country of origin.

However, in case of refusal, the applicant **can appeal the prefecture decision before the Tribunal administrative**, within a varying period according to whether the expulsion decision is accompanied or not by a period of voluntary departure, retention or assignment.

The lawyer does not have the obligation to be there but the applicant can be assisted by one. May have the **legal aid** if the financial resources are not sufficient. All or part of the costs will be borne by the State. (The form can be loaded on the following link: <https://www.service-public.fr/particuliers/vosdroits/R1444>).

The applicant may lodge an appeal before the prefect and/or a hierarchical appeal to the Minister of the Interior.

In case of dispute, the applicant must prove the errors committed by the prefecture about his situation leading to an unjustified refusal of the resident permit request.

In French Guiana, **these remedies do not suspend the performance of the obligation to leave the territory**. The applicant could be arrested and deported back to his country of origin the time the procedure follows its course before the tribunal and the administration.

NEWS

THE MULTIANNUAL RESIDENT PERMIT- Reform right of foreigners of March 7th 2016

After a legal first year spent in France, you may benefit from a multiannual resident card delivery for 4 years as soon as you justify of your assiduity in course of republican integration.

Aside the multiannual “general” resident permit delivered after the legal first year, do exist several multiannual permit intended for public specific ones being marked “talent passport”, “seasonal worker”, “employee ICT detached”.

This law is in the course of application and involves many change.

For more information, do not hesitate to have an appointment within our permanence.