On 13 October 2026, the Senate approved the Novella Return and Immigration Detention Act, which provides for an amendment to the Aliens Act to abolish judicial penalty paymenty in all immigration cases.

This change means that the IND is no longer obliged to pay applicants if the service does not decide on an application for a residence permit within the statutory period. This follows the abolishment of the administrative penalty payment in 2025.

The IND expressed its positive reaction to the development in a press release, noting the time and resources used to process penalty payments, which will now be freed up for processing applications in the future. It also emphasised the high cost of the penalties, with approximately EUR 79 million spent in penalty payments in 2025, while in 2026, the service already paid out more than EUR 112 million in penalties.

The IND issued an information message to its staff on how to proceed following this decision, available here: IB 2026/43 Abolition of judicial penalty payments - Immigration and Naturalisation Service.

Source(s)

- Immigration and Naturalisation Service | Immigratie- en Naturalisatiedienst (13 October, 2026), Eerste Kamer stemt in met afschaffen rechterlijke dwangsom [Senate approves abolition of judicial penalty payments], https://ind.nl/nl/nieuws/eerste-kamer-stemt-in-met-afschaffen-rechterlijke-dwangsom

Date of development
13.10.2026
Country
Netherlands
Thematic area(s)
First instance determination, Second instance determination
Development type
Legislation

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.