Amendments on conditions for family reunification enter into force on 16 June

The Finnish Immigration Service informed that the Aliens Act has been amended on residence issued on the basis of family reunification.

The changes enter into force on 16 June 2025 and concern these main aspects:

1. minimum age of spouses:

- a spouse can only get a residence permit if the applicant and their spouse are at least 21 years old. Also, if the spouses have children in their joint custody, a residence permit application as the child's parent or guardian can be submitted even though the parent is under 21 years of age.

2. financial resources of a minor's family member

- the requirement for sufficient financial resources will not apply to a family member if the sponsor is an unaccompanied minor who is living in Finland as a refugee. However, family members must have sufficient financial resources if a minor sponsor has received temporary or subsidiary protection.

The requirement for financial resources:

1. applies to other relatives of a minor who has been granted international protection, with certain exceptions
2. applies when a minor refugee lives in Finland with one of their parents or guardians.
3. does not apply to old family members if the residence permit application based on family ties was submitted within three months of the date on which the sponsor was informed of the decision to grant them refugee status.
4. derogating from the requirement is possible in individual cases if there are exceptionally serious grounds or if the derogation is in the best interest of the child.

Definition of when a child is considered a minor:

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- aligned with the ruling of the CJEU. When the sponsor is an unaccompanied minor, beneficiary of subsidiary protection, the condition for granting a residence permit for a family member is that the sponsor was a minor on the day when the family member's residence permit application was submitted. The same requirement applies to situations where the sponsor is a parent or guardian who has been granted this protection, and the applicant is their child.

The legislative change provides that only unaccompanied minors, beneficiaries of refugee status and the children of a parent or guardian who has been granted asylum will have special status when defining if they should be considered minors. If a sponsor, beneficiary of refugee status arrived in Finland as an unaccompanied minor, a residence permit may only be granted to their family member if the sponsor was a minor on the day when the sponsor submitted the asylum application on the basis of which the sponsor was granted asylum.

Granting a residence permit to the child of a person who has been granted asylum requires that the child was a minor on the day when the sponsor submitted the application on the basis of which asylum was granted. the period of residence requirement for family reunification:

- a sponsor, beneficiary of international protection must reside in Finland with a residence permit for at least two years before their family member or other family relation may apply for a residence permit based on family ties, but there are some exceptions too.

The period of residence requirement does not apply to established family members of a person who is beneficiary of international protection or the family members or other relatives of a person receiving temporary protection. The definition of an established (or 'old') family member of a sponsor who has been granted asylum is:

i) a family member with whom the sponsor had started living with as a family before the sponsor's arrival in Finland

ii) for a quota refugee - a family member with whom the sponsor had started living with as a family before the sponsor was admitted into Finland's refugee quota and

iii) when the sponsor has been granted refugee status in connection with a decision on a permit on the basis of family reunification, then old family members are persons with whom the sponsor had started living with as a family before refugee status was granted.

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- Finnish Immigration Service | Maahanmuuttovirasto (16 June, 2025), [Legislative amendments and new requirements for family reunification], https://migri.fi/en/-/legislative-amendments-and-new-requirements-for-family-reunification

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