



Sudden Irregularity

Sudden irregularity (Irregularitat Sobrevinguda) is a concept associated with economical crisis, because many people find it difficult to renew their residence and work permits due to lack of continuity in contracts or because they can not contribute the minimum required to Social Security.

We are going to explain some alternatives to avoid falling in irregularity situation, but always is very important to get advice in SAIER office, as each situation is particular.

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NOTE: The following information does not replace the advice personalized in the SAIER offices. This is a general orientation on frequent questions, but always it is advisable to request personal advice in SAIER.

When are we talking about sudden irregularity?

When a person had a legal status and his or her residence permit was extinguished and not renewed, it enters into an irregularity situation. Considering the time you take here and if you do not have any family ties, you have no choice but to take residence permits based on integration.

What should I do if I cannot find work to renew my work/residence permit?

You must register as a job seeker at the SOC offices (Servei d'Ocupació de Catalunya) to show that you are making an effort to look for work. It is also important to sign up for job training courses and knowledge of Catalan.

What is the integration report for renewal?

Known as Info3, this report may be requested by individuals who do not have any of the requirements for the renewal of their Residence and Work permit. It must be requested in the Citizen Help and Information Office (OAC) where the interested is registered. The final approval of the Report is granted by the [Immigration Department](#) (Government of Catalonia).

To obtain a positive report, the interested must accredit Level A2 of Catalan (90 hours of classes). In addition to the knowledge of Catalan, you must contribute everything that demonstrates your desire for integration: training courses, occupational workshops, volunteering, membership in associations, etc.

With approved Info3 you can request the renewal of the residence and work permit.

May I sign up as a job seeker with an expired card?

No, you may not. Neither the passport nor a card expired are accepted for sign up as a job seeker

Can I renew my residence permit even if it is expired?

Yes, you can but it does not exempt the administrative infringement. Residence/Work Permits in Foreign Legal Status (Regimen General) can be renewed 60 days before its expiration, and a maximum of 90 days of its extinction. To renew a permit expired, i.e. 90 days after its extinction, can lead to a fine.





If I have a residence permit in Spain would I leave to my country for several months?

If you want to go out of Spain, advise you first in SAIER. Depending on your particular situation, they will explain you how long you can stay out for not having problems in time to renew your residence permit in Spain and not fall into a situation of sudden irregularity.

What happens when the police stops me because I am in an irregular situation?

The most common is they lead you to a police station, assign you a lawyer and open you an expulsion order. The police take your signs of identity and look if you have a criminal record. If a person has committed an offence, it is safest to be deported.

The court-appointed lawyer have 72 hours to appeals to get the customer freedom and pay a fine. They are counted as valid arguments to have family here, that the children are minors or that you have not committed crimes.

If I have minor children and I am in an irregular situation, can I argue that I have children to avoid a deportation?

Yes you can, because the legislator must ensure the rights of the minor.

What is the penalty for find me in an irregular situation?

The judge open sanctioning record consisting of a fine. If you apply for a residence permit based on integration, you can redeem the record by a fine.

If I am in CIE (Center of detention for foreigners) the deportation is imminent?

Each case is unique and is important to be well advised by the lawyer or specialized entity.

If I am in an irregular situation and suffer abuse by my partner, can I report?

Yes, you can and should denounce. If there is a Public Prosecutor's Office report, although not has judge sentence, the person (man or woman) benefits of a permission of residence until judge sentence. If judge sentence comes out in favor of the victim, she or he obtains a permission of residence and work by five years. It is of an authorization of residence by exceptional circumstances.

