IMMIGRATION

Change to a residence and employment permit

Residence and salaried employment authorization obtained by modifying an initial authorization

By **Aray Asociados Editorial Team** Published July 4, 2025

The content of this page is for general guidance only. Only the regulations in force at the time the application is filed apply.

UPDATED

November 14, 2026

Topics Work

On this page

01 Description
02 Advantages
03 Who can apply? (including family members)
04 Requirements
05 Required documents
06 Application process
07 Duration and renewal
08 FAQ
09 Applicable law

01 Description

This authorization allows foreign nationals who already reside legally in Spain to apply to change their initial stay or residence status to a residence and work authorization for salaried employment (working for an employer, known in Spain as cuenta ajena).
It is intended for people who have lived in Spain legally under another initial authorization, such as studies, an internship, job search or non-lucrative residence (residencia no lucrativa), and who now wish to enter the labor market as employees.

02 Advantages

- Lets you work legally in Spain under an employment contract.
- Allows you to be hired in any sector, without regard to the national employment situation.
- Can be renewed and may eventually lead to long-term residence.

03 Who can apply? (including family members)

- ✓ This authorization is available to foreign nationals who reside legally in Spain and have maintained that status for at least one year.
- ✓ The main applicant is the foreign national who holds the initial authorization to be modified.

04 Requirements

- ✓ Have resided legally in Spain for at least 12 months under an initial authorization that is eligible for modification.
- ✓ Have no criminal convictions in Spain or in your previous countries of residence.
- ✓ Not be banned from entering Spain or listed as inadmissible in the Schengen Area.
- ✓ Provide an employment contract signed by both parties, with terms that comply with the applicable collective bargaining agreement and the Spanish minimum wage (Salario Mínimo Interprofesional).
- ✓ The hiring company must be duly incorporated, current on its tax obligations and financially able to support the hire.
- ✓ Hold the qualifications or professional training legally required to practice the profession, where applicable.

05 Required documents

- ☐ Complete, valid passport.
- ☐ Valid foreigner identity card (TIE).
- ☐ Criminal record certificate from your country of origin or from the countries where you have lived in the last five years.
- ☐ Signed employment contract.
- ☐ Documents proving legal status in Spain for at least 12 months.
- ☐ Proof of professional qualifications, where applicable.
- ☐ Company documents: articles of incorporation, tax ID (NIF), employment history report (informe de vida laboral), and certificates showing the company is current with the Tax Agency (Hacienda) and Social Security (Seguridad Social).
- ☐ Proof of payment of the applicable government fee.

06 Application process

1 **Gathering the documents**

The applicant must gather all the documents required for their previous type of authorization and for the new job.

2 **Filing the application**

The application must be filed within the 60 days before the initial authorization expires or within the 90 days after it expires.

3 **Decision and issuance of the authorization**

The competent authority will issue its decision within 90 days.

4 **Effective date and issuance of a new TIE**

Once the authorization is granted, the applicant must apply for a new foreigner identity card (TIE).

07 Duration and renewal

- If the authorization being replaced did not allow you to work, the new temporary residence and salaried employment authorization is valid for one year.
- If the authorization being replaced already allowed you to work, the new temporary residence and salaried employment authorization is valid for four years.
- When it expires, the authorization may be renewed under the general rules for temporary residence and salaried employment authorizations.
- The renewed authorization is valid for four years, unless you qualify for long-term residence (residencia de larga duración) under the regulations in force.

08 FAQ

Can I change my student stay to residence and salaried employment?

Yes, as long as you have resided legally in Spain under a student stay authorization for at least 12 months and meet the other requirements.

Do I have to leave Spain to modify my authorization?

No. Modifications are filed from within Spain, provided you hold a valid authorization and have completed the minimum period of legal residence required.

Can I switch to salaried employment if I have non-lucrative residence?

Yes. Non-lucrative residence can be modified to a salaried employment authorization once you have completed at least one year of legal residence.

Does the job offer have to be related to my previous studies?

Not necessarily. Current regulations do not require the job to match your prior education, but the employment terms and any required qualifications must be met.

09 Applicable law

- Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social
- Real Decreto 1155/2024, de 19 de noviembre

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