

Global Immigration alert

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Spain

Spain approves the extraordinary regularization process for third-country nationals

Executive summary

On 14 April 2026, the Council of Ministers approved the Royal Decree that formally launches the extraordinary administrative regularization procedure for certain third-country nationals who already reside in Spain and who meet specific eligibility criteria. The measure is expected to benefit approximately 500,000 third-country nationals already residing in Spain.

Background

On 27 January 2026, Spain's Council of Ministers [approved](#) a Draft Royal Decree, which enters into force on 16 April 2026. This Royal Decree will allow the regularization of thousands of third-country nationals residing in Spain through the introduction of a temporary residence authorization for exceptional circumstances under the category of extraordinary ties (*arraigo extraordinario*), subject to compliance with certain requirements.

Key developments

Key changes and requirements include the following:

- The applicant must be of legal age and physically present in Spain at the time of filing an application.
- The applicant must not hold a current stay or residence authorization, nor be an interested party in any procedure aimed at the granting, extension, renewal or modification of a stay or residence authorization.
- The applicant must not hold a temporary protection authorization granted under Article 5 of Directive 2001/55/EC (applicable to persons displaced due to the conflict in Ukraine).
- The applicant must hold a passport recognized as valid in Spain, whether valid or expired.
- The applicant must have resided continuously in Spain during the five months preceding the filing of the application (i.e., evidence of presence in Spain prior to 1 January 2026).
- The applicant must have no criminal record in Spain and must not represent a threat to public order, public security or public health.

- The applicant must have no criminal record in the countries where they have resided during the five years prior to entry into Spain.
- The applicant must not be listed as inadmissible in the territory of countries with which Spain has signed relevant agreements, nor be subject to a ban on re-entry during a non-return commitment period.
- The applicant must also meet one of the following conditions:
 - Evidence of having worked (as an employee or self-employed) during their stay in Spain, or proof of intent to work through a job offer or sworn declaration, as applicable
 - Existence of a family unit in Spain consisting of minor children or dependent adult children.
 - Accredited situation of vulnerability.

Procedural aspects:

- Once the application is admitted for processing and the commencement of the procedure is officially notified, the applicant will be authorized to reside and work in Spain until the procedure is resolved.
- A maximum resolution period of three months is established, after which the application will be deemed denied due to administrative silence.
- The deadline to apply under this extraordinary regularization process is 30 June 2026.
- The residence authorization granted will be valid for one year, which will be renewable and valid throughout the entire national territory and without limitations in terms of occupation or sector of activity.

Next steps:

It is expected that, as of 16 April 2026, the online system for submitting applications for the temporary residence authorization for exceptional circumstances (extraordinary ties) will be enabled. Additionally, from 20 April 2026, the appointment booking system will open for those who wish to submit their application in person.

Important considerations:

- Several autonomous communities, including Madrid, the Balearic Islands, Aragon, Murcia and the Valencian Community, have announced their intention to challenge this extraordinary regularization before the Supreme Court, requesting its precautionary suspension. Should such precautionary measures be accepted, the submission of applications could be affected in those autonomous communities.
- An indefinite strike of immigration offices has been announced starting 21 April 2026. However, this is not expected to affect the processing of extraordinary regularization applications, as these will, in principle, be handled by the Immigration Case Processing Unit, which is part of the Ministry of Inclusion, Social Security and Migration.

Impact on employers

Employers may stay abreast of the latest developments and update their internal processes as required.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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