



Temporary End-of-studies Residence Authorization

Master-equivalent Degrees

NEWS FLASH — AUGUST 2007

Foreign students who are finishing their studies in France and who want to stay in the country to work were previously required to return to their countries of origin and then to come back as a worker, or to apply for a change of status, which was long and complicated to obtain.

The “Sarkozy II” act simplified formalities for foreign students who are getting a degree at least equivalent to a Master (five years of higher education) in France: at the end of their studies, they can apply for a “Temporary Residence Authorization” (*autorisation provisoire de séjour*, APS), which is valid six months and authorizes the holder to look for work in France. When the holder finds a job, it is possible to get a change of status, which is quick to obtain.

Those who are nationals of one of the ten European Union Member States that are subject to a transition period¹, their French Master-equivalent degree exempts them from needing a work permit (according to article R. 341-1-1 of the Labour Code, introduced by decree no. 2007-801 of 11 May 2007 in application of the Sarkozy II act): as a result, they are free to settle and work in France at the end of their studies.

A ruling from the Ministry of Higher Education and Research, published on 21 June 2007, details the list of degrees considered to be “equivalent to a Master”. Here are the main ones:

- the Master itself, of course,
- the DEA (*diplôme d'études approfondies*), a post-graduate degree before a Ph.D.
- the DESS (*diplôme d'études supérieures spécialisées*), one-year post-graduate degree in an applied subject
- an engineering degree
- a degree from the Institut d'Etudes Politiques (Sciences-Po)
- a degree from the Ecole du Louvre
- a degree from the Ecole Louis Lumière
- a degree from Saint-Cyr
- an architecture degree
- a higher degree in accounting and management
- an accounting degree
- a doctorate (Ph.D.)
- doctoral degrees in medicine, pharmacy, dental surgery, veterinary medicine

¹ Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia.



As a result, all foreign students who get one of these degrees in France can, at the end of their studies, get an APS and then change their status if they find work in France. They do not need to return to their countries of origin first. If they are nationals from a European Union Member State, they are free to settle and work in France, without needing an APS or a change of status.

Employers: You are required to verify that the degrees obtained by your future recruits correspond to the official criteria required to get an APS! If you do not do so, you could be entering the framework of illegal work...

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APPENDIX 1

Order of 21 June 2007 establishing the list of degrees at least equivalent to a Master in application of item 2 of article R. 311-32 of the Entry and Residence in France and Right of Asylum Code

The Minister of Higher Education and Research,

Having regard to the Education Code, particularly articles L. 335-6, L. 613-1 and R. 335-13;

Having regard to the Entry and Residence in France and Right of Asylum Code, particularly articles L. 311-11 and R. 311-32;

Having regard to decree no. 99-747 of 30 August 1999 amended regarding the creation of the Master degree;

Having regard to decree no. 2002-481 of 8 April regarding university degrees and certificates and national diplomas,

Orders:

Article 1

Aliens must present, in support of the application provided for in article R. 311-32 of the Entry and Residence in France and Right of Asylum Code, one of the following diplomas:

1. Diplomas conferring the Master degree:

- Master degrees;
- *diplômes d'études supérieures spécialisées* specialized post-graduate degrees;
- engineering degrees granted by accredited institutions in application of article L. 642-1 of the Education Code;
- degrees granted by the Institut d'études politiques of Paris in application of article 2 of decree no. 85-497 of 10 May 1985 regarding the Institut d'études politiques of Paris and by the other Instituts d'études politiques in application of article 2 of decree no. 89-901 of 18 December 1989 amended regarding Instituts d'études politiques;
- degrees from private and consular higher technical education institutions approved by the minister in charge of education and conferring upon their holders the degree of Master;
- graduate degrees from the Ecole du Louvre;
- heritage restoration degrees;
- degrees from the Saint-Cyr special military school;
- state veterinary science diplomas;
- state architecture diplomas.

2. Certificates and diplomas registered in Level 1 of the National Repertory of Vocational Certifications;

3. Degrees in technological research, doctorates and accreditation to supervise research;

4. Without prejudice to the measures regarding the free exercise of these professions, the state diploma of doctor of medicine, dental surgery, pharmacy, the certificate of special clinical studies in orthodontics, the *diplôme d'études supérieures* in mouth surgery, the *attestation d'études approfondies* in dental surgery, the *diplôme d'études spécialisées* in medicine, in pharmacy and in medical biology, the *diplôme d'études spécialisées complémentaires* in medicine and medical biology;

5. Higher degrees in accounting and management, and the chartered accountancy degree;

6. State certified landscape architect degrees;

7. National oenology degrees;

8. *Diplômes de spécialisation et d'approfondissement* in architecture;

9. Degrees from the Ecole nationale supérieure des arts et techniques du théâtre;

10. Degree from the Ecole nationale supérieure Louis Lumière.

Article 2

The Director general of higher education shall be responsible for implementation of this ruling, which shall be published in the Journal officiel of the French Republic.

Signed in Paris on 21 June 2007.

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APPENDIX 2

Decree no. 2007-801 of 11 May 2007 regarding work permits issued to aliens, the special contribution due in case of employment of an alien lacking a work permit and amending the Labour Code (regulatory part: Council of State Decrees)

Article 1

Section 1 of chapter I of title IV of book III of the Labour Code shall be replaced by the following measures:

"Section 1

"Work permits for employees who are not nationals of a European Union Member State, of another state that is part of the European Economic Area or of the Confederation of Switzerland, and employees who are nationals of a European Union Member State while transition measures apply

"Sub-section 1

"Scope of application:

"Article R 341-1. - Subject to duly ratified or approved and published treaties, conventions and the measures of article R. 341-1-1, aliens who are not nationals of a European Union Member State, of another state that is part of the European Economic Area, or of the Confederation of Switzerland, as well as aliens who are nationals of a European Union Member State during the period when transition measures regarding free movement of workers apply, shall be required to hold a work permit and the medical certificate mentioned in point 4 of article R. 313-1 of the Entry and Residence in France and Right of Asylum Code in order to work as an employee in France. This work permit shall be issued and renewed under the conditions provided for in this section.

"Article R 341-1-1. - The following shall be exempt from the requirement of holding the work permit mentioned in article R. 341-1:

"a) Employees who are nationals of a European Union Member State while transition measures apply when seconded in accordance with the provisions of I and II of article L. 342-1 and who are working for an employer based in a European Union Member State, in another State that is part of the European Economic Area, or in the Confederation of Switzerland;

"b) Employees who are not nationals of a European Union Members State, of another state that is part of the European Economic Area or of the Confederation of Switzerland, when seconded in accordance with the provisions of I and II of article L. 342-1 of this code and who are working for an employer based in a European Union Member State, in another State that is part of the European Economic Area, or in the Confederation of Switzerland;

"c) Nationals of a European Union Member State whole transition measures apply who have successfully finished a training program in a nationally accredited higher education institution leading to a degree at least equal to a Master's Degree, in accordance with the measures of article L. 121-2 of the Entry and Residence in France and Right of Asylum Code.

(...)"

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