

99010009012000

Heruntergeladen am 07.06.2025

<https://fimportal.de/services/99010009012000>

Modul	Sachverhalt
Leistungsschlüssel	99010009012000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Submit information on the issuance of a residence card for family members of EU/EEA citizens (except Germany) and the EEA.
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baustein Leistungen
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Residence permit (individuell, 010)
Verrichtungskennung	Ausstellung (012)
SDG-Informationsbereich	Anforderungen in Bezug auf Aufenthaltskarten für Unionsbürger und ihre Familienmitglieder, einschließlich Familienmitglieder, die keine Unionsbürger sind

Modul	Sachverhalt
Lagen Portalverbund	Einwanderung (1080100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.10.2020
Fachlich freigegeben durch	Ministry of the Interior and for Local Affairs of the State of Brandenburg
Handlungsgrundlage	https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5.html https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_2.html https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_3.html https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_4.html https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5a.html https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_12.html https://www.gesetze-im-internet.de/aufenthv/_47.htm I
Teaser	Third-country nationals who are family members of an EU or EEA citizen require a residence card for their further stay in Germany no later than three months after entering the country.
Volltext	<p>As a third-country family member of a national of the European Union (EU) or of a state of the European Economic Area (EEA: Norway, Iceland and Liechtenstein), you have the right to move freely with your reference person in the European Union, to enter and reside in any member state, provided that the conditions under EU law are met. This also includes the free choice of residence in the member states of the European Union.</p> <p>Third-country nationals are those who do not hold the citizenship of an EU member state, the EEA or Switzerland.</p> <p>"Family members" are the following persons:</p>

Modul

Sachverhalt

- Spouses, life partners and relatives in a straight descending line (e.g. children) as well as their spouses/life partners, provided they are not yet 21 years old, and
- Relatives of EU citizens entitled to freedom of movement in a straight ascending line and in a straight descending line (older children, grandchildren as well as parents and grandparents) or their spouses or life partners to whom the EU citizens or their spouses or life partners provide maintenance.

If the EU or EEA citizen studies in the federal territory, the group of family members entitled to join the family is limited to spouses and life partners as well as children who are granted maintenance.

If you are a third-country national family member, you will need a visa to enter Germany, unless entry can be visa-free.

During the first three months of your stay in Germany, your stay is subject only to the condition that you have a family relationship with the reference person entitled to freedom of movement, that you accompany this person and that you are in possession of a recognized or otherwise approved passport or passport substitute.

For a stay of more than three months, you need a residence card, which is issued to you by the Aliens' Registration Office ex officio and within six months.

In this case, the Aliens' Registration Office will check whether the conditions for freedom of movement have been met. Among other things, it can demand proof of the family relationship to the reference person (e.g. by documentary evidence). In addition, you may be required to provide proof that the reference person has actually made use of his/her right to freedom of movement (e.g. by submitting a registration certificate). If the reference person you are accompanying or joining is not gainfully employed, you should also be able to provide proof of sufficient means of

Modul

Sachverhalt

subsistence and adequate health insurance coverage (this also applies to children who may be accompanying you). Proof of language skills is generally not required to obtain a residence card.

Until a decision is made on the issuance of the residence card, your stay in Germany is considered legal.

With the issuance of the residence card, the existence of the right to freedom of movement is established. The residence card is generally issued for five years, unless a shorter period results from the residence of your reference person from whom you derive your right of residence.

If you have not yet reached the age of 18, a person entitled to your personal care must consent to your planned stay in Germany.

Erforderliche Unterlagen

- Current biometric photo
- Consent of the person with parental authority to the planned stay, if you have not yet reached the age of 18.

The Aliens' Registration Office may require the presentation of the following documents:

- Recognized or otherwise approved valid passport or passport substitute.
- Proof of the existence of the family relationship with the reference person (e.g. marriage, birth certificate)
- Proof that the reference person has made use of his/her right to freedom of movement (e.g. registration certificate, employment contract or assurance of employment, trade license or proof of self-employment)

In the case of your recent entry, the Aliens Department may also require:

- Visa, if this was required for your entry.

Modul
Sachverhalt

When joining a reference person who is not gainfully employed, the Aliens Department may also require:

- Proof of sufficient means of subsistence
- Proof of sufficient health insurance coverage

In the case of joining a reference person who is studying, the Aliens Department may also require:

- Admission of the university or enrollment certificate of the reference person
- Proof of sufficient means of subsistence and health insurance

In individual cases, the Foreigners Authority may request further documents.

Voraussetzungen

- You are a family member of an EU or EEA citizen residing in Germany, but do not possess any of these nationalities yourself.
- You have a recognized or otherwise approved, valid passport or passport replacement and if this was required for entry - a visa.
- If required, you can provide the proof and documents mentioned under "Required documents".

Kosten

No fees are charged for the issuance of the visa.

Issue residence card: EUR 28,80

Issuance of residence card for persons under 24 years of age: EUR 22.80

Under certain conditions, a fee reduction or fee exemption may be considered.

Note: The fee for issuing the electronic residence permit (eAT card) is EUR 67.

Modul

Sachverhalt

Verfahrensablauf

Before entering Germany, you usually have to apply for a visa for Germany in your home country. After your entry, you can initially stay in Germany for three months without further requirements. For longer stays, you must apply for a residence card.

You can provide the information required to obtain a residence card when you register at the registration office. From there, your details will then be forwarded to the Aliens' Registration Office. In this case, you do not have to contact the Aliens' Registration Office again. They will contact you.

If you wish to receive the residence card at a later date (after three months at the latest), please contact the Aliens' Registration Office. For this purpose, information must be submitted to the Aliens' Registration Office responsible for your place of residence.

The procedure is as follows:

- Depending on the foreigners authority, it may be possible to receive your information via the Internet. Find out whether your foreigners authority offers electronic receipt.

In the case of electronic submission, the Foreigners' Registration Office will contact you after receiving your information in order to request additional documents, if necessary, and to arrange an appointment with you at the Foreigners' Registration Office. During the appointment, your documents will be reviewed (bring the originals with you to the appointment if requested).

- If submitting your information is only possible in person, make an appointment with the Aliens' Registration Office. During the appointment, your information will be received and your supporting documents will be checked (bring the originals to the appointment if you are asked to do so).
- Regardless of the result of the examination by the

Modul

Sachverhalt

Foreigners' Registration Office, you will immediately receive a certificate stating that you have provided the necessary information for the issuance of the residence card in order to prove proper residence.

- Once the examination has been completed, you will be issued either a residence card or a rejection notice within six months.
- The residence card is usually issued for five years, unless a shorter period results from the residence of your reference person from whom you derive your right of residence.
- The residence card is issued in credit card format with additional electronic functions (eAT card). Your fingerprints will be taken at the Aliens' Registration Office. You will also have to provide a signature.
- After about six to eight weeks, you can pick up your eAT card at the Aliens' Registration Office. As a rule, you must pick it up in person.

There are fees for issuing the residence card and the eAT card. The timing and form of payment vary depending on the authority.

Bearbeitungsdauer

You can inquire about the processing time of the visa procedure at the German missions abroad at the mission responsible for you. The processing time for the issuance of a residence card is about six to eight weeks, but a maximum of six months.

Frist

- To obtain the residence card, the required information can be deposited with the registration office as part of the registration process or sent to the immigration office no later than three months after entry.
- The residence card is issued within six months and is usually valid for five years.
- Appeal period against the negative decision of the Aliens' Registration Office: one month

weiterführende Informationen

- Information from the Federal Ministry of the Interior, for Construction and Home Affairs on freedom of movement:

Modul

Sachverhalt

<<https://www.bmi.bund.de/DE/themen/migration/aufenthaltsrecht/freizuegigkeit-eu-buerger/freizuegigkeit-eu-buerger-node.html>>

and

h

<https://www.bmi.bund.de/SharedDocs/faqs/DE/themen/migration/freizuegigkeit/freizuegigkeit-liste.html>

- Information from the Federal Office for Migration and Refugees on immigration from the EU:

<<https://www.bamf.de/DE/Themen/MigrationAufenthalt/ZuwandererEuropa/zuwanderereuropa-node.html>>

- Information from the Federal Ministry of the Interior, for Construction and Home Affairs on Brexit:

<https://www.bmi.bund.de/DE/themen/verfassung/europa/brexit/brexit-artikel.html>

- You can also obtain free advice on the topics of entry, residence and employment from the "Working and Living in Germany Hotline" from the German government's portal for skilled workers from abroad.

Phone: 030 1815-1111

Service hours: Monday to Friday from 8:00 a.m. to 4:00 p.m.

Hinweise

Special feature :

After the residence card has been issued, the existence or continued existence of the prerequisites under Union law may be reviewed for special reasons. If the prerequisites of the right of residence have ceased to

Modul

Sachverhalt

exist or are no longer present within five years of the establishment of residence in the Federal territory, the residence card can be withdrawn.

If you have continuously resided legally in the Federal territory for five years with your reference person, you can apply for a permanent residence card.

Note for Swiss nationals and their family members :

Because Switzerland is not a member of the EU or the EEA, a different regulation applies to Swiss nationals. Swiss nationals and their family members are obliged to report their stay of more than three months in Germany to the foreigners authority of their place of residence and will then receive a "Residence Permit-Switzerland".

Note for British nationals and their family members (Brexit) :

On February 1, 2020, the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union was completed. For British nationals entitled to freedom of movement and their family members, the right to freedom of movement will initially continue to apply until December 31, 2020.

The relevant foreigners authority will provide information on which regulations will apply in individual cases from January 1, 2021 (grandfathering or application of the general right of residence, in particular the Residence Act).

Rechtsbehelf

Kurztext

- Residence card for family members of EU citizens
Issuance
 - Third-country nationals Family members of EU and EEA citizens can move freely with the reference person in the EU, enter and reside in any Member State or, EEA state if the conditions under EU law are met.
 - Family members are:
 - Spouses, life partners as well as relatives in a straight descending line (e.g. children) as well as their

Modul

Sachverhalt

spouses/life partners, provided they are not yet 21 years of age and

- relatives in a straight ascending line and in a straight descending line of Union citizens entitled to freedom of movement (older children, grandchildren as well as parents and grandparents) or their spouses or life partners to whom the Union citizens or their spouses or life partners provide maintenance.

- If the reference person is staying in Germany as a student, only spouses and life partners as well as children (who are granted maintenance) are entitled to join.

- A visa is required for entry, unless entry can be made visa-free.

- Three-month stay in Germany free of preconditions; a passport/passport replacement must be available and an accompanying person must be recognizable.

- For longer stays of more than three months, family members of third-country nationals require a residence card.

- Residence card is issued by the foreigners authority ex officio and within six months

- No application required; only the necessary information for the issuance of the residence card must be provided; this information can be submitted as part of the registration process at the registration office or later at the Foreigners Authority

- Foreigners' Registration Office checks prerequisites for freedom of movement and may require the following evidence for this in individual cases:

- Valid passport or passport replacement,
- Proof of family relationship,
- Proof that the reference person is currently exercising his/her right to freedom of movement,
- Proof of sufficient means of subsistence and adequate health insurance coverage if the reference person is not gainfully employed.

- No language skills required
- Residence is considered legal until decision on issuance of residence card.

- Residence card is usually issued for five years, unless a shorter period results from the residence of the reference person.

- For persons who have not yet reached the age of 18, the consent of a person with parental authority is

Modul	Sachverhalt
	<p>required.</p> <ul style="list-style-type: none"> • After five years of permanent, legal residence with the reference person in the federal territory, a permanent residence card can be issued. • Depending on the foreigners authority, it is possible to submit the information via the Internet or in person • Issuance of the residence card is subject to a fee; time and form of payment vary • Responsible: the foreigners authority responsible for the residence of the family member
Ansprechpunkt	
Zuständige Stelle	<ul style="list-style-type: none"> • For the issuance of a national visa prior to entry into the Federal territory: German mission abroad (embassy, consulate). • For the issuance of a residence card after entry: The foreigners authority responsible for the family member's place of residence.
Formulare	<ul style="list-style-type: none"> • Online procedure occasionally possible • Written form required: yes • Personal appearance required: yes
Ursprungsportal	