

99010009012001

Heruntergeladen am 15.06.2025

<https://fimportal.de/services/99010009012001>

Modul	Sachverhalt
Leistungsschlüssel	99010009012001
Leistungsbezeichnung I	
Leistungsbezeichnung II	Submit information on the issuance of a residence card for third-country national family members of EU/EEA citizens (except Germany)
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
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
Lagen Portalverbund	Einwanderung (1080100), Kinderbetreuung (1020200)

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	28.11.2022
Fachlich freigegeben durch	Ministry of the Interior and for Municipal Affairs of the State of Brandenburg
Handlungsgrundlage	https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_1.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/_5.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
Teaser	If you are a family member of an EU or EEA citizen and come from a third country, you will need a residence card for your further stay in Germany no later than three months after your entry.
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: Iceland, Liechtenstein, Norway), you have the right to move freely with your reference person in the European Union, to enter and stay in any member state of the EU or EEA state if the conditions under EU law are met. This also includes the free choice of residence.</p> <p>You are a third-country national if you are not a national of an EU member state, the EEA or Switzerland.</p> <p>"Family members" are the following persons:</p> <ul style="list-style-type: none"> • Spouse, • Life partner,

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- Relatives in a straight descending line (for example, children) of the EU/EEA citizen or of the spouse or civil partner who have not yet reached the age of 21 or who are dependent on them, and
- relatives in the direct ascending line (for example, parents and grandparents) of the EU/EEA citizen or the spouse or life partner who are dependent on them.

In the case of EU or EEA citizens who are studying, the group of family members entitled to join you is limited to spouses and life partners as well as children who are granted maintenance.

During the first three months of your stay in Germany, your stay is subject 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.

The Aliens' Registration Office checks whether the conditions for freedom of movement have been met. Among other things, it depends on whether your reference person is gainfully employed or not.

Until the decision 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 determined. The residence card is usually issued for five years, unless a shorter period results from the residence of your reference person.

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

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Erforderliche Unterlagen

- Recognized and valid identity document (for example, passport or passport substitute).
 - Visa, if it was required for entry into the country
 - Recent biometric photo in passport format (45 x 35 mm)
 - Proof of the existence of the family relationship with the reference person (for example, marriage or birth certificate)
 - Proof that the reference person makes use of his/her right to freedom of movement (for example, confirmation of registration, employment contract or assurance of employment, trade license)
 - In case of minors: Consent of all persons entitled to custody to the planned stay (declaration of consent); if the parents entitled to custody cannot submit the application jointly for their child, a written power of attorney of the absent parent is required; if only one parent is entitled to custody, the signature of this parent is sufficient

In the case of joining a non-employed reference person, the Aliens Department may also require:

- Proof of sufficient means of subsistence
- Proof of health insurance coverage (e.g. confirmation of health insurance coverage or insurance policy).

In the case of joining a reference person in the course of studies, the Aliens Department may also require:

- University admission or enrollment certificate of the reference person
 - Proof of sufficient means of subsistence
 - Proof of health insurance coverage (for example, confirmation of health insurance coverage or insurance policy).

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	<p>Please note: These documents must also be provided for children who are third-country nationals and join the reference person.</p> <p>The documents and information must always be provided in German. In individual cases, the Aliens' Registration Office may require less or further proof.</p>
Voraussetzungen	<ul style="list-style-type: none"> • You are not a citizen of an EU member state, the EEA or Switzerland. • You are a family member of an EU or EEA citizen residing in Germany. • You maintain a close family relationship with the EU or EEA citizen (you do not necessarily have to live together for this). • You would like to stay in Germany for longer than three months.
Kosten	<p>Cost amount (fixed):</p> <ul style="list-style-type: none"> • 37.00 for persons 24 years and older • 22.80 for persons under 24 years <p>Remark:</p> <p>The time as well as the form of charging and payment vary depending on the authority.</p> <p>Additional fees may apply for the issuance of the residence card in credit card format with additional electronic functions.</p>
Verfahrensablauf	<ul style="list-style-type: none"> • You can provide the necessary information for obtaining the residence card at your regulatory registration at the registration office. From there, your information will be forwarded to the Aliens' Registration Office. You can also submit your information directly to the foreigners authority responsible for your place of residence. • Find out whether your Aliens' Registration Office allows you to submit online or has a special form available. • If submission is only possible in person, make an

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appointment at the Aliens' Registration Office. In the case of online submission, the immigration office will contact you after receiving your information to schedule an appointment.

- During the appointment, your identity and documents will be checked (please bring your documents to the appointment, if possible in original).
- Regardless of the result of the examination by the Aliens' 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.
- If there are no reasons to the contrary, your fingerprints will be taken for the production of the residence card. You will also be required to provide a signature.
- The Foreigners' Registration Office will order the production of the residence card in credit card format with additional electronic functions from the Bundesdruckerei. After completion, you will receive information and can pick up the residence card at the responsible office. As a rule, the residence card must be picked up in person.
- The residence card is usually issued within six months.
- If the issuance of a residence card is refused, you will receive a notification.

Bearbeitungsdauer

Duration (with span): approx. 6 to 6 Note for more information on processing time: The processing time may vary depending on the workload of the immigration office. However, the issuance of the residence card should take no longer than six months. It takes about 4 weeks to 6 weeks for the Bundesdruckerei to produce the electronic residence permit.

Frist

Application deadline: To obtain the residence card, the required information should be submitted to the immigration office no later than three months after entry. : 5 Remark: 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.

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weiterführende Informationen

<https://www.bmi.bund.de/DE/themen/migration/aufenthaltsrecht/freizuegigkeit-eu-buerger/freizuegigkeit-eu-buerger-artikel.html>
<https://www.bmi.bund.de/SharedDocs/faqs/DE/themen/migration/freizuegigkeit/freizuegigkeit-liste.html>
<https://www.bamf.de/DE/Themen/MigrationAufenthalt/ZuwandererEuropa/zuwanderereuropa-node.html>
https://europa.eu/youreurope/citizens/residence/documents-formalities/non-eu-family-members-residence-card/index_de.htm
<https://www.bmi.bund.de/DE/themen/verfassung/europa/brexit/brexit-artikel.html>

Hinweise

- The procedure is usually conducted in German.
 - After the residence card has been issued, its continued existence may be reviewed for special reasons. If the prerequisites for the right of residence have ceased to exist within five years of the establishment of residence in the Federal territory or no longer exist, the residence card can be withdrawn.
 - All information provided to the Aliens' Registration Office should be correct and complete to the best of your knowledge and belief, so that the request can be processed without major delays.
 - Incorrect or incomplete information can slow down the procedure and be detrimental to the person concerned. In a serious case, incorrect or incomplete information that is not completed or corrected in time vis-à-vis the Aliens' Registration Office may result in the revocation of residence rights already granted, a fine, imprisonment for up to three years, or expulsion from the Federal territory.
 - If you have continuously resided legally in the Federal territory with your reference person for five years, you can apply for a permanent residence card.
 - The residence card is not issued to nationals of Switzerland, the United Kingdom of Great Britain and Northern Ireland. Different regulations apply to these persons (see "Further information").
 - Due to the complexity of residence and freedom of movement law, this description is for information purposes only and is not legally binding.

Rechtsbehelf

- Appeal against the decision of the foreigners

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authority within one month of notification

- Action before the court named in the notice of appeal if the appeal is not granted

Kurztext

- Residence Card Issue for Third-Country Family Members of EU/EEA Citizens
 - Third-country nationals family members of EU and EEA citizens can move freely with the reference person in the EU, enter and stay in any EU or EEA member state if the conditions under EU law are met.
 - Family members are:
 - Spouses,
 - life partners,
 - relatives in a straight descending line (e.g. children) of the EU/EEA citizen or of the spouse or life partner who have not yet reached the age of 21 or who are dependent on them, and
 - relatives in the direct ascending line (e.g. parents and grandparents) of the EU/EEA citizen or of the spouse or partner who are dependent on them.
 - If the reference person studies in Germany, 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.
 - The stay in Germany is free of prerequisites for three months; only a passport/passport replacement must be available and an accompanying person must be recognizable. For stays of more than three months, family members who are third-country nationals require a residence card.
 - Residence card is issued by foreigners authority ex officio and within six months. This means that no application is 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 directly to the Aliens' Registration Office.
 - Foreigners' Registration Office checks requirements for freedom of movement and may require proof of this; no proof of language skills required.
 - Until the decision on issuing the residence card, residence in Germany is considered legal.
 - The residence card is usually issued for five years, unless a shorter period results from the residence of

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	<p>the reference person. After five years, a permanent residence card can be applied for.</p> <ul style="list-style-type: none"> • With the possession of the residence card, any gainful employment is allowed. • In the case of persons who have not yet reached the age of 18, the consent of the person with parental authority to stay in Germany is required. • The residence card is not issued to citizens of Switzerland, the United Kingdom of Great Britain and Northern Ireland. Other regulations apply to these persons. • Responsible: the foreigners authority responsible for the family member's place of residence.
Ansprechpunkt	
Zuständige Stelle	The foreigners authority responsible for the person's place of residence is responsible for processing the request.
Formulare	<p>Forms available: No</p> <p>Written form required: No</p> <p>Informal application possible: Yes</p> <p>Personal appearance required: Yes</p>
Ursprungsportal	