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Applying for a residence permit in the case of subsidiary protection

Heruntergeladen am 14.06.2025

<https://fimportal.de/xzufi-services/369653619/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99010022001009, 99010022001009
Leistungsbezeichnung I	Applying for a residence permit in the case of subsidiary protection
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Anforderungen in Bezug auf Aufenthaltskarten für Unionsbürger und ihre Familienmitglieder, einschließlich Familienmitglieder, die keine

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	Unionsbürger sind
Lagen Portalverbund	Einwanderung (1080100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	03.11.2021
Fachlich freigegeben durch	Hessian Ministry of the Interior and Sport
Handlungsgrundlage	https://www.gesetze-im-internet.de/aufenthg_2004/_25.html https://www.gesetze-im-internet.de/aufenthv/_12.html https://www.gesetze-im-internet.de/aufenthv/_9.html https://www.gesetze-im-internet.de/aufenthg_2004/_26.html https://www.gesetze-im-internet.de/aufenthg_2004/_36a.html https://www.gesetze-im-internet.de/aufenthg_2004/_44.html https://www.gesetze-im-internet.de/aufenthg_2004/_78.html https://www.gesetze-im-internet.de/aufenthg_2004/_78a.html https://www.gesetze-im-internet.de/asylvfg_1992/_4.html https://www.gesetze-im-internet.de/aufenthv/_52.html https://www.gesetze-im-internet.de/aufenthg_2004/_25.html https://www.gesetze-im-internet.de/aufenthv/_12.html https://www.gesetze-im-internet.de/aufenthv/_9.html https://www.gesetze-im-internet.de/aufenthg_2004/_26.html https://www.gesetze-im-internet.de/aufenthg_2004/_36a.html https://www.gesetze-im-internet.de/aufenthg_2004/_44.html https://www.gesetze-im-internet.de/aufenthg_2004/_78.html https://www.gesetze-im-internet.de/aufenthg_2004/_78a.html https://www.gesetze-im-internet.de/asylvfg_1992/_4.html

Modul	Sachverhalt
	<p>tml https://www.gesetze-im-internet.de/aufenthv/_52.htm </p>
Teaser	How do I apply for a residence permit if I have subsidiary protection?
Volltext	<p>If you have been granted subsidiary protection by the Federal Office for Migration and Refugees, apply for a residence permit at the immigration authority responsible for you.</p> <p>You must be granted a residence permit (legal entitlement) if you have been incontestably recognised as a beneficiary of subsidiary protection by the Federal Office for Migration and Refugees. However, you may not be granted a residence permit if you have been expelled on the basis of a particularly serious interest in expulsion (e.g. conviction for an intentional offence to a custodial sentence or a youth sentence of at least two years).</p> <p>Until the residence permit is issued, your stay is considered permitted by law.</p> <p>The residence permit entitles you to gainful employment.</p> <p>Beneficiaries of subsidiary protection receive a residence permit valid for one year, which can be extended for two years at a time. After five years at the earliest (the time of the asylum procedure is included), a permanent settlement permit can be issued if you meet the requirements.</p> <p>For three years, they are subject to a residence condition for the federal state in which they were assigned to carry out the asylum procedure. The residence regulation does not apply or can be revoked if you, your spouse, registered partner or a minor child take up or have taken up employment subject to social security contributions with at least 15 hours per week and a minimum income that is above the average monthly requirement according to SGB (currently 723 euros), or vocational training or study. Employment</p>

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must also be sustainable. This is assumed if your employment relationship is expected to last for more than three months.

Consequences:

They are allowed to work.

You are entitled to social benefits (basic provision for jobseekers or basic security in old age or in the event of reduced earning capacity) and child benefit, parental allowance and educational support

The possibility of family reunification exists for your relatives, the so-called nuclear family – these are the spouse, minor unmarried children and parents of minor children who live in Germany without a parent with custody.

The reunification is limited to a total of 1,000 persons per month for the entire territory of the Federal Republic of Germany and requires that there is a humanitarian reason. The decision on eligibility for reunification is made as part of the visa procedure.

You are entitled to participate in the integration course. When the residence permit is issued, the Foreigners' Registration Office also determines ex officio whether there is an entitlement to participate in an integration course. If this is the case, it will issue you with a voucher. At the same time, you will also receive a list of course providers in your area, where you can register by presenting your voucher.

You can be granted a settlement permit if you:

- have held the residence permit for five years,
- be able to secure the livelihood for yourself and your family (community of needs) from your own income without recourse to public services,
- have paid contributions to the statutory pension insurance scheme or to another pension institution with comparable benefits for at least 30 months,
- your stay does not endanger or impair the interests of the Federal Republic of Germany,

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	<ul style="list-style-type: none"> • are allowed to engage in gainful employment and hold all the necessary permits, • have sufficient knowledge of the German language (level B1), • have basic knowledge of the legal and social system and living conditions in Germany and <p>have sufficient living space for you and your family.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Decision of the Federal Office for Migration and Refugees on recognition as a beneficiary of subsidiary protection • current biometric photo • Proof of identity, if available, e.g. passport, ID card, birth certificate, marriage certificate, citizenship certificate
Voraussetzungen	<ul style="list-style-type: none"> • The prerequisite for the issuance of the residence permit is the final recognition of subsidiary protection by the Federal Office for Migration and Refugees • Existence of an application for a residence permit • There must be no grounds for refusal.
Kosten	They are exempt from the fee for issuing a residence permit.
Verfahrensablauf	<p>As a rule, you must apply for your residence permit in person</p> <ul style="list-style-type: none"> • Make an appointment with the locally responsible immigration authority. You can also find out about the application process on the respective website of the Foreigners' Registration Office and which documents you have to submit and in what form. • During your appointment, your fingerprints will be taken. <p>If your application is approved, the Foreigners' Registration Office will instruct Bundesdruckerei to produce the electronic residence permit. The residence</p>

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	<p>permit takes the form of a credit card with additional electronic functions.</p> <p>With regard to the duration of the procedure until the residence permit is issued, please contact the competent immigration authority.</p>
Bearbeitungsdauer	As a rule, you will be informed by the competent immigration authority of the duration of the procedure (about 6 to 8 weeks) when applying for a residence permit. Note: The residence permit is issued as an electronic residence title.
Frist	Validity of the residence permit 1 year, Important note: Apply for the extension in good time before the expiry of the validity
weiterführende Informationen	
Hinweise	<p>As a recognised beneficiary of subsidiary protection, you will not be issued a travel document for refugees.</p> <p>Upon request, you may be issued with a travel document for foreigners if it is not reasonable for you to obtain a national passport. An applicant for subsidiary protection is not per se unreasonable to visit the national authorities in order to obtain a national passport.</p>
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Issue of a residence permit after recognition of subsidiary protection by the competent immigration authority – legal entitlement – but: <ul style="list-style-type: none"> • No entitlement to a residence permit in the event of expulsion on the basis of a particularly serious interest in expulsion • Fiction of permission - Once the decision to recognise subsidiary protection has become final, your stay is deemed permitted

Legal consequences of issuing residence permits:

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	<ul style="list-style-type: none"> • Permit for gainful employment • Residence requirement for three years for the federal state in which they have been assigned to carry out the asylum procedure • Entitlement to social benefits • Family reunification possible subject to the quota (spouse, minor children) • Entitlement to an integration course • extension of the residence permit possible, • Granting of a settlement permit possible after five years if the conditions are met • Personal attendance required: yes <p>Responsible: Your locally competent immigration authority</p>
Ansprechpunkt	
Zuständige Stelle	Locally competent immigration authority of your independent city or district
Formulare	<p>Obtain from your local immigration authority</p> <p>Online procedure possible: no</p> <p>Personal attendance required: yes</p>
Ursprungsportal	Applying for a residence permit in the case of subsidiary protection, Beantragen einer Aufenthaltserlaubnis bei Vorliegen von subsidiärem Schutz