

99010022001006, 99010022001006

Residence permit due to expulsion

Heruntergeladen am 14.06.2025

<https://fimportal.de/xzufi-services/383413463/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99010022001006, 99010022001006
Leistungsbezeichnung I	Residence permit due to expulsion
Leistungsbezeichnung II	
Typisierung	3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, 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 Unionsbürger sind
Lagen Portalverbund	Einwanderung (1080100), Existenzsicherung und staatliche Unterstützung (1140100), Hilfen für

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	Geschädigte (1160200), Asyl (1080200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	29.04.2022
Fachlich freigegeben durch	Ministry of the Interior and for Municipal Affairs of the State of Brandenburg
Handlungsgrundlage	https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32001L0055&from=DE https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=uriserv%3AOJ.L_.2022.071.01.0001.01.DEU&toc=OJ%3AL%3A2022%3A071%3ATOC https://www.gesetze-im-internet.de/aufenthg_2004/_24.html https://www.bundesanzeiger.de/pub/publication/iOtjNkrHCZ76Jw5ReGn/content/iOtjNkrHCZ76Jw5ReGn/BAanz%20AT%2008.03.2022%20V1.pdf?inline=
Teaser	If you have fled from Ukraine, you can receive a residence permit for temporary protection under certain conditions.
Volltext	<p>With the Council Implementing Decision (EU) 2022/382 of March 4, 2022, establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of the Mass Influx Directive 2001/55/EC, the European Union has decided to open the admission procedure for temporary protection for war refugees.</p> <p>If you have fled Ukraine because of the war, or if you have been legally residing in Germany for a long time and cannot return to Ukraine after your current residence permit expires because of the war, you can receive temporary protection in Germany under Section 24 of the Residence Act.</p> <p>In addition, you can currently enter Germany without a visa and stay here - initially limited until August 31, 2022 - without a residence permit.</p> <p>If necessary, you can receive state support to cover your living expenses (for example, in the form of housing, cash payments or medical care). If you are</p>

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dependent on state support (social benefits), you are generally not entitled to stay in a specific place in Germany. Your place of residence is determined by the competent authority (allocation decision). In order to take up residence in a place of your choice, weighty reasons must be presented (for example, family relationships).

Before receiving your residence permit, you must go through the formal registration process for refugees. During registration, your personal data (personal data and fingerprints, photo) will be collected by a German authority.

The residence permit is usually issued initially for two years. It can be issued for a maximum of three years in total.

If there are no reasons to the contrary, you will be granted a permit by the competent immigration authority to pursue dependent or self-employed gainful employment, with which you can pursue any occupation in Germany. Please note that in some professions there are access restrictions under professional law (for example in the health sector). You can also start your own business or work as a freelancer.

In addition, you can receive benefits for counseling and placement according to SGB III through the employment agencies.

Children from the age of six have the right but also the obligation to attend school.

Erforderliche Unterlagen

- Recognized and valid identity document (for example, passport with or without biometric features, passport replacement document, identity documents of the country of origin, driver's license).
 - Proof of the date of entry into the Schengen area and Germany
 - Arrival certificate or proof of arrival (if available)
 - Proof of family relations (marriage, birth, adoption certificate, if available)
 - Assignment decision (if available)

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- Proof of current place of residence or stay in Germany
- Displaced persons who do not have Ukrainian citizenship: Proof of valid right of residence in Ukraine.
- Proof of representation (if you are acting as a representative)
- In individual cases, the Aliens' Registration Office may require less or further proof.

Voraussetzungen

- You must declare your willingness to be admitted to the territory of the Federal Republic of Germany (i.e. you must express a request for protection, for example by applying for a residence permit for temporary protection).
- You belong to the beneficiary group of persons if you had your habitual residence in Ukraine before 24.02.2022 and belong to the following group of persons:
 - Ukrainian citizens with their family members,
 - Displaced non-Ukrainian citizens and stateless persons with international or national protection status in Ukraine with their family members.
 - Displaced non-Ukrainian nationals and stateless persons with an indefinite right of residence in Ukraine (permanent right of residence) who cannot return to their country of origin with their family members.
 - Displaced non-Ukrainian citizens with temporary right of residence in Ukraine who cannot return to their home country.
 - In addition, Ukrainian nationals who have been legally residing in the territory of the Federal Republic of Germany for a long time and cannot return to Ukraine after their current residence permit expires due to the war may apply for a residence permit

Kosten

From 0 to 100 EUR

Remark:

Additional fees may apply for the issuance of the residence permit in the form of the electronic residence permit (eAT), which can also be used as an electronic proof of identity.

The fee is waived in the case of benefit receipt. In other

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cases, the fee may be waived or reduced in individual cases for humanitarian reasons.

Verfahrensablauf

The entire procedure is structured as follows:

- Registration: Before receiving your residence permit, you must go through the formal registration process for refugees. Registration currently takes place, for example, at reception centers or immigration authorities and usually includes your name, date of birth, nationality, current address, and a copy of your identification document. In addition, you will be photographed and your fingerprints will be recorded.
- Once registered, a certificate (proof of arrival, start-up certificate, fictitious certificate or other confirmation) is issued that can be presented to the relevant social welfare office in order to apply for social benefits.
- Distribution to a place of residence in case of social benefit claim (assignment): Subsequently, an assignment decision is generally issued, which obligates you to take up residence and habitual abode in a specific place or region.
- Registration: Registration of your residential address with the relevant residents' registration office at your destination.
- Application for a residence permit: In order to obtain a residence permit for temporary protection, you must submit an application to the foreigners authority responsible for your place of residence. If you already have an assignment decision, this is the place to which you have been assigned.
- Find out if your Aliens' Registration Office allows you to apply online or has a special application form.
- If the application can only be submitted in person, make an appointment at the Aliens' Registration Office. In the case of online application, the Aliens' Registration Office will contact you after receiving your application to schedule an appointment.
- During the appointment, your identity and documents will be checked (please bring your documents, if possible in original, to the appointment).
- If your application is granted, your fingerprints will be taken for the production of an electronic residence permit (eATKarte). The Aliens' Registration Office will

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order the production of the eAT card from the Bundesdruckerei. After completion, you will receive information and can pick up the residence permit at the responsible office. The eAT card must always be collected in person.

- If your application is rejected, you will receive a rejection notice.
- The initial registration, distribution, registration at the registration office and application for the residence permit are separate processes - sometimes they are done together, but this ultimately depends on the local organization. In case of doubt, please ask.

Bearbeitungsdauer

approx. 8 weeks. It takes about 4 to 6 weeks for the Bundesdruckerei to produce the electronic residence permit. Due to the very high number of displaced persons, it can also take longer. This varies from foreigners authority to foreigners authority. For the transitional period you will receive a fictitious certificate. The stay in the federal territory is thus allowed until the eAT is handed out.

Frist

Application deadline: Duration: 6 to 8 weeks Remark : No later than 8 weeks before the expiration of the date specified in the Ukraine Residence Transition Regulation, the application should be received by the Foreigners' Registration Office.

weiterführende Informationen

<https://www.germany4ukraine.de/hilfeportal-de>
<https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/ResettlementRelocation/InformationenEinreiseUkraine/informationen-einreise-ukraine-node.html>
<https://www.auswaertiges-amt.de/de/service/UKR>
https://eur-lex.europa.eu/legal-content/DE/LSU/?uri=C_ELEX%3A32001L0055&qid=1649862627950

Hinweise

- The foreigners authorities will issue so-called fictitious certificates as soon as an application is submitted. These bridge the right of residence until the actual residence title can be issued and granted. The foreigners authority will also enter "gainful employment permitted" in the fictitious certificate.
- If there is a need, all persons covered by the scope of application of Section 24 of the Residence Act currently receive benefits for subsistence and medical care.

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- There is no appeal against the allocation decision; an appeal has no suspensive effect.
- Incorrect or incomplete information may slow down the procedure and be disadvantageous for you. In serious cases, 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, a prison sentence of up to three years, or expulsion from the Federal territory.
- If you meet the requirements for this, you can in principle also obtain a residence permit for the purpose of employment or training from the local aliens' registration office.
- As an alternative to applying for a residence permit for temporary protection, every refugee has the option of applying for asylum. However, it should be noted that applying for a residence permit grants faster protection and is associated with advantages (for example, no restriction on taking up employment and no housing obligation in initial reception facilities)

Rechtsbehelf

- Appeal against the decision of the Foreigners' Registration Office
- Action before the court named in the notice of appeal if the appeal is not granted

Kurztext

- Residence permit for reasons of international law, humanitarian or political reasons Issuance for temporary protection
 - Persons expelled from Ukraine in the temporal context of the military invasion of the Russian armed forces on February 24, 2022, as well as Ukrainian citizens who have been legally residing in the territory of the Federal Republic of Germany for a long time and who cannot return to Ukraine after the expiration of their current residence permit due to the war, may apply for a residence permit.
 - Due to the Ukraine Residence Transition Ordinance, war refugees from Ukraine are temporarily (initially limited until August 31, 2022) exempt from the requirement of a residence title in the Federal territory. After that, war refugees will require a residence title.
 - If displaced persons wish to work or need government assistance, they must apply for a

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	<p>residence permit before this date expires.</p> <ul style="list-style-type: none"> • The residence permit will initially be issued for two years. The total duration is a maximum of three years. • Displaced persons must declare their willingness to be accepted in the federal territory (this is done indirectly by applying for a residence permit for temporary protection). • If state support (social benefits) is required, the place of residence in Germany is determined by the authorities. • The residence permit does not directly entitle the holder to engage in dependent or self-employed gainful employment, but must first be permitted by the foreigners authority. • Responsible: the foreigners authority responsible for the applicant's place of residence.
Ansprechpunkt	
Zuständige Stelle	
Formulare	<p>Forms available: No</p> <p>Written form required: No</p> <p>Informal application possible: Yes</p> <p>Personal appearance required: Yes</p> <p>Online dinst available: Yes</p>
Ursprungsportal	<p>Residence permit due to expulsion, Aufenthaltserlaubnis wegen Vertreibung</p>