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# Applying for a residence permit if you have subsidiary protection

Heruntergeladen am 14.06.2025

<https://fimportal.de/xzufi-services/392216560/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99010022001009, 99010022001009
Leistungsbezeichnung I	Applying for a residence permit if you have subsidiary protection
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	
Lagen Portalverbund	Einwanderung (1080100)

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	29.10.2020
Fachlich freigegeben durch	Saxon State Ministry of the Interior
Handlungsgrundlage	<p>§ 25 sec. 2 sentence 1 2. AufenthG</p> <p>§ 4 Abs. 1 AsylG</p> <p>§ 12a AufenthG</p> <p>§ 9 AufenthG</p> <p>§ 26 AufenthG</p> <p>§ 52 Abs. 3 AufenthV</p> <p>§ 36a AufenthG</p> <p>§ 44 AufenthG</p> <p>§ 78 AufenthG</p> <p>§ 78a AufenthG</p> <p><a href="https://www.gesetze-im-internet.de/aufenthg_2004/">https://www.gesetze-im-internet.de/aufenthg_2004/</a></p> <p><a href="https://www.gesetze-im-internet.de/aufenthv/">https://www.gesetze-im-internet.de/aufenthv/</a></p> <p><a href="https://www.gesetze-im-internet.de/aufenthg_2004/">https://www.gesetze-im-internet.de/aufenthg_2004/</a></p> <p><a href="https://www.gesetze-im-internet.de/aufenthv/">https://www.gesetze-im-internet.de/aufenthv/</a></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 indisputably recognised by the Federal Office for Migration and Refugees as a beneficiary of subsidiary protection. However, you may not be granted a residence permit if you have been expelled on the basis of a particularly serious interest</p>

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in expulsion (e.B. conviction for an intentional offence to a prison sentence or juvenile sentence of at least two years).

Until the residence permit is issued, your stay is considered permitted by law.

The residence permit entitles you to work.

Beneficiaries of subsidiary protection receive a residence permit with a validity of 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, provided that you meet the requirements for this.

They are subject to a residence requirement for three years for the federal state in which they were assigned to carry out the asylum procedure. The residence regulation does not apply or can be repealed 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 above the monthly average requirement according to SGB (currently 723 euros), or vocational training or studies. Employment 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 security 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.

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Reunification is limited to a total of 1,000 people per month for the entire territory of the Federal Republic of Germany and assumes that there is a humanitarian reason. The decision on the right of reunification is made within the framework 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 a right to participate in an integration course. If this is the case, it will issue you with a certificate of eligibility. At the same time, you will also receive a list of course providers in your area, where you can register by presenting your authorization certificate.

A settlement permit can be granted to you if you

- have had a residence permit for five years,
- be able to secure the livelihood for yourself and your family (community of needs) from your own income without using public services,
- have paid contributions to the statutory pension insurance scheme or to another pension scheme with comparable benefits for at least 30 months,
- your stay does not endanger or adversely affect the interests of the Federal Republic of Germany,
- be allowed to pursue an economic activity and have all the necessary permits,
- have sufficient knowledge of the German language (level B1),
- have basic knowledge of the legal and social order and living conditions in Germany and

have sufficient living space for yourself and your family.

## Erforderliche Unterlagen

- 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.B. passport, ID card,

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	birth certificate, marriage certificate, citizenship card
Voraussetzungen	<ul style="list-style-type: none"> <li>• A prerequisite for the issuance of the residence permit is the final recognition of subsidiary protection by the Federal Office for Migration and Refugees</li> <li>• Existence of an application for a residence permit</li> <li>• There must be no grounds for refusal.</li> </ul>
Kosten	You 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"> <li>• Make an appointment with the local immigration authority. You can also find out about the application process and which documents you must submit in which form on the respective website of the Foreigners' Registration Office.</li> <li>• During your appointment, your fingerprints will be taken.</li> </ul> <p>If your application is granted, the Foreigners' Registration Office instructs Bundesdruckerei to produce the electronic residence permit. The residence 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 handed over, please contact the competent immigration authority.</p>
Bearbeitungsdauer	As a rule, when applying for a residence permit, the competent immigration authority will inform you of the duration of the procedure (about 6 to 8 weeks). Note: The residence permit is issued as an electronic residence permit.
Frist	validity of the residence permit 1 year, Important note: Apply for the extension in good time before the expiry of the validity

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### weiterführende Informationen

<<https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/AblaufAsylverfahrens/Ausgang/Aufenthaltserlaubnis/aufenthaltserlaubnis-node.html>>

<<https://fap.diplo.de/webportal/desktop/index.html#refugee>>

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

### Hinweise

As a recognised beneficiary of subsidiary protection, you will not be issued a travel document for refugees.

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 appointment with the national authorities in order to obtain a national passport is not per se unreasonable for a beneficiary of subsidiary protection.

### Rechtsbehelf

#### Kurztext

- Issuance of a residence permit after recognition of subsidiary protection by the competent immigration authority — legal entitlement - but:
  - No entitlement to a residence permit in the event of expulsion due to a particularly serious interest in expulsion
  - Fiction of permission - After the decision on the recognition of subsidiary protection has become final, your stay is considered to be permitted

Legal consequences Issuance of residence permits:

- Permit for gainful employment
- Residence requirement for three years for the federal state in which they were assigned to carry out the asylum procedure
  - Entitlement to social benefits
  - Family reunification possible in compliance with the quota (spouse, minor children)
  - Entitlement to an integration course

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	<ul style="list-style-type: none"> <li>• Extension of the residence permit possible,</li> <li>• Granting of a settlement permit after five years if the conditions are met</li> <li>• Personal appearance required: yes</li> </ul> <p>Responsible: Your locally competent immigration authority</p>
Ansprechpunkt	Please contact the Foreigners' Registration Office.
Zuständige Stelle	
Formulare	<p>Get from your local immigration authority</p> <p>Online procedure possible: no</p> <p>Personal appearance required: yes</p>
Ursprungsportal	Applying for a residence permit if you have subsidiary protection, Aufenthaltserlaubnis bei Vorliegen von subsidiärem Schutz beantragen