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Applying for a residence card for family members of Union citizens

Heruntergeladen am 25.07.2025

<https://fimportal.de/xzufi-services/392274232/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99010009012000
Leistungsbezeichnung I	Applying for a residence card for family members of Union citizens
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	Ausstellung (012)
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	23.10.2020
Fachlich freigegeben durch	Ministry of the Interior and Municipal 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 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
Teaser	Third-country nationals Family members of an EU or EEA citizen need a residence card for further residence in Germany no later than three months after their entry

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Volltext

As a third-country national, you have the right to move freely with your reference person in the European Union, to enter and reside in any Member State if the requirements of EU law are met. This includes the free choice of residence in the Member States of the European Union.

Anyone who is not a national of an EU member state, the EEA or Switzerland is a third-country national.

"Family members" means the following persons:

- spouses, life partners and relatives in the straight descending line (e.B children) as well as their spouses/life partners, if they are not yet 21 years old, and
- Relatives of Union citizens entitled to freedom of movement in the straight ascending and direct descending lines (older children, grandchildren, parents and grandparents) or of their spouses or partners to whom Union citizens or their spouses or partners are dependent.

If the EU or EEA citizen studies in Germany, the circle of family members entitled to join him 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 only subject to the condition that there is 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 recognised or otherwise approved passport or passport replacement.

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

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In this case, the Foreigners' Registration Office checks the existence of the conditions for freedom of movement. Among other things, it may require proof of the family relationship with the reference person (e.B. by documentary evidence). In addition, you may be required to provide proof that the reference person has actually exercised his or her right to freedom of movement (e.B. by presenting a registration certificate). If the reference person you are accompanying or joining is not gainfully employed, you should also have sufficient resources and health insurance cover (this also applies to children who may accompany you). Proof of language skills is generally not required to obtain a residence card.

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

With the issuance of the residence card, the existence of the right of free movement is established. The residence card is usually issued for five years, unless a shorter period results from the stay 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 agree to your planned stay in Germany.

Erforderliche Unterlagen

- Current biometric photo
- Consent of the person entitled to custody for the planned stay if you have not yet reached the age of 18

The Foreigners' Registration Office may require the submission of the following documents:

- Recognised or otherwise approved, valid passport or passport substitute
- Proof of the existence of the family relationship with the reference person (e.B. marriage, birth certificate)
- Proof that the reference person has exercised his or her right to freedom of movement (e.B. confirmation of registration, employment contract or assurance of employment, trade license or proof of

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self-employment)

In the case of your recent entry, the Foreigners' Registration Office may also require:

- Visa if required for entry

When joining a non-employed reference person, the Foreigners' Registration Office may also demand:

- Proof of sufficient resources
- Proof of sufficient health insurance coverage

When joining a reference person during your studies, the Foreigners' Registration Office may also demand:

- Admission of the university or certificate of enrolment of the reference person
- Proof of sufficient resources and health insurance

In individual cases, the Foreigners' Registration Office may request further documents.

Voraussetzungen

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

Kosten

There are no fees for issuing the visa.

Issue of residence card: EUR 28,80

Issuing of a 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

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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 any further requirements. For longer stays, you must apply for a residence card.

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

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

The procedure is as follows:

- Depending on the Foreigners' Registration Office, it may be possible to receive your information via the Internet. Find out whether your immigration office offers electronic acceptance.

In the event of an electronic submission, the Foreigners' Registration Office will contact you upon receipt of your details in order to request documents if necessary and to arrange an appointment with you at the Foreigners' Registration Office. During the appointment, your documents will be checked (bring them to the appointment in the original if you are asked to do so).

- If it is only possible to submit your information in person, make an appointment with the Foreigners' Registration Office. During the appointment, your details will be received and your proofs will be checked (bring them to the appointment in the original if you are asked to do so).
- Regardless of the examination result of the Foreigners' Registration Office, you will immediately receive a certificate that you have provided the

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necessary information for the issuance of the residence card in order to be able to prove a proper stay.

- After completion of the examination, 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 stay of your reference person from whom it derives its right of residence.
- The residence card is issued in credit card format with additional electronic functions (eATKarte). Your fingerprints will be taken at the Foreigners' Registration Office for the production. You must also provide a signature.
- After about six to eight weeks, you can pick up the eAT Card at the Foreigners' Registration Office. In principle, the collection must be made in person.

Fees apply for the issuance of 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 diplomatic mission responsible for you. The processing time for issuing a residence card is about six to eight weeks, but a maximum of six months.

Frist

- For the receipt of the residence card, the necessary information can be deposited with the registration authority as part of the registration office or transmitted to the foreigners' registration office no later than three months after entry.
- The residence card is issued within six months and usually with a validity of five years.
- Objection period against the negative decision of the Foreigners' Registration Office: one month

weiterführende Informationen

- Information from the Federal Ministry of the Interior, Building and Community on freedom of movement:

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

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and

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

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

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

- Information from the Federal Ministry of the Interior, Building and Community on Brexit:
<https://www.bmi.bund.de/DE/themen/verfassung/europa/brexit/brexitartikel.html>

- You can also get free advice on the topics of entry, residence and work from the "Hotline Working and Living in Germany" from the Federal 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 features:

After the residence card has been issued, the existence or continued existence of the conditions under EU law may be checked on special grounds. If the requirements of the right of residence have ceased to apply within five years of the establishment of residence in the Federal territory or are no longer available, the residence card can be confiscated.

If you have resided legally in Germany 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 the Swiss. Swiss citizens and their family members are obliged to report

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their stay in Germany for more than three months to the Immigration Office of their place of residence and then receive a "Swiss Residence Permit".

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

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

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

Rechtsbehelf

Kurztext

- Residence card issued to family members of Union citizens
- 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 of EU law are met.
- Family members are: Spouses, life partners and relatives in the straight descending line (e.B. children) as well as their spouses/life partners, if they are not yet 21 years old and Relatives in the straight ascending and in a straight descending line of Union citizens entitled to freedom of movement (older children, grandchildren, parents and grandparents) or of their spouses or partners to whom Union citizens or their spouses or partners are dependent.
- If the caregiver resides in Germany as a student, only spouses and life partners as well as children (who are granted maintenance) are entitled to join them.
- A visa is required for entry, unless entry can be visa-free.
- Three-month stay in Germany free of conditions; there must be a passport/passport replacement and an accompaniment of the caregiver must be

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recognizable.

- For longer stays of more than three months, third-country nationals need a residence card from family members
- Residence card is issued by the Foreigners' Registration Office ex officio and within six months
- No application required; it is only necessary to provide the necessary information for the issuance of the residence card; these can be submitted as part of the registration at the registration office or later at the foreigners' registration office
- The Foreigners' Registration Office examines the conditions for freedom of movement and may require the following evidence in individual cases: Valid passport or passport replacement, proof of family relationship, proof that the reference person is currently exercising his or her right of free movement, Proof of sufficient resources and sufficient health insurance cover if the caregiver is not gainfully employed.
- No language skills required
- Until a decision is taken to issue the residence card, residence is considered lawful.
- Residence card is usually issued for five years, unless the residence of the reference person results in a shorter period of time
- For persons who have not yet reached the age of 18, consent of a person entitled to custody is required
- After five years of permanent, legal residence with the reference person in Germany, a permanent residence card can be issued
- Depending on the Foreigners' Registration Office, it is possible to submit the information via the Internet or in person
- The residence card is subject to a fee; Time and form of payment vary
- Responsible: the immigration authority responsible for the residence of the family member

Ansprechpunkt

Please contact the Foreigners' Registration Office.

Zuständige Stelle

Formulare

- Online procedure occasionally possible
- Written form required: yes

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	<ul style="list-style-type: none"> • Personal appearance required: yes
Ursprungsportal	Aufenthaltskarte für Familienangehörige von Unionsbürgern beantragen, Applying for a residence card for family members of Union citizens