

99010009012003, 99010009012003

# Submit information on the issuance of a residence card for third-country nationals family members of Germans

Heruntergeladen am 16.06.2025

<https://fimportal.de/xzufi-services/401771567/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99010009012003, 99010009012003
Leistungsbezeichnung I	Submit information on the issuance of a residence card for third-country nationals family members of Germans
Leistungsbezeichnung II	Submit information on the issuance of a residence card for third-country nationals family members of Germans
Typisierung	3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung

Modul	Sachverhalt
Leistungsgruppierung	Aufenthaltstitel (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)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	28.11.2022
Fachlich freigegeben durch	Ministry of the Interior and Municipal Affairs of the State of Brandenburg
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_1.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_1.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_2.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_2.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_3.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_3.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_4.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_4.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5a.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5a.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_12a.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_12a.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_1.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_1.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_2.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_2.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_3.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_3.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_4.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_4.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5a.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5a.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5a.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_5a.html</a>

Modul	Sachverhalt
	<a href="#">_12a.html</a>
Teaser	<p>If you are a family member of a person with German citizenship and come from a third country, you can invoke the right to freedom of movement under certain conditions and obtain a residence card.</p>
Volltext	<p>Citizens of the European Union (EU) and the European Economic Area (EEA: Iceland, Liechtenstein, Norway) and their family members are primarily entitled to freedom of movement.</p> <p>Your residence as a third-country national family member of a German is usually governed by the Residence Act (which is stricter in many respects). Under certain circumstances, however, you can invoke the right to freedom of movement.</p> <p>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.</p> <p>The Foreigners' Registration Office checks whether the conditions for freedom of movement are met. Among other things, it depends on whether your caregiver is employed or not.</p> <p>Until a decision has been made on the issuance of the residence card, your stay in Germany is considered lawful.</p> <p>With the issuance of the residence card, the existence of the right of freedom of movement is established.</p> <p>If you have not yet reached the age of 18, the persons entitled to your personal custody must agree to your planned stay in Germany.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Recognized and valid identity document (e.g. passport or passport substitute)             <ul style="list-style-type: none"> <li>• Visa, if it was required for entry</li> <li>• Up-to-date biometric photo in the passport (45 x 35 mm)</li> </ul> </li> <li>• Proof of the existence of the family relationship with</li> </ul>

## Modul

## Sachverhalt

the caregiver (e.g. marriage or birth certificate)

- Proof that the caregiver is exercising his or her right to freedom of movement (e.g. confirmation of registration, employment contract or assurance of employment, trade license or proof of self-employment)

- In the case of minors: consent of the persons with custody to the planned stay (declaration of consent); if the parents with custody are unable to submit the application jointly for their child, a written power of attorney from the absent parent is required; if custody is granted to only one parent, the signature of that parent is sufficient

In the case of reunification with a **\*\*non-gainfully employed\*\*** reference person, the Foreigners' Registration Office 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 reunification with a caregiver **\*\*during your studies\*\***, the Foreigners' Registration Office may also require:

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

Please note: This proof must also be provided for third-country nationals who join the caregiver.

The documents and information must always be submitted in German. In individual cases, the

## Modul

## Sachverhalt

Foreigners' Registration Office may require less or more evidence.

## Voraussetzungen

- You are a national of a third country (i.e. You are not a citizen of an EU member state, the EEA or Switzerland).
- You are a family member of a person with German citizenship, i.e. They are
  - Spouse
  - Life partner
  - a relative in the direct descending line (e.g. children) of the German or the spouse/partner who has not yet reached the age of 21 or who is dependent on them, or
  - a relative in the direct ascending line (e.g. parents and grandparents) of the German or of the spouse or partner to whom they provide maintenance.

Please note: In the case of student caregivers, the circle of family members entitled to reunification is limited to spouses and life partners as well as children who are granted maintenance.

- You have 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 more than three months.
- One of the following constellations exists:
  - Return with your German caregiver after a joint stay in an EU/EEA state (return cases): You can invoke the right to freedom of movement if you have resided in another EU/EEA state together with the German caregiver for at least three months, your settlement as a family abroad was conducive to the development or consolidation of your family life and your family affiliation was already established at the time of your joint stay in the abroad (this must not have been justified subsequently).
  - Acquisition of German citizenship by your caregiver: You can derive a right of freedom of movement from your German caregiver if
  - Your German reference person was previously a

## Modul

## Sachverhalt

citizen of another EU or EEA state,

- had exercised his right to freedom of movement in Germany,
- then acquired German citizenship and
- would now like to live together with you in a family partnership in Germany.

It does not matter whether your caregiver gives up his or her previous citizenship or continues to maintain it in addition to German citizenship.

Right of residence of an EU citizen and his or her caring parent (German minor child): As the parent of a German minor child, you can derive a right of freedom of movement from him or her if, in addition to German citizenship, your child is also a citizen of an EU/EEA state and has not yet made or has not been able to make use of his or her right to freedom of movement (i.e. has not yet traveled to another EU or EEA state).

## Kosten

Cost amount (fixed):

- 37,00 Euro for persons aged 24 and over
- 22.80 Euro for persons under 24 years of age

Remark:

The timing and form of fee collection and payment vary depending on the authority.

Additional fees may apply for the issuance of the residence card in credit card format with additional electronic functions (can also be used as electronic proof of identity).

## Verfahrensablauf

- You can provide the necessary information for obtaining the residence card when you register with the registration office. From there, your details will be forwarded to the Foreigners' Registration Office. You can also submit your details directly to the immigration office responsible for your place of residence.

## Modul

## Sachverhalt

- Find out whether your Foreigners' Registration Office allows submission online or has a special form.
- If the submission is only possible in person, make an appointment at the Foreigners' Registration Office. In the case of online filing, the Foreigners' Registration Office will contact you after receipt of your information to arrange an appointment.
- During the appointment, your identity and documents will be checked (please bring your documents, if possible in the original, with you to the appointment).
- Regardless of the result of the examination by the Foreigners' 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 be able to prove that you are legally resident.
- If there are no reasons to the contrary, your fingerprints will be taken for the production of the residence card. You will also need to provide a signature.
- The Foreigners' Registration Office commissions Bundesdruckerei to produce the residence card in credit card format. After completion, you will receive information and can pick up the residence card from the responsible office. The collection must always be done in person.
- As a rule, the residence card is issued within six months.
- If the issuance of a residence card is refused, you will receive a notification.

## Bearbeitungsdauer

Duration (at span): approx. 6 weeks to 6 months Note for further information on processing time: The processing time may vary depending on the workload of the Foreigners' Registration Office, but a maximum of six months. It takes about 4 weeks to 6 weeks for Bundesdruckerei to produce the residence card.

## Frist

Application Deadline In order to obtain the residence card, the required information should be submitted to the Foreigners' Registration Office no later than three months after entry. Duration 5 years Note (for more information on the deadline): As a rule, the residence card is issued for five years, unless a shorter period

**Modul**
**Sachverhalt**

results from the stay of your caregiver from whom you derive your right of residence.

**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://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 carried out in German.
  - Once the residence card has been issued, its continued existence can be checked for special reasons. If the requirements for the right of residence cease to apply within five years of the establishment of the residence in Germany or are no longer met, the residence card can be withdrawn.
  - If the issuance of a residence card is out of the question, the issuance of a residence permit in accordance with § 28 of the Residence Act (family reunification with Germans) may be considered.
  - If you have been legally resident in Germany with your caregiver for five years, you can apply for a permanent residence card.
  - Other provisions apply to nationals of Switzerland and the United Kingdom of Great Britain and Northern Ireland (see "Further information").
  - All information provided to the Foreigners' Registration Office should be correct and complete to the best of our 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 persons concerned. In the event of an emergency, incorrect or incomplete information that is not completed or corrected in time vis-à-vis the Foreigners' Registration Office may result in the revocation of residence rights already granted, a fine, imprisonment of up to three years or expulsion from the federal territory.



## Modul

## Sachverhalt

- Due to the complexity of the right of residence and freedom of movement, this description is for information purposes only and is not legally binding.

## Rechtsbehelf

- Objection to the decision of the Foreigners' Registration Office within one month of notification
- Bringing an action before the court named in the notice of opposition if the objection is not upheld

## Kurztext

- Residence card issuance for third-country nationals family members of Germans
  - The residence of third-country nationals of family members of Germans is usually governed by the Residence Act (which is stricter in many respects). Under certain circumstances, however, third-country nationals can also invoke the right to freedom of movement.
  - An appeal to the right to freedom of movement and the issuance of a residence card is conceivable if the family member maintains a family relationship with a German and one of the following constellations exists:
    - The family member has resided together with the German caregiver for three months or more in another EU or EEA country and would now like to move to Germany together (so-called returnee case).
    - The German reference person used to be a citizen of an EU/EEA state, previously exercised his or her right to freedom of movement in Germany and has since acquired German citizenship.
    - The German caregiver is a minor child who, in addition to the German one, also has the citizenship of another EU or EEA state and has not yet made or has not been able to make use of his or her right to freedom of movement (i.e. has not yet traveled to another EU or EEA state).
  - Eligible family members are:
    - Spouses
    - Life partner
    - relatives in the direct descending line (e.g. children) of the EU/EEA citizen or spouse or 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 spouse or partner who are dependent on them.

**Modul**
**Sachverhalt**

- If the caregiver is studying in Germany, only spouses and life partners as well as children (who are granted maintenance) are entitled to join them.
- A visa is required to enter the country, unless entry can be made without a visa.
- The stay in Germany is unconditional for three months; only a passport / passport substitute must be available and an accompaniment of the caregiver must be recognizable. For stays of more than three months, third-country nationals require a residence card.
- Residence card is issued by the Foreigners' Registration Office ex officio and within six months. This means that no application is 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 process to the registration office or directly to the Foreigners' Registration Office.
- The Foreigners' Registration Office examines the conditions for freedom of movement and may demand proof of this; no proof of language proficiency required.
- Until a decision has been made on the issuance of the residence card, residence in Germany is considered lawful.
- As a rule, the residence card is issued for five years, unless the stay of the reference person results in a shorter period. After five years, a permanent residence card can be applied for
- With the possession of the residence card, any gainful employment is permitted.
- Responsible: the immigration authority responsible for the residence of the family member

**Ansprechpunkt**

the immigration authority responsible for the residence of the family member

**Zuständige Stelle**
**Formulare**

Forms available: No

Written form required: No

Informal application possible: Yes

Personal appearance required: Yes

Modul	Sachverhalt
Ursprungsportal	Submit information on the issuance of a residence card for third-country nationals family members of Germans, Angaben zur Ausstellung einer Aufenthaltskarte für drittstaatsangehörige Familienangehörige von Deutschen einreichen