

99010015012001, 99010015012001

# Applying for a permanent residence card for third-country national family members of EU citizens entitled to freedom of movement

Heruntergeladen am 23.06.2025

<https://fimportal.de/xzufi-services/113097393/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99010015012001, 99010015012001
Leistungsbezeichnung I	Applying for a permanent residence card for third-country national family members of EU citizens entitled to freedom of movement
Leistungsbezeichnung II	Applying for a permanent residence card for third-country national family members of EU citizens entitled to freedom of movement
Typisierung	2/3b - Bund: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
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	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	14.07.2023
Fachlich freigegeben durch	Ministry of the Interior, Building and Digitalization of the State of Mecklenburg-Vorpommern
Handlungsgrundlage	<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/_4a.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_4a.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_12.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_12.html</a> <a href="https://www.gesetze-im-internet.de/aufenthv/_47.htm">https://www.gesetze-im-internet.de/aufenthv/_47.htm</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/_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/_4a.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_4a.html</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_12.html">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_12.html</a> <a href="https://www.gesetze-im-internet.de/aufenthv/_47.htm">https://www.gesetze-im-internet.de/aufenthv/_47.htm</a> <a href="https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_">https://www.gesetze-im-internet.de/freiz_gg_eu_2004/_</a>

## Modul

## Sachverhalt

\_5.html  
<https://www.landesrecht-mv.de/bsmv/document/jlr-ZuwuaZustVMVV3P1/part/X>  
<https://www.landesrecht-mv.de/bsmv/document/jlr-ZuwuaZustVMVV3P1/part/X>

## Teaser

Third-country nationals who are family members of an EU or EEA national can apply for the issue of a permanent residence card if they have resided legally in Germany with the reference person for a period of five years.

## Volltext

If you are a third-country national family member of a citizen of the European Union (EU) or a state of the European Economic Area (EEA: Norway, Iceland and Liechtenstein) and have resided legally in Germany with your family member who is entitled to freedom of movement for a period of five years, you can obtain a permanent right of residence and apply for a permanent residence card from the immigration authority, regardless of whether the conditions under EU law are still met.

The immigration authority will check the duration and legality of your previous periods of residence and will issue the permanent residence card within six months if the requirements are met.

Your five-year permanent residence is "lawful" if you have fulfilled the requirements under EU law for the free movement of third-country national family members over a period of five years.

Shorter periods of absence are irrelevant when calculating the period for acquiring the right of permanent residence. For example, permanent residence can also be assumed when leaving the federal territory for a total of six months per year, to perform military service or alternative service as well as once for up to twelve consecutive months for good cause (e.g. due to serious illness, studies, vocational training).

Acquiring the right of permanent residence gives you an improved legal status regardless of your nationality.

## Modul

## Sachverhalt

The right of permanent residence is independent of the continued existence of the conditions for freedom of movement. In addition, protection against deportation is increased.

Under certain conditions, spouses, life partners and children can also obtain the right of permanent residence independently of permanent residence with the reference person entitled to freedom of movement (for example, in the event of the death or departure of the reference person). In individual cases, it is also possible for you as a family member of a working EU or EEA citizen to obtain a permanent right of residence before five years have elapsed (for example, if you have permanent residence with the EU citizen but they die prematurely as a result of an accident at work or an occupational illness before five years have elapsed).

If you have not yet reached the age of 18, a person entitled to take care of you must consent to your planned stay.

## Erforderliche Unterlagen

- Current biometric photo
- Consent of the person with parental authority to the planned stay if you have not yet reached the age of 18

The Immigration Office may request the submission of the following documents:

- recognized or otherwise approved, valid passport or passport substitute
- Proof of the continued family relationship with the reference person (e.g. marriage certificate, birth certificate)
- Proof that the reference person has exercised their right to freedom of movement for the required duration (e.g. confirmation of registration, employment contract or confirmation of employment, trade license or proof of self-employment)

When staying with a reference person who is not gainfully employed, the immigration authority may also require

- Proof of sufficient means of subsistence

## Modul

## Sachverhalt

- Proof of sufficient health insurance cover

If you are staying with a reference person who is studying, the immigration authority may also require

- Admission to the university or certificate of enrollment of the reference person
- Proof of sufficient means of subsistence and health insurance

In individual cases, the Immigration Office may request further documents.

## Voraussetzungen

- You are a family member of an EU or EEA citizen residing in Germany, but do not have one of these nationalities yourself.
- You have resided continuously with your reference person in Germany for a period of five years and have fulfilled the conditions for freedom of movement under EU law for the entire period.
- You have a recognized or otherwise approved, valid passport or passport substitute.
- If required, you can provide the evidence and documents listed under "Required documents".
- You are a family member of a person with German nationality, i.e. you 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 life partner who is dependent on them.
- Please note: In the case of reference persons who are students, the group of family members entitled to join the German is limited to spouses and life partners as well as children who are granted maintenance.
- You maintain a family relationship with the German (you do not necessarily have to live together).
- You have resided continuously with your reference person in Germany for a period of five years.
- Please note: Shorter periods of absence are irrelevant when calculating the period for acquiring the right of permanent residence. For example, permanent residence can also be assumed if you leave the federal

## Modul

## Sachverhalt

territory for a total of six months per year or to perform military service or alternative service as well as once for up to twelve consecutive months for good cause (e.g. due to a serious illness, studies or vocational training). The reference period for the permitted six-month absence is the period per year of residence, starting on the anniversary date of the start of residence.

- You can acquire a permanent right of residence before five years have elapsed if your reference person dies, for example as a result of an accident at work or an occupational disease.
- You have fulfilled the requirements under EU law for the free movement of third-country national family members for five years. You can assume this if the residence card was issued to you for a period of five years.

## Kosten

Issue of permanent residence card: EUR 28.80

For persons under 24 years of age: EUR 22.80

Under certain conditions, a fee reduction or fee exemption may be possible.

## Verfahrensablauf

After five years of permanent legal residence in Germany, you can apply for a permanent residence card.

The permanent residence card must be applied for at the foreigners authority responsible for your place of residence.

The procedure is as follows:

- Depending on the foreigners authority, it may be possible to apply via the Internet. Find out whether your foreigners authority offers electronic applications.
- In the case of an electronic application, the foreigners authority will contact you after receiving your application to request additional documents if necessary and to arrange an appointment with you at the foreigners authority. Your documents will be checked during the appointment (bring the originals with you to the appointment if you are asked to do so).

**Modul**
**Sachverhalt**

- If the application can only be made in person, make an appointment with the Foreigners' Registration Office. During the appointment, your details will be taken and your supporting documents checked (bring the originals with you to the appointment if you are asked to do so).
- Once the examination has been completed, you will be issued either a residence card or a rejection notice within six months.
- The permanent residence card is issued for an unlimited period.
- The permanent residence card is issued in credit card format with additional electronic functions (eAT card). Your fingerprints will be taken at the Foreigners' Registration Office to issue it. You must also provide a signature.
- After about six to eight weeks, you can collect the eAT card from the Foreigners' Registration Office. You must always collect it in person.

Fees are charged for the issue of the permanent residence card and the eAT card. The time and form of payment vary depending on the authority.

**Bearbeitungsdauer**

The processing of your application for a permanent residence card takes about six to eight weeks, but a maximum of six months.

**Frist**

- The permanent residence card can be applied for at the earliest after a permanent legal residence of five years.
- The permanent residence card will be issued for an unlimited period within six months.
- Appeal period against a negative decision by the immigration authority: one month

**weiterführende Informationen**

You can also obtain free advice on the topics of entry, residence and employment from the "Working and Living in Germany Hotline" of the Federal Government's portal for skilled workers from abroad. Telephone: +49 30 1815-1111 Service hours: Monday to Friday from 8:00 to 16:00  
<https://www.bmi.bund.de/DE/themen/migration/aufenthaltsrecht/freizuegigkeit-eu-buerger/freizuegigkeit-eu-buerger-node.html>  
<https://www.bmi.bund.de/SharedDocs/faqs/DE/theme>

## Modul

## Sachverhalt

[n/migration/freizuegigkeit/freizuegigkeit-liste.html](https://www.bamf.de/DE/Themen/MigrationAufenthalt/ZuwandererEuropa/zuwanderereuropa-node.html)  
<https://www.bamf.de/DE/Themen/MigrationAufenthalt/ZuwandererEuropa/zuwanderereuropa-node.html>  
<https://www.bmi.bund.de/DE/themen/verfassung/europa/brexit/brexit-artikel.html>  
<https://www.bmi.bund.de/DE/themen/migration/aufenthaltsrecht/freizuegigkeit-eu-buerger/freizuegigkeit-eu-buerger-node.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://www.bmi.bund.de/DE/themen/verfassung/europa/brexit/brexit-artikel.html>

## Hinweise

Special feature:

If you leave the federal territory for more than two consecutive years for a reason that is not merely temporary in nature, you will lose your permanent right of residence. The decisive factor is whether or not the purpose of the stay abroad requires only a temporary absence from the federal territory from the outset.

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 Swiss nationals. Swiss nationals and their family members are obliged to notify the foreigners authority in their place of residence of their stay in Germany lasting longer than three months and then receive a "Swiss residence permit".

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

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



**Modul**
**Sachverhalt**

authority will provide information on which regulations will apply in individual cases from January 1, 2021 (protection of the status quo or application of the general right of residence, in particular the Residence Act).

**Rechtsbehelf**

- Appeal against the decision of the immigration authority within one month of notification
- Legal action before the court named in the objection notice if the objection is not upheld

**Kurztext**

- Permanent residence card; issue for third-country national family members of Union citizens entitled to freedom of movement
- After five years of permanent, lawful residence in Germany with the family member entitled to freedom of movement, a permanent residence card can be issued.
- Third-country nationals who are family members of EU or EEA citizens can apply to the immigration authority for a permanent residence card if they have resided permanently and legally in Germany with the family member entitled to freedom of movement for a period of five years.
- lawfully: fulfillment of the requirements under EU law for the free movement of third-country national family members over a period of five years
- permanent: shorter periods of absence are irrelevant (e.g. leaving the federal territory for a total of six months per year, to perform military service or alternative service and for good cause once for up to twelve consecutive months).
- Acquisition of the right of permanent residence confers an improved legal status: Permanent right of residence regardless of the continued existence of the conditions for freedom of movement; loss can no longer be determined; increased protection against deportation.
- Under certain conditions, spouses, life partners and children can also obtain the right of permanent residence independently of permanent residence with the reference person entitled to freedom of movement (e.g. in the event of the death or departure of the reference person).
- In individual cases, it is possible for family members

**Modul**
**Sachverhalt**

of employed EU or EEA citizens to receive a permanent right of residence before five years have elapsed if they are permanently resident with the EU citizen but the latter dies prematurely (for example as a result of an accident at work or an occupational illness).

- The foreigners authority checks the duration and legality of the periods of residence completed and issues a permanent residence card within six months if the requirements are met.
- The permanent residence card is issued for an unlimited period.
- For persons who have not yet reached the age of 18, the consent of a person with parental authority is required.
- Depending on the foreigners authority, applications can be made online or in person.
- The permanent residence card is issued subject to a fee; the time and form of payment vary.
- Responsible: the foreigners authority responsible for the applicant's place of residence

**Ansprechpunkt**

the foreigners authority responsible for the applicant's place of residence

**Zuständige Stelle**

the foreigners authority responsible for the applicant's place of residence

**Formulare**

- Online procedure occasionally possible
- Written form required: yes
- Personal appearance required: yes

**Ursprungsportal**

Applying for a permanent residence card for third-country national family members of EU citizens entitled to freedom of movement,  
 Daueraufenthaltskarte für drittstaatsangehörige Familienangehörige von freizügigkeitsberechtigten Unionsbürgern beantragen