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Applying for a residence card for family members of EU citizens

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/214859022/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99010009012000, 99010009012000
Leistungsbezeichnung I	Applying for a residence card for family members of EU citizens
Leistungsbezeichnung II	Submit details for the issue of a residence card for family members of EU/EEA citizens (except Germany) and EEA citizens
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Ausstellung (012)
SDG-Informationsbereich	Anforderungen in Bezug auf Aufenthaltskarten für

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	Unionsbürger und ihre Familienmitglieder, einschließlich Familienmitglieder, die keine Unionsbürger sind
Lagen Portalverbund	Einwanderung (1080100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	30.03.2023
Fachlich freigegeben durch	Thuringian Ministry for Migration, Justice and Consumer Protection
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/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
Teaser	As a third-country national family member of an EU or EEA citizen, you will need a residence card for your continued stay in Germany no later than three months after entering the country.
Volltext	As a third-country national family member of a national of the European Union (EU) or a state of the

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European Economic Area (EEA: Norway, Iceland and Liechtenstein), 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 conditions under EU law are met. This also includes the free choice of residence in the member states of the European Union.

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

"Family members" are the following persons:

- Spouses, life partners and relatives in the direct descending line (e.g. children) and their spouses/life partners, provided they are under 21 years of age, and
- relatives of EU citizens entitled to freedom of movement in the direct ascending and direct descending line (older children, grandchildren as well as parents and grandparents) or their spouses or life partners to whom the EU citizens or their spouses or life partners provide support.

If the EU or EEA citizen is studying in Germany, the group of family members entitled to join them is limited to spouses and life partners as well as children who are granted maintenance.

If you are a family member from a third country, you will need a visa to enter Germany, unless you can enter without a visa.

During the first three months of your stay in Germany, your stay is only subject to the condition that you have a family relationship with the reference person entitled to freedom of movement, that you are accompanying this person and that you are in possession of a recognized or otherwise approved passport or passport substitute.

For a stay of more than three months, you will need a residence card, which will be issued to you ex officio by

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the immigration authority within six months.

In this case, the foreigners authority will check that the conditions for freedom of movement are met. Among other things, it may request proof of the family relationship with the reference person (e.g. documentary evidence). In addition, you may be required to provide proof that the reference person has actually exercised their right to freedom of movement (e.g. by submitting a registration certificate). If the reference person you are accompanying or joining is not gainfully employed, you should also be able to provide proof of sufficient resources and adequate health insurance cover (this also applies to any children accompanying you). Proof of language skills is generally not required to obtain a residence card.

Your stay in Germany is considered legal until a decision has been made on the issuing of the residence card.

When the residence card is issued, the existence of the right to freedom of movement is established. The residence card is usually issued for five years, unless a shorter period of time results from the residence 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 consent to your planned stay in Germany.

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 existence of a family relationship with

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the reference person (e.g. marriage certificate, birth certificate)

- Proof that the reference person has exercised their right to freedom of movement (e.g. confirmation of registration, employment contract or confirmation of employment, trade license or proof of self-employment)

If you have recently entered the country, the immigration authority may also require a

- Visa, if this was required for entry

If you are joining a reference person who is not gainfully employed, the immigration authority may also require

- Proof of sufficient means of subsistence
- Proof of sufficient health insurance cover

When joining a reference person who is studying, the immigration authority may also require

- Admission from the university or certificate of enrollment from 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 a recognized or otherwise approved, valid passport or passport substitute and, if this was required for entry, a visa.

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	<ul style="list-style-type: none"> • If required, you can provide the proof and documents listed under "Required documents"
Kosten	<p>No fees are charged for issuing the visa.</p> <p>Issue of residence card: EUR 28.80</p> <p>Issue of residence card for persons under 24 years of age: EUR 22.80</p> <p>Under certain conditions, a fee reduction or fee exemption may be possible.</p>
Verfahrensablauf	<p>Before entering Germany, you must usually apply for a visa for Germany in your home country. Once you have entered the country, you can initially stay in Germany for three months without any further requirements. For longer stays, you must apply for a residence card.</p> <p>You can provide the information required to obtain a residence card when you register at the registration office. Your details will then be forwarded from there to the Foreigners' Registration Office. In this case, you do not need to contact the Foreigners' Registration Office again. They will contact you.</p> <p>If you wish to receive your residence card at a later date (after three months at the latest), please contact the Foreigners' Registration Office. To do this, you must submit details to the foreigners authority responsible for your place of residence.</p> <p>The procedure is as follows:</p> <ul style="list-style-type: none"> • Depending on the foreigners authority, it may be possible to submit your details via the Internet. Find out whether your foreigners authority offers electronic submission. <p>In the case of electronic submission, the foreigners authority will contact you after receiving your information to request additional documents if necessary and to arrange an appointment with you at</p>

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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).

- If it is only possible to submit your details in person, make an appointment with the Foreigners' Registration Office. During the appointment, your application will be accepted and your supporting documents will be checked (bring the originals with you to the appointment if you are asked to do so).
- Irrespective of the result of the examination by the Foreigners' Registration Office, you will immediately receive a certificate confirming that you have provided the information required for the residence card to be issued in order to be able to provide proof of proper residence.
- Once the check has been completed, you will be issued either a residence card or a rejection notice within six months.
- The residence card is generally issued for five years, unless a shorter period of time results from the residence of your reference person from whom you derive your right of residence.
- The 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 residence card and the eAT card. The time and form of payment vary depending on the authority

Bearbeitungsdauer

You can enquire about the processing time for the visa procedure at the German diplomatic missions abroad at the diplomatic mission responsible for you. The processing time for issuing a residence card is approximately six to eight weeks, up to a maximum of six months.

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Frist	<ul style="list-style-type: none"> • To obtain the residence card, the required information can be submitted to the registration authority as part of the registration process or sent to the immigration authority no later than three months after entry. • The residence card is issued within six months and is generally valid for five years. • Deadline for action: 1 month
weiterführende Informationen	
Hinweise	<p>**Special feature:**</p> <p>After the residence card has been issued, the existence or continued existence of the conditions under EU law can be reviewed for special reasons. If the requirements for the right of residence no longer apply within five years of establishing residence in Germany or no longer apply, the residence card can be withdrawn.</p> <p>If you have resided legally in Germany with your reference person for five years, you can apply for a permanent residence card.</p> <p>**Note for Swiss nationals and their family members:**</p> <p>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".</p> <p>**Note for British nationals and their family members (Brexit):**</p> <p>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</p>

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December 31, 2020.

The responsible immigration 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

The decision of the immigration authority can be appealed to the court named in the decision.

Kurztext

- Residence card for family members of EU citizens
Issue
 - Family members of EU and EEA citizens who are third-country nationals may move freely within the EU with the reference person, enter and reside in any Member State or EEA state if the requirements under EU law are met.
 - Family members are:
 - Spouses, life partners and relatives in the direct descending line (e.g. children) and their spouses/life partners, provided they are under 21 years of age and
 - Relatives in the direct ascending and descending line of EU citizens entitled to freedom of movement (older children, grandchildren, parents and grandparents) or their spouses or life partners to whom the EU citizens or their spouses or life partners provide support.
 - If the reference person is staying in Germany as a student, only spouses and life partners as well as children (to whom maintenance is granted) are entitled to join them.
 - A visa is required for entry, unless entry is possible without a visa.
 - A three-month stay in Germany is not a prerequisite; a passport/passport replacement must be available and the person accompanying the sponsor must be recognizable.
 - For longer stays of more than three months, third-country national family members require a residence card
 - Residence card is issued by the immigration authority ex officio and within six months
 - No application required; only the information required for the residence card to be issued must be

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provided; this can be submitted when registering at the registration office or later at the immigration office

- Foreigners' Registration Office checks the requirements for freedom of movement and may request the following proof in individual cases:
 - Valid passport or passport substitute,
 - Proof of family relationship,
 - Proof that the reference person is currently exercising their right to freedom of movement,
 - Proof of sufficient means of subsistence and adequate health insurance cover if the reference person is not gainfully employed.
 - No language skills required
 - Residence is deemed to be legal until a decision is made on issuing the residence card.
 - Residence cards are generally issued for five years, unless the period of residence of the reference person is shorter
 - For persons who have not yet reached the age of 18, the consent of a person with parental authority is required
 - A permanent residence card can be issued after five years of permanent, legal residence with the reference person in Germany
 - Depending on the immigration authority, the information can be submitted online or in person
 - Issuance of the residence card is subject to a fee; the time and form of payment vary
 - Responsible: the immigration authority responsible for the family member's place of residence

Ansprechpunkt

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

Zuständige Stelle

- For the issue of a national visa before entering Germany: German diplomatic mission abroad (embassy, consulate)
- For the issue of a residence card after entry: The immigration authority responsible for the family member's place of residence

Formulare

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

Ursprungsportal

Aufenthaltskarte beantragen für Familienangehörige

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von Unionsbürgern, Applying for a residence card for family members of EU citizens
