

99010022001006, 99010022001006

Residence permit due to expulsion

Heruntergeladen am 14.06.2025

<https://fimportal.de/xzufi-services/458192983/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99010022001006, 99010022001006
Leistungsbezeichnung I	Residence permit due to expulsion
Leistungsbezeichnung II	Residence permit due to expulsion
Typisierung	2/3b - Bund: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	
Lagen Portalverbund	Existenzsicherung und staatliche Unterstützung (1140100), Einwanderung (1080100), Asyl (1080200)
Einheitlicher Ansprechpartner	Nein

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Fachlich freigegeben am	17.06.2022
Fachlich freigegeben durch	Lower Saxony Ministry of the Interior and Sport
Handlungsgrundlage	https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32001L0055&from=DE https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=uriserv%3AOJ.L_.2022.071.01.0001.01.DEU&toc=OJ%3AL%3A2022%3A071%3ATOC https://www.gesetze-im-internet.de/aufenthg_2004/_24.html https://www.bundesanzeiger.de/pub/publication/iOtjNkrHCZ76Jw5ReGn/content/iOtjNkrHCZ76Jw5ReGn/BA nz%20AT%2008.03.2022%20V1.pdf?inline= https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32001L0055&from=DE https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=uriserv%3AOJ.L_.2022.071.01.0001.01.DEU&toc=OJ%3AL%3A2022%3A071%3ATOC https://www.gesetze-im-internet.de/aufenthg_2004/_24.html https://www.bundesanzeiger.de/pub/publication/iOtjNkrHCZ76Jw5ReGn/content/iOtjNkrHCZ76Jw5ReGn/BA nz%20AT%2008.03.2022%20V1.pdf?inline=
Teaser	If you have fled Ukraine, you can obtain a residence permit for temporary protection under certain conditions.
Volltext	<p>By Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of the Mass Influx Directive 2001/55/EC, the European Union decided to open the reception procedure for temporary protection for war refugees.</p> <p>If you fled Ukraine because of the war or if you have been legally resident in Germany for a long time and cannot return to Ukraine after your current residence permit has expired due to the war, you can receive temporary protection in Germany under Section 24 of the Residence Act.</p> <p>In addition, you can currently enter Germany without a visa and stay here - initially for a limited period until 31</p>

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August 2022 - without a residence permit.

If necessary, you can receive government support to cover your living expenses (for example, in the form of housing, cash payments or medical care). If you are dependent on state support (social benefits), you are generally not entitled to reside in a specific place in Germany. Your place of residence is determined by the competent authority (allocation decision). For taking up residence in a place of your choice, weighty reasons must be presented (for example, family relationships).

Before obtaining the residence permit, you must go through the formal registration process for refugees. When registering, your personal data (personal data and fingerprints, photo) will be collected by a German authority.

As a rule, the residence permit is initially issued for two years. Subject to a decision by the Council of the EU, it may be extended for up to a total of three years.

With the residence permit according to § 24 of the Residence Act, you can take up any employment and self-employment by law. Please note that in some professions there are professional access restrictions (for example, in the health sector). You can also start your own business or work freelance.

In addition, you can receive counselling and placement services according to SGB III from the employment agencies.

Children from the age of six have the right, but also the obligation, to attend school.

Erforderliche Unterlagen

- Recognised and valid identity document (e.g. passport with or without biometric features, passport replacement paper, identity documents of the country of origin, driving licence)
 - Proof of date of entry into the Schengen area and Germany
 - Arrival certificate or proof of arrival (if available)
 - Proof of family relationships (marriage, birth certificate, adoption certificate, if available)

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- Allocation decision (if any)
- Proof of current residence or residence in Germany
- Displaced persons who do not have Ukrainian citizenship: proof of valid right of residence in Ukraine
- Proof of representation (if you are acting as a representative)
- In individual cases, the Foreigners' Registration Office may require less or further proof.

Voraussetzungen

- You must declare your willingness to be admitted to the Federal territory (i.e. you must submit a request for protection, for example by applying for a residence permit for temporary protection)
- You belong to the group of beneficiaries if you had your habitual residence in Ukraine before 24.02.2022 and belong to the following group of persons:
 - Ukrainian citizens with their family members,
 - Displaced non-Ukrainian citizens and stateless persons with international or national protection status in Ukraine with their family members.
 - Displaced non-Ukrainian citizens and stateless persons with permanent right of residence in Ukraine (permanent right of residence) who cannot return to their home country with their family members.
 - Displaced non-Ukrainian citizens with temporary residence rights in Ukraine who cannot return to their country of origin.
 - In addition, Ukrainian citizens who have been legally resident in Germany for a long time and cannot return to Ukraine after their current residence permit has expired due to the war can apply for a residence permit.

Kosten

From 0 to 100 EUR

Remark:

Additional fees may apply for the issuance of the residence permit in the form of the electronic residence title (eAT), which can also be used as an electronic proof of identity.

Charges are waived when services are received. In other cases, the fee may be waived or reduced in individual cases on humanitarian grounds.

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Verfahrensablauf

The entire procedure is structured as follows:

- Registration: Before obtaining the residence permit, you must go through the formal registration process for refugees. Registration currently takes place, for example, in reception centres or immigration authorities and usually includes your name, date of birth, nationality, current address and a copy of your identity document. In addition, you will be photographed and your fingerprints will be captured.
- Once registered, a certificate (proof of arrival, start-up certificate, fictional certificate or other confirmation) is issued, which can be presented to the competent social welfare office in order to apply for social benefits.
- Distribution to a place of residence when receiving social benefits (allocation): Subsequently, in principle, an allocation decision is issued which obliges you to take up your home and habitual residence in a specific place or region.
- Registration: Registration of your residential address at the responsible registration office at the destination.
- Applying for a residence permit: In order to obtain a residence permit for temporary protection, you must submit an application to the immigration authority responsible for your place of residence. If you already have an assignment decision, this is where you were assigned.
- Find out whether your immigration authority allows you to submit your application online or has a special application form.
- If the application is only possible in person, make an appointment at the Foreigners' Registration Office. In the case of an online application, the Foreigners' Registration Office will contact you upon receipt of your application to make an appointment.
- During the appointment, your identity and documents will be checked (please bring your documents, preferably original, to the appointment).
- If your request is granted, your fingerprints will be taken for the production of an electronic residence permit (eAT card). The Foreigners' Registration Office commissions Bundesdruckerei to produce the eAT card. After completion, you will receive information

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and can pick up the residence permit at the responsible office. The eAT card must always be picked up in person.

- If your application is rejected, you will receive a rejection notice.
- The initial registration, distribution, registration with the registration authority and application for the residence permit are separate processes – sometimes they are done together, but this ultimately depends on the local organization. If in doubt, please ask.

Bearbeitungsdauer

approx. 8 weeks. The production of the electronic residence title by Bundesdruckerei takes about 4 to 6 weeks. Due to the very high number of displaced people, it may take longer. This varies from immigration authority to immigration authority. You will receive a fictional certificate for the transitional period. Stay in Germany is thus permitted until the eAT is handed over

Frist

6 - 8 Woche(n)
 At the latest 8 weeks before the expiry of the date specified in the Ukraine Residence Transition Ordinance, the application should be received by the Foreigners' Registration Office.

weiterführende Informationen
Hinweise

- Already when an application is submitted, the immigration authorities will issue so-called fictional certificates. These bridge the right of residence until the actual residence permit can be issued and issued. The Foreigners' Registration Office will also enter "gainful employment permitted" in the fictional certificate.
- If there is need, all persons covered by § 24 of the Residence Act currently receive subsistence benefits and medical care.
- The allocation decision shall not be appealed; an action shall not have suspensory effect.
- Inaccurate or incomplete information may slow down the process and be detrimental to you. In an emergency, incorrect or incomplete information that is not completed or corrected in time vis-à-vis the immigration authority may result in the withdrawal of

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residence rights already granted, a fine, imprisonment of up to three years or expulsion from the federal territory.

- If you meet the requirements, you can also obtain a residence permit for the purpose of employment or training at the local immigration office.
- As an alternative to applying for a residence permit for temporary protection, every refugee has the opportunity to apply for asylum. It should be noted, however, that applying for a residence permit provides protection more quickly and is associated with advantages (for example, no restriction on taking up work and no obligation to live in initial reception centres).

Rechtsbehelf

- An action may be brought before the competent administrative court against a negative decision of the immigration authority.
- A preliminary procedure (opposition) does not take place in Lower Saxony.
- Detailed information can be found in the rejection decision.

Kurztext

- Residence permit for international, humanitarian or political reasons Grant for temporary protection
 - Persons expelled from Ukraine in connection with the military invasion of the Russian armed forces on 24 February 2022, as well as Ukrainian citizens who have been legally resident in Germany for a long time and cannot return to Ukraine after their current residence permit has expired due to the war, can apply for a residence permit.
 - Due to the Ukraine Residence Transition Ordinance, war refugees from Ukraine are temporarily exempt from the requirement of a residence permit in Germany (initially limited until 31 August 2022). After that, war refugees need a residence permit.
 - If displaced persons wish to work or need state support, they must apply for a residence permit before this date.
 - The residence permit is initially issued to you for two years. The total duration is a maximum of three years.
 - Displaced persons must declare their willingness to

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	<p>be admitted to the Federal territory (this is done indirectly by applying for residence for temporary protection).</p> <ul style="list-style-type: none"> • If state support (social benefits) is required, the place of residence in Germany is determined by the authorities. • The residence permit does not directly entitle the holder to engage in dependent or self-employed gainful employment, but must first be permitted by the Foreigners' Registration Office. • Responsible: the immigration authority responsible for the place of residence of the applicant
Ansprechpunkt	The immigration authority responsible for the place of residence of the applicant is responsible for processing the application.
Zuständige Stelle	
Formulare	<p>Forms available: No</p> <p>Written form required: No</p> <p>Informal application possible: Yes</p> <p>Personal appearance required: Yes</p> <p>Online dinst available: Yes</p>
Ursprungsportal	Aufenthaltserlaubnis wegen Vertreibung, Residence permit due to expulsion