

Special regulations on entry and residence

Important: Due to the current situation in connection with the spread of the coronavirus, authorities and public institutions are only accessible to a limited extent. Nevertheless, temporary regulations apply to ensure that residence law matters can be handled the best way possible. You can find out what these special regulations mean for you here.

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1. I have submitted a visa application for the purpose of taking up employment to the German embassy or consulate prior to the Corona measures. In the meantime, the embassy or consulate has been closed to the public or can only be reached to a limited extent and I am not receiving any feedback on my application. What can I do?

Currently, you should expect that the processing of your visa application will take longer. Therefore, please inform yourself about current developments on the website of your **responsible German embassy or consulate**.

Note: Visa applications from certain professions (those covered by the exceptions to the entry restrictions, particularly in the health and care professions and in the field of transport and goods traffic) will continue to be accepted and processed.

2. I have an entry visa for Germany and cannot enter due to travel restrictions. What can I do?

In order to contain the risks of infection by the corona virus, there are EU-wide travel restrictions on entry from third countries.

Excluded from the travel restrictions are, in particular, qualified personnel in the health and nursing professions, health research, and in transport and goods traffic.

ATTENTION: Since 17 July 2020 (last update 01 June 2021), unrestricted entry to Germany from some countries outside the EU has been possible again. The list of these states are getting updated every two weeks. You can find out which countries are concerned and further important information here: **FAQ of the Federal Ministry of the Interior, Building and Community** [↗](#).

3. I am currently in the process of applying for the expedited procedure for qualified professionals with my employer (according to Section 81a AufenthG (German Residence Law)). Can I count on a faster visa procedure despite the currently limited public access to German embassies or consulates?

You and your employer can still apply for the expedited procedure for qualified professionals at the immigration authorities responsible to obtain "preliminary approval for the visa". This pre-approval can be issued by the Foreigners Authority for six months instead of three months. This means that the pre-approval remains valid for longer. To apply for a visa, please visit the website of the **responsible German embassy or consulate**. Visas for persons covered by the exceptional rules can - depending on the local conditions - generally be applied for and issued.

4. My residence permit will expire soon, and the Foreigners Authority has suspended public access. How can I extend my residence permit during the current situation?

To extend residence permits, the responsible Foreigners Authorities usually issue a fictional certificate

upon application and send it by post in order to avoid public traffic at the authorities. This fictional certificate means that your residence title, including your permission to work, is considered to be valid from the time of expiry until further notice of the Foreigners Authority. An application for renewal can be submitted informally (e.g. by post, online, by e-mail or by telephone) to your competent Foreigners Authority.

5. I work in Germany with the EU Blue Card and am now receiving short-time work benefits due to the Corona pandemic. Will I lose my EU Blue Card?

Due to the corona pandemic, many employers are dependent on registering short-time work for their employees. If this applies to you and you would like to extend your residence permit in Germany in the near future, the receipt of short-time work benefits should not have a negative effect on your existing residence permit; even if the short-time work benefits fall below the respective salary limit. In the case of short-time working allowance, the employment contract remains in force. In addition, it is expected that the employment contract will remain valid once the Corona-related restrictions have been lifted.

6. I was dismissed due to the Corona pandemic. What can I do in order to continue to stay in Germany?

In this case, you do not have to leave the country immediately, even if you do not yet have a settlement permit. However, you are obliged to inform the Foreigners Authority about the termination of your employment within two weeks. At the same time, your employer must also inform the Foreigners Authority of this.

Although the termination of your employment means that your previous purpose of residence no longer applies, the Foreigners Authorities have a wide scope of discretion with regard to shortening your residence title and will weigh out interests appropriately. Please contact your competent Foreigners Authority.

7. I am in Germany with a job-seeking visa, which will expire soon and cannot be extended. I have not yet found a suitable job and cannot leave the country due to travel restrictions. Can my visa be extended?

A job-seeking visa can be issued to international professionals by the relevant mission abroad for a maximum of six months. After this period, you must always leave the country if you have not found a suitable job in Germany. In the current situation there is a temporary exception: If your residence permit has reached the legal maximum duration of stay after 16 March 2020, you must submit an application for extension in time. The application can be submitted informally (e.g. by post, online, by e-mail or by telephone) to the Foreigners Authority responsible for you. From the time your application is received by the competent Foreigners Authority, your residence title is valid, regardless of the expiry date noted, until further notice of the Foreigners Authority.

This regulation also applies to the following residence titles:

- ICT card for employees transferred within the company (Section 19 AufenthG (German Residence Law))
- Mobile ICT card (Section 19b AufenthG (German Residence Law))
- Residence permit for mobile researchers (Section 18f AufenthG (German Residence Law))
- International staff exchange (Section 19c (1) AufenthG (German Residence Law) in conjunction with Section 10 BeschV (German Employment Regulation))
- Residence permit for the purpose of applying for a course of study (Section 17 (2) AufenthG (German Residence Law))
- Residence permit for the purpose of applying for vocational training (Section 17 (1) AufenthG (German Residence Law))

8. I am employed in a company as a trainee. Due to the Corona crisis my training was interrupted. What happens to my residence permit?

If your training company can no longer guarantee your training because of the corona virus and therefore has to close the company, the entire training period may be extended. You should urgently

apply to the relevant professional association for an extension of the training period, if this is necessary to achieve the training objective. Regardless of whether such an application is made, your residence permit for the purpose of vocational training will remain valid.

9. I have lost my student job because of Corona and I cannot prove that I have sufficient funds to renew my residence permit. What can I do?

At present, the Foreigners Authorities usually abstain from demanding proof of sufficient financial means if you have covered your living by gainful employment in the past. This also applies if your parents provide for your livelihood and are financially affected by the pandemic. For this purpose, please contact your competent Foreigners Authority.

Tip: In order to be able to continue covering your daily expenses, there are currently extended employment opportunities available to you. You can work for more than the permitted 120 full days or 240 half days (according to Section 16b (3) AufenthG (German Residence Law)), but you need permission of the Foreigners Authority which is supposed to grant it. If, for example, you want to take up employment as a harvest hand, permission is granted quickly, since the Federal Employment Agency (BA) has already given its global approval. (See also: [Global approval of the BA dated April 2, 2020](#) .

10. I am studying in Germany and, due to the restrictions of the university system, I am not able to complete my studies within the maximum duration of my stay. Will my residence permit still be extended?

When deciding on the extension of the residence permit for the purpose of studying, the Foreigners Authorities will examine all circumstances that have led to the delay of your studies on a case-by-case basis. If your studies are delayed due to restrictions in teaching and if this leads to the maximum period of residence of ten years being exceeded, this is usually taken into account by the Foreigners Authorities.

11. I have a valid residence permit for Germany and am abroad, as my return journey is not possible due to travel restrictions and restricted air traffic. When can I return to Germany?

Your valid residence permit for Germany expires if you stay abroad for more than six months (Section 51 (1) No. 7 AufenthG (German Residence Law)). Due to the extensive travel restrictions, there is one exception: If you are abroad and have no possibility to return to Germany within the six-month period, you can apply for an extension of the deadline. This application must be submitted to the competent Foreigners Authority before the deadline expires and can be made informally.

You can find out when it is possible to re-enter Germany by contacting the [German embassy or consulate](#) in the country in which you are situated.

12. Before the Corona measures in Germany entered into force, I travelled abroad. Now my residence permit expires and I cannot re-enter Germany. What can I do?

If your residence title loses its validity during your stay abroad and you have reason to believe that the residence title would have been extended under normal circumstances, you can apply for its extension in accordance with Section 81 (1) AufenthG (German Residence Law) at the Foreigners Authority responsible for you in Germany before the expiry of the residence title.

The application for renewal can be submitted informally (e.g. by e-mail) from abroad. If the application is submitted before the expiry of the residence title, the legal fictional effect of Section 81 (4) No. 1 AufenthG (German Residence Law) comes into force. For re-entry at a later date, you need a fictional certificate issued by the competent Foreigners Authority and sent to you. For details on how to send the certificate of fiction, please contact your competent Foreigners Authority.

13. I need a new passport as document of identification, but the embassy or consulate of my country of origin has stopped operating. What can I do?

The passport obligation and the declaration of identity are among the basic requirements for the

granting of residence titles in Germany (Section 5 (1) AufenthG (German Residence Law)). This means that you as the applicant must be in possession of a valid passport. If the re-issuing of a passport by your Foreign Authority is temporarily not possible, please enquire immediately about the solutions and possibilities your state has in place for this. Germany will treat various measures (e.g. declarations / regulations on the renewal of expired passport and ID documents) favourably, as far as there is evidence of such measures.

Only in justified exceptional cases and if it can be proven that consular assistance is not possible, the passport obligation can be abstained from. In addition, you should enquire at your competent Foreigners Authority in Germany whether a temporary replacement ID card can be issued.

<https://www.make-it-in-germany.com/en/visa/covid-19-in-germany/special-regulations-on-entry-and-residence>

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