

99010020001003

# Granting a residence permit on the basis of extensive professional knowledge

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<https://fimportal.de/xzufi-services/231163250/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99010020001003
Leistungsbezeichnung I	Granting a residence permit on the basis of extensive professional knowledge
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)
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	19.05.2020
Fachlich freigegeben durch	Ministry of the Interior and Municipal Affairs of the State of Brandenburg
Handlungsgrundlage	<p>§ Section 19c (2) AufenthG</p> <p>§ Section 42 (1) no. 2 Residence Act (AufenthG)</p> <p>§ Section 6 Employment Ordinance (BeschV)</p> <p><a href="https://www.gesetze-im-internet.de/aufenthg_2004/index.html">https://www.gesetze-im-internet.de/aufenthg_2004/index.html</a></p> <p><a href="https://www.gesetze-im-internet.de/beschv_2013/index.html#BJNR149910013BJNE003801311">https://www.gesetze-im-internet.de/beschv_2013/index.html#BJNR149910013BJNE003801311</a></p> <p><a href="https://www.gesetze-im-internet.de/aufenthg_2004/index.html">https://www.gesetze-im-internet.de/aufenthg_2004/index.html</a></p> <p><a href="https://www.gesetze-im-internet.de/beschv_2013/index.html#BJNR149910013BJNE003801311">https://www.gesetze-im-internet.de/beschv_2013/index.html#BJNR149910013BJNE003801311</a></p>
Teaser	If you have extensive practical professional knowledge in the field of information and communication technology, you can obtain a residence permit under certain conditions. However, a formal qualification is not required.
Volltext	<p>If you have extensive practical professional knowledge, you can obtain a residence permit for employment in the field of information and communication technology (IT sector).</p> <p>To do so, you must have worked in the IT sector for at least three years in the last seven years and thus have acquired a high level of skills and knowledge about your work. In addition, the granting of such a residence permit requires an employment contract or a specific job offer with a certain minimum salary.</p>

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You do not need to have completed qualified vocational training or a course of study. It is also not necessary for your qualifications acquired abroad to be recognized. It may be helpful if, in addition to several years of professional experience, you can also demonstrate relevant theoretical knowledge (e.g. through certificates or diplomas).

The Federal Employment Agency must approve the employment before the residence permit is issued. It also checks whether certain requirements can be waived. The Federal Employment Agency grants its approval for a maximum of four years.

The residence permit is issued for a limited period. Its validity depends on your employment contract or the period of validity of the Federal Employment Agency's approval.

Under certain circumstances, the Immigration Office may require you to attend an integration course. This will then be noted on your residence permit.

If you are an employer and would like to hire an IT specialist from abroad, you can apply for the accelerated skilled worker procedure at the foreigners authority on behalf of the foreigner, which can facilitate and accelerate the entry of skilled workers.

## Erforderliche Unterlagen

- Valid passport
- Proof of at least three years of professional experience within the last seven years
- If available, further proof of your acquired theoretical knowledge (e.g. certificates)
- Your language certificate level B1
- Original of your employment contract or a binding job offer with salary details (please use the standard federal employment declaration form for this)
- Current biometric photo
- Current registration certificate
- Proof of your health insurance
- Tenancy agreement
- 
- In addition
- if you have recently entered the country:

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- Visa, if this was required for entry
- 
- and in the case of a previous stay:
  - Current residence permit or other certificate of right of residence (e.g. Aufenthaltsgestattung, Duldung)
  - Further documents are required for the employer to carry out the accelerated skilled worker procedure. Please contact the relevant immigration office for this purpose

## Voraussetzungen

- You have a recognized and valid passport or passport substitute and - if required for entry - an appropriate visa.
- There is no interest in deporting you.
- Your stay does not jeopardize or impair the interests of the Federal Republic of Germany.
- You have worked in the IT sector for at least three years within the last seven years.
- You have an employment contract or a binding job offer in the field of information and communication technology.
- Your salary will reach at least 60% of the contribution assessment ceiling for pension insurance. In 2020, 60% corresponds to a minimum gross salary of EUR 4,140 per month or EUR 49,680 per year (limit applies to the whole of Germany). The amount of the contribution assessment ceiling for each year is published by the Federal Ministry of the Interior, Building and Community in the Federal Gazette by December 31 of the previous year (see further information).
- You are able to cover your living expenses and health insurance independently without claiming public benefits.
- You have sufficient knowledge of German. This corresponds to language level B1. In individual cases, the requirement for German language skills may be waived. If this requirement is to be waived in your case, you must apply for this and give reasons.
- The Federal Employment Agency has agreed to your taking up employment (approval is usually obtained from the Foreigners' Registration Office). For approval to be granted, your working conditions (in particular salary) must be comparable to those of a German employee in the same position.

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### Kosten

Issuing a residence permit: EUR 100.00

Amendment of an existing residence permit for the purpose of obtaining a residence permit for the purpose of employment in the case of extensive practical professional knowledge (change of purpose): EUR 98.00

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

Note: The residence permit is issued as an electronic residence permit. The fee for reissuing the card body is EUR 67.00

### Verfahrensablauf

You must apply for a residence permit at the foreigners authority responsible for your place of residence. The procedure is as follows:

- Depending on the foreigners authority and your request, it may be possible to apply via the Internet. Find out whether your foreigners authority offers electronic applications for residence permits.
- If you can only apply in person, make an appointment with the immigration office. During the appointment, your application will be accepted and your supporting documents checked (bring these with you to the appointment). Your fingerprints will be taken for the production of an electronic residence permit (eAT card).
- In the case of an electronic application, the Foreigners' Registration Office will contact you after receiving your online application to arrange an appointment at the Foreigners' Registration Office if necessary. During the appointment, your documents will be checked (bring them with you to the appointment) and your fingerprints will be taken for the production of the electronic residence permit (eAT card).
- If your application is approved, the Foreigners' Registration Office will arrange for the eAT card to be produced.
- After about six to eight weeks, you can collect the eAT card from the immigration office.
- The eAT card must always be collected in person.

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

## Bearbeitungsdauer

about six to eight weeks

## Frist

- The residence permit should be applied for at least eight weeks before your valid visa or residence permit expires.
- The residence permit is issued for a limited period. Its validity depends on the period of validity of your employment contract and the approval of the Federal Employment Agency.
- Objection period: 1 month

## weiterführende Informationen

- Federal government portal for skilled workers from abroad  
<https://www.make-it-in-germany.com/de/ueber-das-portal/kontakt/hotline/>
- Information on the residence of skilled workers without vocational or academic training, including IT specialists without formal qualifications, on the website of the Federal Office for Migration and Refugees (German):  
<https://www.bamf.de/DE/Themen/MigrationAufenthalt/ZuwandererDrittstaaten/Arbeit/FachkraefteOhneAusbildung/fachkraefte-ohne-ausbildung-node.html>
- Information on the residence of skilled workers without vocational or academic training, including IT specialists without formal qualifications, on the website of the Federal Office for Migration and Refugees (English):  
<https://www.bamf.de/EN/Themen/MigrationAufenthalt/ZuwandererDrittstaaten/Arbeit/FachkraefteOhneAusbildung/fachkraefte-ohne-ausbildung-node.html>
- This is how you can access the annual announcements of the Federal Ministry of the Interior on the minimum salary required for a residence permit for IT specialists without formal qualifications: Open the website of the Federal Gazette and enter the words "Bekanntmachung zu § 6 der Beschäftigungsverordnung" in the search mask there.
- You can also obtain free advice on entry, residence and employment from the "Hotline Working and Living in Germany" of the Federal Government's portal for

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skilled workers from abroad. Telephone: 030  
1815-1111 Service hours: Monday to Friday from 8:00  
to 16:00

## Hinweise

## Rechtsbehelf

## Kurztext

- Residence permit for the purpose of gainful employment, issued for the purpose of employment in the case of strong professional skills
- Regardless of their qualifications, foreign IT specialists may be permitted to take up qualified employment in the field of information and communication technology if they have worked in the IT sector for at least three years in the last seven years and have thus acquired distinctive skills and knowledge of their work.
- The residence permit is issued for a limited period. The period of validity depends on the employment contract or the approval of the Federal Employment Agency.
- Under certain circumstances, the immigration authority may require the IT specialist to attend an integration course.
- Depending on the foreigners authority and the matter in question, applications can be made online or in person.
- A fee is charged for the issue of the residence permit. The time and form of payment vary depending on the authority.
- Employers can apply for the accelerated skilled worker procedure at the foreigners authority if they wish to hire an IT specialist from abroad.
- Responsible: the foreigners authority responsible for the applicant's place of residence; for the accelerated skilled worker procedure: Foreigners' Registration Office at the place of business where the foreigner is to be employed, unless a central office has been set up for the procedure

## Ansprechpunkt

The immigration authority responsible for the applicant's place of residence;

For the accelerated skilled worker procedure:

Foreigners' Registration Office at the place of work

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	where the foreigner is to be employed, unless a central office has been set up to carry out the procedure
Zuständige Stelle	<p>The immigration authority responsible for the applicant's place of residence;</p> <p>For the accelerated skilled worker procedure:</p> <p>Foreigners' Registration Office at the place of work where the foreigner is to be employed, unless a central office has been set up to carry out the procedure</p>
Formulare	<ul style="list-style-type: none"> <li>• Forms: Declaration on the employment relationship (standardized nationwide ); you can obtain other forms specific to the authorities from your foreigners authority; these may also be available online</li> <li>• Online procedure possible: occasionally</li> <li>• Written form required: yes</li> <li>• Personal appearance required: yes</li> </ul>
Ursprungsportal	Granting a residence permit on the basis of extensive professional knowledge, Aufenthaltserlaubnis erteilen aufgrund ausgeprägter Berufskenntnisse