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Apply for a tolerated stay permit

Heruntergeladen am 15.06.2025

<https://fimportal.de/xzufi-services/110051937/L100041>

Modul	Sachverhalt
Leistungsschlüssel	99010031001000, 99010031001000
Leistungsbezeichnung I	Apply for a tolerated stay permit
Leistungsbezeichnung II	Apply for a tolerated stay permit
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Brandenburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Aufenthaltstitel (010)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Aufnahme einer Beschäftigung in einem anderen Mitgliedstaat
Lagen Portalverbund	Einwanderung (1080100), Berufsausbildung (1030200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	05.07.2023

Modul	Sachverhalt
Fachlich freigegeben durch	Ministry of the Interior and for Municipal Affairs of the State of Brandenburg
Handlungsgrundlage	https://www.gesetze-im-internet.de/aufenthg_2004/_60c.html https://www.gesetze-im-internet.de/aufenthg_2004/_60a.html
Teaser	<p>If your application for asylum has been rejected and you would like to continue an apprenticeship you started during the asylum procedure, or if you are in possession of a tolerated status and would like to start an apprenticeship, you can, under certain conditions, obtain a tolerated status for apprenticeships for the duration of the apprenticeship.</p>
Volltext	<p>A training toleration (Ausbildungsduldung) is a special form of toleration that you can receive if</p> <ul style="list-style-type: none"> • your asylum application has been rejected, you have started vocational training during the asylum procedure and would like to continue it, or • you are in possession of a Duldung (i.e. you are obliged to leave the country) and would like to start an apprenticeship. <p>In order to receive a training toleration, the vocational training must meet certain requirements (see Requirements).</p> <p>The training toleration is issued for a specific training company. A (seamless) change of the training company is possible. In these cases, an application for the "Umschreibung" (transfer) of the Ausbildungsduldung to the new company is required prior to the change of company.</p> <p>With the training toleration you are allowed to stay and work in Germany for the entire time of your training. You cannot be deported during this time.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Recognized identity document (for example, passport, passport replacement, official ID with photo, official

Modul

Sachverhalt

documents from the country of origin such as military ID, driver's license, consular card, laissez-passer, service ID or civil status certificate with photo)

- Current biometric photo in passport format (45 x 35 mm)
- Rejected asylum decision or tolerated status
- In the case of in-company vocational training:
 - Vocational training contract
 - Proof of entry of the training contract in the register of vocational training relationships (for example, confirmation of registration or application for registration from the relevant Chamber of Crafts)
 - For assistant or helper training, a training place commitment from the training company or educational institution for subsequent qualified vocational training
- In the case of school-based training: contract or acceptance promise of the educational institution with designation of the training occupation
- In the case of minors: consent of the legal guardians to the planned stay (declaration of consent).

The documents and information must always be submitted in German. In individual cases, the Aliens' Registration Office may require less or further proof.

Voraussetzungen

- You started your training during your asylum procedure and would like to continue it after your asylum application has been rejected, or you have been in possession of a tolerated status for at least three months and would like to start training.
- You already have a training place or have one in prospect that meets the following criteria:
 - It is a qualified, at least two-year, in-company or school-based vocational training in a state-recognized or comparably regulated training occupation, or
 - It is a state-recognized or comparably regulated assistant or helper training followed by qualified vocational training.

****Please note** :**

Modul

Sachverhalt

In the case of assistant or helper training, you also need a training place commitment for the subsequent qualified vocational training. In addition, the occupation must be a so-called "shortage occupation" (for example, occupation in geriatric care and nursing).

The "Ausbildungsduldung" cannot be granted for vocational preparation measures or school measures (e.g. language courses) that are intended to introduce you to vocational training. You can find a list of recognized training occupations under "Further information".

- Your identity has been clarified.

****Please note:**** Persons who came to Germany before December 31, 2016, must clarify their identity when applying for a training toleration.

Individuals who arrived in Germany between January 1, 2017 and January 1, 2020 and who wish to apply for a training toleration now or later had to have their identity clarified by June 30, 2020. The deadline is met if it can be proven that all reasonable measures to clarify the identity have been taken by then. Even if the identity is not clarified until later.

Persons who arrived in Germany on or after January 1, 2020 must clarify their identity within the first six months in Germany.

The reasonableness is assessed according to the circumstances of the individual case, whereby you should cooperate in all actions that the authorities require of you.

- If you have not yet reached the age of 18, your legal guardians must consent to your stay in Germany.
- You have no ties to extremist or terrorist organizations and do not support them. You have not yet been convicted of a criminal offense. There is no deportation interest against you.

Modul

Sachverhalt

Your deportation has not yet been prepared by the Aliens Department (preparation is to be assumed if, for example, a medical examination to determine your fitness to travel has already been arranged, a state subsidy for your voluntary departure with state funds was approved prior to the issuance of the educational toleration, a passport document has been applied for, a deportation date has been set or a Dublin procedure is underway).

Kosten

Cost amount (fixed):

- 58.00 for the training permit as an adhesive label
- 62,00 for the training permit as a carrier printout

Remark:

The Aliens' Registration Office may charge a fee for the issuance of a "Ausbildungsduldung". The time and the form of charging as well as the payment vary depending on the authority.

In certain cases, fee reductions or exemptions may be considered (for example, if the livelihood cannot be secured without recourse to public benefits).

Verfahrensablauf

- Find out whether your foreigners authority allows you to apply online or has a special application form.
 - If the application can only be submitted in person, make an appointment at the Aliens' Registration Office. In the case of online application, the Aliens' Registration Office will contact you after receiving your application to schedule an appointment.
 - During the appointment, your identity and documents will be checked (please bring your documents, if possible in original, to the appointment).
 - If your application is approved, you may be issued the educational toleration at the appointment. If your application is rejected, you will receive a rejection notice. In this case, you may not start the training.

Modul
Sachverhalt
Bearbeitungsdauer

The processing time may vary depending on the workload of the Foreigners' Registration Office. Since the Ausbildungsdundung is produced at the Aliens' Registration Office, it can in principle be issued during the appointment.

Frist

Rejected asylum seekers should submit the application for the training toleration as soon as possible after receiving the rejection notice. Holders of the tolerated status should submit the application to the Aliens' Registration Office in good time before the start of the training, but no earlier than seven months before the start of the vocational training. Note (for more information on the deadline): The validity of the Ausbildungsdundung depends on the duration of the training determined in the training contract and is usually granted for the entire period of the training. If the training has not yet begun, the Ausbildungsdundung is issued at the earliest six months before the start of the vocational training.

weiterführende Informationen

<https://handbookgermany.de/de/ausbildungsdundung>
<https://www.bibb.de/de/65925.php>
https://www.bmbf.de/bmbf/en/education/the-german-vocational-training-system/the-german-vocational-training-system_node.html
https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/themen/migration/anwendungshinweise-zum-gesetz-ueber-dundung-bei-ausbildung.%20pdf?__blob=publicationFile&v=3

Hinweise

- During the asylum procedure, you cannot apply for a training permit. During this time, it is sufficient to have a residence permit, which can also be used to start school or company-based training.
 - The "Ausbildungsdundung" is not a prerequisite for starting an apprenticeship. You can already start an apprenticeship if you are allowed to work - i.e. if you have been granted an employment permit. If you have a "normal" Duldung in accordance with Section 60a of the Residence Act with permission to work, however, this does not grant you the long-term protection against termination of residence during the period of training, nor does it grant you the special rights associated with the Ausbildungsdundung.

Modul

Sachverhalt

- If you successfully complete your vocational training, you may be eligible for a residence permit for two additional years ("3+2" regulation). If you are not taken on by the training company, you will initially be granted a toleration for six months to look for work.
- If you break off your training relationship or end it prematurely, your tolerated period of training expires. You may be granted a one-time toleration for six months to search for a new training position. Training companies and educational institutions are obliged to inform the Foreigners' Registration Office within two weeks of the termination of the training.
- You are not allowed to travel abroad with the training toleration.
- The Ausbildungsduhlung expires if you are convicted, if you are expelled or if you are ordered to be deported in order to avert a special danger, in particular a terrorist danger, against you.
- The procedure is usually conducted in German. If you have insufficient knowledge of German, you are advised to appear with a person who can act as a translator.
- You must make all your statements to the Aliens' Registration Office to the best of your knowledge and belief correctly and completely, so that your request can be processed without major delays.
- If you provide incorrect or incomplete information, this may slow down the procedure and be of disadvantage to you. In a serious case, incorrect or incomplete information that you have given and have not completed or corrected in time vis-à-vis the Aliens' Registration Office may result in the withdrawal of residence rights already granted to you, a fine, a prison sentence of up to three years or expulsion from the Federal territory.
- Due to the complexity of residence law, this description is for information purposes only and is not legally binding.

Rechtsbehelf

You may file a lawsuit against the decision of the Foreigners' Registration Office within one month of notification.

Kurztext

- Training Tolerance Issuance
- The Ausbildungsduhlung can be granted if

Modul

Sachverhalt

- the asylum application was rejected, vocational training was started during the asylum procedure and the training is to be completed, or
 - persons who are obliged to leave the country and who have been granted a tolerated stay wish to start training.
- The training toleration is granted for
 - qualified, at least two-year, in-company or school-based vocational training in a state-recognized or comparably regulated training occupation,
 - state-recognized or comparably regulated assistant or helper training, which is followed by qualified vocational training.
- For assistance or helper training, a training place commitment for the subsequent vocational training is required. In addition, the occupation must be a "shortage occupation" (for example, nursing care for the elderly and the sick).
- In cases where the vocational training is to be taken up in the status of tolerated status, the training toleration is granted at the earliest six months before the start of the vocational training. The application can be submitted at the earliest seven months before the start of the vocational training.
- The Ausbildungsduhlung is usually granted for the entire duration of the training (and deportation is suspended for this period).
- The training toleration is granted for a specific training company. A (seamless) change of the training company is possible if the "Umschreibung" of the Ausbildungsduhlung is applied for before the change of company.
- In case of a premature end of the training, the "Ausbildungsduhlung" expires. For the duration of six months, a toleration can be granted once for the search for a new training place.
- After successful completion of the vocational training, a residence permit for two more years can be considered ("3+2" regulation). If the trainee is not taken on by the company providing the training, a toleration permit is issued for an initial period of six months to enable the trainee to look for work.
- Travel abroad is not possible with the training toleration.
- The issuance of the training toleration is generally

Modul	Sachverhalt
	<p>subject to a fee. An exemption from fees can be considered if public benefits are received.</p> <ul style="list-style-type: none"> • For persons who have not yet reached the age of 18, the consent of the legal guardian is required. • Responsible: the foreigners authority responsible for the applicant's place of residence.
Ansprechpunkt	
Zuständige Stelle	The foreigners authority responsible for the applicant's place of residence is responsible for issuing the residence permit.
Formulare	<p>Forms available: No</p> <p>Written form required: No</p> <p>Informal application possible: Yes</p> <p>Personal appearance required: Yes</p>
Ursprungsportal	Apply for a tolerated stay permit, Ausbildungsduhlung beantragen