

99010031001000, 99010031020000, 99010032001000,
99010032020000

Heruntergeladen am 20.07.2025

<https://fimportal.de/xzufi-services/29745/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99010031001000, 99010031020000, 99010032001000, 99010032020000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Duldung; application for issuance and extension
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	30.10.2024
Fachlich freigegeben durch	Bayerisches Staatsministerium des Innern und für Integration (Bavarian State Ministry of the Interior, for Sport and Integration)
Handlungsgrundlage	http://www.gesetze-im-internet.de/aufenthg_2004/__60a.html http://www.gesetze-im-internet.de/aufenthg_2004/__60a.html https://www.gesetze-im-internet.de/aufenthg_2004/__60b.html https://www.gesetze-im-internet.de/aufenthg_2004/__60b.html https://www.gesetze-im-internet.de/aufenthg_2004/__60c.html https://www.gesetze-im-internet.de/aufenthg_2004/__60c.html https://www.gesetze-im-internet.de/aufenthg_2004/__60d.html https://www.gesetze-im-internet.de/aufenthg_2004/__60d.html http://www.gesetze-im-internet.de/aufenthg_2004/__61.html http://www.gesetze-im-internet.de/aufenthg_2004/__61.html http://www.gesetze-im-internet.de/beschv_2013/__32.html http://www.gesetze-im-internet.de/beschv_2013/__32.html https://www.gesetze-im-internet.de/aufenthv/__47.html https://www.gesetze-im-internet.de/aufenthv/__47.html
Teaser	Foreigners who are required to leave the country and whose deportation has been temporarily suspended are tolerated. The foreigner is issued with a certificate, the so-called toleration.
Volltext	Foreigners who have to leave Germany but whose deportation is impossible, particularly for legal or

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factual reasons, and for whom the obstacle to departure is not expected to be removed in the foreseeable future, receive a tolerated stay permit. It does not constitute a residence permit and therefore does not constitute legal residence.

The tolerated stay is extended if deportation is still impossible for factual or legal reasons. If the obstacles to deportation no longer apply, the foreigners authority will revoke the tolerated stay or refuse to extend the tolerated stay.

In addition to cases in which deportation is impossible for legal or factual reasons, there are other constellations in which a tolerated stay may be considered in individual cases. For example, a foreigner can also be granted tolerated stay if urgent humanitarian or personal reasons or significant public interests require their temporary continued presence in the federal territory.

Duldung in accordance with Section 60c of the Residence Act for urgent personal reasons is to be granted if the foreigner is taking up or has taken up qualified vocational training in a state-recognized or comparably regulated training occupation in Germany, there is no absolute ban on gainful employment and specific measures to end the stay are not imminent (so-called Ausbildungsuldung).

A tolerated stay permit in accordance with Section 60d of the Residence Act can still be issued for urgent personal reasons if the foreigner has already been in possession of a tolerated stay permit for twelve months, has been in permitted employment subject to social insurance contributions for 18 months, has clarified their identity within certain deadlines, can secure their livelihood and has not committed any criminal offenses (so-called tolerated stay permit for employment).

In addition, the Residence Act also provides for the possibility of issuing a general toleration regulation for certain groups of foreigners by order of the highest state authority for a maximum period of three months

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(so-called deportation stop). The foreigner must be issued with a certificate of suspension of deportation.

The toleration does not affect the existing enforceable obligation to leave the country. However, the tolerated stay does not make the foreigner liable to prosecution for "illegal" residence in accordance with Section 95 (1) No. 2 of the Residence Act. The tolerated stay expires when the foreigner leaves the country and does not entitle them to return to the Federal Republic of Germany.

If the suspension of deportation is based, among other things, on reasons for which the foreigner himself is responsible, because he causes the obstacle to deportation himself by deceiving himself about his identity or nationality or by providing false information, or because he does not take reasonable steps to fulfill the special obligation to obtain a passport, the tolerated stay will be issued with the addition "for persons with an unclear identity".

Conditions

As a rule, holders of a tolerated stay permit may initially only stay in their federal state (§ 61 Residence Act). However, this spatial restriction ("residence obligation") no longer applies by law if the foreigner has been permitted, tolerated or allowed to stay in Germany for three months. In the case of criminals, suspects of a narcotics offense and tolerated persons who are facing concrete measures to terminate their stay, it can be ordered again.

A tolerated foreigner whose livelihood is not secured is obliged to take up normal residence in a certain place (so-called residence requirement). This residence requirement is imposed by law. Unless the foreigners authority has ordered otherwise, this is the place of residence where the foreigner was living at the time of the decision on the temporary suspension of deportation.

Holders of a tolerated stay permit for persons whose identity has not been clarified are also subject to a

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residence requirement.

Employment

A tolerated foreigner is prohibited by law from taking up gainful employment as long as they do not have express permission to do so under immigration law. If the tolerated stay was issued with the addition "for persons with an unclear identity", they may not be permitted to take up gainful employment. In addition, there are other cases in which there is an absolute employment ban by law or employment is excluded. Otherwise, employment may be permitted under certain conditions (e.g. if the person has been legally resident for three months and has the approval of the Federal Employment Agency) and subject to a discretionary decision by the immigration authority.

Responsibilities Depending on the country of origin of the foreigner who is obliged to leave the country, responsibility for issuing and extending tolerated stay permits lies with the foreigners authority of the district administrative authorities or the central foreigners authority of the government. Please first contact the foreigners authority responsible for you.

Erforderliche Unterlagen

- The documents to be presented may vary greatly. Please find out more details from your competent Aliens Department.

Voraussetzungen

Suspension of deportation can be considered for various factual or legal reasons. In particular, a tolerated stay is granted to anyone who has to leave Germany but cannot (yet) be deported, for example because they do not have a passport, because they are ill or because there is no way to fly to a region.

It is extended if deportation is still impossible.

Kosten

Issue of a certificate of toleration:

- only as adhesive label: 58 Euro
- with carrier form: 62 Euro

Renewal of a certificate of toleration:

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	<ul style="list-style-type: none"> • only as an adhesive label: 33 euros • with pre-printed carrier: 37 Euro
Verfahrensablauf	
Bearbeitungsdauer	
Frist	The tolerated stay must be extended before it expires.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	Administrative court action
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal