

99010003001014

Settlement permit issued to spouses with independent residency rights

Heruntergeladen am 11.07.2025

<https://fimportal.de/xzufi-services/S1000020010000013050/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99010003001014
Leistungsbezeichnung I	Settlement permit issued to spouses with independent residency rights
Leistungsbezeichnung II	Apply for a settlement permit for spouses with independent residency rights
Typisierung	3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Spouse reunification</div>, <div lang="en-x-mtfrom-de">divorce</div>, <div lang="en-x-mtfrom-de">separation</div>, <div lang="en-x-mtfrom-de">Permanent residence permit</div>, <div lang="en-x-mtfrom-de">Residence permit extension</div>, <div

Modul	Sachverhalt
	<p>Permanent employment</p> <p>unlimited right of residence</p> <p>Application for residence permit</p> <p>Permanent residence permit</p> <p>Spouses</p> <p>independent right of residence</p> <p>Section 31 paragraph 3 Residence Act (AufenthG)</p>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	14.02.2024
Fachlich freigegeben durch	
Handlungsgrundlage	§ 31 (3) Residence Act (AufenthG) § 28 (3) Residence Act (AufenthG)
Teaser	<p>Holders of a residence permit for the reunification of spouses whose life partnership no longer exists and holders of an independent right of residence for spouses can obtain a settlement permit.</p>
Volltext	<p>If you hold a residence permit for the purpose of bringing your spouse to Germany (Section 28 or Section 30 of the Residence Act) and your marriage or civil partnership has ended or you already have an independent right of residence for spouses (Section 31 Paragraph 1 or 2 of the Residence Act), you can, under certain conditions, obtain a permanent residence permit (so-called settlement permit). The settlement permit represents an independent right of residence that is independent of the original purpose of your</p>

Modul

Sachverhalt

stay. This means that the residence status of your former spouse or life partner is irrelevant for your continued stay in Germany once you have received the settlement permit. The settlement permit entitles you to pursue gainful employment and is unlimited in terms of time and space.

Erforderliche Unterlagen

Application via the online service Residence Permit Hamburg Employment or extension contract current certificate from the employer last 12 pay slips Certificate "Living in Germany" Language certificate current pension insurance history from the German Pension Insurance Rental agreement and current rent If you have a domestic school leaving certificate or successfully completed training/study, the language certificate and the "Living in Germany" certificate are no longer necessary. A current biometric passport photo is required for the appointment.

Voraussetzungen

Recognized and valid identity document (e.g. passport or passport substitute) Current biometric passport photo (45 x 35 mm) Proof of dissolution of the marriage or civil partnership (e.g. divorce certificate, letter of termination of the shared apartment) Proof of securing the livelihood by the former spouse or life partner (for example, court determination of existing maintenance or payment obligations) as well as by the applicant himself (for example, proof of income, employment contract, pension notice, proof of receipt of benefits such as parental or child benefit) Proof of health insurance coverage (for example, confirmation of health insurance coverage or insurance policy) Proof of knowledge of the German language at least at level B1 of the Common European Framework of Reference for Languages (e.g. language certificate, German school, training or university certificates, proof of successful participation in the integration course) Proof of basic knowledge of the legal and social system in Germany (e.g. certificate or confirmation of successful participation in an integration course) Proof of sufficient living space (e.g. rental or purchase agreement that provides information about the living space) The documents and information must generally be presented in German. In individual cases, the immigration authorities may require less or more

Modul	Sachverhalt
	evidence.
Kosten	113 €
Verfahrensablauf	<p>The settlement permit must be applied for before your current residence permit expires. Find out whether your immigration office allows you to submit your application online or whether it has a special application form. If you can only submit your application in person, make an appointment at the immigration office. If you submit your application online, the immigration office will contact you after receiving your application to make an appointment. During the appointment, your identity and documents will be checked (please bring your documents, if possible in the original, with you to the appointment). If your application is approved, your fingerprints will be taken to create a settlement permit in the form of a new electronic residence permit (eAT card). The immigration authorities commission the Federal Printing Office to produce the eAT card. Once the process is complete, you will receive information and can collect the eAT card from the responsible office. The eAT card must always be collected in person. If your application is rejected, you will receive a rejection notice.</p>
Bearbeitungsdauer	<p>The processing time usually takes 6 to 8 weeks and also depends on the completeness of the customer's documents. If documents are missing, the processing time will be extended. It takes about 4 to 6 weeks for the Federal Printing Office to produce the electronic residence permit.</p>
Frist	<p>The application should be received by the immigration authorities at least 6 to 8 weeks before the current residence permit expires. The settlement permit is issued for an unlimited period. Only the electronic residence permit (eAT card) is issued for a limited period and must be renewed after the expiry of its validity. You can appeal against the rejection within one month of notification - if necessary through your representative.</p>
weiterführende Informationen	

Modul	Sachverhalt
Hinweise	The processing fee must always be paid. If the application is rejected, the fee will not be refunded, not even partially. A new application can be submitted at any time.
Rechtsbehelf	An appeal against the negative decision can be lodged with the authority within one month of notification.
Kurztext	<p>Settlement permit issued to spouses with independent residency rights After holding a spouse-related residence permit or a residence permit for independent spouses for five years, partners who have joined the country can obtain a permanent settlement permit if the marital or civil partnership cohabitation has been dissolved. The civil partnership is dissolved when the marriage/civil partnership ends through divorce or is actually permanently dissolved through separation. Temporary separations do not meet the requirements. The day on which the civil partnership is dissolved is not important. The applicant's current residence permit must still be valid when applying for the settlement permit. At the time the settlement permit is granted to the applicant, the person to whom the applicant originally joined must himself/herself be the holder of a permanent settlement permit, a permanent EU residence permit or a German citizen. The applicant's livelihood (including health insurance) must be secured through maintenance payments from the former spouse/partner after the dissolution of the civil partnership. The applicant's own financial resources that can be used to secure their own maintenance can be taken into account (e.g. their own income). Maintenance payments from third parties are not taken into account. There must be no reasons of public security that speak against the applicant's stay (for example, there must be no interest in his or her deportation). Knowledge of German at least at level B1 and basic knowledge of the legal and social system and living conditions in Germany are required. Sufficient living space must be proven.</p>
Ansprechpunkt	<p>If you want to find out exactly who is responsible for your request, please follow the link to</p> <p>Authority finder Hamburg</p>

Modul	Sachverhalt
Zuständige Stelle	Hamburg services
Formulare	
Ursprungsportal	Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)