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Aufenthaltserlaubnis aus humanitären Gründen - Verlängerung

Extension of a residence permit issued on humanitarian grounds, e.g. pursuant to section 23 or section 25 of the Residence Act.

A residence permit under section 23 must have been issued by order of the State of Berlin or of the Federal ministry.

Compelling humanitarian grounds for the issue of the residence permit pursuant to section 25 can be:

- Recognition as being entitled to asylum or as a refugee by the Federal Office for Migration and Refugees,
- application of a deportation ban or an obstacle to departure or
- undue hardship.

Depending on the legal basis for the issuing of a residence permit on humanitarian grounds the documents and fees required may vary.

Prerequisites

- **Possession of a valid residence permit under sections 22 - 25b of the German Residence Act**

The residence permit to be renewed must have been issued under sections 22, 23, 24, 25, 25a or 25b of the Residence Act.

- **Humanitarian ground continues to apply**

The residence permit cannot be extended if the humanitarian ground no longer applies, for example because recognition as being entitled to asylum or as a refugee by the Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge) has been withdrawn or there is no longer an obstacle to departure.

- **Main residence in Berlin**

(<https://service.berlin.de/dienstleistung/120686/>)

The residence permit cannot be extended via the Berlin Immigration Office if it was issued by another Foreigners Registration Office on condition that the holder takes up residence within its geographic area.

- **Personal appearance by appointment is required**

Documents required

- **Valid passport or passport substitute**

A recognised and valid passport must be presented. Otherwise proof must be provided that a passport or passport substitute cannot reasonably be obtained from the competent authorities in the country of origin.

- Holders of a residence permit in accordance with section 25 sub-sections 1 and 2 of the Residence Act will be issued with a new travel document for refugees.

- **1 current biometric photo**

(https://www.berlin.de/labo/_assets/kraftfahrzeugwesen/foto-mustertafel.pdf)

35mm x 45mm, frontal shot with neutral facial expression and closed mouth, looking straight into the camera, light background

- **Proof of secured livelihood (original and copy)**

- Employees: Employment contract, current certificate of employment (not older than 14 days), last 6 salary slips, for the extension of the residence permit additionally a certificate on paid contributions or adequate provision for an old-age pension; each original and copy
- Self employed: Audit report form (Prüfungsbericht), prepared by a tax consultant, auditor or lawyer for tax law
- Possibly a current proof of receiving benefits according to SGB II or XII or the Asylum Seekers Benefits Act.

- **Proof of an obstacle to departure**

If a residence permit has been issued in accordance with sub-sections 3 or 5 of section 25 of the Residence Act, appropriate proof must be provided that an obstacle to departure continues to apply (i.e. medical certificates, proof of a family unit with minors or spouses).

- **Proof of main residence in Berlin**

- Certificate of registration at the main residence **or**
- lease and written confirmation of occupancy from the landlord

Forms

- **Prüfungsbericht (Audit report form)**

(https://www.berlin.de/formularverzeichnis/?formular=/labo/zuwanderung/_asets/mdb-f78234-bis_pr__fungsbericht.doc)

Fees

For every extension of the residence permit

- Adults: 93.00 euros
- Minors: 46.50 euros
- For Turkish citizens: a maximum of 37.00 euros

Free of charge:

- when presenting current proof of receiving benefits according to SGB II or XII or the Asylum Seekers Benefits Act
- for holders of a residence permit in accordance with section 23 sub-section 4 of the Residence Act
- for holders of a residence permit in accordance with section 25 sub-sections 1 and 2 of the Residence Act

The following fees apply for the reissue of a travel document for foreigners:

- Over the age of 24: 100.00 euros
- Over the age of 24 for foreigners with a subsidiary protection status within the meaning of Section 4 (1) of the Asylum Act. Subsection 1 or resettlement refugees: 60.00 euros
- Up to the age of 24: 97.00 euros
- Up to the age of 24 for foreigners with a subsidiary protection status within

the meaning of Section 4 (1) of the Asylum Act. Subsection 1 or resettlement refugees: 38.00 euros

The following fees apply for the reissue of a travel document for refugees or stateless persons:

- Over the age of 24: 60.00 euros
- Up to the age of 24: 38.00 euros

Legal basis

- **Aufenthaltsgesetz (AufenthG) Abschnitt 5**
(https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p0633)

Average time to process request

Around 5-6 weeks

A personal visit four to six weeks before the existing temporary residence permit expires is best. If possible you should book an appointment for this.

More information

- **Certificate of registration at the main residence (Meldebestätigung)**
(<https://service.berlin.de/dienstleistung/120686/>)
- **Example: confirmation of occupancy from the landlord**
(https://www.berlin.de/formularverzeichnis/?formular=/labo/zentrale-einwohnerangelegenheiten/_assets/mdb-f402544-20161102_wohnungsgeberbestaetigung.pdf)