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Residence permit for foreigners with a long-term residence in an EU member state

Foreigners who are entitled to possess the legal status of a long-term resident in an EU member state will be granted a residence permit if their stay within the territory of the Federal Republic shall last longer than three months.

Foreigners entitled to long-term residence are those who hold a residence permit (under EU Directive 2003/109/EG of 25.11.2003) bearing the designation "permanent residence EG" or "permanent residence EU" in the respective official language of the issuing EU member state.

Excluded from this are holders of a residence title issued by Great Britain, Denmark and Ireland, since these EU member states do not apply the corresponding EU directive 2003/109/EG dated 25.11.2003.

The general prerequisites for issuing a German residence permit, such as a secure livelihood, apply without restriction.

The residence permit allows gainful employment dependent upon the predominant purpose for which the residence shall serve (e.g. studies, employment, self-employed activity). The §§ 16-21 of the residence law shall be applied analogously.

Prerequisites

- **The legal status of a person with long-term residence entitlement in another EU member state**
 - The right to claim a residence permit exists as a matter of principle only then when in another EU member state a residence permit has already been issued (pursuant to the EU directive 2003/109/EG dated 25.11.2003) bearing the wording "permanent residence EG" or "permanent residence EU" in the respective official language.
 - As a rule, a temporary residence permit without this additional note is insufficient.
 - Only in exceptional cases can the status of long-term residence entitlement be proved by written confirmation issued by the competent authorities of the other EU member state. The residence permit may only be granted on a discretionary basis.
- **Main residence in Berlin**
- **A personal interview is required**

The interview should, if possible, take place by appointment.

Documents required

- **Form "Antrag auf Erteilung eines Aufenthaltstitels" (Application for Issuance of a Residence Permit)**

verfügbar in den Sprachen Deutsch, Englisch, Französisch, Italienisch, Griechisch, Türkisch, Vietnamesisch, Spanisch, Portugiesisch, Russisch, Serbisch und Bosnisch;
nur bei erstmaliger Beantragung auszufüllen

- **Valid passport with long-term residence ("permanent residence EU" or "permanent residence EG") of the other EU member state**
- **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 Income**
e.g.
 - lease,
 - for students: escrow account at a German Bank or submission of a declaration of commitment by a third party on an official form,
 - bank statements of the last 3 months
- **Documentation regarding the intended purpose of stay (original)**
e.g. certificate of enrolment, employment etc.
- **In certain circumstances: Form "Erklärung zum Beschäftigungsverhältnis" (filled out)**
As a rule, a temporary residence permit for the purpose of employment may only be granted if the Federal Employment Agency has agreed to this.
- **Health insurance**
- **Proof of main residence in Berlin**
 - Certificate of registration at the main residence or
 - lease and written confirmation of occupancy from the landlord
 More on the topic in the section "More information".

Forms

- **Antrag auf Erteilung eines Aufenthaltstitels (Application for Issuance of a Residence Permit) - in German, English, French, Italian**
(https://www.berlin.de/formularverzeichnis/?formular=/labo/zuwanderung/_assets/lea-agen1-antrag_engl_frz_ital-112021.pdf)
- **Antrag auf Erteilung eines Aufenthaltstitels (Application for Issuance of a Residence Permit) - in German, Greek, Turkish, Vietnamese**
(https://www.berlin.de/formularverzeichnis/?formular=/labo/zuwanderung/_assets/lea-agen2-antrag_griech_tuerk_viet-112021.pdf)
- **Antrag auf Erteilung eines Aufenthaltstitels (Application for Issuance of a Residence Permit) - in German, Spanish, Portuguese, Russian**
(https://www.berlin.de/formularverzeichnis/?formular=/labo/zuwanderung/_assets/lea-agen3-antrag_span_port_russ-112021.pdf)
- **Antrag auf Erteilung eines Aufenthaltstitels (Application for Issuance of a Residence Permit) - in German, Serbian, Bosnian**
(https://www.berlin.de/formularverzeichnis/?formular=/labo/zuwanderung/_assets/lea-agen4_-antrag_serb_bos-112021_final.pdf)
- **Erklärung zum Beschäftigungsverhältnis (job description)**
(https://www.berlin.de/formularverzeichnis/?formular=/labo/zuwanderung/_assets/mdb-f50329-stellenbeschreibung_2017.pdf)

Fees

For the first issuance of the residence permit:

- Adults: 100.00 euros
- Minors: 50.00 euros

For the extension of the residence permit:

- Adults: 93.00 euros
- Minors: 46.50 euros

Turkish nationals (for first issuance as well as for extension)

- Up to the age of 24 years: 22.80 euros
- From the age of 24 years: 37.00 euros

Legal basis

- **Aufenthaltsgesetz (AufenthG) § 38a**
(https://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p0878)
- **EU Directive 2003/109/EG of 25.11.2003**
(<https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX%3A02003L0109-20110520>)

Average time to process request

Around 5-6 weeks

A personal visit four to six weeks before the existing temporary residence title 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)

Responsible authorities

This service can only be taken advantage of in the Berlin Immigration Office (Landesamt für Einwanderung – LEA) at Keplerstrasse.