

Fiktionsbescheinigung (Fictional Certificate)

A fictional certificate is issued when it is not yet possible to decide on an application for a residence permit, e.g. because

- documents are missing or the foreigner's file is not available,
- an electronically applied for residence permit (eRP) cannot be issued prior to expiry of the currently valid residence permit or
- the outcome of punishable offence proceedings is still outstanding.

A fictional certificate may only be issued when residence is still lawful at the time of applying for the issue or renewal of a residence permit.

If a currently valid residence permit (temporary residence permit or national visa for long-term durations - Category D -) is available, a fictional certificate according to § 81 Section 4 of the Residence Act will be issued.

In this case, the residence permit and all supplementary regulations (also regarding the stipulations concerning gainful employment) remain in force until a decision has been made in relation to the application. Journeys abroad and re-entry into the area of the Republic are possible with a valid fictional certificate in accordance with § 81 Section 4 of the Residence Act.

If the male or female applicant is lawfully resident without a visa in the Federal Republic, because he or she is entitled to be by virtue of his/her nationality, the fictional certificate will be issued in accordance with § 81 Section 3 of the Residence Act.

This permits residence in the area of the Federal Republic until a decision has been made regarding the application. This fictional certification, however, does not permit re-entry into the territory of the Federal Republic. It also does not permit the commencement of gainful employment.

A fictional certificate cannot be issued to holders of a Schengen visa for short-term residence (Category C).

Prerequisites

- Lawful residence with and without residence permit

At the time of submitting the application, the male or female applicant must either

- be in possession of a valid residence permit (temporary residence permit or national visa for long-term durations - Category D -) or
- be lawfully entitled to residence without a visa in the territory of the Federal Republic, because he or she is thus authorised by virtue of his/her nationality.

- Application for Issuance of a Residence Permit

A fictional certificate will be issued only when an application has been submitted for the issue or renewal of a residence permit and at the time of presentation no decision can be made regarding the application. Therefore, the

prior submission of an application for a residence permit is necessary so that a fictional certificate may be issued.

- Main residence in Berlin
- A personal interview is required

Documents required

- Valid passport or passport substitute
A fictional certificate is always only valid in conjunction with a valid passport or substitute passport.
- Previous residence permit
If available, the previous residence permit shall be presented, e.g. the electronic residence permit (eRP).
- Proof of main residence in Berlin
 - * Certificate of registration at the main residence *or*
 - * lease and written confirmation of occupancy from the landlord

Fees

* For adults: 13.00 euros

* For minors: 6.50 euros

Free of charge for:

* Turkish citizens

* Foreigners recognised as being entitled to asylum

* Foreigners with a granted refugee status within the meaning of Section 3 (1) of the Asylum Act

* Foreigners with a granted subsidiary protection status within the meaning of Section 4 (1) of the Asylum Act

* Resettlement refugees within the meaning of Section 23 (4) of the Act on the Residence

* Foreigners who receive a scholarship from public funds for their stay

or

* when presenting a current proof of receiving benefits according to SGB II or XII or the Asylum Seekers Benefits Act

Legal basis

- section 81 Aufenthaltsgesetz - AufenthG

http://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p1240

Average time to process request

The fictional certificate will be issued after the personal interview.

More information

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

Information on this location

LEA, Zum Business Immigration Service (BIS)

Address

Fasanenstraße 85
10623 Berlin

Mailing address

Friedrich-Krause-Ufer 24
13353 Berlin

Current information on this location

In collaboration with IHK Berlin and Berlin Partner, our Business Immigration Service (BIS) offers Berlin businesses an outstanding relocation service for foreign professionals and executives.

Through the BIS, Berlin businesses, foreign investors and start-ups, managers, highly skilled professionals and their families can quickly and easily clarify any residency issues and can be put in touch directly with the person responsible for dealing with them.

Please note:

The service is only available to registered customers and after arranging an appointment with us. Therefore we are unfortunately not able to help walk-in customers without an appointment. You can find more information about the service of the Business Immigration Service on our website.

Barrier-free access

This facility is wheelchair accessible.
Handicapped parking space available.
A wheelchair-accessible elevator is available.
A wheelchair-accessible WC is available.

Public transportation

S-Bahn S5, S7, S75 (Zoologischer Garten)
U-Bahn U 2 and U 9 (Zoologischer Garten)
Bus M45, M46, M49, X9, X10, X34, 100,109,110, 200, 204, 245, 249
Bahn RE1, RE2, RE7, RB14, RB21, RB22 (Zoologischer Garten)

Contact

Telephone: (030) 90269-5900
Fax: (030) 9028-3468
Internet:
<https://www.berlin.de/einwanderung/service/business-immigration-service/>
E-mail:
<https://www.berlin.de/einwanderung/service/business-immigration-service/online-formulare-des-bis/>

Payment methods

Payment cannot be made at this location.

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