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Residence permit with right of return

Granting of a temporary residence permit with right of return.

This right can be granted if the person spent many years lawfully residing in the federal territory as a minor.

The application for a temporary residence permit must be filed after the person reaches the age of 15 and before he or she reaches the age of 21, as well as within five years of departure from the federal territory.

Simplified requirements shall apply to foreigners who have been forced into marriage by means of violence or threat and have been prevented from returning to Germany.

Prerequisites

- **Time of the application**

The application for a temporary residence permit must be filed after the person reaches the age of 15 and before he or she reaches the age of 21, as well as within five years of departure.

Derogation from these requirements may be possible to prevent particular hardship.

- **Habitual residency for eight years**

The foreigner must have lawfully resided in the federal territory for at least eight years prior to departure.

These requirements may be waived if the person has acquired a recognised school-leaving certificate in the federal territory or in cases of particular hardship.

- **Six years of school attendance**

The foreigner must have attended a school in the federal territory for at least six years prior to departure.

Derogation from this requirement is possible to prevent particular hardship.

- **Proof of Income**

The person's subsistence must be ensured by their own economic activity or by a maintenance commitment into which a third party has entered for a period of at least five years.

- **Simplified requirements for victims of forced marriages.**

Simplified requirements apply to victims of forced marriages who were prevented from returning to Germany. It must be possible to present the circumstances of the forced marriage in a credible form.

In these cases, the application must be filed within three months after the coercive situation has ended, and no later than within five years of departure from the federal territory.

It must also appear certain that the person, based on their education and way of life to date, will be able to integrate into the way of life in Germany.

- **Main residence in Berlin**

- **A personal interview is required**

Documents required

- **Valid passport or passport substitute**
- **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
- **All German school reports and qualifications**
- **Proof of secured livelihood (original)**
The following must be assured if a third party has entered into a maintenance commitment:
 - Dependent workers: contract of employment, confirmation from the current employer of ongoing employment (not older than 14 days), the last six payslips
 - Self-employed persons: audit report prepared by an accountant, auditor or tax consultant with all the documents referred to therein, e.g. the excerpt from the commercial register (refer to Forms)
 - Rent contract or proof of residential property
 - Passport or ID card

The following must be provided if the person's subsistence is ensured by his or her own economic activity:

- Proof of intended economic activity with statement of the anticipated income
- A rent contract or proof of residential property, and
- Health insurance
- **Form "Antrag auf Erteilung eines Aufenthaltstitels" (filled out)**
available in German, English, French, Italian, Greek, Turkish, Vietnamese, Spanish, Portuguese, Russian, Serbian and Bosnian
- **Proof of main residence in Berlin**
 - Certificate of registration at the main residence (Meldebestätigung) **or**
 - lease and written confirmation of occupancy from the landlord

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)

- **Audit report form (Prüfungsbericht) for entrepreneurs, self-employed persons and freelancers**

(https://www.berlin.de/formularverzeichnis/?formular=/labo/zuwanderung/_assets/pruefungsbericht_bis.docx)

Fees

- 100.00 euros for the initial issuance of the residence permit
- 93.00 euros for each extension
- For Turkish citizens: a maximum of 37.00 Euro.

Legal basis

- **Aufenthaltsgesetz (AufenthG) § 37**

(https://www.gesetze-im-internet.de/aufenthg_2004/_37.html)

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)