

There is a new 'residence right regulation' in effect for tolerated young people since the 1st of July 2011. If you are living here with a Duldung now, you will possibly have an opportunity to get a residence permit (Aufenthaltserlaubnis) according to § 25a of the Residence Act at some stage.

For that you have to fulfil the following requirements:

You have to be living in Germany for at least 6 years at the time of your application

and you arrived in Germany before your 14th birthday,
and you are at least 15 and not more than 20 years old when you make your application,

and you have been attending school 'successfully' for at least 6 years or graduated from school or a vocational institution in Germany.

What does a 'successful' school attendance mean ?

- ➔ You go to school regularly.
- ➔ You will probably pass the current school year, so you don't have to repeat it,

and you have gotten a positive integration prognosis. This means you have not been convicted of a criminal offence and you have good chances on the labour market etc.,

and you are holding a passport from your country of origin (or you can prove that it cannot reasonably be expected of you to get one),

and you earn enough money to support yourself. *Exception:* If you are still going to school or doing vocational training, it doesn't matter if you are in receipt of money from the Department of Public Welfare (Sozialamt).

When are you excluded from these regulations?

You are excluded and have little chance of obtaining an Aufenthaltserlaubnis when you cannot be deported because you gave false information concerning your name and citizenship and you are still doing this even though you are now of age (18 years old or older).

Important: Your behaviour matters, not that of your parents, and it is not about your past, but about the fact that you cannot be deported now.

You are further excluded if your application for asylum (Asylantrag) was rejected as 'obviously unfounded'.

This is not valid if you were under 16 when the application was made.

Different problems can arise concerning these regulations. It is of utter importance to consult an Immigration Advice Centre or your lawyer for each individual case !

Information for your parents and under-age siblings

- As long as you are a minor (less than 18 years old) and have an Aufenthaltserlaubnis according to the new residence right regulations (§ 25a Aufenthaltsgesetz), your parents and your under-age siblings cannot be deported. They will continue to receive at least a Duldung.
- Your parents can get an Aufenthaltserlaubnis according to § 25a as well, if
 - they have not been convicted of a criminal offence (sentenced to a maximum of 50 daily rates, or to a maximum of 90 daily rates for criminal offences that can only be committed by foreigners, e.g. breaking the Residenzpflicht),
 - and
 - they earn enough money to support the whole family.
- Your parents cannot get an Aufenthaltserlaubnis if they cannot be deported just because they do not cooperate with the foreigners' registration authority (Ausländerbehörde) or give false information about their identity or their citizenship.



Please consult an Immigration Advice Centre under any circumstances!

You find addresses under:

www.frsh.de/seiten-im-hauptmenue/service/beratungsstellen/

This leaflet has been translated into various languages, it is available on-line at www.landinsicht-sh.de/bleiberechtsregelungen.html#c320

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Mit Unterstützung von:



Residence right

for 'well integrated' young people:
What does it mean to you?



Information for young people with a temporary toleration certificate (Duldung)