

INFORMATION SHEET

for the verification of adequate means of financial support for foreign students at Viadrina European University Frankfurt (Oder)

During your stay in Germany you will need a residence permit (§ 4 Residence Act [AufenthG]). In order to be issued with a residence permit or have one extended, you must have **adequate means for a secure livelihood**, including adequate health insurance coverage (§ 5 para. 1 no.1 in conjunction with § 2 para. 3 AufenthG). According to § 82 para. 1 Residence Act (AufenthG), you have a duty to provide appropriate evidence (duty to state one's case and cooperate).

Adequate means are available if they correspond to the maximum grant under the Education and Training Act (BAföG) (pursuant to 16.0.8 General Administrative Regulation on the Residence Act dated 26 October 2009). According to §§ 13 and 13a paragraph 1 of the current version of the Education and Training Act (BAföG), this means that an amount of **EUR 670.00*** must be available every month. The stipulated amount is duly reduced if there is evidence that housing rent and ancillary costs are below the amount specified (€224.00) in § 13 paragraph 2 number 2 of the Education and Training Act (BAföG).

Evidence of the availability of the required means of support must be provided by (as per 16.0.8 ff General Administrative Regulation on the Residence Act dated 26 October 2009):

- Statement of the income and assets of parents, or
- A commitment as per § 68 Residence Act (AufenthG), or
- Deposit of a security in a blocked account in a financial institution that is accredited to trade as a bank in Germany, from which only 1/12 of the deposited amount may be paid out each month; the savings account must be set up in the name of the student and the blocking notice must be registered to the territorial entity under public law to which the responsible immigration office is to be assigned, or
- Deposit of a bank guarantee to be renewed every year with a financial institution in Germany or with a financial institution that is accredited to trade as a bank in Germany, insofar as the bank guarantee does not have a longer period of validity, or
- Notice of approval pursuant to the Education and Training Act (BAföG), or
- Grant authorisation.

The total amount to be verified may consist of several of the factors mentioned above. The decision on the extension of the residence permit may also take into account any earnings from activities which do not require a work permit, provided they can be verified.

Subsequent family immigration with regard to foreign students is governed by the general regulations on subsequent family immigration (Chapter 2 Section 6 Residence Act [AufenthG]). In order to check that there are adequate means for a secure livelihood, a calculation of income and needs is carried out in accordance with the judgement of Berlin Higher Administrative Court (OVG) dated 24.09.2002 - OVG 8 B 3.02, henceforth pursuant to new jurisdiction by resolution of the OVG Berlin dated 10.03.05 - OVG 2 M 70.04 - § 2 (3) sentence 3 Residence Act (AufenthG), § 21 (1a) Federal Social Security Act (BSHG), §§ 20 (2), 22 Social Security Code (SGB) II, §§ 28 (2), 29 (1), 40 SGB XII, § 3 (2) no. 1 standard rate regulation.

(Current HartzIV standard rates: Householder = €364, household members = €328, under 25s living in parental household or without approval of Social Security Code (SGB) II supporter of children who have moved out = €291, children 0-5 years = €215, children 6-13 years = €251, children 14-17 years = €287)

*Calculation of current maximum grant under the Education and Training Assistance Act (BAföG)
€373.00 basic needs
+ €224.00 housing needs (away from home or €49.00 in parental home)
+ €62.00 allocation for general needs (if compulsory health insurance)
+ €11.00 allocation for general needs (if compulsory care insurance)

According to the Residence Act (AufenthG), **adequate health insurance coverage** is in place if the foreigner has statutory health insurance (GKV).

Adequate health insurance cover in a private health insurance scheme (PKV) is in place if the benefits of PKV are comparable with those of GKV, i.e. substitutive health insurance (KV) exists. PKV can only be described as substitutive health insurance if all or some of its benefits are on a par with statutory health insurance. According to § 12 of the German Insurance Supervision Act (VAG), private insurance companies that provide substitutive health insurance must offer an industry-wide standard basic tariff, the type, scope and amount of whose contractual services are each on a par with the services provided under the third chapter of Social Security Code (SGB) V, to which a claim exists. According to this, substitutive health insurance with a private insurance company includes outpatient and inpatient health costs as a minimum, in particular

- Treatment by a doctor or dentist
- Provision of drugs, surgical dressings, medical remedies and appliances
- Hospital treatment
- Medical rehabilitation services
- Pregnancy and maternity services

Long-term care insurance is not included in this.

A foreign student with PKV must submit documentary evidence to the immigration office that the scope of its benefits is on a par with those of GKV (above-mentioned cover).

With the authorisation of the immigration authorities in Berlin, reference is also made to the following information sheet on health insurance protection, according to which the certificate may also be used:

Information sheet on health insurance requirements for the issue/extension of residence titles inside the country

§ 4 para. 1 p. 2 of the Residence Act (AufenthG) provides for the following residence titles: Visa, residence permit, settlement permit and EC long-term residence permit. According to § 5 para. 1 no. 1 Residence Act, the issue of a residence title generally presupposes a secure livelihood.

According to § 2 para. 3 Residence Act, adequate health insurance coverage is an integral part of a secure livelihood.

People who have compulsory insurance under the terms of § 5 Social Security Code (SGB) V, voluntary insurance under the terms of § 9 SGB V, or joint insurance as family members under the terms of § 10 SGB V, demonstrate that they have adequate health insurance cover. They only need to provide documentary evidence of their membership in a statutory health insurance scheme.

Anyone else who does not have German statutory insurance must always undergo checks to ensure that their health insurance scheme offers adequate protection. Health insurance cover with a company such as this is adequate if it is on a par with statutory health insurance in terms of its nature and scope, i.e. it must not have more exclusions with regard to the services provided, must not require the insured person to pay an annual excess of more than EUR 300 in the event of illness and must not contain any limit on the costs to be refunded in the event of illness nor any determination or expiry clause with regard to a specific age, the termination of an occupation, change of purpose of stay or the loss of legal residence status. If necessary, such insurance cover may be guaranteed by an insurer based abroad.

Adequate insurance cover is always to be assumed if the Federal Financial Supervisory Authority has confirmed to the insurance company that, based on the relevant insurance policy, it meets the statutory requirements of health insurance under § 257 para. 2a Social Security Code (SGB) V and the health insurance company duly certifies this. The Federal Authority shall provide no such confirmation if the term of insurance cover is limited or is not automatically extended, and if no surpluses are set aside for provision in old age, i.e. the health insurance company has not costed out the product in the same way as life insurance.

The duty to cooperate under § 82 para. 1 of the Residence Act (AufenthG) stipulates that applicants must furnish written evidence from the health insurance company that it meets the statutory requirements of § 257 para. 2 a Social Security Code (SGB) V based on the existing insurance policy. The immigration office provides an appropriate form for this purpose. Appropriate certificates from the health insurer are also accepted.

In the case of extensions to residence permits, all persons without statutory insurance must also submit certification from the health insurance company to confirm that the insurance cover has been in place continually and has not been terminated in the interim. This evidence is necessary to ensure that the health insurance has not been cancelled to reduce costs and only taken out again for the purposes of extending the residence title, which means that no health insurance cover is in place in the interim period.

If no evidence of continuous health insurance coverage can be produced, there is good reason to presume that there is no guarantee of a secure livelihood in this instance and that there are grounds for refusal. The issue or extension of the residence title may then be rejected.

Notwithstanding the above information, if the issue of a visa has been approved it may be sufficient to take out travel insurance for entry into the country for the period of validity of the visa, if health insurance of the above-mentioned kind cannot be taken out with local contact persons and companies and there is a documented statement to this effect. In this case, however, an actual quotation from a health insurance company must be submitted, which specifies the contribution payment to be made for the period after the visa becomes valid (also possible with a form provided by the immigration office).

The above requirements then apply to the first issue of a residence title inside the country; adequate health insurance coverage must also be taken out during the period of validity of the visa.

For submission to the immigration office

form completion

(please use the german copy)

Certificate for the issue/extension of residence titles through health insurance coverage

(please have this completed by the health insurance company)

According to § 5 para. 1 no. 1 Residence Act (AufenthG), a secure livelihood is normally a prerequisite for the issue of a residence title. According to § 2 para. 3 Residence Act, adequate health insurance coverage is an integral part of a secure livelihood.

Foreign nationals who are not members of the German statutory health insurance scheme must provide documentary evidence of non-statutory health insurance cover. This health insurance cover must meet the following requirements:

a) Health insurance cover must be on a par with statutory health insurance in terms of its nature and scope, i.e. it must not have more exclusions with regard to the services provided, must not require the insured person to pay an annual excess of more than EUR 300 in the event of illness and must not contain any limit on the costs to be refunded in the event of illness nor any determination or expiry clause with regard to a specific age, the termination of an occupation, change of purpose of stay or the loss of legal residence status. The insurance policy must also apply for an unlimited period or be extended automatically, and be costed out in the same way as life insurance.

b) The Federal Financial Supervisory Authority must confirm to the insurance company that, based on the existing insurance policy, it meets the statutory requirements of health insurance under § 257 para. 2 a Social Security Code (SGB) V.

For Mr/Ms/Child

born on in

Nationality

Confirmation of existing health insurance:

We, the insurance company, confirm that the above-named person has a health insurance policy that meets the criteria specified under a) b) a) and b)¹ (please attach terms and conditions of insurance):

The policy has been in place without cancellation or interruption since

The monthly health insurance payment totals €.....

The maximum excess payment is €..... per year

Confirmation of existing health insurance quotation:

We have offered the above-named person a quotation for health insurance which meets the criteria under

a) b) and/or a) and b)¹ (please attach terms and conditions of insurance).

Possible start date of insurance cover:

Expected monthly payment:€

The maximum excess payment is €..... per year

Date (Signature and stamp of insurance company)

¹ Please tick relevant field