

# **Important information for foreign students from non-European states**

## **1. Issue of residence permit for study**

Entry into Germany requires a visa which is issued to you by the responsible German representation in your home country. The visa is usually valid for 3 months and acts as a residence title during this time.

Once the visa has expired, the residence title is issued in the form of a residence permit. It is important that the application for the residence permit is submitted before the visa has expired.

Preparatory studies (preparatory language courses and foundation courses) are classed as study in terms of the purpose of stay.

The documents required for the residence permit to be issued can be found on the information sheet "Issue of a residence permit".

## **2. Extension of residence permit for study**

The residence permit is usually issued or extended for a period of 2 years (though shorter periods of validity are available for guest students etc.), provided the course of study is still ongoing and the permitted period of study has not been exceeded.

**It is important that the application for the extension is submitted while the residence permit is still valid.**

We recommend applying around 4 to 6 weeks before the current permit runs out. The immigration office makes every effort to write and remind you of this beforehand. An application for an extension will still be considered to have been submitted in time, however, if it is submitted no later than the last day of validity.

The documents required for the residence permit to be extended can be found on the information sheet "Extension of a residence permit".

## **3. Change of field of study/higher education institution**

The residence permit is issued for a specific purpose of stay.

In the case of students, the purpose of stay is study in a specific field/higher education institution, so any change of field of study/higher education institution represents a change of purpose that must be approved.

In principle, it is only possible to change field of study/higher education institution within the first 18 months (3 semesters) of commencing the course of study. A later change can only be authorised if the course of study can be completed within a reasonable period of time. It is not normally considered to be a reasonable period of time if studies cannot be completed within an overall period of ten years, taking into account the time spent on previous courses of study.

If a course of study is successfully completed within a short time, the residence permit may be extended for a further course of study, provided that the overall length of stay does not exceed ten years.

The commencement of postgraduate study or a doctorate may also constitute a change of purpose in individual cases, and an application must be duly submitted. The application is made on the "Application for change of conditions" form, available at the immigration office. The fee is EUR 30.00, regardless of whether you receive a grant or not. If the residence permit is extended for the change of purpose at the same time, the fee is EUR 90.00.

**It is important that the application is submitted before the course of study in the new field/higher education institution**

It is advisable to seek information from the immigration office about the possibility of a change of purpose if you intend to change field of study/higher education institution or to commence a postgraduate course/doctorate. This will prevent problems arising at a later date.

#### **4. Permissible study duration/prognosis certification**

The permitted length of study is calculated from **the average usual length of study at the university in the field concerned, plus 3 semesters**. The university has an updated summary for this purpose.

Should you not have completed your course of study by this date, a decision on a further extension cannot be made without the submission of a **prognosis certificate**, which clarifies

- whether the course is in accordance with regulations
- when the course is expected to finish
- what the final grade is expected to be when the course is finished.

In this case, the student would also have to attach an official study record. An affirmative decision may only be expected if there is documentary evidence that the course of study complies with regulations and the course can be completed within a reasonable period of time.

**The maximum duration of study is stipulated as 10 years.**

#### **5. Opportunities for employment while studying**

The residence permit allows you to be in employment, provided that this does not exceed 120 days or 240 half-days in total per calendar year, and to do part-time student jobs. This does not apply during the first year of the stay for the purpose of preparatory studies; the exceptions to this are holiday periods and stays in accordance with § 16 paragraph 1a of the Residence Act (AufenthG).

Placements that are a mandatory component of a course of study or are demonstrably essential to meet educational goals are classified as jobs that do not require approval under § 2 paragraph 2 number 1 Employment Ordinance (BeschV). They do not, therefore, count towards the days of employment mentioned above.

Other recommended or voluntary jobs that are described as placements are regarded as jobs that require approval. Job shadowing does not need approval from the Federal Employment Agency. Job shadowing is not an employment contract. Its purpose is to gather knowledge and experience of a profession without any fixed hours or duties and without actually belonging to the organisation in a legal sense.

#### **6. Missed deadlines**

If your application is to be processed smoothly, it is essential that it is submitted on time.

The application must always be submitted while the residence title is still in force, i.e.

- in the case of first issue: while the visa is valid,
- in the case of extension: while the residence permit is valid,
- in the case of change of conditions: **before** the purpose of the stay is changed.

**If the application is late, you will have to leave the country and apply for a new visa at the German representation abroad!**

Should you not be in a position to submit your application in time for objective reasons (e.g. hospital stay), it is still advisable to at least contact the immigration office by telephone: Tel. (0335) 5523308 or (0335) 5523329.

Once your application documents have been delivered, you will be given a date to collect your residence permit. Here too, it is important that you keep this appointment if at all possible.

If the residence permit is not collected within a month after the agreed date, it will be destroyed. After this, you will only be able to apply again after leaving the country and going through the visa procedure again.

#### **7. Local responsibility**

The immigration office which is responsible for handling your concerns under immigration law is the one in whose area of jurisdiction you have your **place of residence**; the place of study is immaterial in this respect.

The Frankfurt (Oder) immigration office is solely responsible for students who can be demonstrated to reside in Frankfurt (Oder).

The Berlin immigration office would be responsible for students who live in Berlin, for example, even if they study at the European University.

Even if they are enrolled at the European University, students who have no place of residence in Germany cannot apply for a residence permit.

## **8. Specific forms of residence permit**

### **8.1 Residence permit for the purpose of applying for a study place (§ 16 paragraph 1a Residence Act [AufenthG])**

A residence permit may also be issued to a foreign national for the purpose of applying for a study place. The maximum permissible duration of residence for a foreigner applying for a place to study is nine months.

### **8.2 Residence permit for third-country nationals to whom another member state of the European Union has issued a residence title for study purposes (§ 16 paragraph 6 Residence Act [AufenthG])**

A foreigner to whom another member state of the European Union has issued a residence title for study purposes which falls within the ambit of Council directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies shall be granted a residence permit for the same purpose where he or she

1. wishes to carry out part of his or her studies at an educational establishment in the Federal territory because he or she is obliged under the terms of reference for the course of studies to carry out part of his or her studies at an educational establishment of another member state of the European Union or  
2. fulfils the conditions pursuant to sub-section 1 and wishes to continue in the Federal territory part of a course of study commenced in another member state or to supplement such a course of study in the Federal territory and

a) is participating in an exchange programme between the member states of the European Union or in an exchange programme at the European Union or

b) has been admitted for a course of study for a period of at least two years in the other member state of the European Union.

### **8.3 Extension of the residence permit after successful completion of the studies for the purposes of seeking a job (§ 16 paragraph 4 Residence Act [AufenthG])**

After you have **successfully completed** the course of study, you can extend the residence permit by up to 18 months in order to look for **a job which is commensurate with the qualification attained**. If required, you can obtain more detailed information on this at the immigration office, Marktplatz 1, room 129.