



# **INFORMATION FOR INTERNATIONAL STUDENTS**

**Visas, residence and work permits  
before, during and after your studies**

## Publisher

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This information brochure is intended to provide international students who choose to study in Hamburg with the most important information about aspects of their life in Hamburg and the various rights of residence. It does not replace personal consultation on important matters as offered by many bodies in Hamburg mentioned in this brochure.

The information brochure describes the legal position in August 2022. It is intended that legal changes will be updated promptly. Nevertheless legal changes, as well as changes to addresses or telephone numbers, may impair the accuracy of this brochure or make parts of it invalid. The editors will be happy to receive any information in this respect.

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# 1 Entry

## 1.1 Entry from the EU states<sup>1</sup>, from states belonging to the EEA<sup>2</sup> and from Switzerland

If you are a national of one of these states you do not need an entry visa. This also applies if as a non-EU national you live in an EU member state and have a long-term residence permit there within the meaning of the EU long-term residence directive<sup>3</sup>.

## 1.2 Entry from non-EU states

No entry visa is required for entry from the following states: Andorra, Australia, Brazil, Canada, El Salvador, Honduras, Israel, Japan, Monaco, New Zealand, Republic of Korea, San Marino, the United Kingdom of Great Britain, Northern Ireland and USA.

Before entering from other non-EU states, a visa for the purpose of university application or studies must be applied for in good time from the German embassy. You need to allow two to three months for your visa to be processed. It may also be necessary to book an appointment several weeks in advance at your local German diplomatic mission to apply for your visa.<sup>4</sup> Please inform yourself in good time about the procedure at the German diplomatic mission that is competent for your place of residence.

If you already have a written acceptance from a university for your university place or your preparatory measure (language course, preparatory college (*Studienkolleg*), propaedeutic course, etc.) you can apply directly for a visa for the purpose of studies.

If this is not the case and you have only just applied or need to take an admission examination in Germany for your application, then you must apply for a student applicant visa.

It is therefore recommended that you apply early for a student applicant visa so you are able to enter Germany in time for the start of your studies. Do not wait for confirmation of your university place, but apply for a student applicant visa with the application confirmation from the university. You can convert the student applicant visa into a residence permit for studying once you are in Germany. If you do not get a university place, you will have paid the costs of the visa for nothing, but

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<sup>1</sup> Member states of the European Union (EU-28) are: Belgium, Bulgaria, Croatia, Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

<sup>2</sup> The European Economic Area (EEA) comprises the member states of the European Union plus Iceland, Liechtenstein and Norway. Unless otherwise stated below, the regulations for the EU-27 also apply to nationals of Iceland, Liechtenstein, Norway and Switzerland.

<sup>3</sup> Directive 2003/109/EC concerning the status of third-country nationals who are Long-Term Residents <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32003L0109>

<sup>4</sup> For information on arranging appointments, see <http://www.auswaertiges-amt.de/DE/Infoservice/FAQ/VisumFuerD/34-Termine.html?nn=350374> (in English: [http://www.auswaertiges-amt.de/EN/EinreiseUndAufenthalt/03\\_Visabestimmungen/Visabestimmungen\\_node.html#doc480844bodyText6](http://www.auswaertiges-amt.de/EN/EinreiseUndAufenthalt/03_Visabestimmungen/Visabestimmungen_node.html#doc480844bodyText6)).

if you are accepted you will have the security of being able to enter Germany in good time.

If your planned study stay in Germany is to last no more than a maximum of one year (for instance, as an Erasmus student), you should apply for a visa for the whole period of your stay in Germany, so that you will not then later have to apply for a chargeable electronic residence title from the Foreigners Registration Department (*Ausländerbehörde*).

You will find all the information on applying for visas on this webpage:

[http://www.auswaertiges-amt.de/EN/EinreiseUndAufenthalt/03\\_Visabestimmungen/Visabestimmungen\\_node.html](http://www.auswaertiges-amt.de/EN/EinreiseUndAufenthalt/03_Visabestimmungen/Visabestimmungen_node.html)

Please note that three-month Schengen visas ("tourist visas") are not sufficient and cannot be extended for a study stay.

## 2 Right of residence during studies

### 2.1 Students from EU states

International students from the EU states enjoy freedom of movement. This also applies to their spouses and children, even if the latter are not EU citizens themselves.

Since 29 January 2013 EU citizens and nationals of EEA states no longer receive a special freedom of movement certificate from the Foreigners Registration Department. As proof that EU citizens or nationals of EEA states are residing in Germany and are exercising their right of freedom of movement here, they need forthwith use only the registration certificate (*Meldebescheinigung*).

Family members from third countries must be interviewed by the Foreigners Registration Department office of the local district authority or Hamburg Welcome Center. The Foreigners Registration Department office or Hamburg Welcome Center verifies their family status as well as sufficient means of subsistence, including health insurance cover there. They will then receive a residence card within six months.

### 2.2 Students from Non-EU states

International students from non-EU countries must apply for a residence permit for study purposes no later than six weeks before expiry of their entry visa. You must also apply for a residence permit for the purpose of study within 90 days of entry if you were able to enter the country without a visa. A residence permit for the purpose of study will be issued for full-time studies and in exceptional cases for part-time studies, such as extra-occupational study courses.

Foreign students from non-EU countries who have had a student applicant visa or a visa for preparatory measures (language course, preparatory college (*Studienkolleg*), propaedeutic course, etc.), as well as students who have been freed from the visa requirement, must apply to the Foreigners Registration Department at their district authority for a new residence permit for studies immediately after they have taken up their university place and registered as a student. You can apply for a residence permit for the purpose of study at the Foreigners Registration Department at your local district authority or at the Hamburg Welcome Center.<sup>5</sup>

The residence permit is valid for a maximum of two years and must therefore be regularly extended during the study period. If you are participating in an EU or multilateral programme with mobility measures or an agreement between two or more university institutions applies to you, your residence permit will be issued for at least two years.

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<sup>5</sup> <https://welcome.hamburg.de/hwc/>

The residence permit is bound to the studies. Changing a course of studies or breaking off studies may lead to loss of the right of residence. Anybody who changes their course of studies with the permission of the university must immediately (not waiting for the expiry date of the previous residence permit) apply to the Foreigners Registration Department or Hamburg Welcome Center for an altered residence title (see no. 2.2.10 below on this). Upon successful completion of a course of studies, there is an option of seeking a job in Germany corresponding to the degree and receiving a new residence permit for a period of up to 18 months.

### **2.2.1 What other residence titles can be converted to a residence permit for studies**

A residence permit for a stay as an au pair in Germany (but not in another EU country) may be converted into a residence permit for purposes of study; however, enquiries must be made at the Foreigners Registration Department in good time before the existing residence permit expires.

A residence permit for voluntary service may be converted into a residence permit for purposes of study; however, enquiries must be made at the Foreigners Registration Department in good time before the existing residence permit expires.

If you were issued a residence permit because you were granted protected status by the Federal Office for Migration and Refugees (BAMF) during asylum proceedings, this permit does not need to be converted, since according to § 25 Paras 1 to 3 AufenthG (residence law) it automatically entitles you to study.

**CAUTION: A tourist visa can NOT be converted into a residence permit for purposes of study, nor into a residence permit for university application or preparation for studies. A visa for purposes of study or a student applicant visa (recommended) must therefore be applied for at a German diplomatic mission in the country of origin.**

### **2.2.2 Language course, preparatory college (*Studienkolleg*) and other study preparation measures**

Should you not yet have sufficient knowledge of German or an entitlement to study at a German university, you may complete appropriate study preparation measures in Hamburg. Altogether two years for this, including waiting period.

If you take part in study preparation measures, you must apply for a university place for the subsequent studies in good time. If there are more than six months between the conclusion of your study preparation measure and the beginning of your studies, please inform the local Foreigners Registration Department office.

#### **2.2.2.1 Language courses**

The course must be an intensive language course that concludes with one of the following language certificates:



- *Deutsche Sprachprüfung für den Hochschulzugang ausländischer Studienbewerber* (DSH) (German language examination for university entrance for foreign student applicants)
- *Test Deutsch als Fremdsprache* (TestDaF) (Test for German as a foreign language) <https://www.testdaf.de/fuer-teilnehmende/informationen-zum-testdaf/>
- *Goethe-Zertifikat C2: Großes Deutsches Sprachdiplom* (Higher German language certificate)

Special information on required language skills and proof of language skills can be found at [www.sprachnachweis.de](http://www.sprachnachweis.de) as well as on the websites of the Hamburg universities (see no. 10.5).

#### 2.2.2.2 Preparatory college (Studienkolleg)

Student applicants whose foreign education certificates do not permit direct entry into university must show in an examination that they meet the linguistic, technical and methodological requirements for studies at a German university. This examination is called the *Feststellungsprüfung* (assessment test) and can be taken in Hamburg at the preparatory college (*Studienkolleg*) of the University of Hamburg. Following the *Feststellungsprüfung*, you may apply for a university place in Hamburg or elsewhere in Germany.

Information on the foreign education certificates which make attendance at the preparatory college (*Studienkolleg*) necessary or allow direct admission to a university can be found at → *Schulabschlüsse mit Hochschulzugang* (school leaving certificates with university admission) → *Suchen nach Schulabschlüssen* (search for school leaving certificates) at the information portal for the recognition of foreign education levels "anabin".<sup>6</sup>

Preparation for the *Feststellungsprüfung* is usually done in the subject courses of the preparatory college (*Studienkolleg*), which last a year. More detailed information can be found at <http://www.studienkolleg-hamburg.de>. For information on your options of working at the same time as attending the preparatory college (*Studienkolleg*) see no. 3.2 below.

#### 2.2.3 Can my spouse and my children enter Germany with me or join me later

Yes, if sufficient living space<sup>7</sup> is available and financial resources are assured. If your spouse also intends to enter for purposes of study, the same conditions apply as for your stay (see 2.2.6 below). If this is not the case, you must have an income which is sufficient for your family not to have recourse to social assistance in Germany. How much this is in individual cases can be learned from your Foreigners Registration Department office or in the visa process from the German diplomatic mission.

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<sup>6</sup> <http://anabin.kmk.org/anabin.html>

<sup>7</sup> Sufficient living space is deemed to be 12 sqm of living area for every family member over six years old and 10 sqm of living area for each family member under six years old, as long as ancillary rooms (kitchen, bathroom, WC) can also be used to a suitable extent

### 2.2.4 Where and how do I apply for a residence permit

You can make the initial application for your residence title (and the initial registration of your place of residence) during an appointment with the Hamburg Welcome Center<sup>8</sup> (please book ahead) or directly in the Foreigners Registration Department office responsible for your residential district. In each of the seven district offices there is at least one department responsible for foreigners with regulated residence status.<sup>9</sup>

### 2.2.5 What documents do I need

- Fully completed application form. (Download: <https://welcome.hamburg.de/contentblob/103150/b699fbe6860d429eb4c99fc4bb49d1eb/data/ae-eng-fra.pdf>) Can be downloaded on the web site <https://welcome.hamburg.de/formulare/>
- Biometrically compliant photograph (no older than six months)
- Current registration confirmation
- Rental agreement or other proof of accommodation
- Current certificate of study/confirmation of enrolment
- Proof of financing
- Proof of health insurance

### 2.2.6 Proof of financing

This is needed because according to the residence law it is assumed that foreign students can finance their subsistence themselves.

For this reason you may not in principle draw state benefits during a stay according to § 16b AufenthG (Residence Act), that is while you possess a residence permit according to § 16b AufenthG for the purpose of study. For most state benefits this is also excluded by the fact that possessors of residence permits according to § 16b AufenthG are not entitled to benefits (for instance child allowance and parental allowance and basic security for the unemployed and people unable to work).

#### **Housing allowance as a special case:**

Things are however different in the case of housing allowance.

With a residence permit according to § 16b AufenthG you may be entitled to a housing allowance. You may however only draw a housing allowance if your means of subsistence as a student is already otherwise secured and the housing allowance is only drawn supplementary. If you draw a housing allowance without your remaining means of subsistence being secured, this is a reason for the Foreigners Registration Department to revoke your residence permit and call on you to leave the country.

<sup>8</sup> see footnote 5

<sup>9</sup> you can find out the Foreigners Registration office responsible for your address here: [www.hamburg.de/be-woerdenfinder](http://www.hamburg.de/be-woerdenfinder)

**For international students with a residence permit according to § 16b AufenthG it is therefore recommended that they seek advice at Studierendenwerk Hamburg (see No. 10.3 below) before making any application for housing allowance**

As proof of your means of subsistence you must demonstrate to the Foreigners Registration Department the sources from which you are financing your studies. The minimum amount is the maximum subsidy according to the federal law on individual subsidising of education, currently 934 euros per month. You must show proof that you have this monthly sum for the whole period for which you are applying for a residence permit, so usually for at least a year; which amounts to a sum of 11,208 euros per year.

The following may serve as proof of financing:

- A formal obligation in which someone guarantees to the Foreigners Registration Department that they will pay all expenses that may arise for the German state due to the stay of a foreign national ("Verpflichtungserklärung"). A formal obligation may be given by any person who resides permanently and lawfully in Germany or the European Union. In this case the guarantor must show proof of their income. They may not be living on social security and must earn enough money to be able to finance their own subsistence and/or their family and the foreign student. A formal obligation given for an entry visa is valid for the entire course of study. Further proof of financing is not required.
- A grant from German public funds or a subsidising organisation recognised in Germany or public funds from the country of origin if the DAAD<sup>10</sup> or another German grant-providing organisation has taken on the intermediation.
- Proof of the income circumstances of the parents. In certain cases it may be necessary to be able to show how the money is obtained (e.g. account statements with corresponding transfers).
- A student's own account statement which shows that they have enough money to finance themselves for the period of the residence permit applied for.
- In certain cases a student may also use the income gained from work requiring no work permit for 120 days or 240 half days (see no. 3.2.1) as part of the proof of financing (submit employment contract). Recognition is however at the discretion of the respective Foreigners Registration Department of-fice.
- Deposit of an annually renewable bank guarantee.

You may also combine these various proofs.

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<sup>10</sup> <https://www.daad.de/de/>

### 2.2.7 Electronic residence permit and costs:

Since September 2011 residence permits have been issued as electronic residence titles in credit card format. The electronic residence title counts as proof of identity only in exceptional cases, namely when it has been designated an “Ausweisersatz”, or substitute identity card, by the Foreigners Registration Department. If this is not the case, you will therefore additionally need your passport if you need to officially prove your identity anywhere. For everyday purposes however it will be enough if you have your electronic residence title on you, which also has your address on it.

The following applies to the electronic residence title:

- Previous residence permits retain their validity. An electronic residence title need only be applied for when a limited residence permit runs out or when there is a new national pass-port.
- A personal interview at the Foreigners Registration Department is necessary to apply for or extend a residence title so that all relevant data including fingerprints can be collected. Children from six years upwards must also give fingerprints. As before the usual/necessary documents for extending the validity period of the residence title must again be presented.
- A current biometric passport photograph is to be provided.
- The data will be sent by the Foreigners Registration Department to the federal printing office, where the electronic residence title will be produced and then sent to the local Foreigners Registration Department office. (This is likely to take from about four to six weeks, during which time applicants should refrain from personal or telephone enquiries.)
- The electronic residence permit must then be collected from the Foreigners Registration Department.

Given this procedure an interview at the Foreigners Registration Department is necessary – some six to eight weeks before expiry of the previous residence title.

The fee for issuing a residence permit in the form of the electronic residence title is 100 euros for a validity period of up to one year and 110 euros for a validity period of more than one year. The fee for extending a residence permit by more than three months is 93 euros, or 98 euros if at the same time it involves a change in the purpose of residence.

Reduced fees apply to Turkish students who have acquired rights according to Decision No. 1/80 of the Association Council of 19 September 1980 on association (ARB 1/80).

### 2.2.8 Travel abroad

With a German residence title you have the benefit of freedom to travel within the Schengen area and can therefore travel to the Schengen states<sup>11</sup> without border controls and stay there for up to three months within a six-month period. For this you need to carry your passport, your residence title and sufficient means of subsistence.

For journeys to non-Schengen states you will regularly - depending on the provisions respectively applying there for your home country - need a visa, which you must apply for at the embassy of your country of destination here in Germany. This applies in particular also to Great Britain and Ireland. The embassies will also provide you with information on whether you must have a visa, and what requirements apply in each case.

**Apart from this the following must be taken into account: You should also note the following: any stay outside Germany that lasts longer than six months will automatically lead to forfeiture of the residence permit unless a longer period has previously been agreed expressly and in writing with the Foreigners Registration Department. The only exception is stays abroad where you make use of the option provided by EU Directive 2016/801<sup>12</sup> to complete part of your studies in another EU member state where the directive applies.<sup>13</sup>**

### 2.2.9 Holiday semesters

During your studies you may according to the regulations of higher education law take a temporary holiday for a compelling reason. Holiday semesters may be applied for e.g. for the following reasons (observe the matriculation rules of your university):

- a long-term illness
- a study visit to a domestic or foreign university
- in the context of pregnancy / maternity protection / parental leave
- completing a voluntary practical semester, whereby the restrictions in work permit law must be observed (see 3.2.1 below)
- significant demands on time because of involvement in student self-administration committees

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<sup>11</sup> Schengen states are: Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Switzerland. See under [www.auswaertiges-amt.de/DE/Infoservice/FAQ/VisumFuerD/17-Schengenstaaten.html?nn=350374](http://www.auswaertiges-amt.de/DE/Infoservice/FAQ/VisumFuerD/17-Schengenstaaten.html?nn=350374)

<sup>12</sup> Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing; see <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016L0801>.

<sup>13</sup> The directive does not apply in the member states Denmark and Ireland.

As long as you do not take a holiday for more than a single semester in the course of your studies, your residence permit for your studies will remain valid, and you do not need to be interviewed by the Foreigners Registration Department for this. Those who follow their bachelor studies with master studies may take a holiday of one semester during their bachelor studies and one semester during their master studies without affecting their residence title. Residence permits may also be extended during the holiday semester. You will retain all previous rights (120-day rule). If however you want to take more than one holiday semester, you must be interviewed at your Foreigners Registration Department office and justify this. If you already have the approval of the university, present this to the Foreigners Registration Department.

### **2.2.10 Change of study subject or university**

A change of study subject in the first three semesters presents no problem, both within BA studies as well as again during the first three semesters of MA studies. In this case you do not need to be interviewed by the Foreigners Registration Department. A change in study subject means any change: 1st main subject or 2nd main subject in Bachelor, Master, *Magister*, *Diplom* or *Staatsexamen*.

From the 4th semester of any degree course every case will be individually decided by the Foreigners Registration Department and in principle only approved if the total period of studies is not prolonged to more than ten years. This must be confirmed by a statement from the university. Please find out from the international office at your university who will issue such a statement for you (e.g. your professors, the examination office, the student's office, the international office, etc.).

Even a change to another university to continue studying the same subject is a change of purpose within the meaning of residence law, which you must coordinate with your Foreigners Registration Department office. Semesters abroad at a foreign university are also possible (see no. 5 below on this).

### **2.2.11 Further studies in Germany**

After concluding a course of study you may follow it with further studies, a master study course or a doctorate. You may not study two bachelor study courses one after the other, however.

### **2.2.12 Total duration of studies**

Residence for study purposes may last no longer than 10 years including preparation for studies, and up to 15 years if it includes a doctorate.

If you study

- longer than 11 semesters in a bachelor study course,
- longer than 6 semesters in a master study course or
- longer than 3 semesters in other study courses beyond the average duration of studies without having attained a degree and wish to have your residence permit extended again,

the Foreigners Registration Department will request a statement on the progress of your studies from your university. This statement must confirm that you will successfully complete your studies within the 10-year time limit.

### 3 Working during studies

Generally all students in Germany may work no more than 20 hours per week during a lecture period (*Vorlesungszeit*), in order to be considered as students within the social security system.

Anyone who works more than 20 hours per week while the university is in session counts as an employee under social security law and must then pay earnings-related contributions to health, pension and unemployment insurance schemes (*Kranken-, Renten- und Arbeitslosenversicherung*). Employee status under social security law may, however, lead to loss of your student residence permit if the amount of work you do impairs the success of your studies. Since there are various things you need to take into consideration when temping, especially if you are combining multiple jobs, it is advisable to seek advice on details from the Hamburg student union (see no. 10.3).

#### 3.1 Students from EU states

Students from the EU states and their family members enjoy freedom of movement for workers and freedom of establishment and may work self-employed or for an employer without restriction.

#### 3.2 Students from non-EU states

International students (as well as participants in a preparatory college (*Studienkolleg*) from non-EU countries and Croatia may take up part-time work, but must comply with a series of regulations in doing so.

During the first year of their study preparation measures (language course, preparatory college (*Studienkolleg*), propaedeutic course, etc.) they may not work at the same time. In the second year of their study preparation the following applies to students:

For students from non-EU states the residence permit for purposes of study states: *"Employment up to 120 days or 240 half-days per year and part-time on-campus student work is allowed."*

##### 3.2.1 120-day rule

International students from non-EU states may work 120 days or 240 half-days per year without needing the approval of the Employment Agency.

This employment may be divided up into individual sections, but at most may amount to 120 whole or 240 half-days per year. Jobs of up to four hours per day count as half days if the usual daily working time is eight hours. The longest period for a half day is five hours given a daily working time of ten hours. Night shifts of no more than eight hours count as one working day. This also makes permanent student jobs possible – e.g. on three working days per week over 40 weeks per year. Only those days are calculated on which you do actually work. Paid or unpaid



holidays and sick days are consequently not credited to the 120 days or 240 half days. The calendar year is definitive for the calculation of the one-year period, regardless of when you enter the country or when you end your studies. Thus if for example you have already worked 120 days by October and then extend your residence permit, this will not give you another 120 days and you may not work again until January of the following year.

The level of your earnings plays no part in this. Regardless of whether you earn 400 or 1000 euros per month, you must ensure only that you do not exceed the time limit.

### 3.2.2 On-campus jobs

Besides the jobs within the 120 days rule mentioned above, students with a residence permit for the purpose of studies may additionally have on-campus jobs at universities and other academic institutions. According to the Residence Act these jobs don't underlie any time limit. The regulations concerning the social security mentioned above (20 hours per week during a lecture period) also have to be respected though! Some universities may have additional internal regulations concerning the maximum amount of hours per week. This is to be verified with the particular university.

Teaching at Hamburg universities or working as a research assistant during doctoral studies also count as secondary student activities with no time limit.

Jobs that do not take place at universities or other academic institutions but serve an educational purpose in the subject area of the studies, e.g. activities in university-related organisations such as Studierendenwerk Hamburg, university associations, students' union executive committee (AStA), and the World University Service, also count as on-campus jobs. This also applies to teaching assignments at Hamburg universities as well as activities found through the ConAction project (see No. 10.4 below). Ask at your Foreigners Registration Department office in case you are unsure whether you are dealing with one of these on-campus jobs.

### 3.2.3 Particularities for students from Turkey

If you regularly pursue an occupation alongside your studies, whether in the context of the 120-day rule or as an on-campus job, you may acquire certain rights that can make your access to the labour market and further residence in Germany easier during and after your studies. This is a result of the judgement of the European Court of Justice in the *Payir*<sup>14</sup> case.

For Turkish students these employee rights are a result of Article 6 of Decision No. 1/80 of the EEC-Turkey Association Council on the development of the Association (ARB 1/80). Your rights as an employee become consolidated after a year of regular

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<sup>14</sup>ECJ, Judgement of 24.01.2008 - Case C-294/06 <http://curia.europa.eu/juris/document/document.jsf?jsessionid=9ea7d0f130d52bbc1c3f0f29448b9840b9be9a7e8b07.e34KaxiLc3eQc40LaxqMbN4PaN0Qe0?text=&docid=69922&pageIndex=0&doclang=EN&mode=Ist&dir=&occ=first&part=1&cid=809624>

employment in the context of the 120-day rule or an on-campus job, and after four years free access to the labour market can be achieved. Your Foreigners Registration Department office will advise you on the details.

### 3.2.4 Exceeding the 120-day rule

If you wish to work more than 120 days in a year, you need a special permit for this which you must obtain beforehand. Students from non-EU states must apply for the permit from the Foreigners Registration Department, which must obtain the approval of the Employment Agency for this.

Whether a work permit is issued for employment beyond this depends on the situation on the labour market. A guideline of the Employment Agency is to prioritise finding a job for all those people with free access to the labour market who come into question for the desired vacancy. The duration of this "priority test" is very variable.

**Caution: Anybody who works for more than 120 days ("off campus") per year and has no permit from the Foreigners Registration Department is acting improperly and may be fined up to 5000 euros. The Foreigners Registration Department will also check whether revocation of the previous residence permit according to § 52 Para. 3 AufenthG comes into question and thereby the ending of your right of residence in Germany.**

Whether the 120 days have already been used up must be checked by employees and employers.

### 3.2.5 Working self-employed or as a freelancer

Students from non-EU states require a permit for working self-employed or for freelance jobs. If you receive a job offer which does not involve a 450 euro/month job and you are to submit an invoice with tax number or a trade licence, then this is a self-employed or freelance job which is only automatically permitted to EU citizens. Students from non-EU states require a separate permit from the Foreigners Registration Department for this.

Students from non-EU states who wish to work self-employed or as a freelancer (e.g. teaching, translating, interpreting, etc.) may apply for a permit for this from the Foreigners Registration Department. Self-employment may be allowed during studies, but only if this does not jeopardise the completion of the studies (e.g. when doing voluntary work in principle similarly to an employee). A permit for working self-employed or as a freelancer extending beyond the 120-day rule will usually only be granted when this involves work in a limited timescale.

**If you work self-employed or as a freelancer without a permit you are also acting improperly and may be fined up to 5000 euros and may be risking your right of residence in Germany.**

### **3.2.6 Family members**

Your family members may have unrestricted gainful employment (i.e. self-employed, as a freelancer and dependent as an employee) if they enjoy freedom of movement themselves or if they have a residence title for the purpose of subsequent immigration of dependents according to §§ 27 to 36 AufenthG.

## **4 Internships during studies**

### **4.1 Students from EU states**

Students from the EU states enjoy freedom of movement for workers and may engage in internships unrestrictedly.

### **4.2 Students from non-EU states**

Students from non-EU states must take the following into account:

#### **4.2.1 Internship abroad**

An internship abroad is possible. Please check whether you need a visa for this (see above no. 2.2.8). If you intend to leave the country for longer than six months for your internship, you must be interviewed priorly – presenting the internship contract – at your local Foreigners Registration Department office and agree a correspondingly longer period for a temporary exit. If you do not do this, your residence permit will expire after six months.

#### **4.2.2 Obligatory internships**

In the case of obligatory internships stipulated in the study and examination regulations as a mandatory component of a course of studies, there are no particularities of residence law to be taken into account, i.e. an obligatory internship will always be permitted to you. The occupation involved in an obligatory internship will also not be credited to the 120 days of permitted occupation.

#### **4.2.3 Voluntary internships**

In terms of residence law, internships not stipulated in the examination regulations as a mandatory component of a course of studies are assessed as normal employment circumstances and are usually possible only in the context of the 120-day rule-exceptions are practical examination projects and study-related activities at universities / research institutions. An internship counts as a job regardless of whether it is paid or unpaid.

If for example you intend to do a six-month internship or have already used up the 120 days for temporary work, the following applies:

Students from non-EU states need a permit from the Foreigners Registration Department, which must obtain the consent of the ZAV for this. The Foreigners Registration Department will first check whether the internship will mean that the maximum duration of ten years for a course of studies is exceeded, and ZAV certain whether it is an education-oriented internship (in which you will be learning something that contributes to your field of study) and not just a badly paid job.

## 5 Semesters abroad

### 5.1 Students from EU states

As a citizen of the Union you may continue your studies at any university in the EU in the context of your right of freedom of movement. If you wish to spend a semester abroad at a university outside the EU, you must acquaint yourself with the conditions for entry and residence at the embassy of the respective country.

### 5.2 Students from non-EU states

You may automatically spend up to three months at a host university in the Schengen states<sup>15</sup>. All you need is your passport, your residence title and sufficient means of subsistence (see no. 2.2.8).

In the case of longer stays you may benefit from the mobility regulations of the EU students' directive<sup>16</sup> for a semester abroad at a university in another EU member state (with the exception of Great Britain, Ireland and Denmark).

In order to do so, you must have a residence permit for full-term study according to § 16b Para. 1 AufenthG that is valid for longer than the planned stay abroad. The mobility regulations in Article 31 EU Directive 2016/801 support

- students who are participating in an EU or multilateral programme with mobility measures or
- to whom an agreement between two or more university institutions applies.

To find out the specific requirements for spending a period abroad, please enquire with your university in Hamburg, the university in the other EU member state or that country's diplomatic mission.

For a foreign semester in Ireland, Denmark or a non-EU state you must acquaint yourself with the conditions for entry and residence at the diplomatic mission of your target state here in Germany.

In any event you should remember to apply for an interview at your respective local Foreigners Registration Department office if you intend to be out of the country for longer than six months and agree a correspondingly longer period for a temporary exit. Failing this, your residence permit will expire after six months.

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<sup>15</sup> see footnote 11 above

<sup>16</sup> see footnote 12 above

## 6 Exchange or guest semester in Hamburg

### 6.1 Mobility according to the EU students directive

If you are studying in another EU member state (with the exception of Ireland and Denmark) and wish to come to Hamburg for an exchange semester, you may also benefit from the privileges of the EU students directive.<sup>17</sup>

In order to do so, you must have a residence title for the purpose of study according to EU Directive 2016/801 and be participating in Hamburg in either

- an EU or multilateral programme with mobility measures or
- an exchange to which an agreement between two or more university institutions applies.

In these cases, the residence title for the purpose of study issued by the other EU member state according to EU Directive 2016/801 satisfies entry and residence requirements, provided that the “notification procedure” according to EU Directive 2016/801 has been carried out beforehand. In that case, you do not need to be interviewed in Hamburg by the Foreigners Registration Department.

For the notification procedure, the host university must provide the following information and documents in German to the Federal Office for Migration and Refugees (BAMF) at least 30 days beforehand as proof of eligibility for intra-European mobility:

- Your address/contact details
- Proof of the residence title for the purpose of study issued by the other member state (copy)
- Proof of participation in an EU or multilateral programme with mobility measures or an agreement between two or more universities that applies to you
- Letter of acceptance/proof of acceptance by educational institution
- Copy of passport or substitute passport
- Proof of sufficient means of subsistence
- Planned place of residence

The BAMF then examines whether there are grounds for refusal of the intended entry and stay for study purposes. If the Federal Office comes to the conclusion within 30 days that there are grounds for rejection, it notifies the foreigner and the responsible Foreigners Registration Department of the rejection.

The BAMF can reject the application within 30 days for the following reasons:

- Eligibility requirements have not been satisfied (incomplete documents).
- The educational institution was primarily founded in order to facilitate the entry and residence of foreigners (abuse by institution).
- The educational institution is insolvent.
- Proof or specific indications that you will use your residence for purposes other than study (abuse by individual).

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<sup>17</sup> see footnote 12 above

- There are indications that the documents you have submitted were fraudulently acquired or have been falsified or manipulated.

The Foreigners Registration Department can also reject your application after the expiry of the 30-day deadline for reasons of public safety. In this case, you would have to immediately discontinue your studies.

Generally, your application will not be rejected and the BAMF will issue you your personal "Certificate of entitlement to entry and residence within the scope of short-term mobility for the purpose of study" (§ 16c Para. 4 AufenthG) and send it to your university. You will then receive this certificate from your university and can use it as evidence of your right of residence in Germany.

A separate residence permit according to § 16b AufenthG is not required if you have the certificate of the BAMF. So you do not need to appear at the Foreigners' Registration Office in Hamburg if you have a residence permit from another member state of the EU for the purpose of studying according to the REST Directive and the above-mentioned certificate of the BAMF.

The BAMF also sends all rejections and approvals directly to the Central Register of Foreigners (Ausländerzentralregister). This means that the Foreigners' Registration Office in Hamburg will also be informed that you will be studying here for one or two semesters as part of the Erasmus programme or another multilateral programme, as they can retrieve this information from the Central Register of Foreigners.

Your stay in Hamburg or in Germany according to § 16c AufenthG must not exceed 360 days. If you subsequently wish to continue studying or doing a doctorate in Germany, you must make an appointment at the Hamburg Welcome Center or directly at the Foreigners' Registration Office in your district of residence and apply for a residence permit to study in accordance with § 16b AufenthG. You can find out the address and opening hours of the Foreigners' Authority in the relevant district office with the help of the Authority Finder on the internet at: [www.hamburg.de/behoerdenfinder](http://www.hamburg.de/behoerdenfinder). Enter the search term "Aufenthalts-genehmigungen, Studenten" (residence permits, students) and then the street where you live.

With the certificate from the BAMF, you are entitled to pursue employment, which may not exceed a total of one third of the duration of stay, as well as to pursue secondary student employment. This means that for a stay of 360 days, you may work 120 full days or 240 half days. If your stay is shorter, the number of working days is also reduced. You can read more about work and internships under No. 3 and No. 4.

If you obtain a university degree during your period of residence as a guest student in Hamburg, the options that will subsequently be available for you to remain in Germany are listed under No. 7.

## **6.2 Other mobility**

If you have so far been studying in Ireland, Denmark or a third country (non-EU-country), for an exchange or guest semester you must first apply for a visa at the competent German diplomatic mission. The conditions described above under 1 apply for this.



## **7 Right of residence after studies for international graduates of German universities**

### **7.1 Graduates from EU states**

EU citizens, nationals of EEA states and Swiss citizens enjoy freedom of movement for workers and may exercise any occupation without the need for an interview at the Foreigners Registration Department.

### **7.2 Graduates from non-EU states**

#### **7.2.1 Residence permit for the purpose of seeking work**

Following successful conclusion of your studies in Germany your residence permit may be extended by up to 18 months for the purpose of looking for a job commensurate with the degree. To this end you must apply at the local Foreigners Registration Department office for an extension to your residence permit according to § 20 Para. 3 No. 1 AufenthG. Your studies are regarded as finished as soon as the university has certified the passing of the last examination in writing. It is not a question of when you were exmatriculated or when you receive your credentials. At all costs therefore keep the letter and/or envelope with its postmark with which you received the confirmation from the university that you passed the final examination.

During the 18 months available to you to look for a job commensurate with your degree, you may carry out unrestrictedly any gainful employment, including any internship or trainee post. You may also work self-employed or as a freelancer during your search for a job.

To receive the residence permit for the purpose of seeking employment, you must continue to prove that you can provide your means of subsistence yourself. The same conditions apply to the type of proofs as described above under no.2.2.6.

#### **7.2.2 Internship abroad**

During these 18 months you may also complete an internship abroad. However, any stay outside Germany that lasts longer than six months will automatically lead to forfeiture of the residence permit unless a longer period has previously been agreed expressly and in writing with the Foreigners Registration Department. It is therefore recommended that you present yourself with the internship contract at your local Foreigners Registration Department office and reach the necessary agreements.

#### **7.2.3 Change in doctorate or master study course**

Both during and directly following the 18 months of the job search you may begin a doctorate or master study course. To this end you must again apply for a residence permit for the purpose of study. The same rules as described under nos. 2, 3

and 4 apply. If you do not finish the masters or doctorate you are not entitled to any remaining months of the “old” 18 months for the job search. If you gain a new degree, you may again apply for a residence permit according to § 20 Para. 3 No. 1 AufenthG for 18 months to look for a job.

#### **7.2.4 Job search after first job abroad**

If you go abroad for a job directly after your studies you cannot subsequently apply for a residence permit according to § 20 Para. 3 No. 1 AufenthG. This option is only available directly following the end of your studies.

If you subsequently wish to look for a job in Germany, you can however apply at the competent German diplomatic mission for a visa according to § 20 Para. 2 AufenthG for the purpose of seeking employment which can be issued to you for six months. In contrast to the residence permit according to § 20 Para. 3 No. 1 AufenthG, however, you may not take temporary work with a visa according to § 20 Para. 2 AufenthG, but must prove that you have sufficient funds to ensure your means of subsistence in Germany for the period of your job search. Only a trial employment of 10 hours per week is allowed, which your qualification enables you to perform.

## 8 Taking up work: The first “proper” post

### 8.1 EU citizens

EU citizens, nationals of EEA states and Swiss citizens enjoy freedom of movement for workers and may exercise any self-employed or dependant gainful employment without the need for an interview at the Foreigners Registration Department.

### 8.2 Non-EU citizens

#### 8.2.1 Residence titles for the purpose of employment

For a concrete offer of employment commensurate with your degree you may receive one of the following residence titles for the employment as a graduate of a German university:

- an EU Blue Card according to § 18 Para. 2 AufenthG if you receive a gross salary of (currently) at least 56,400 euros per year or in so-called shortage occupations (see appendix on this) a gross salary of (currently) at least 43,992 euros per year (as of 2022 – the salary limits are readjusted for each calendar year),
- a residence permit for the purpose of research according to § 18d AufenthG if you have concluded a so-called affiliation agreement with a recognised research institution,
- a residence permit for the purpose of employment according to § 18b Para. 1 AufenthG if your qualification qualifies you to perform this employment,
- a residence permit for the purpose of employment according to § 19d AufenthG if you have completed your studies in the status of exceptional leave to remain (Duldung) and have found an appropriate activity.

You must apply for the residence permit or EU Blue Card at the Foreigners Registration Department office competent for your place of residence. In Hamburg these are the Hamburg Welcome Center or the Foreigners Registration Department office at your local district authority. The residence permit according to § 19d AufenthG must be applied for at the Department of the Interior and Sports, Office for Migration, where you were previously granted the status of exceptional leave to remain (Duldung).

You should bring:

- Passport and biometric photograph
- Graduation certificate from your university or corresponding provisional certification
- Job description
- A draft employment contract with job description and details of employment conditions (e.g. working times, salary, holidays)

- Form "Erklärung zum Beschäftigungsverhältnis" to be filled in by employer (download here: [www.welcome.hamburg.de/content-blob/2217304/data/vordruck-angaben-betrieb-und-beschaeftigung.pdf](http://www.welcome.hamburg.de/content-blob/2217304/data/vordruck-angaben-betrieb-und-beschaeftigung.pdf))

Since you may already work unrestrictedly with your residence permit according to § 20 Abs 3 AufenthG, you may immediately take up your post, even on probation, without needing to wait for the decision of the Foreigners Registration Department. Your employment contract should take into account that it becomes fully valid only with the final approval of the Foreigners Registration Department.

Once you and in particular your employer have submitted all documents for a residence permit for the purpose of employment according to § 18b Para. 1 AufenthG in full, the Foreigners Registration Department together with the Federal Employment Agency will quickly check whether the employment is a qualified employment, i.e. whether you are able to perform this employment due to your qualification. This means that as a skilled worker, you may only exercise the profession to which you are qualified on the basis of your (academic) qualification. This does not mean that your qualification has to correspond exactly to the desired activity. It is even possible that you could be employed in other sectors or professions, or even below your qualification, if further job-specific expertise is to be acquired as part of the employment (e.g. safety training for electricians employed in connection with wind energy production). However, it is important that you are employed as a "skilled worker for a qualified occupation". A job that could also be performed without qualification (e.g. simple semi-skilled jobs) is not possible.

In contrast to the above mentioned residence permit for the purpose of employment under § 18b Para 1. AufenthG, the EU Blue Card according to § 18b Para. 2 AufenthG is subject to the mandatory conditions that the employment is appropriate to the qualification and that the minimum salary threshold is met. For the year 2022, the annual gross minimum salary in standard occupations is 56,400 euros, in bottleneck occupations 43,992 euros. The salary limits are adjusted for each calendar year.

Here too, the Foreigners Registration Department must involve the Federal Employment Agency, which in turn checks whether you are not employed under less favourable working conditions (incl. salary) than comparable domestic employees. The involvement of the Federal Employment Agency is not necessary if you will receive a salary of at least 56,400 euros/year (Blue Card – standard occupations, as of 2022). In this case, the examination will be carried out solely by the Foreigners Registration Office.

Of course, the employment relationship you are seeking must be a domestic employment relationship. You cannot get a residence permit for Germany for employment abroad.

Once the Foreigners Registration Department has completed its examination, with or without the help of the Federal Employment Agency, you can be issued with an

electronic residence permit. However, additional time is needed for the issuance (see above No. 2.2.7).

#### 8.2.1.1 Trainee posts

You may apply for a residence permit according to § 18b AufenthG for a trainee post as well, as long as the content of the training programme, the working conditions and the financial parameters are commensurate with your final degree.

#### 8.2.1.2 Part-time posts

Here too it is true that a residence permit according to § 18b Para. 1 AufenthG may be issued if conditions described in No. 8.2.1 are fulfilled and you can ensure your subsistence with your income. The lower limit for means of subsistence is the current standard rate<sup>18</sup> of unemployment benefit (*Arbeitslosengeld II*) according to the second volume of the Social Security Code (SGB II) plus the actual costs of your accommodation (rent and ancillary costs) and certain allowances in the value of at least 100 euros that you would be granted if claiming unemployment benefit (*Arbeitslosengeld II*). The Foreigners Registration Department responsible for you will calculate the minimum income required in your case.

For the EU Blue Card, the minimum salary threshold must be met in any case. Should an actual salary be earned from part-time employment that meets the corresponding minimum salary threshold, the EU Blue Card will be issued to you even if you work part-time.

#### 8.2.1.3 Further education (traineeship, medical specialist training, etc.)

If practical training is a necessary part of your training without which you cannot complete your training (e.g. second state examination), it counts as an approval-free occupation. You will receive a residence permit for further education according to § 16a AufenthG. Waiting periods of several months between your first state examination and the beginning of the traineeship are normal and can be bridged in terms of residence rights.

Contact your Foreigners Registration Department office with the application or the statement on the waiting period. With waiting periods of more than one year you should take up a bridging occupation, e.g. as teacher at a private (language) school.

For further training as a medical specialist you first need the required licence which you must apply for from the state examination office for the health sector<sup>19</sup> and may then receive a residence permit for further education according to § 16a AufenthG.

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<sup>18</sup>see <http://www.bmas.de/DE/Themen/Arbeitsmarkt/Grundsicherung/Leistungen-zur-Sicherung-des-Lebensunterhalts/2-teaser-artikelseite-arbeitslosengeld-2-sozialgeld.html>  
(in English: <http://www.bmas.de/EN/Our-Topics/Labour-Market/unemployment-benefit.html>).

<sup>19</sup> see [www.hamburg.de/landespruefungsamt/kontakt/116004/kontakt-lpa.html](http://www.hamburg.de/landespruefungsamt/kontakt/116004/kontakt-lpa.html)

Following successful conclusion of your further education you may according to § 20 Para. 3 No. 3 AufenthG receive a new residence permit for a year for the purpose of employment seeking. For the subsequent change to a residence permit for the purpose of gainful employment, the conditions under 8.2.1 and 8.2.2 apply.

#### 8.2.1.4 Temping (e.g. with temporary employment firms)

No residence permit is issued for an occupation as a temporary agency worker.

An exception is only possible for an EU Blue Card with a salary of at least 56,800 euros/year (standard occupations, as of 2021). However, the salary limits are adjusted for each calendar year.

#### 8.2.1.5 Change of jobs

A residence permit for the purpose of employment is initially always issued for a specific occupation. If you therefore wish to change your job you must be interviewed by the Hamburg Welcome Centre or by the Foreigners Registration Department office at your local district authority. For this you will again need the documents listed under 8.2.1. A change of employer without the consent of the Foreigners' Registration Office is only permitted after two years of employment in Germany subject to compulsory insurance. Nevertheless, it is advisable to go to the Foreigners' Registration Office to apply for a change of your residence title.

### 8.2.2 Residence permit for self-employed or freelance activities

As a university graduate you may also work self-employed.

For an entrepreneurial activity you can apply at the Hamburg Welcome Center or the Foreigners Registration Department office of your local district authority for a residence permit according to § 21 Para. 2a AufenthG for the purpose of self-employed work, if this work is recognised as being related to the skills acquired in connection with your university studies.

For freelance activities such as lawyer or tax consultant you can also apply at the Hamburg Welcome Center or the Foreigners Registration Department office of your local district authority for a residence permit according to § 21 Para. 5 AufenthG for the purpose of freelance activity. If you need special permits for your freelance activity (e.g. an accreditation from the bar association), please obtain these beforehand or ask for an appropriate statement.

If you wish to work as a freelance artist, you can get information on the special conditions at <http://www.hamburg.de/contentblob/2807058/data/freischaffende-kuenstler.pdf>.

In both cases, whether you want to work as an entrepreneur or freelancer, your activities must promise at least as much income as you need to independently ensure your means of subsistence (standard rate of unemployment benefit, *Arbeitslosengeld II*, according to SGB II plus the actual costs of your accommodation

and at least 100 euros for allowances (see 8.2.1.2) as well as health and care insurance).

Self-employed and freelance workers are legally obliged in Germany to take out sufficient health and long term care insurance (*Pflegeversicherung*) whose scope of benefits corresponds roughly to that of the statutory health insurance in Germany. Before concluding such insurance you should seek advice from an independent body such as Studierendenwerk Hamburg (see 10.3 below). Freelance artists may get insurance at the Künstlersozialkasse (KSK).<sup>20</sup>

### **8.3 Family members**

Your family members may have unrestricted gainful employment (i.e. self-employed and dependant) if they enjoy freedom of movement themselves or if they have a residence title for the purpose of subsequent immigration of dependents according to §§ 27 to 36 AufenthG. If your family members have any other residence permit, their respective right to gainful employment results from the documents issued by the Foreigners Registration Department (residence title, residence title for specific purposes or exceptional leave to remain).

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<sup>20</sup>[www.kuenstlersozialkasse.de/](http://www.kuenstlersozialkasse.de/)

## 9 A View to the Future – Permanent Residence in Germany

### 9.1 EU citizens

If you have been living in Germany for five years and in doing so fulfilled a condition for free movement of persons according to § 2 FreizügG/EU (free movement of persons act / EU), i.e. have studied and worked here for example, you can apply for a permanent residence permit to be issued at the Hamburg Welcome Center or the Foreigners Registration Department office of your local district authority.

### 9.2 Non-EU citizens

Graduates of German universities are entitled to be issued with a settlement permit according to § 18c Para. 1 AufenthG if they:

- carry out gainful employment appropriate to the degree,
- have possessed a residence permit for two years according to §§ 18a, 18b, 18d AufenthG (if they have left the country for more than 6 months in the meantime, the time before that is not credited) and
- have made contributions to a statutory or private pension scheme for 24 months.

Possessors of an EU Blue Card are entitled to be issued with a settlement permit according to § 18c Para. 2 AufenthG:

- after working for 21 months as a highly qualified person, as long as they have knowledge of German at B1 level, with a German-speaking final degree simultaneously counting as proof of these language skills,
- otherwise (without appropriate language skills, for instance as the graduate of an English-speaking master study course) after 33 months working as a highly qualified person,
- as long as they have also made contributions to a statutory or private pension scheme in those 21 or 33 months.

In addition to the above-mentioned requirements for the settlement permit according to § 18c Para. 1 and Para. 2 AufenthG, you must also prove that you have a basic knowledge of the legal and social system and living conditions in Germany, despite your university degree. This proof is generally provided by successfully completing the final test of the orientation course "Living in Germany" or by taking the naturalization test. Previous participation in the orientation course of the integration course is not required. Proof of knowledge is also provided if you can prove that you have completed a German Hauptschule or a comparable or higher school leaving certificate from a German general education school.

For a settlement permit you and (if appropriate) your family must also have sufficient living space and there must be no security concerns against your permanent residence.



Holders of a residence permit for self-employment are entitled to be granted a settlement permit after three years in accordance with § 21 Para. 2a AufenthG if they have successfully realized the self-employment activity and the livelihood of the entire family is secured.

After five years of residence in Germany you may also apply for an EU permanent residence permit according to § 9a AufenthG. This counts as a settlement permit in Germany and otherwise allows you to move on to another EU member state (with the exception of Ireland and Denmark) and work there.<sup>21</sup> One of the preconditions is that you have a residence permit for another purpose than that of education and further education or for studying (i.e. not according to §§ 16b or 16a AufenthG), although the period of residence can be credited to the five-year period by up to half.

In the case of a permit for permanent residence in the EU, proof of basic knowledge of the legal and social order and living conditions in the Federal Republic of Germany on the basis of your studies can be waived, which is generally not possible in the case of a settlement permit after two or three years of residence (§ 18c Para. 1 and 2 AufenthG).

You must apply for the settlement permit as well as the EU permanent residence permit at the Hamburg Welcome Center or the Foreigners Registration Department office of your local district authority.

### 9.3 Naturalisation

As a graduate of a German university you can apply for naturalisation after living in Germany for six years, on grounds of the special effort of integration this involves. In Hamburg the residence during studies is credited in full. You may however no longer have a residence permit according to § 16b AufenthG, since this student residence title excludes naturalisation. You can find information on naturalisation here, among other places: <http://einbuengerung.hamburg.de>.

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<sup>21</sup>See here EU Guideline 2003/109/EG of the Council from 25 November 2003 regarding the legal status of persons from third countries with long-term rights of residence: <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32003L0109>

## 10 Useful links and addresses

### 10.1 Authorities in Hamburg

#### **Hamburg Welcome Center (HWC)**

The HWC is a joint initiative of the Department of the Interior and Sports, the Department of Social Affairs, the Hamburg Employment Agency and the Jobcenter t.a.h. It advises (potential) skilled workers, their family members, and companies from Hamburg on issues such as the recruitment of skilled workers, labor market integration, the recognition of foreign qualifications, language acquisition and the right of residence.

Hamburg Welcome Center

Süderstraße 32b, 20097 Hamburg

Tel.: +49 (40) 428395555

Internet: <https://welcome.hamburg.de/hwc/>

E-Mail: [info@welcome.hamburg.de](mailto:info@welcome.hamburg.de)

#### **Hamburg Welcome Center for Professionals (HWCP)**

The HWCP is part of the Hamburg Department of the Interior and Sports and offers residence services for skilled workers, their family members and Hamburg companies within the Hamburg Welcome Center (HWC):

#### **Visa Office**

Here, the entry procedures (visas) sent by the German missions abroad are checked. Hamburg Welcome Center for Professionals

-Entry matters with visa-

Süderstraße 32b, 20097 Hamburg

Tel.: +49 (40) 42393038

Internet: <https://www.hamburg.de/innenbehoerde/allgemein/109116/visumverfahren/> E-Mail: [Visa-Stelle@welcome.hamburg.de](mailto:Visa-Stelle@welcome.hamburg.de)

#### **Residence matters for professional workers**

Students, qualified specialists, executives and their family members can apply here for the issuance and extension of their residence permit and register or change their place of residence by appointment.

Hamburg Welcome Center for Professionals

-Residence matters for professional workers-

Süderstraße 32b, 20097 Hamburg

Tel.: +49 (40) 428 39 55 00

Internet: <https://welcome.hamburg.de/auslaenderbehoerden-kundenzentren/2072756/hamburg-welcome-center/>  
 E-Mail: [Professionals@welcome.hamburg.de](mailto:Professionals@welcome.hamburg.de)

### **Hamburg City Agency Finder**

The address and opening times of the Foreigners Registration Department office in a local district authority can be found with the aid of the agency finder on the internet. Enter "Aufenthaltsgenehmigungen, Studenten" as a search parameter, and then the street where you live.

[www.hamburg.de/behoerdenfinder](http://www.hamburg.de/behoerdenfinder)

### **Hamburg Service Telephone**

This gives you information on the services of the Hamburg authorities and other public institutions.

Tel.: +49 (40) 115 or

Tel.: +49 (40) 428 28 0

### **Hamburg Employment Agency**

The internal approval procedure for work permits for nationals from non-EU states who are employed in Hamburg now takes place mainly at the labor market admission in Duisburg, and only the checking of the working conditions at Hamburg employers is still done through Hamburg.

Kurt-Schumacher-Allee 16, D - 20097 Hamburg

Tel.: +49 (0800) 4 5555 00 (Employees) \*

Tel.: +49 (0800) 4 55555 20 (Employers) \*

\* free of charge Mon-Fri from 08:00 – 18:00

Internet: [www.arbeitsagentur.de](http://www.arbeitsagentur.de) (private individuals, companies or institutions)

E-mail: [Hamburg@arbeitsagentur.de](mailto:Hamburg@arbeitsagentur.de)

### **Naturalisation Agency**

Department of the Interior and Sports

Office for Migration

Naturalisation Department

Hammer Straße 30-34, 22041 Hamburg

Tel.: 040 42828-0

Fax: 040 42731-2394

Internet: <https://www.hamburg.de/innenbehoerde/einbuengerung>

E-Mail: [einbuengerung@amtfuermigration.hamburg.de](mailto:einbuengerung@amtfuermigration.hamburg.de)

## **10.2 Other agencies**

### **International Placement Services (ZAV – Zentrale Auslands- und Fachvermittlung)**

The labour market approval procedure is carried out in nine teams, located in Bonn, Duisburg, Frankfurt/Main and Munich, Stuttgart and Erfurt.

These teams have been making the internal approval decisions on employment of non-EU graduates since 1 May, 2011.

ZAV Team 235 (for Hamburg)

Dahlmannstraße 23, 47169 Duisburg

E-Mail: [zav.amz-duisburg-235@arbeitsagentur.de](mailto:zav.amz-duisburg-235@arbeitsagentur.de)

### **BAMF – Federal Office for Migration and Refugees**

The Federal Office for Migration and Refugees offers comprehensive information on the subject of migration to Germany at [www.bamf.de](http://www.bamf.de) and has various responsibilities in this area. This also includes the recognition of research institutions according to the EU research directive.

<https://www.bamf.de/DE/Themen/Forschung/AnerkennungForschungseinrichtungen/anererkennungforschungseinrichtungen-node.html>

## 10.3 Advice on campus

### Studierendenwerk Hamburg

The Student Services (Studierendenwerk) Hamburg offers information and personal consultation on questions around life as a foreign student in Hamburg and supports students and prospective students in solving social, personal and economic problems.

[www.studierendenwerk-hamburg.de](http://www.studierendenwerk-hamburg.de)

## 10.4 Student jobs

### Stellenwerk (Job Exchange)

Joint online job exchange of the University of Hamburg, the HAW Hamburg and the TU Hamburg-Harburg and the HafenCity University Hamburg. Students and graduates can find jobs, relevant internships, the right offer for their own degree thesis and later their first position.

[www.stellenwerk-hamburg.de](http://www.stellenwerk-hamburg.de)

Information for students on the subjects of temping / tax / social security can be found here:

<https://www.studentenwerke.de/de/jobben>

### ConAction

ConAction is a project by Studierendenwerk Hamburg with the aim of bringing together socially engaged students looking for a job and institutions in the educational and social field. This creates a valuable connection between academia and practice.

[www.studierendenwerk-hamburg.de](http://www.studierendenwerk-hamburg.de)

E-Mail: [besi@studierendenwerk-hamburg.de](mailto:besi@studierendenwerk-hamburg.de)

### Deutsche Rentenversicherung (German Pension Plan)

Very useful brochure "Tipps für Studenten: Jobben und Studieren" (PDF)

[www.deutsche-rentenversicherung.de](http://www.deutsche-rentenversicherung.de) -> Rente -> Azubis, Studierende & Berufseinsteiger -> Studierende

## 10.5 Information and advice on studies

Every university has an International Office or department for international matters. This is where you will find advisers for international students who will be happy to help you with questions of residence law and others. You will also find other advice centres such as:

- General study advice
- Course guidance
- Examination offices
- AStA (general student committee)
- Internship office where relevant

- Social advice where relevant
- Officers for the disabled

You will find the individual contact information on your university's internet page.

[www.uni-hamburg.de](http://www.uni-hamburg.de)

[www.haw-hamburg.de](http://www.haw-hamburg.de)

[www.tuhh.de](http://www.tuhh.de)

[www.hcu-hamburg.de](http://www.hcu-hamburg.de)

[www.hfmt-hamburg.de](http://www.hfmt-hamburg.de)

[www.hfbk-hamburg.de](http://www.hfbk-hamburg.de)

## 10.6 Entering a profession

Several universities offer their graduates services like these in their career centres:

- Professional orientation
- Career planning
- Application training
- Broadening of competences

[www.uni-hamburg.de/career-center](http://www.uni-hamburg.de/career-center)

[www.haw-hamburg.de/studium/careerservice](http://www.haw-hamburg.de/studium/careerservice)

[www.tuhh.de/tuhh/universitaet/service/career-center.html](http://www.tuhh.de/tuhh/universitaet/service/career-center.html)

[www.hfmt-hamburg.de/studieren/career-center](http://www.hfmt-hamburg.de/studieren/career-center)

## 10.7 Self-employment (*Selbstständigkeit*)

- Hamburg Chamber of Commerce: [www.hk24.de](http://www.hk24.de)
- H.E.I. Hamburger Initiative für Existenzgründungen und Innovationen (initiative for business start-ups and innovations) [www.hei-hamburg.de](http://www.hei-hamburg.de)
- LAWAETZ foundation [www.lawaetz.de](http://www.lawaetz.de)
- Hamburg Innovation GmbH [www.hamburg-innovation.de](http://www.hamburg-innovation.de)
- TuTech Innovation GmbH [www.tutech.de](http://www.tutech.de)
- Innovationsstiftung Hamburg (innovation foundation) [www.innovationsstiftung.de](http://www.innovationsstiftung.de)
- Start-up center with tips for ideas and expert advice [www.garagehamburg.de](http://www.garagehamburg.de)
- Unternehmer ohne Grenzen (entrepreneurs without barriers) [www.unternehmer-ohne-grenzen.de](http://www.unternehmer-ohne-grenzen.de)

## 10.8 Sources of law

- Residence Law [http://www.gesetze-im-internet.de/englisch\\_aufenthg/index.html](http://www.gesetze-im-internet.de/englisch_aufenthg/index.html)
- Residence Ordinance <http://www.gesetze-im-internet.de/aufenthv/index.html>
- Freedom of Movement Act for EU citizens [http://www.gesetze-im-internet.de/englisch\\_freiz\\_gg\\_eu/index.html](http://www.gesetze-im-internet.de/englisch_freiz_gg_eu/index.html)
- Employment ordinance [www.gesetze-im-internet.de/beschv\\_2013/index.html](http://www.gesetze-im-internet.de/beschv_2013/index.html)

- Professional instructions of the Federal Employment Agency on the Residence Law and the Employment Ordinance [https://www.arbeitsagentur.de/datei/dok\\_ba146473.pdf](https://www.arbeitsagentur.de/datei/dok_ba146473.pdf)

## 11 Appendix

### List of Shortage Occupations According to § 18b Para. 2 Sentence 2 of the Residence Law

The defined shortage occupations (group 21, 221 and 25 of the ISCO-08 <https://op.europa.eu/de/publication-detail/-/publication/a6afa5ba-23f6-497b-90c3-48da8557356e/language-de>) include:

#### **21. Natural Scientists, Mathematicians and Engineers**

211. Physicists, chemists, geologists and associated professions

2111 Physicists and astronomers

2112 Meteorologists

2113 Chemists

2114 Geologists and geophysicists

212. Mathematicians, actuaries and statisticians

2120 Mathematicians, actuaries and statisticians

213. Life scientists

2131 Biologists, botanists, zoologists and associated professions

2132 Agricultural, forestry and fisheries scientists and consultants

2133 Environmental scientists

214. Engineering scientists (not including electro technology, electronics and telecommunication)

2141 Economics and production engineers

2142 Civil engineers

2143 Environmental protection engineers

2144 Mechanical engineers

2145 Chemical engineers

2146 Mining engineers, metallurgists and associated professions

2149 Engineers not named elsewhere

215. Engineers in the fields of electro technology, electronics and telecommunications technology

2151 Engineers in the field of electro technology

2152 Engineers in the field of electronics

2153 Engineers in the field of telecommunications technology

216. Architects, land use, urban and traffic planners, surveyors and designers

2161 Architects

2162 Landscape architects

2163 Product and textile designers

2164 Land use, urban and traffic planners

2165 Cartographers and surveyors

2166 Graphics and multimedia designers

#### **221. Doctors**

2211 General practitioners

2212 Medical specialists



**25. Academic and Comparable Specialists in Information and Communications Technology**

251. Developers and analysts of software and applications

2511 Systems analysts

2512 Software developers

2513 Web and multimedia developers

2514 Applications programmers

2519 Developers and analysts of software and applications not named elsewhere

252. Academic and comparable specialists in databases and networks

2521 Database developers and administrators

2522 System administrators

2523 Academic and comparable specialists in computer networks

2529 Academic and comparable specialists in databases and networks not named elsewhere

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Fax: +49 (40) 428 39 1908  
[www.hamburg.de/innenbehoerde](http://www.hamburg.de/innenbehoerde)