

You want to start a long-term or permanent stay in Germany or continue to live permanently in Germany after leaving the NATO-law?

Who can apply for a residence permit ?

See Annex II to VISA-VO

https://www.bundespolizei.de/Web/DE/01Sicher-auf-Reisen/06Passrechtliche-Hinweise/01Ersatzpapiere-beantragen/Forms/Documents/VO-EG-539_anhang_II.html?nn=5931340

When to start?

You have 90 days from the **date of entry** to Germany to apply for a residence permit.

If you will **lose NATO-status**, e.g. because of retiring, about 1 month prior to your separation/termination you can start all necessary steps:

- Contact the local Foreigners Office (Ausländeramt)
- If required by your Unit – apply for the „Military Out“ there

If you have lost the NATO-status, you have 90 days from that date on to apply for a residence permit.

Please apply in time before the 90 days run out, otherwise you are illegal!

Now there are several different possibilities:

1. You are married to a German citizen or you have a German child (under 18)

- Register at the local Einwohnermeldeamt-Rathaus
- Fill out the application for a residence permit
- Go to the Foreigners Office and bring:

- passport
- passport photo (biometric)
- application
- letter of termination/separation
- marriage certificate
- your wife/husband with her/his German ID-Card or German passport
- birth certificate of child/ren or acknowledgement of paternity or court decision about child custody or German Kinderausweis
- proof of international health insurance
- proof of income
- 100,- €

You can apply for a residence permit acc. to § 28 sec.1 s.1 No. 1 AufenthG (German spouse) or § 28 sec. 1 s. 1 No. 3 AufenthG (German child) for 3 years or if your passport runs out before, until its date of expiration. This residence permit includes the work permit.

2. You are married to an EU citizen or you have an EU child (under 18)

- Register at the local Einwohnermeldeamt-Rathaus
- Fill out the application for a residence permit
- Go to the Foreigners Office and bring:

- passport
- passport photo (biometric)
- application
- letter of termination/separation
- marriage certificate
- your wife/husband with her/his EU-citizen ID-Card or EU-citizen passport
- birth certificate of EU-citizen child/ren or acknowledgement of paternity or court decision about child custody
- proof of international health insurance
- proof of income
- 28,80 €

You can apply for a residence permit acc. to § 5 sec. 1 FreizügG/EU for 5 years or if your passport runs out before, until its date of expiration. This residence permit includes the work permit.

3. You want to work in Germany)

- Register at the local Einwohnermeldeamt-Rathaus
- Fill out the application for a residence permit
- Your employer needs to fill out the application for the work permit
- Go to the Foreigners Office and bring:

- passport
- passport photo (biometric)
- above mentioned applications
- draft of work contract
- letter of termination/separation
- 100,- €

You can apply for a residence permit acc. to 18 AufenthG. The Foreigners Office will forward the application to the ZAV (job center) to decide about the work permit. The work permit is the basis for your residence permit. The duration of the residence permit depends on the duration for the work permit. The residence and work permit is only valid for the approved job! If you quit the job or the job is terminated by your employer, the residence and work permit will be null and void without further notification! For each job change or addition (e.g. instead of part time now full time or vice versa, or you want a 2nd job, even a "minijob") you need to apply for a new work permit! With this residence permit you are not allowed to work self-employed!

4. You want to open up or continue a business in Germany

- Register at the local Einwohnermeldeamt-Rathaus
- Fill out the application for a residence permit
- Go to the Foreigners Office and bring:

- Passport
- passport photo (biometric)
- application
- exact business plan with description including business experience, degrees, proof of business experience,...

- if the business was already started while you were under NATO-status – business
- registration
- letter of termination/separation
- proof of international health insurance
- 100,- €

You can apply for a residence permit acc. To § 21 sec. 2 or 5 AufenthG for 3 years or if your passport runs out before, until its date of expiration. The business plan will be forwarded to the local Gewerbeamt and the IHK (Chamber of Commerce) or Handwerkskammer (Chamber of Crafts) for approval. The residence card is only valid for the registered business! If you give up the business, the residence permit will be null and void without further notification! For each change or addition to the business you need to apply for an addition or amendment of your business and residence permit! With this residence permit you are not allowed to work as an employee!

5. You just want to retire

- Register at the local Einwohnermeldeamt-Rathaus
- Fill out the application for a residence permit
- Go to the Foreigners Office and bring:

- Passport
- passport photo (biometric)
- application
- letter of termination/separation
- proof of international health insurance
- proof of income/funds/savings
- proof of housing (rental contract or sale contract or land register record)
- 100,- €

You can apply for a residence permit acc. to § 7 AufenthG for 3 years or if your passport runs out before, until its date of expiration. Your application will be forwarded to ADD, Aufsichts- und Dienstleistungsdirektion, Trier, for approval.

6. Other reasons

Please contact the local Foreigners Office

Note:

If you are (again) subject to NATO law after being holder of a German residence permit, please let us know. We need a copy of your SOFA and/or ID card to close our file.

Further note:

If you have a residence permit and habitual residence in Germany and regain your status under the NATO law, you may not be entitled to tax benefits. Please contact your tax office.