

The Coronavirus pandemic poses great challenges not only for you, but also for the Foreigners' Office responsible for you as they are the important contacts for your legal residence issues. Unfortunately, personal contact between you and the staff of the Foreigners' Office cannot always take place to the desired extent for reasons of infection control. However, in order to avoid as far as possible any disadvantages for you when applying for or renewing your residence title, your Foreigners' Office will issue you with what is known as a "Fiktionsbescheinigung", a temporary residence permit. You can find out what this means for you in the following explanations:

Temporary Residence Permit

The temporary residence permit is an official document. This document serves to help third-country nationals¹ in Germany prove that they have a temporary right of residence if they have previously submitted an application for the issuance or extension of a residence title to the relevant Foreigners' Office. If such an application has been submitted to the Foreigners' Office, you will usually be issued this document for the period in which the Foreigners' Office is still reviewing the application for a residence title.

The temporary residence permit is mainly used in the following situations:

1. When you apply for a residence permit for the first time

If you are legally residing in Germany and have applied for a residence title for the first time at your local Foreigners' Office, your stay is considered permitted until a decision is made on your application. You may not engage in gainful employment until a decision is made on your application. Also, this temporary residence permit does not entitle the holder to (re-)enter Germany.

2. Residence with a residence title

If you already have a residence title and you apply for an extension or another residence title in good time (i.e. before your residence title expires), your previous residence title is considered to be valid until the decision of the Foreigners' Office is made. Consequently, all effects and ancillary provisions attached to the old residence title shall continue to apply. You will be viewed as if you had a residence permit, with all the legal consequences. This also permits (re-)entry into Germany.

3. NEW: Electronic residence title (eAT) and gainful employment pursuant to Section 81 (5a) of the Residence Act.

If the Foreigners' Office has arranged for the electronic residence title (eAT) to be issued for your stay for the purpose of training or gainful employment, then you are still permitted to engage in gainful employment to the extent provided for in your residence title. This permission is included in the temporary residence permit. In addition, this provision also applies in the event of a change of employer, continued employment after a previous fixed-term employment relationship, or even first-time employment.

Please note that this is general non-binding information on the temporary residence permit in accordance with the Residence Act (AufenthG). If you have specific questions about your stay in North Rhine-Westphalia, please contact your local Foreigners' Office.

¹ This does not apply to EU/EEA citizens, Swiss citizens and their family members entitled to freedom of movement in accordance with Art. 3 of the Agreement on the Free Movement of Persons/Switzerland, and Turkish citizens entitled to freedom of association.