



# Location information

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## Visas, residence permits and work permits

→ The Department of Public Law and Order (Kreisverwaltungsreferat, or KVR) is responsible for aliens' affairs in Munich. The address to contact is:

**Kreisverwaltungsreferat - Ausländerbehörde**  
**Service Center for International Professionals**  
**Ruppertstrasse 19**  
**1st floor**  
**80337 München**  
**[www.migration-muenchen.de](http://www.migration-muenchen.de)**  
**[migration.kvr@muenchen.de](mailto:migration.kvr@muenchen.de)**

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### **1 Citizens of non-EU countries**

#### **1.1 Visa required before entering Germany**

As a general rule, all citizens of non-EU countries who want to take up gainful employment in Germany require a visa. Before entering Germany, they must apply for a national visa from the relevant German diplomatic mission. Only Australian, Canadian, Israeli, Japanese, New Zealand, South Korean and US American nationals are exempted from the requirement for a visa. These nationals must apply to the Department of Public Law and Order for a residence permit when they arrive in Munich. Visa application processes can take several weeks.



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**a) Visas to seek employment**

Foreign university graduates can apply for a visa to enable them to seek employment. This visa gives them six months in which to find a job in Germany. All they need in addition to their certificate of higher education is evidence that their livelihood is secured and they have adequate health insurance coverage for the duration of their planned stay in Germany.

**b) Visas in the case of dependent employment**

Visas will normally be granted only if a specific position of employment is already lined up. It is not enough merely to want to work in a certain line. The diplomatic mission has sole authority to accept or reject applications, but may also involve the relevant aliens department in Germany (in the case of Munich: the Department of Public Law and Order).

If the specific position of employment requires government approval, the Federal Employment Agency (BA) will also be called in. The German Employment Regulation ([www.gesetze-im-internet.de/bundesrecht/beschv\\_2013/gesamt.pdf](http://www.gesetze-im-internet.de/bundesrecht/beschv_2013/gesamt.pdf); available in German only) specifies which types of work require approval and which do not.

A visa itself authorizes the bearer to take up gainful employment, such that the planned activity can be commenced immediately after arrival in the country. The corresponding residence permit will be issued by the relevant aliens department upon entry.

**Employment that does not require government approval**

Certain professional groups are excluded from the need for approval by the Federal Employment Agency. These groups include executive employees with general and/or commercial powers of attorney, persons employed as managing directors and scientific personnel. The requirement for approval is also waived for jobs taken up by university graduates, provided that compliance with certain income thresholds is given. The Federal Employment Agency does not have to be called in in these cases.

**Employment that requires government approval**

For certain professional groups, the Federal Employment Agency can grant approval if no suitable German or EU nationals are available (pursuant to what is known as a priority test) and if the foreign workers are employed on the same



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terms as comparable German workers. Under certain circumstances, the Federal Employment Agency may also grant its approval without conducting a priority test.

### **Self-employed persons**

If a migrant is planning to engage in self-employed activity, the opinion of the Chamber of Industry and Commerce or the Chamber of Skilled Crafts will be solicited as to whether the activity is in the public interest or meets a local need.

### **More information about visas and approval requirements:**

<http://www.arbeitsagentur.de/zentraler-Content/Veroeffentlichungen/Merkblatt-Sammlung/MB7-Beschaefigung-ausl-AN.pdf> (in German only)

<http://www.gtai.de/GTAI/Navigation/EN/Invest/Investment-guide/coming-to-germany.html>

## **1.2 Issue of an initial residence permit after entry**

Upon your arrival in Germany, the relevant aliens department is responsible for issuing a residence permit. (If you register in Munich, the relevant department is the Department of Public Law and Order [Kreisverwaltungsreferat], Ruppertstrasse 19, 80446 München). To this end, you should make an appointment with the Department of Public Law and Order at the earliest possible opportunity – ideally, immediately after entering the country.

### **1.2.1 Temporary residence permits**

#### **a) Residence permits for employment purposes**

Nationals of non-EU countries who want to work in Germany will normally be granted a temporary residence permit. When this permit is due to expire, it can be extended temporarily if the conditions for a permanent residence permit are not yet met.

#### **b) EU Blue Cards**

The EU Blue Card is a residence permit for foreign nationals from non-EU countries who have completed higher education studies, who exercise a profession in keeping with their academic degree and whose gross annual salary is at least EUR 47,600. A lower gross salary threshold of EUR 37,128 applies for certain professional groups (such as engineers, doctors and IT specialists) in which suitably qualified people are in short supply. These thresholds are subject to



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annual reviews. EU Blue Cards are initially granted for a maximum of four years. If the term of a contract of employment is less than four years, the EU Blue Card will be issued for the duration of the contract of employment plus three months. Holders of an EU Blue Card may apply for a permanent residence permit after 21 months at the earliest.

**c) Residence permits for self-employed persons**

Foreign nationals will be granted a residence permit in their capacity as self-employed persons if an economic interest in or a regional need for their activity exists, if positive economic effects are to be expected from the activity and if funding out of the person's own means or through credit commitments is guaranteed.

A simplified rule applies for foreign nationals who have graduated from a German university. They will be granted a residence permit in order to engage in self-employed activity if the activity can be seen to relate to the knowledge they acquired during their higher education studies.

If the investment project is a success (and if ongoing success and, hence, the person's livelihood appear to be on a sound footing), then a permanent residence permit can be issued after three years.

**More information about temporary residence permits:**

[http://www.muenchen.de/rathaus/home\\_en/Department-of-Public-Order/Foreigners-Office/Employment-self-employment-economic-migration](http://www.muenchen.de/rathaus/home_en/Department-of-Public-Order/Foreigners-Office/Employment-self-employment-economic-migration)

<http://www.gtai.de/GTAI/Navigation/EN/Invest/Investment-guide/coming-to-germany.html>

<http://www.gtai.de/GTAI/Navigation/EN/Invest/Investment-guide/Coming-to-germany/visas-for-running-the-business-on-site.html>



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## 1.2.2 Permanent residence permits

### **a) Permanent residence permits after temporary residence permits for employment purposes**

Permanent residence permits are unlimited in time. They authorize the holder to live in Germany with neither time nor geographic restrictions and to engage in employed or self-employed work.

Under normal circumstances, foreign nationals can apply for a permanent residence permit if they have been living in Germany legally for five years, are able to earn their own living and have been paying pension insurance contributions for 60 months.

Holders of an EU Blue Card and graduates from German universities have the option of applying for a permanent residence permit before this five-year period elapses.

### **b) Permanent residence permits for highly qualified persons**

Highly qualified individuals from non-EU countries can obtain a permanent residence permit immediately after arrival in the country. This permit authorizes them to live and work in Germany with neither time nor geographic restrictions.

“Highly qualified individuals” are defined in particular as scientists with exceptional expertise and teachers or scientific staff in prominent positions.

### **c) Permits for permanent residence in the EU**

Like the permanent residence permit for Germany, a permit for permanent residence in the EU is unlimited in time and authorizes the holder to engage in either self-employed or employed work. It also simplifies the process of obtaining a residence permit in most other EU countries. Essentially, the same conditions must be met as for a permanent residence permit in Germany.

### **More information about permanent residence permits:**

[http://www.muenchen.de/rathaus/home\\_en/Department-of-Public-Order/Foreigners-Office/Employment-self-employment-economic-migration](http://www.muenchen.de/rathaus/home_en/Department-of-Public-Order/Foreigners-Office/Employment-self-employment-economic-migration)



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## 2 EU citizens and citizens of EEA countries

(EU: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, UK

EAA: Norway, Iceland and Liechtenstein)

EU citizens and citizens of the European Economic Area (EEA) countries do not need a visa to enter Germany and can engage in any gainful employment without restrictions. All they need is a valid passport; and they must register at their place of residence. Limits on the right to freedom of movement remain in place only for Croatian nationals, who still require an EU work permit from the Federal Employment Agency. The organization responsible in Munich is the Munich Employment Agency (Zentrale Auslands- und Fachvermittlung (ZAV), Kapuzinerstrasse 26, 80337 München). There are no restrictions on freedom of movement with regard to the exercise of self-employed activity. However, any new business that requires formal notification of the local authorities must be duly reported.

### More information:

[http://www.muenchen.de/rathaus/home\\_en/Department-of-Public-Order/Foreigners-Office/Citizens-of-the-European-Union-and-family-members](http://www.muenchen.de/rathaus/home_en/Department-of-Public-Order/Foreigners-Office/Citizens-of-the-European-Union-and-family-members)

## 3 Swiss nationals

Swiss nationals and their family members enjoy freedom of movement similar to that of EU nationals, but still require a (pro-forma) residence permit on which their Swiss nationality is noted. The place of issue for these permits in Munich is the Department of Public Law and Order (Kreisverwaltungsreferat München, Ruppertstrasse 19, 80446 München). Residence permits will be issued to Swiss nationals who are resident in Germany in order to pursue gainful employment, provided that a specific position is given or self-employed activity is to be exercised. There are no restrictions on the type of gainful employment in which Swiss nationals may engage. However, any new business that requires formal notification of the local authorities must be duly reported.

All due care was taken in preparing this information sheet. Notwithstanding, the City of Munich accepts no liability for information that is incorrect or incomplete. Please address any questions, comments or suggestions to:  
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