To have rights and to obtain rights

Information for persons entitled to political asylum, refugees and people with subsidiary protection status
About us

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Member of
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreword</td>
<td>4</td>
</tr>
<tr>
<td>1. What does my residence title mean? Situation under Residence Act.</td>
<td>6</td>
</tr>
<tr>
<td>Residence permit according to Art. 25 par. 1 Residence Act. persons entitled to asylum</td>
<td>6</td>
</tr>
<tr>
<td>Residence permit according to Art. 25 par. 2 Residence Act. refugees according to the GRC</td>
<td>7</td>
</tr>
<tr>
<td>Residence permit according to Art. 25 para. 2 alternative 2 Residence Act persons entitled to international subsidiary protection</td>
<td>8</td>
</tr>
<tr>
<td>Residence permit according to Art. 25 para. 3 Residence Act persons entitled to national subsidiary protection</td>
<td>9</td>
</tr>
<tr>
<td>Revocation procedures</td>
<td>11</td>
</tr>
<tr>
<td>2. Living and moving</td>
<td>12</td>
</tr>
<tr>
<td>3. Travelling</td>
<td>15</td>
</tr>
<tr>
<td>4. Integration courses – Language courses</td>
<td>17</td>
</tr>
<tr>
<td>5. Work and education</td>
<td>21</td>
</tr>
<tr>
<td>Apprenticeship and studies</td>
<td>24</td>
</tr>
<tr>
<td>Self-employment</td>
<td>30</td>
</tr>
<tr>
<td>6. Unemployment</td>
<td>32</td>
</tr>
<tr>
<td>Cover in case of unemployment</td>
<td>32</td>
</tr>
<tr>
<td>7. Benefits for pensions, illness and incapacity for work</td>
<td>37</td>
</tr>
<tr>
<td>8. Medical care and illness</td>
<td>39</td>
</tr>
<tr>
<td>Health insurance funds</td>
<td>39</td>
</tr>
<tr>
<td>Caring for relatives</td>
<td>43</td>
</tr>
<tr>
<td>Psychological counselling and therapies</td>
<td>44</td>
</tr>
<tr>
<td>Pregnancy</td>
<td>46</td>
</tr>
<tr>
<td>9. Children and family</td>
<td>49</td>
</tr>
<tr>
<td>Child benefit /family allowance</td>
<td>51</td>
</tr>
<tr>
<td>10. Family reunification</td>
<td>59</td>
</tr>
<tr>
<td>11. Prospects for secure livelihood</td>
<td>64</td>
</tr>
<tr>
<td>12. Insurance</td>
<td>72</td>
</tr>
<tr>
<td>13. What does ... mean?</td>
<td>74</td>
</tr>
<tr>
<td>14. Important addresses (alphabetical order)</td>
<td>75</td>
</tr>
</tbody>
</table>
Foreword

This brochure is specially directed at people who have been granted protection status here in Germany, i.e. are entitled to political asylum, refugees or are awarded subsidiary protection.

The brochure should serve as a reference and overview. It clarifies what the residence titles granted mean, and is intended as an aid to make it easier for you to find your way through the maze of authorities and be able to exercise your rights.

The guarantee of protection or respectively recognition grants you extensive social rights. An important step is taken, but there is often uncertainty about existing offers of support and opportunities for participation. Added to this, there are many different authorities in Germany, which sometimes makes it difficult to find orientation.

It is a great matter for us to show people who are in special need of protection, so-called vulnerable groups, such as single parents, traumatised or sick people, but also pregnant women, children, or people with disabilities, a way in which they can receive specific support and assistance.

Beginning with fundamental information on the individual residence titles, we first address everyday practical questions. Where can I live? Am I allowed to travel? How can I attend a language course? The particulars of the respective residence titles are marked in colour throughout the brochure.
An important field is in the area of work, education and unemployment; this also deals with the recognition of qualifications already acquired and possible financial cover. Finally we explain care in case of illness and the health insurance fund system.

For parents and families there are numerous benefits and grants. We also explain these and describe the requirements for claiming them.

One of the most pressing questions for many refugees is the question of the chances of family reunification. We clarify who may join refugees legally in Germany under which conditions.

Finally we deal with the prospective possibilities of solidifying residence: Who receives an unlimited residence right, and under which conditions?

To accompany this material, we always recommend that you also contact an independent advice centre. This is especially important if you do not clearly understand facts or circumstances.

With this brochure we hope to create clarity and perspective, so that you can also claim the rights you are entitled to.

To have rights and to claim them!

Laura Müller and Karim Alwasiti
1. What does my residence title for specific purposes mean? The situation Residence Act

If you are recognised as a “person entitled to political asylum” according to A. 16 a “Grundgesetz” [German basic constitutional law], you receive a residence permit according to § 25 Para. 1 AufenthG. This means that you receive protection in Germany on the basis of a political persecution in your country of origin.

Documents and validity of the residence permit
With the residence permit you receive an international travel permit for refugees, the blue “Geneva Refugee Convention Passport”. The residence permit is granted for three years.

Verification and revocation
After three years the federal office verifies your entitlement to asylum once more. Only if there is a sustainable and fundamental improvement in your country of origin is it possible that the “Bundesamt für Migration und Flüchtlinge (BAMF)” [Federal Office for Migration and Refugees] will initiate a revocation of your recognition as a refugee.

If after the end of three years the BAMF cannot exclude that you are at continued risk in your country of origin, it will not initiate a revocation. You will then receive a settlement permit which grants you a long-term right to remain in Germany. Formally you must submit an application for this with the aliens office. You can find further information on the revocation procedure on page 11.
In the case of recognition as a refugee according to Art. 60, para. 1, Residence Act (recognition according to the Geneva Refugee Convention) + Art. 3, Asylum Procedure Act you receive a residence permit according to Art. 25, para. 2, sentence 1 alternative 1, Residence Act.

This recognition is based on a justified fear of prosecution because of your ethnic background, religion, nationality, your gender or your membership of a particular social group in your country of origin.

**Documents and validity of the residence permit**
With the residence permit you receive an international travel document for refugees, the blue “GRC travel document”.
The residence permit is granted for **three years**.

**Verification and revocation**
After three years the federal office reviews your entitlement to asylum once more. Only if there is a sustainable and fundamental improvement in your country of origin is it possible that the BAMF will initiate a revocation of your recognition as a refugee following this verification procedure.

If after the end of three years the BAMF cannot rule out that you are at continued risk in your country of origin, it will not initiate a revocation. You will then receive a settlement permit which allows you a long-term right to remain in Germany. Formally you must submit an application for this with the aliens office. You can find further information on the revocation procedure on page 11.
The residence permit according to Art. 25 para. 2 alternative 2, Residence Act will be granted if the federal office awards you subsidiary protection according to Art. 4 para. 1, Asylum Procedure Act. You are therefore entitled to international protection. With this residence permit there is a prohibition on deportation on the basis of danger of torture, inhumane treatment or an armed conflict in your country of origin.

**Documents and validity of the residence permit**

You have no claim to a blue refugee passport. You must therefore procure your national passport from your country of origin and submit it to the aliens office. Only if it is not possible for you to obtain a passport from your country of origin, but must still travel abroad, can you obtain a German travel document on request, the so-called grey travel permit for aliens.

Before the aliens office issues you such a travel document, they obtain whether travel is required at all, and whether you have done everything to receive a travel document from your country of origin. This can be the case, for example, if the diplomatic mission refuses you the passport for reasons for which you can not be held liable (e.g. on the basis of your ethnicity). The same applies if the diplomatic mission makes unreasonable demands for issuing a passport (e.g. expect bribes), or if it is not reasonable for you to apply for a travel document for other reasons (e.g. because through this your relatives in your home country could be put in danger).

You receive a residence card with your title. Your residence permit is initially valid for one year, and for two more years if extended.

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**Important!**

Apply for an extension at the aliens office several weeks before the expiry of your residence permit.
**Verification and revocation / Application for extension**

For each application to extend your residence permit the aliens office checks whether the conditions still exist which were the reason for your recognition. As long as the reasons for the first issue of the residence permit continue to exist, the aliens office will extend your residence permit because you can continue to claim protection in Germany.

If the aliens office has its doubts, however, it requests the BAMF to verify whether you can claim further protection in Germany. This can be the case if e.g. the political situation has improved and there is therefore no longer any individual danger. You can find further information on the revocation procedure on page 11.

The residence permit according to Art. 25 para. 3, Residence Act will be granted if the federal office considers you to be a person entitled to subsidiary protection nationally. There is a prohibition against deportation according to Art. 60 para. 5 or 7, Residence Act. You are legally protected from deportation.

This form of guarantee of protection is made e.g. if there is no livelihood in the country of origin or on the basis of a serious trauma or illness which cannot be treated in your country of origin.

**Documents and validity of the residence permit**

You have no claim to a blue refugee passport. You must therefore procure your national passport from your country of origin and submit it to the aliens office. Only if it is not possible for you to receive a passport from your country of origin, but must still travel abroad, you can apply for a German travel document, the so-called grey travel permit for aliens.
Before the aliens office issues you such a travel document, they verify whether travel is required at all, and whether you have done everything to receive a travel document from your country of origin. This can be the case, for example, if the foreign office refuses you the passport for reasons which you are not responsible (e.g. on the basis of your ethnicity). The same applies if the foreign office makes unreasonable conditions for issuing a passport (e.g. expect bribes), or if it is not reasonable for you to apply for a travel document for other reasons (e.g. because through this your relatives in your home country could be put in danger).

You receive a **residence card** with your title, which also applies domestically as a substitute for identification. Your residence permit is initially **valid for one year**, and for two more years if extended.

**Important!**
Apply for an extension at the authority for non-residents several weeks before the expiry of your residence permit.

**Important!**
This means that each upcoming extension of your residence permit will be verified again as to whether the protection from deportation continues. You should therefore submit current medical documents which verify that protection from deportation is still required in order to extend your residence permit.

**Verification and revocation / Application for extension**
For each application to extend your residence permit the aliens office checks whether the conditions still exist which were the reason for your recognition. As long as the reasons for the first issue of the residence permit continue to exist, the aliens office will extend your residence permit since you can continue to claim protection in Germany.

If the aliens office has its doubts, however, it requests the BAMF to verify whether you can claim further protection in Germany. This can be the case if e.g. the aliens office determines that an existing illness is overcome and treatment is no longer necessary.
**Revocation procedure – threatened loss of residence permit**

If the BAMF wants to revoke your recognition as a refugee or respectively person entitled to protection, you initially receive a request to comment on a planned revocation. This can be made orally, but is mostly made in writing.

If you receive such a request, you should in any case punctually request the help of a lawyer and / or seek help from an independent advice centre.

If after hearing your comment the BAMF wants to revoke, you will receive a so-called “revocation decision”. Within two weeks after the receipt of this revocation decision you can lodge a claim at the administrative court. The claim has a suspensory effect, which is to say that the right of residence remains up to the decision of the administrative court. Several months usually pass until the court makes its final decision.

The final loss of recognition of asylum or as a refugee does not automatically mean that you lose your right of residence! The aliens office makes a discretionary decision regarding your further residence title. In doing so it must inter alia consider the duration of your stay in Germany and your personal, economic and other conditions worthy of protection. In many cases you also have a claim to a different residence title on the basis of the duration of your stay in Germany and your conditions worthy of protection.

**Important!**

*In the case of a revocation procedure, you should be represented by a lawyer or seek help from an independent advice centre.*
2. Living and moving

Residence requirement

If you possess an international blue refugee passport, you have no residence requirement and may live and move wherever you want. You can therefore also move out of your assigned accommodation or residence. Should you receive unemployment benefit II, the size of the residence may not exceed a particular size and the rent may not exceed a particular amount, since the job centre does not otherwise assume the rent.

With these residence permits you have the possibility to move out of the accommodation or residence assigned to you and to search for your own residence. Theoretically the aliens office can also provide your residence permit with the note that you must live in a particular location, but in our experience, in practice in Lower Saxony such residence conditions based on a certain place are not issued for people with residence permits.

A residence requirement will however generally be issued for the state of Lower Saxony as long as you receive social benefits and the job centre therefore assumes the costs for the residence. It will not be until you have found a job which covers your living expenses that you will generally be authorised to move to another federal state and the residence requirement will be deleted completely.

Important

If in spite of your residence permit you are obligated by the authority for non-residents to live in a residential home, you should take legal action against this. Apply for the cancellation of the requirement. If the aliens office refuses, FILE an objection, preferably with the aid of an advice centre or a lawyer. If the objection is also rejected, you can lodge a claim in court. Also inform the Refugee Council of Lower Saxony about such a decision by the authority for non-residents.
Moving

You may move to any preferred location in Germany. If you need financial assistance to move, you must apply for this before the move at your job centre or at the employment agency. After moving you must register at the residents’ registration office and – if you are unemployed – at your local job centre.

If you receive unemployment benefit II, before the move you should coordinate both the old and also the new job centres, since otherwise it is not ensured that the new rental costs are assumed.

As long as you draw social benefits, you cannot freely choose your place of residence. You have a residence requirement (see above).

If you have found a job with which you can secure your livelihood, the aliens office must agree to a move. Apply to your current authority for non-residents to cancel the residence requirement.

Certificate of eligibility for public housing

General

With a certificate of eligibility for public housing [“Wohnberechtigungsschein”] (also referred to as a “WBS” or “B-Schein”) you are entitled to live in a publicly funded residence, a so-called social residence. The Certificate also determines the size of the funded residence which you are allowed to move into.
As a rule of thumb the following specifications apply:
- 1 person: 50 sqm
- 2 people: 60 sqm
- 3 people: 75 sqm
- Each additional person: + 10 sqm

In individual cases bigger living spaces can be approved, so please get appropriate advice. The certificate is valid for one year.

**Requirement for entitlement to benefits**
Only people who have their habitual residence in Germany and live from unemployment benefit II or whose income is below a certain limit may claim the certificate of eligibility for a public housing. Members of staff of the local housing department advise you accordingly. They can also sometimes help you in searching for a specific residence.

**Where to apply?**
In the housing department (usually in the town hall) of the place or respectively the town where you want to live.

**Fees**
There are fees due when applying for a certificate of eligibility for public housing. The fee mostly lies between 15 and 20 euros.
3. Travelling

Travelling is largely unproblematic for you. As a recognised refugee or person entitled to asylum you are fundamentally free to move within Germany. Some states where German citizens can travel without a visa will still however require you to have a visa. You must therefore find out in good time whether you need a visa! All states which have signed the Geneva Refugee Convention recognise the GRC passport as identification and as a travel document. This includes more than 100 states worldwide. Visa-free entry is therefore possible into almost all European countries (Schengen states). There you may reside for three months without a visa. You may not however work there.

You should give close consideration to travel to your country of origin, also if it appears to you to be urgently necessary or at that moment to pose little risk. You were recognised because you must have feared persecution at home.

If the authorities learn about your journey home, a revocation procedure might be initiated because you obviously no longer fear being persecuted. You then might lose your status as a refugee. It is uncertain whether you then retain your right of residence for Germany.

You may also not extend your national passport or have it renewed. There is then also the risk that your recognition as a refugee expires.

You may not move freely within Germany. You can only travel abroad if you fulfill certain entry requirements. You must therefore be in possession of, among other things, a valid travel document and, if required, a visa.
With a residence permit and valid passport you may stay in the EU for three months, but only if you do not start any work there.

The particular entry requirements of the country you wish to travel to are always decisive.

Before deciding to travel to your country of origin think twice if the journey is absolutely necessary and without any risk. If the authorities learn about your journey home, a revocation procedure might be initiated because you obviously decided that you no longer need protection in Germany. You then might lose your status as a refugee. It is uncertain whether you then retain your right of residence for Germany.

**Tip**
If you want to travel, in individual cases find out from the embassy of the country concerned about the exact conditions (visa requirements, immigration possibilities and other) and if there are particular problems (for example a family reunion) contact to a lawyer. Addresses of embassies and consulates in Germany as well as further information about these countries can be found online at the Foreign Office: www.auswaertiges-amt.de/DE/Laenderinformationen/Laender-Reiseinformationen_node.html

**Important**
Your residence permit expires after a stay of more than six months abroad, unless a prior approval had been obtained from the aliens office.
4. Integration courses – Language courses

Basics
Integration courses are organised by the BAMF for people who are not yet able to speak good German. The courses are subdivided into a language course and a so-called orientation course, which should communicate how to deal with authorities and the rights and duties in Germany.

An integration course is comprised of a total of ca. 660 hours of teaching (600 hours language course, 60 hours orientation course). In the language course you learn to communicate in German, for example to write letters and e-mails, to fill in forms, to make phone calls or to apply for a job.

There are also literacy courses and different special kinds of courses, such as intensive courses or integration courses for women, parents, young adults. In order to decide which course level is appropriate for you or whether you should attend a special course, there is a grading test before the start of the integration course to classify you. The result will help your decision.

At the end of an integration course an examination will be held. After passing the exam you can provide evidence of language level B1\(^1\).

\(^1\) In Europe there is a generally applicable classification for language abilities. This is made up of six levels from A1 (beginners) to C2 (experts).
Important
An integration course is an important basis for a later consolidation of the residence (settlement permit and naturalisation).

The courses are fundamentally full-time. Part-time courses are however possible, in particular for people who already work or for parents of minors.

Differences according to residence title
You have a legal claim to participate in an integration course.

The course will be paid by the job centre on application if you do not work and therefore receive unemployment benefit II.

If you OBTAIN a residence title VALID for more than a year and are unable to comprehend simple German, you ARE ENTITLED to an integration course. Otherwise you have no legal claim to participate in an integration course. Participation is still possible, however, if there are still free places on a course. Apply for this at the job centre. Practice shows that most people with subsidiary protection can attend an integration course.

As an alternative to an integration course you can also attend a language course at the adult education centre or so-called ESF BAMF language courses of the projects for the right to remain. If you are unemployed the job centre might cover the costs in such a case.

Residence permit according to Art. 25 para. 1, Residence Act and Residence permit according to Art. 25 para. 2, Residence Act → persons entitled to asylum and refugees in the sense of the Geneva Refugee Convention

Residence permit according to Art. 25 para. 2, alternative 2, Residence Act and Residence permit according to Art. 25 para. 3, Residence Act → international and national subsidiary protection
**When can I be obligated to attend?**

It is possible that the aliens office or the job centre oblige you to participate. If you then do not attend a course, sanctions are threatened, e.g. shortening your benefits.

Since the integration course facilitates access to education, work and participation, you should take part in a course by all means.

Should you already have good knowledge of the language, it is not necessary to participate. You can still attend the orientation course, if you wish.

Children and young people who attend school or are completing a school apprenticeship, have no claim to an integration course, since they receive their language training at school.

**Costs**

There is a participation fee of 1.20 euros per hour. For an average of 600 hours the costs therefore amount to 792 euro. You might be relieved of your obligation to pay if you receive unemployment benefit II or social benefits. You may also not have to pay if the payment of the costs is particularly difficult for you on the basis of your economic or personal situation. You must apply for the exemption from costs.

Costs of travel to the integration course can also be reimbursed. For this it is required that you participate regularly in the integration course.
Where can I apply for an integration course and/or an exemption for costs?
You receive a qualification certificate to apply for an integration course at the authority for non-residents. The application for assumption of costs must be made at the job centre.

Where are integration courses held?
Your closest provider of an integration course can be found at the following link:
www.bamf.de/SiteGlobals/Functions/WebGIS/DE/WebGIS_Integrationskursort.html?nn=1368284

@ Links
www.bamf.de/DE/Willkommen/DeutschLernen/Integrationskurse/integrationskurse-node.html
www.integration-in-deutschland.de

Advisory services
- Right of residence projects; in Lower Saxony AZF II (www.azf2.de), Netwin 2.o. (www.esf-netwin.de) and FairBleib (www.bildung21.net)
- Integration advice centres
- Job centres
- Youth Migration Service (JMD)
5. Work and vocational training

Basics
Your residence permit has the comment “employment allowed”. This is an unlimited permit to work. This means that you can search for work or education yourself, report to the job centre as unemployed and seeking work and ask for qualification and support programs. Besides that you have the opportunity to apply for unemployment benefit I and unemployment benefit II. As an employee you are then entitled to statutory rights for employees.

Differences between residence titles
The same rights and requirements apply for all recognised refugees and persons entitled to asylum as well as for those with subsidiary protection.

Rights and duties of an employee
As an employee or trainee you are obliged to make contributions for health insurance, pension and long-term care insurance which are deducted from your salary. Your employer must also pay such amounts for you. You are thus covered by health insurance.

Important!
If you have found employment and receive a salary, you have to notify the employment agency or job centre about this immediately, even though the income may be small. If you do not do this, you must later pay back the excessive unemployment benefit I or II, and you should reckon with fraud proceedings to be initiated.

If your income is not sufficient to ensure your livelihood, you have the possibility and the right to claim additional social benefits. You must apply for these. You can find further information on page 32–36 “Unemployment cover”.

**Important**
If you are unemployed, different authorities are responsible for you. If you last worked for less than twelve months or not at all, apply for consulting and mediation at the job centre. If you have worked for more than twelve months with an obligation to pay national insurance, the employment agency is responsible.

**Further Rights of an Employee**
- Continued payment of wages if you cannot work for health reasons
- You have a statutory claim to holidays
- Your employer must adhere to particular minimum standards for working hours per day
- Individual provisions on health and safety at work must be adhered to

**Help from the Job Centre and Employment Agency**
The support measures provided by the employment agency and the job centre to improve your chances on the job market are not standard benefits. This means that the members of staff decide whether and, where applicable, which measure will be approved. To get the measure of your choice approved, you need convincing arguments. The measure must improve your chances of being successful in your further search for employment. Sometimes the members of staff also obligate you to take measures which you do not want to do. If you do not participate without a convincing reason, your benefits could be reduced.

Possible assistance could be e.g.:
- application training
- qualification measures like computer courses or other vocational training,
- counseling on which training would be suitable
- start-up grant for self-employment
Furthermore, you should apply for financial support for your application attempts, for example for:
- application photos
- material for the application folder
- certification and / or translations of references
- travel costs to interviews
- postage costs (stamps)

**Recognition of qualifications from country of origin**
All so-called “clients” of the job centre and employment agencies have a claim to a one-off recognition procedure for the recognition of the educational and vocational qualifications which you have acquired abroad.

In this procedure it will be verified to what extent your professional qualifications acquired abroad are comparable with a German professional qualification and can be recognised as having the same value. This is done in a statutory procedure. For persons whose qualifications are not decided to be of the same value, there is the possibility to receive the full equal value within the framework of an adjustment qualification. Your chances on the employment market will thus be improved. The IQ network is responsible for this. More information can be found at: www.iq-niedersachsen.de

**Decreased working ability**
If there are physical or psychological limitations to your working ability, that is to say that you are not in the position to work over a long period of time, please consult a doctor. The doctor must confirm that you only have a decreased working ability, so that you can receive more support and, where applicable, benefits in the case of illness and incapacity for work. If, for health reasons, you are only capable to work for less than three hours a day, you will not receive benefits from the job centre, but must rather apply to the local social security office for social assistance.
Education and studies

Basics
You have the right to begin any apprenticeship training position which is offered to you. Vocational training and school education must be differentiated between. It is often difficult to finance an apprenticeship since the remuneration for an apprenticeship is often low. The possibilities for support options for this are shown below.

-Euro- Vocational training support (BAB)

General
The BAB secures your livelihood both during a company or corporate vocational training as well as preparatory vocational training such as basic qualifications in IT and media competence, language assistance and job application training. The support amounts to a maximum of 572 euros when fully paid out and is not repayable. It is also possible to have „increased“ payment if the remuneration is very low. Fundamentally, the BAB will only be granted for the first apprenticeship.

Differences between residence titles
The same rights and requirements apply for all persons recognised as entitled to asylum and refugees and for those under subsidiary protection.
Prerequisites for entitlement to benefits

It is important that there is a valid apprenticeship contract and the apprenticeship is in a recognised apprenticeship profession. Only those who live in a residence without parents will be supported. Young people under the age of 18 might not receive any BAB if the place of their apprenticeship is close to their parents’ residence and the authorities argue that they could also live there. For married people and those with children, the parental residence is irrelevant.

Important!
The application should if possible be made before the start of the apprenticeship, since the BAB will not be paid retrospectively.

Where to apply?

Apply to the local employment agency

Advice centres

Employment agency

Links

www.arbeitsagentur.de/web/content/DE/BuergerinnenUndBuerger/Ausbildung/FinanzielleHilfen/Berufsausbildungsbeihilfe/index.htm

BAföG (Bundesausbildungsförderungsgesetz) [Federal Education Assistance Act]

General

The BAföG ensures your livelihood during studies at a university or a college or purely a school education. In practical terms these are
1. advanced general-education schools (e.g. secondary general schools, intermediate and comprehensive schools) from grade 10
2. full-time vocational schools (one-year preparatory training program) from grade 10
3. technical colleges,
4. night schools, vocational colleges, evening intermediate schools, evening grammar schools and colleges
5. advanced technical colleges and academies
6. colleges / universities

The BAföG is a loan, i.e. the money must be paid back after the apprenticeship. The BAföG is an interest-free loan. The maximum repayment amount and the repayment conditions are organized in a socially acceptable way.

Differences between residence titles

- No special features
- Those entitled to international subsidiary protection fundamentally have a claim to BAföG
- People with this residence permit according to Art. 25 para. 3, Residence Act do not have access to the BAföG until they have resided in Germany for a minimum of four years.

\[\text{Source: www.bafög.de/de/welche-ausbildung-ist-foerderungsfähig--369.php}\]
Prerequisites for entitlement to benefits
As a rule, the BAföG will only be paid to people under the age of 30. A further condition is that you have not completed any other studies before. If you are aged 30 or older, you can also receive the BAföG if your education in your country of origin was not possible because of particular circumstances and you immediately try to gain access to a German university, in general after being recognized.

If you acquire the higher education entrance qualification in Germany through another course of education (night school or similar) and then study directly after this, the age limit of 30 does not apply, but is set higher. A master’s degree can also be supported for people above the age of 30.

Where to apply?
The BAföG application must be made to the office for education grants. The following are as a rule responsible:
- for students, the student union of the higher education institution where you are matriculated,
- apprentices at evening schools, colleges, higher education technical colleges and academies, the office for education grants which is in the same municipality as your apprenticeship,
- for all other students, the office for education assistance of the town/district administration at the parents’ place of residence.

Tip
If you want to begin studies when you are over the age of 30, you should present important personal reasons for this. As a refugee you often have a good chance of justifying a BAföG claim in spite of being past the age of 30!
Repaying the BAFöG
The obligation to repay first begins about five years after the end of the loan. You must pay back a maximum of 10,000 euros, even if you received a larger amount.

The loan can be repaid in minimum instalments of 105 euros per month during a period of up to 20 years.

Advice centres
Advice on possible apprenticeships and studies, as well as grant possibilities:
Bildungsberatung Garantiefonds Hochschule in Hannover
Lothar Heimberg
Tel.: 0511 328526,
l.heimberg@caritas-hannover.de
www.bagkjs.de/bildungsberatung_garantiefonds_hochschule

Links
www.bafög.de

Scholarships
If you do not qualify for BAFöG, you should check whether scholarships to (partly) finance your studies are available. There are some foundations and programs through which one can receive a scholarship under particular conditions. It is usually required that you have a particular talent and very good grades, but material need and social
commitment can also be criteria for awarding scholarship. You can find an overview and further links online at http://www.bildungsserver.de/zeigen.html?seite=427.

The Deutsche Akademische Austauschdienst (DAAD) [German Academic Exchange Service] also grants scholarships to foreign students, which should ensure support for their livelihood. More information can be found at: www.daad.de/deutschland/de

The social service of the Evangelical Church has a special scholarship programme for refugees, which allows people with a precarious residence status to finance their studies. It is only available for refugees from countries outside Europe. Those to be supported include those persecuted who could not begin or had to stop an education in their country of origin. They should not be over the age of 35 and at the time the application is made should not have been living in Germany for longer than 3 years. Willingness to return to the country of origin – or another “developing country” – is expected. Those who do not return shall not however be obligated to repay the grant, Other than for just a years ago. Apply to the Evangelical student parish or the social service in your city. They will write an application for the scholarship programme together with you.

Furthermore, educational loans are available at public banks, which could be suitable if the BAföG does not apply.
Self-employment

**General**
A work permit according to Art. 25 para. 1, Residence Act and Art. 25 para. 2, Residence Act allows that you can be self-employed, that is to say that you can open your own business. Before starting up your own business you should always seek advice from the competent places, for example at the chamber of industry and commerce, the German Hotel and Restaurant Association or the Chamber of handicrafts. These organisations also sometimes offer seminars which prepare you for starting up your own business.

**Differences between residence permits**
- No peculiarities
- With this residence permit you are only allowed to be self-employed with permission from the aliens office.

**Coverage / start-up-grant**
In order to be able to finance starting self-employment, you can receive a so-called **foundation grant** of 300 euros a month from the employment agency. This will be paid for six months in addition to your unemployment benefit I and can then be extended once again for nine months.

*Important!*
Do not rush to set up a company.
Do not sign a lease or other contracts until you have been comprehensively advised and have a good idea.
Prerequisites for entitlement to benefits
To be entitled to a start-up-grant you must still have at least a five months claim to unemployment benefit I. Besides that you must prove to the employment agency that your start-up concept has been well thought through and that you possess the knowledge and skills required.

Where to apply?
The start-up-grant has to be applied for in writing at the employment agency.
6. Unemployment

**Note:**
The recipient of benefits, either unemployment benefit I or unemployment benefit II, can be obligated to take part in particular measures and activities or non-profit work. If this obligation is not adhered to without a good reason (like an illness certified by a doctor, lack of child care etc.), your benefits could be curtailed.

**General**
If you cannot find work or lose your job, on application you will receive social security benefits under the “Sozialgesetzbuch” [SGB, the German Social Security Code]. There are two different kinds of unemployment benefit. Unemployment benefit II is independent of previous income. It ensures the so called minimum subsistence figure. You are entitled to unemployment benefit I if you have already worked for 12 months or more and paid your social insurance contributions before you become unemployed.

**Your rights:**
social security benefits or respectively cover for unemployment, financial support, qualification measures.

**Your duties:**
Intensive efforts to apply for jobs, taking part in qualification measures, non-profit work where applicable.

**Cover in case of unemployment**

€ **Unemployment benefit II (ALG II – Hartz 4)**

**Conditions for entitlement to benefits:**
You have the right to a livelihood amounting to the minimum subsistence figure determined by law if you are not in a position to make a living yourself. These benefits will be paid out:

- the normal requirement / additional requirements as may be the case
- housing and heating costs

Note:
The recipient of benefits, either unemployment benefit I or unemployment benefit II, can be obligated to take part in particular measures and activities or non-profit work. If this obligation is not adhered to without a good reason (like an illness certified by a doctor, lack of child care etc.), your benefits could be curtailed.
• rent and heating costs / needs for accommodation and heating
• health and long-term care insurance
• a one-off standard subsidy (e.g. initial furnishing)

Differences between residence titles
The same rights and requirements apply for all recognised refugees and persons entitled to asylum as well as for those with subsidiary protection.

Standard rates
From this money you should pay the expenses for food, clothes, personal hygiene, health care costs (this does not mean contributions to health insurance), household energy, household effects and repairs, as well as expenditures for leisure time and culture, and also mobility costs.

Additional needs
Payments of additional needs are for people who have an additional need due to special life circumstances, which cannot be covered by the above standard rates.

This could be applicable in cases of

• pregnancy,
• single parent,
• people with disabilities,
• people living on a special diet due to an illness,
• travel costs to exercise your right of access to your child, who does not live with you,
• other additional needs.

Living costs (accommodation costs)
Costs for accommodation include rent, heating and operating costs as well as hot water costs. The costs for rent are however limited: depending on the number of family members and the local conditions, the job centre only pays the rent up to a maximum limit.

If back payments are due after an annual calculation, these can be assumed by the job centre in the form of aid. The costs for required renovations can also be approved on application (but where applicable only the costs for materials).

If your annual account shows a credit in power costs, the job centre must be informed about this. It then checks whether you may keep the credit. If a credit is concealed but later found out, fraud proceedings could be initiated.

Health and long-term care insurance
If you receive unemployment benefit II, you are compulsorily insured in health and long-term care insurance. That means that you can seek out health insurance and the amounts will be paid by the job centre to the insurance company directly. Further information can be found in the chapter “Health Insurance” on page 39.

Tip
For each decision and each application to the job centre you as a rule receive a written decision. Should you believe that the decision is false or incorrect, you have one month to object to it.
Where to apply?
You must apply for unemployment benefit II at the job centre in writing. Apply as soon as you have received your residence permit. If you do not apply in good time you risk your benefits being curtailed.

@ Links
Explanations for the forms to be completed in different languages:
www.arbeitsagentur.de/web/content/DE/Formulare/Detail/index.htm?dfContentId=L6019022DSTBAI485740

All forms available online:
www.arbeitsagentur.de/web/content/DE/Formulare/Detail/index.htm?dfContentId=L6019022DSTBAI516946

€ Unemployment benefit I (ALG I)
The purpose of unemployment benefit is to ensure a livelihood in place of a job or respectively your lost income. The unemployment benefit is an insurance payment which is limited in time if particular conditions are met. The amount of unemployment benefit I is about 60 % of your last gross salary.

Differences between residence titles
The same rights and requirements apply for all recognised refugees and persons entitled to asylum as well as for those with subsidiary protection.
**Prerequisites for entitlement to benefits**
- you must be unemployed and
- you must have worked for at least 12 months within the last two years and have paid contributions to unemployment insurance,
- you must have applied personally to the employment agency as unemployed,
- you must strive to get a job,
- you must be available for working proposals.

The duration of the claim for unemployment benefit I depends on how long you have worked in the last few years. There is a statutory obligation to apply as a job-seeker at the latest three months before the end of employment or training.

Should you be made redundant you should also register immediately in order to ensure your full claims.

**Tip**
Should your unemployment benefit I not fully cover your residence, you could be entitled to additional unemployment benefit II. Apply for this at your local job centre.

**Where to apply?**
You must make a written application for unemployment benefit I at the employment agency.

**Differences between residence titles**
No peculiarities
7. Old-age pension, sickness insurance and disability pension

General
On reaching the age of 65 or 67 respectively, you no longer have to work for a living but you can no longer claim unemployment benefit II either. You are then entitled to draw an old-age pension that ensures your livelihood. The amount of the pension you are entitled to depends on your payments during your employment in Germany (statutory pension insurance). If you have no claim at all or only a small one, you are entitled to (supplementary – if applicable) benefits according to the “old-age basic income support and in the event of reduced earning capacity”.

€ Safeguard through the „old-age basic income support and in the event of reduced earning capacity“

General
People from the age of 65 (or older), referred to as pensioners and persons unable to work cannot claim unemployment benefit II. Instead they receive “old-age basic income support and in the event of reduced earning capacity“. Those with long-term illnesses who cannot work permanently are also entitled to these benefits.

This state benefit ensures the livelihood if it can no longer be expected due to old age, that it is financed through employment, or is no longer possible for long-term health reasons.
The level of benefits is the same as unemployment benefit II, but they have different names and benefits for employment promotion are no longer paid.

**Differences between residence titles**
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.

**Prerequisites for entitlement to benefits**
You have reached pension-age or you have a long-term illness and are unable to work for 3 hours or more a day.

**Where to apply**
Written application to the social security office
8. Health care and illnesses

Health insurance funds

**General**
In Germany it is compulsory to conclude a health insurance. In the event of illness, the health insurance covers different costs and services for which a monthly health insurance contribution has to be paid.

**Differences between residence titles**
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.

If you work and earn more than 450 euros, you have a statutory health insurance through your employment, e.g. your contribution to health insurance is always deducted automatically from your salary.

If you receive unemployment benefit I or unemployment benefit II, you have health insurance through the employment agency or the job centre, i.e. the job centre covers the contribution.

You must register with the health insurance fund of your choice and inform the job centre accordingly. From the first day of your entitlement to unemployment benefit the job centre covers your contributions to the health insurance fund. The insurance begins retrospectively from the first day of the claim to SGB II, i.e. that job centre pays from the first day of your claim to contributions to the health insurance fund.
You have the possibility and the right to choose your insurance. You can also change to a different health insurance later. (For more information see page 41)

After registration at a health insurance fund you receive a health insurance card which you must show at every visit to the doctor, so that the costs for the visit and other things can be settled through this.

What is paid? Health insurance payments
The financial services to be performed by the health insurance funds are set out in statute. Generally, the following are paid:

- the medical, dental and psycho-therapeutic treatment of illnesses
- early diagnosis of illnesses and prevention
- (home) nursing
- rehabilitation measures and supply of medicine

Additional payments/ own contributions
The function of health insurance is to ensure the costs for basic services are covered in case of illness. The scope of payment required for this is legally determined and does not include all drugs or examinations. Sometimes you are legally obligated to pay an additional sum, for example for

- Drugs at the pharmacy (up to 10 euros per drug)
- Own contribution for hospital stays
- Preventive medical check-ups e.g. during pregnancy
- Special remedies and means
- Rehab measures

Note!
You have the same claim to all payments of statutory health insurance as German citizens. You have the right to be treated by a doctor. There are however some doctors and services which you must pay privately.
- Home nursing
- Dental crowns, implants, dentures, rehabilitation
- Additional payments for further services proposed by the doctor but not essential according to the health insurance fund (IGEL- services)

The amount of own contributions for services are financed by the health insurance fund (so-called health insurance benefits) is fixed at ten per cent of the costs whereby at least five and a maximum of ten euros may be demanded from the insured party. Own contributions for medication is not about the sales price. An additional then euros per prescription are due for home care.

There is an exemption from additional payments for particular groups, for example children and adolescents up to the age of 18 (exceptions: travel costs, orthodontics, dentures). Further exemptions from additional payments apply for preventive check-ups during pregnancy, cancer screening, for health checks from the age of 35 (every two years), for vaccinations, for dental check-ups (once every six months) as well as for some medicines.

Selecting health insurance
The contributions to the health insurance funds are largely the same. Some health insurance funds offer additional services or additional insurance: These voluntary payments and bonus programmes can differ significantly and should be taken into consideration when selecting the health insurance fund.
You can also change your health insurance fund if you are not satisfied with the services or the health insurance fund wants to levy additional contributions. Observe the periods of notice when doing this.

**FAMILY INSURANCE**

If you work and are obligated to pay social security and pay the health insurance contributions yourself, you can also co-insure your spouse or your civil partner as well as children up to legal age if they have no or only a small income. This also applies if you receive payments from the job centre as family benefits according to the SGB II.

In particular cases children can also be co-insured free of charge over the age of 18, if they
- are up to the age of 23, not working, but are registered as job-seekers
- young adults up to the age of 25 years if they are at school or undergoing vocational training

All co-insured receive their own insurance card without additional contribution.

**Links**

Information on changing health insurance funds and periods of notice: www.1a.net/versicherung/gesetzliche-krankenversicherung/kuendigung
Care of relatives

General
In Germany there is a range of different out-patient care services which care for the sick or elderly at home or support relatives or respectively family members so that you can continue to attend education or work.

Furthermore, under certain conditions you can claim to take some time off from work to have more time to care for your relatives in an acute phase of illness.

As soon as it is no longer feasible to provide care in your own home there are also nursing homes where people who require intensive care and support can live.

Differences between residence titles
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.

€ Financing external or respectively out-patient care
There are state benefits to support the financing of such offers, the so-called care allowance.
Advice centres
Community helpline of the Ministry of Health: Tel.: 030 340 60 66 02

Psychological consulting and therapies

The experience of fleeing one’s country can have extensive consequences and can be a heavy burden on people for a long time and make them ill.

If you often sleep badly or have disturbed sleep, have nightmares or fears, repeatedly feel sad or you do not feel good in other ways, you can and should seek help.

Becoming a refugee increases the probability of becoming depressed or having post-traumatic stress disorder. These are illnesses which many people suffer from. They should, like any other illness, be treated by a doctor or psychologist.

Differences between residences titles
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.

Psychosocial service
In specific situations of crisis or general consulting you can apply to the local psychosocial / social-psychiatric service.
People who work there can explain to you the aid network and therapeutic options and – if applicable – transfer you further.

**Netzwerk für traumatisierte Flüchtlinge e.V.**

Besides that there is a **“Netzwerk für traumatisierte Flüchtlinge (NTFN)” [Network for Traumatised Refugees]**, which specialises on refugees and the procedure of therapy places with psychologists who can provide treatment in the mother tongue or with the help of interpreters. Moreover, the employees of the NTFN are available to make arrangements for the assumption of costs and the rehabilitation of traumatised refugees.

In Hannover the NTFN has established a **Crisis Intervention Centre**, in which specialists provide refugees with targeted advice and support. There are also weekly open consultations. You can find the NTFN here:

Netzwerk für traumatisierte Flüchtlinge e.V.
Marienstraße 28
30171 Hannover
Tel: 0511-856445-0
Fax: 0511-856445-15
www.ntfn.de

**Links**

A list of socio-psychiatric services in Lower Saxony can be found here:
www.ms.niedersachsen.de/themen/gesundheit/psychiatrie_und_psychologische_hilfen/psychologische_hilfen_therapie/14024.html
Pregnancy

General
If you are pregnant you have a large selection of offers for advice. Welfare and family associations, churches, social security offices, local public health offices and doctors offer advice on pregnancy and counselling for pregnant women in conflict situations which you can use at any time. Most counselling is free of charge and can also be made use of anonymously if desired.

A gynaecologist can also advise you. Besides, there are midwives who also speak different foreign languages and support you during pregnancy.

Differences between residence titles
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.

Support during and after pregnancy
During pregnancy and after birth you are entitled to be supported by a midwife and a doctor.
A midwife visits you at home and consults and supports you in all questions regarding pregnancy, including questions on your work, particular rights and requirements, but also fears, health complaints and benefits. It is therefore highly recommended look for you visit a midwife.

Important!
As soon as you know that you are pregnant, it is recommended that you go to a gynaecologist every four weeks – every two weeks from the 32nd week of pregnancy. The costs of pregnancy check-ups will be covered by the health insurance fund.
**Additional benefits for unemployed pregnant women who are unemployed (additional need)**
As soon as it is confirmed that you are pregnant, you should notify the job centre of this since you are entitled to further benefits, e.g. to buy maternity wear or basic equipment for the expected child.

**Maternity protection for working pregnant women**
There are special regulations and provisions for pregnant women in different jobs. Learn about these at your workplace, if applicable.

Working pregnant women enjoy particular protection – so-called *maternity leave*. It begins six weeks before birth and ends eight weeks thereafter. In Germany, protection is regulated by law. Pregnant women may not work during this period.

You retain your job however, so that you can return to it after your maternity protection.

In the first period after the birth of a child, working parents are entitled to parental benefit. The parental benefit should make it easier for the mother and father to go without working wholly or in part and to therefore have more time for the care of their child.

Further information on the parental allowance can be found on page 55.
Advice centres
Welfare associations, such as AWO, Diakonie, Caritas, Pro Familia, Paritätischer Dienst, gynaecologists and midwives

@ Links
www.hebammensuche.de
9. Children and families

**Nursery school**

In Germany there is a legal claim to a place at a nursery school for children from the age of three. In the case of low incomes, the youth welfare office must take over all or part of the costs for this.

All children have to undergo a **general school readiness test** in the penultimate year of nursery school. This includes language skills and abilities. If a child still struggles with the German language, he or she will receive additional help in the language which generally takes place at the nursery school and is carried out by a teacher.

**Tip**

Apply for a place at a nursery school early. There your child receives further assistance in German and will be prepared for attending school. If there are problems with the nursery school place, apply to an advice centre.

**School**

Children in Lower Saxony have the right and the duty to attend a school and to regularly take part in lessons. Generally the compulsory school attendance begins for children who have reached the age of six or will reach it by 30 September. The age at which the child begins school is however also dependent on the physical and mental development of your child, since each child is different. A doctor examines the “maturity for school” of all children before school entrance.

Where needed, after this examination a mutual decision should be reached whether your child starts school later and therefore remains at the nursery school for one more year.
School pupils who have already started school with poor knowledge of German have a **claim** to special **assistance** in the school, such as **intensive courses and additional lessons in “German as a second language”**. The duty of children to attend a school ends after 12 years of attending school, or respectively after reaching the age of 18.

### Advice centres
- “Migrationsberatung für erwachsene Zuwanderer (MBE)” [Migration counselling for adult immigrants] and the “Jugendmigrationsdienste (JMD)” [Youth Migration Service]
- “Jugendamt” [youth welfare office]
- Family counselling
- Nursery schools
- “Flüchtlingsrat Niederachsen” [Refugee Council of Lower Saxony]
Benefits for children / Family benefits

€ Child benefit

Differences between residence titles
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.

Prerequisites for entitlement to benefits
Irrespective of your income situation you have a claim to monthly child benefits which are currently 184 euros per month for the first and second child, 190 euros for the third child and 215 euros for each further child.
Child benefits apply for all children up to the age of 18, and up to 24 years for children in education.
If you receive unemployment benefits II, child benefits will be offset from this. This means that you do not have more money in the end. You are however obligated to apply for child benefits. This is also sensible since receiving child benefits is not a social benefit to ensure your livelihood. That is to say that it is made easier for you to finance your life yourself. If you apply for naturalisation or if recognition as a refugee is revoked it can be important to ensure your livelihood without social benefits.

Where to apply?
Apply for the child benefits in writing at the local family benefits office of the “Bundesagentur für Arbeit” [Federal Employment Agency], and attach a copy for your recognition certificate. You can also find the form online (see links of page 52).
@ Links
You can find background information and addresses here:
www.familienkasse-info.de/

You can find all necessary forms here:
www.arbeitsagentur.de/web/content/DE/Formulare/Detail/index.htm?dfContentId=L6019022DSTBAI516433

€ Child Allowance Supplement
If you have an income which ensures your own minimum subsistence level, but not that of your children, you should apply for child allowance supplement, whereby an application for housing benefit should always be made at the same time. The child allowance supplement amounts to a maximum of 140 euros per month per child.

Differences between reference titles
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.

Prerequisites for entitlement to benefits
If you have a low income or receive unemployment benefit I, but otherwise receive no other social benefits, you can apply for a child allowance supplement in addition to child benefit (Article 6a of Federal Child Benefit Act). You can receive the child allowance supplement if you are entitled to child benefits. Recipients of unemployment benefits II are not entitled to child allowance supplement.
WHERE TO APPLY?
At the family benefits office at the employment agency

€ ADVANCE CHILD MAINTENANCE FOR SINGLE PARENTS

GENERAL
The advance child maintenance serves to ensure the maintenance of minors if they live with a single parent, i.e. you are the single parent. As a rule both parents must pay money for the maintenance of their child.

If the parent with whom the child does not live pays no or no regular maintenance, you can receive advance child maintenance. This also applies if the father is unknown. It is not necessary to get a court maintenance order.

You can receive the money from the advance child maintenance fund so long as the other parent does not pay. If the parent obligated to pay maintenance is able to pay in part or in full, but does not pay, the state takes the money back from him or her.

DIFFERENCES BETWEEN RESIDENCE TITLES
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.
**Requirement for entitlement to benefits**

You have a claim to advance child maintenance if

- you child has **not reached the age of 12**,  
- you are **single, widowed or divorced** or **live separately** from your spouse long-term,  
- you raise your child alone,  
- the other parent, with whom the child does not live, pays **no** or only part or irregular **maintenance**,  
- or the parent has died and your child does not receive sufficient orphan payments.

**Amount of advance child maintenance**

The maintenance payments will be paid for a maximum of six years in total. If you as a single parent can claim full child benefits, the advance child maintenance in Lower Saxony amounts to

- **133.00 euros** monthly for children under 6 years and  
- **180.00 euros** monthly for older children from 6 to 12 years.

Advance child maintenance will however be offset with payments for livelihood, which means that in the end you do not receive more money if you receive social benefits or respectively unemployment benefit II.

**Where to apply?**

The advance child maintenance must be applied for in writing. The government offices for youth welfare or respectively professional services for youth of the city or respectively district administrations are responsible for processing the applications and
payments of the advance child maintenance, and which can also help you in completing your application.

Advice centres
- Welfare associations
- Government offices for youth welfare

Links
The responsible authorities for an application for advance child maintenance:
www.ms.niedersachsen.de/portal/live.php?navigation_id=5031&article_id=14152&_psmand=17

Parental allowance
In the first period after the birth of a child, working parents have a claim to a so-called parental allowance. The parental allowance should make it easier for the mother and father to go without working wholly or in part and to therefore have more time for the care of their child, in which part of the salary will be paid by the state. In doing so the state reimburses one parent 67 per cent of the income from work which is lost, through the birth and care for the child, maximum 1,800 euros in a month. Part-time models with a part reduction of your working hours are also possible.

If you have not previously worked, you will receive a minimum parental allowance of 300 euros, which will however be offset with the amount which you receive as payment of social benefits or unemployment benefit II.
Differences between residence titles
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.

Requirements for entitlements to benefits
While receiving a parental allowance the applicant may not work more than 30 hours a week. It is also required that you live with the child in a household and actually look after the child. It is not required that the parents are married.

A parental allowance will be paid for a maximum of 12 months. If work hours are reduced, the period is extended. If the other parent is also responsible for the care for two months or more, the parental allowance will be extended by two months to a maximum of 14 months. There is protection against unfair dismissal during parental leave. This begins from application for parental leave, but at the earliest eight weeks before it begins.

Where to apply?
You can apply for the parental allowance from the parental allowance office of your city or administrative district.
The application for parental leave must be made in writing; your employer’s consent is not required.
@ Links
General information on parental allowance in Lower Saxony and forms:
www.ms.niedersachsen.de/master/C29974090_N8150_L20_Do_I674.

Addresses of the responsible parental allowance offices of the administrative districts and cities:

€ “BuT – Bildungs- und Teilhabepaket” [education and participation package]
General
The task of the BuT is to allow children and young people a better chance in education and participation in cultural life. The payments will largely be granted in the form of coupons or direct financing of measures. An extensive application must be made in advance for almost all of these payments. The following are examples of what is financed:
- two lump-sums each school year for school materials (30 and 70 euros),
- warm lunch in school, after-school care centre or day-care centre,
- contribution for the sports club or for music school amounting to 10 euros per month,
- pupil transport
- class trips, study and year trips over several days, also abroad.

Differences between residence titles
The same rights and requirements apply for all recognised persons entitled to asylum and refugees as well as for those under subsidiary protection.
Requirements for entitlements to benefits
Payments from the BuT can be received by children and young people whose parents are entitled to benefits under the SGB II (unemployment benefit II). You have a claim to these benefits also if you are entitled to housing benefits.

Where to apply?
Those who receive unemployment benefit II generally apply for benefits from the BuT at the job centre. For families which receive social benefits, housing benefits or children’s allowance, the job centre is not responsible. You can find the right contact partner at the town hall, citizens’ office or in the district administration. The family benefits office temporarily accepts applications from families who receive housing benefits or children’s allowance.

Links
Flyer: translation in different languages
www.bmas.de/DE/Themen/Arbeitsmarkt/Grund sicherung/Bildungspaket/Publikationen/inhalt.html;jsessionid=3B7C420858AB428FCB80F8730D2C324B
10. Family reunification

**General**
The provisions for family reunification are different and depend on your residence permit.

**Differences between residence titles**
If you are recognised in Germany as a refugee or person entitled to asylum, then you **have a right to live in Germany together with your family (spouses, unmarried children under the age of 18)**. You must apply for this.

The relatives of persons entitled to asylum and refugees are not required to provide evidence of a language certificate.

If you or respectively your relatives apply for family to join within the first **three months after legal recognition of asylum or respectively as a refugee**, the conditions for families to join in Germany are easier: You do not require security of livelihood or evidence of sufficient living space.

If you wait more than three months to apply for family to join and you cannot provide any sound reasons for this, you might lose this privilege, and the general provision for the nuclear family to join applies (see below).

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**Residence permit according to § 25 (1) AufenthG**

**Residence permit according to § 25 (2) AufenthG**

→ persons entitled to asylum and refugees in the sense of the Geneva Refugee Convention

**Important: 3 month deadline**
The application for family to join must be made **unconditionally within the first three months after recognition**. Only then will a visa for your family to join and a later residence permit be issued, also if you cannot secure a livelihood and cannot prove sufficient living space. The period begins when the recognition is not contested.
With these residence titles you have **no claim** to reuniting your nuclear family.

You can only let your family members join you in Germany from your country of origin or respectively the transit country for international law or humanitarian reasons, or to protect the political interests of the Federal Republic of Germany. This is very complicated and will only be granted in exceptional cases. The spouses of those entitled to international protection (§25 (2) alternative 2 AufenthG) do not need to provide a language certificate.

Apply to an independent advice centre and / or lawyer.

**General requirements (after 3 month period)**
- your relatives must fulfil the obligation to carry a passport if they are to join you
- livelihood for you and your family joining you must be secured.
- there must be sufficient living space for you and your family members. Sufficient living space is as a rule: 12 square metres for persons from the age of 6, 10 square metres for persons under the age of six. Children aged 0-2 will not be counted. Exceptions are possible in individual cases; the residence may be up to 10% smaller.
- A further requirement for spouses to join is that the spouse joining has a basic understanding of German (does not apply for refugees and those entitled to international protection).
**Who can you allow to come to Germany?**
The provisions regarding family reunification you apply fundamentally only to the nuclear family, i.e.
- Your spouse or respectively registered civil partner,
- Your partner from a cohabitation relationship with shared children,
- If you yourself are a minor, your parents may enter with their children under the age of 18 within the framework of family reunification

Children include **adopted or step children**. Married partners can only be let in if the marriage has existed since before entering Germany or respectively the asylum application is made. Same-sex civil law partners are only included if the civil partnership was already recognised by the state abroad and it in essence corresponds with the arrangement of German civil partnership. **Unmarried partners without shared children are excluded from the provisions on family reunification.**

**Application**

1. As soon as your recognition as a refugee or person entitled to asylum is legally valid, you must first call at your responsible authority for non-residents and apply for your family to join you.

In parallel with the application in Germany, your relatives must apply for family to join at the German foreign office in the country of origin or transit (embassy, consulate etc.).

**Tip**
The authority for non-residents can send a so-called **pre-consent** for your family to join to the foreign office. This hurries the procedure along.

**Important**
It is often possible to agree a meeting at the foreign office online. Always make sure to **make a meeting for all people over the age of 12** for family to join. Also if it takes a long time until you actually have the meeting, the registration of the meeting counts for the 3 month period.
Important
Fundamentally, you must finance your family members entering Germany yourself, but there are possibilities for support from welfare associations (e.g. at the Diakonische Werk), which can take over parts of the travel costs. Apply to an independent advice centre for this.

2. If your relatives in the country of origin or transit attend the meeting at the foreign office, they must bring with them all passports, marriage certificates, birth certificates or other personal documents regarding your family relationships. These will then be verified by the foreign office.

3. If the check is concluded positively, the foreign office informs your relatives in the country of origin or transit about the issue of the visa to enter Germany.

4. As soon as the relatives arrive in Germany, you must register at the responsible authority for non-residents in order to apply for the corresponding residence title. It is mandatory that this is done before the visa expires.

Where to apply?
Your relatives apply at the German foreign office in the country of origin or transit, or respectively contact the foreign office to agree a meeting.

Parallel to this you apply as a recognised person entitled to asylum or refugee to the authority for non-residents with the request for support and pre-consent for your family joining.

What titles do your relatives receive?
Your relatives receive a residence permit after the expiry of the visa also without an asylum application, which allows both free access to the employment market as well as an apprenticeship or studies.
Spouses receive a residence permit according to § 30 AufenthG, civil partners according to §§ 27(2), 30 AufenthG, parents according to §36 (1)+(2) AufenthG and children according to §32 AufenthG. Your residence right is initially dependent on the residence right of the person the family is joining.

**FAMILY REUNIFICATION ON THE BASIS OF “EXTRAORDINARY HARDSHIP”**
Under the law other family members (for example grandparents, children of age, aunts and uncles, cousins or grandchildren) can also be allowed to join if there is “extraordinary hardship”.

There is extraordinary hardship if your relatives are in a particularly precarious life situation and it is not possible to live together in this situation.

The authorities only seldom make use of this provision because it must initially be determined whether an “extraordinary hardship” exists. Also if this is the case there is no claim to family joining, but rather it is at the discretion of the authorities whether this should happen. Fundamentally, the general provisions on family joining moreover apply.

**Tip**
Family members of persons entitled to asylum and refugees in the sense of the Geneva Refugee Convention should make a written asylum application directly after entering! If the application is made punctually within three months, the relatives in this case automatically receive refugee status.
11. Prospective livelihood security

The possibilities and requirements for livelihood security depend on your title.

**Permanent residence**

Permanent residence allows you to reside in Germany without limit, without further requirements. After receiving permanent residence you are entitled within the framework of EU freedom of movement and when satisfying particular national laws, to reside in any EU country without limit and to work there.

You do not receive this kind of residence permit automatically, but must apply for it formally.

*After three years* with your residence permit you have a **claim to permanent residence**. For this it is required that the BAMF has not revoked your recognition. (More information on the revocation procedure on page 11.)

**Where to apply?**

Local authority for non-residents
Naturalisation

You have a **claim to naturalisation after eight years** of legal residence in Germany. For this, not only the time of the residence permit or permanent residence count, but also the duration of the temporary permission to stay during the asylum procedure.

**Requirements and conditions**

- You can secure a livelihood for your family without unemployment benefit II and other social benefits. Child and parental benefits will not be included here.
- You have not committed any criminal acts which were punished with more than 90 daily fines in lieu of jail time.
- You avow yourself to the free democratic basic order.
- You can prove a language level of Bi³ You have reached this level if, for example, you have successfully attended an integration course.
- You can prove your identity in the form of a birth certificate or a personal ID.
- You have knowledge of the legal and social order, which you can prove in the citizenship test.

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4 In Europe there is a generally applicable classification of language ability. There are six levels from A1 (Beginners) to C2 (Experts). Cf. http://www.europaeischer-referenzrahmen.de/sprachniveau.php
Naturalisation for those integrated especially well ("discretionary naturalisation")

The period of residence will be shortened to seven years if you can prove that you have successfully attended an integration course. As a recognised refugee, you can also become German within the framework of "discretionary naturalisation" after six years.

Citizenship test

The citizenship test is made up of a total of 310 questions, of which 300 are general questions on the subject "Life in Democracy", "History and Responsibility" as well as "People and Society", and ten questions on the federal state in which you live.

In the test you must answer 33 questions in 60 minutes. You must answer at least 17 questions correctly in order to pass.

You can prepare for the test at a course or online.

If you have acquired a German school leaving certificate or are not in the position to take part in the test for physical, mental or psychological illness or a disability, this can be done without.

It costs 25 euros to take the citizenship test.

As a rule, the citizenship tests are held in community colleges. You can find the specific locations close to you here: www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Einbuergerung/Pruefstellen-NI.pdf?__blob=publicationFile
years This is possible if you have a particularly high level of language, i.e. a language level above B1, and can prove particularly strong integration. It is helpful, for example, to be a member in clubs, but also to have commitment to civil life. When calculating the residence time, the time of the asylum procedure is included.

**Particulars in case of illness and for people with disabilities**
You can also be naturalised if you cannot acquire sufficient knowledge of German and basic knowledge of the legal and social system on the basis of your illness or disability, or if you cannot secure your livelihood or cannot afford the compulsory pension payments.

**Warning: Naturalisation and revocation procedure**
An application for naturalisation is sometimes an occasion for the authorities for non-residents to initiate a verification procedure at the BAMF, which in case of doubt can also lead to a revocation procedure. In cases of doubt you should therefore apply to an independent advice centre or a lawyer and get consultation about applying for naturalisation.

**Your citizenship from your country of origin (multiple citizenship)**
As a recognised refugee you must not give up your old citizenship, and you can receive a German passport in addition. After a possible check through the BAMF whether persecution continues, multiple citizenship will generally be accepted for recognised refugees.

After naturalisation you must hand over the GRC refugee travel document, since you no longer require it as a German citizen.
Co-naturalisation of spouses and children

Spouses and children can be naturalised with you, also if you yourself do not yet satisfy the residence times. For spouses, as a rule four years’ residence should suffice if the marriage has existed in Germany for three years. Children under the age of 16 will be automatically naturalised together with their parents.

Where to apply?
Naturalisation office (usually in the local town hall)

Costs
Naturalisation costs 255 euros for an adult, and 51 euros for children naturalised with them.

Permanent residence

Refugees with a subsidiary protection status can receive a permanent residence after five or respectively seven years. This allows you to reside in Germany without limit and long-term without further requirements. After receiving permanent residence you are entitled within the framework of EU freedom of movement and when satisfying...
particular national laws, to reside in any EU country without limit and to work there. This must be applied for at the authority for non-residents.

Requirements and conditions

- Some livelihood security, so no social benefits (child and parental allowance etc. do not count as social benefits)
- 60 months pension contributions (child support periods or home care also count)
- Sufficient knowledge of German and basic knowledge of the legal and social system and living conditions in Germany (evidence for example about having attended an “integration course”)
- Sufficient living space.

If you are married it is sufficient if one spouse has paid the insurance contributions. Then the other spouse can also receive the permanent residence.

Particulars in the case of illness and for people with disabilities

You can therefore also receive permanent residence if you cannot acquire sufficient knowledge of German and basic knowledge of the legal and social system on the basis of your illness or disability, or if you cannot secure your livelihood or cannot afford the compulsory pension payments.
**Where to apply?**
Local authority for non-residents

**Naturalisation**

You have a **claim to naturalisation after eight years** of legal residence in Germany. For this, not only the time of the residence permit or permanent residence, but also the duration of temporary permission to stay during the asylum procedure count. The following conditions must also be satisfied:

- You can secure a livelihood for your family without unemployment benefit I or II and other social benefits. Child benefits and parental allowance do not play a role here.
- You have not committed any criminal acts which were punished with more than 90 daily fines in lieu of jail time.
- You avow yourself to the free democratic basic order.
- You have sufficient knowledge of the German language, i.e. you can prove a language level of B1. You have achieved this level if e.g. you have successfully attended an integration course.
- You can submit a national passport and successfully apply for the release of your earlier citizenship. Dual citizenship is only allowed in exceptional cases if the release from the old citizenship is not possible or reasonable due to particular circumstances.
- You possess knowledge of the legal and social system (evidence from “citizenship test”).
**Naturalisation for Particularly Well Integrated Refugees**

The **period of residence is shortened to seven years** if you can prove successful attendance at an **integration course**. It is possible to **further shorten it to six years** if you have provided particular integration services. This includes in particular good German skills. It is also helpful, for example, to be a member of clubs or sports clubs, but also to be engaged in civil society.

**Where to apply?**
Naturalisation office (usually in the local town hall)

**Costs**
Naturalisation costs 255 euros for an adult, and 51 euros for children naturalised with them.
12. Insurance

In Germany there is a broad net of insurance for different emergency and injury cases. The broadest insurance includes
- Liability insurance
- Householder’s insurance
- Occupational disability insurance
- Vehicle insurance

All insurance costs money, but not all insurance makes sense. It is however compulsory to have vehicle insurance if you own a car. Consider carefully what insurance you want to conclude. You can receive support and advice on the different insurance e.g. at the consumer advice centre or at the local immigration centre for adult immigrants as well as at the youth immigration services.
13. What does ... mean?

Subject to social insurance,
employees subject to social insurance
Employees subject to social insurance include all employees including apprentices who are subject to health, pension and long-term care insurance and/or are subject to make contributions or contributions are to be paid by the employer. It results from this definition that as a rule all workers and salaried employees are included in the obligation to pay social security.

Those not included are officials, self-employed people, contributing family members, career and temporary soldiers, those performing military service or civil service, as well as exclusively low-paid employees.

Register as unemployed
Registering as unemployed serves to secure your financial claims and the search for a new job. Personal registration is an essential requirement to receive unemployment benefit.

Register as a job-seeker
By registering timeously as a job-seeker, your entry into the employment market should be hastened, and your unemployment time should be shortened, or you can even completely avoid unemployment.

Families (legal definition)
In the legal sense, the family community is based simply on the so-called “nuclear” family.

The particular protected nuclear family includes the marriage of spouses as well as parents and their unmarried children who have not reached the age of majority of 18 (including adopted and step children). It is also decisive that the family community is also lived. An indicator for this is fundamentally shared residence. Under particular conditions a support community can also be accepted in the case of separated homes.

Decision
Is a decision by an authority regarding an application or also only communication to the applicants, which as a rule have a public law claim to a decision. This is especially important in connection with social benefits.
14. Important addresses (alphabetical order):

Bildungsberatung Garantiefonds Hochschule in Hannover
Lothar Heimberg
Kopernikusstraße 3, 30167 Hannover
Tel.: 0511 / 328526, Fax: 0511 / 328187
E-mail: l.heimberg@caritas-hannover.de
Webpage: www.jmd-portal.de

Bundesagentur für Arbeit
Regional Administration for Lower Saxony-Bremen
Altenbekener Damm 82, 30174 Hannover
Tel.: 0511 / 9885-0, Fax: 0511 / 9885-7220
Webpage: www.arbeitsagentur.de

Bundesamt für Migration und Flüchtlinge (BAMF)
Brunswick branch
Boeselagerstraße 4, 38108 Braunschweig
Tel.: 0531 / 3545-0, Fax: 0531 / 3545-199
E-mail: m19posteingang@bamf.bund.de
Webpage: www.bamf.de

Bundesamt für Migration und Flüchtlinge (BAMF)
Friedland branch
Heimkehrerstraße 16, 37133 Friedland
Tel.: Tel.: 05504 / 803-0, Fax: 05504 / 803-333
E-mail: m18posteingang@bamf.bund.de
Webpage: www.bamf.de

Bundesamt für Migration und Flüchtlinge (BAMF)
Bramsche branch
Im Rehhagen 8, 49565 Bramsche
Tel. 05461/883-0, Fax. 05461/838-434
Webpage: www.bamf.de

BUS GmbH –
Recognition advice centre in the IQ Network
Integration through qualification
IQ-Hotline Lower Saxony
Tel.: 0541 / 6929-708
E-mail: iq@bus-gmbh.de
Webpage: www.netzwerk-iq.de
Flüchtlingsrat Niedersachsen e.V.
Langer Garten 23 B
31137 Hildesheim
Tel.: 05121 – 15 60 5, Fax: 05121- 31 60 9
E-mail: nds@nds-fluerat.org
Webpage: nds-fluerat.org

IBIS – Interkulturelle Arbeitsstelle e.V.
Coordination of the anti-discrimination network in Lower Saxony
Klävemannstraße 16, 26122 Oldenburg
Tel.: 0441 / 884016, Fax: 0441 / 9849606
Tel. Integration courses: 0441 / 4083988
E-mail: info@ibis-ev.de
Webpage: www.ibis-ev.de

IHK Hannover
Recognition advice for holders of vocational and educational qualifications
Schiffgraben 49, 30175 Hannover
Tel.: 0511 / 3107-514 / -515 / -521, Fax: 0511 / 3107-422
E-mail: anerkennungsberatung@hannover.ihk.de
Webpage: www.hannover.ihk.de/anerkennungsberatung
Once a month there are additional consultation days in the business premises of IHK Hannover in Hildesheim, Hameln, Syke, Stadthagen and Nienburg

KOBRa
Central co-ordination and advice centre for victims of human trafficking
Postfach 4762, 30047 Hannover
Tel.: 0511 / 70 11 517, Fax: 0511 / 70 11 369
E-mail: danuta.osiecki@kobra-beratungsstelle.de
Webpage: www.kobra-beratungsstelle.de

Koordinierungsstelle für die Studienberatung in Niedersachsen (KfSN)
Bismarckstraße 2, Gebäudeteil IV (Visitor entrance: Trierer Straße)
30173 Hannover
Tel.: 0511 / 762-8489, Fax: 0511 / 762-8497
E-mail: jung@kfsn.uni-hannover.de
Webpage: www.studieren-in-niedersachsen.de/hochschulen-az.htm

Koordinierungsstelle „Kooperative Migrationsarbeit Niedersachsen“ (KMN)
Ministry of Lower Saxony for Society, Health and Equality Department 3 – Immigration and Generations
Postfach 1 41, 30001 Hannover
Tel.: 0511 / 120-5971, Fax: 0511 / 120-99-5971
E-mail: juergen.ruppert@ms.niedersachsen.de
**Netzwerk für traumatisierte Flüchtlinge Niedersachsen e.V. (NTFN)**
Marienstraße 28
30171 Hannover
Tel.: 0511-856445-0, Fax: 0511-856445-15
E-mails: ntfn-ev@web.de
Webpage: www.ntfn.de

**Lower Saxony Emergency Number AGAINST Forced Marriage**
Tel.: 0800 / 0667 888 (call for free), Fax.: 0511 / 1237727
E-mail: zwangsheirat@kargah.de
Webpage: www.kargah.de

**UMUT e.V.**
Association to support disabled immigrants
Am Listholze 29a, 30177 Hannover
Tel.: 0511 / 4594386, Fax: 0511 / 4594357
E-mail: info@umut-ev.de
Webpage: www.umut-ev.de

Many other and regional organisations and advice centres can be found at the Homepage of the Lower Saxony Refugee Office at:

www.nds-fluerat.org/adressen-und-anlaufstellen
→ [...] Organisationen, Beratungsstellen und Anwält_innen [...]
Flüchtlingsrat Niedersachsen e.V.
Langer Garten 23 b
31137 Hildesheim

Mitgliedsnummer: 

Fördererklärung

☐ Hiermit erkläre ich meinen Beitritt zum Flüchtlingsrat Niedersachsen e.V. mit Wirkung vom 

☐ Das Abonnement des Flüchtlingsrat-Rundbriefs ist im Vereinsbeitrag enthalten. 

☐ Der Mitgliedsbeitrag beträgt mindestens 60,00 €/Jahr, für Erwerbslose 30,00 €/Jahr 

☐ als Person ☐ als Organisation 

☐ Ich möchte kein Mitglied werden, aber den Flüchtlingsrat Niedersachsen e.V. regelmäßig mit 60 €/Jahr 

☐ unterstützt und den Flüchtlingsrat-Rundbrief erhalten. 

☐ als Person ☐ als Organisation 

Die Satzung habe ich zur Kenntnis genommen und erkenne sie an.

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Name, Vorname
Straße
Ort

Geb.-Datum
Telefon
email
Internet

Ort, Datum
1. Unterschrift

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