

Implementation of the Researchers and Students EU Directive (2016/801) in Germany



September 2018

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Context



EU Regulatory Policy on Migration

Long-Term Residents (2003/109/EC)

EU Blue Card (2009/50/EC)

Single Permit (2011/98/EU)

Researchers and Students (2016/801/EU)

Intra-Corporate Transferees (2014/66/EU)

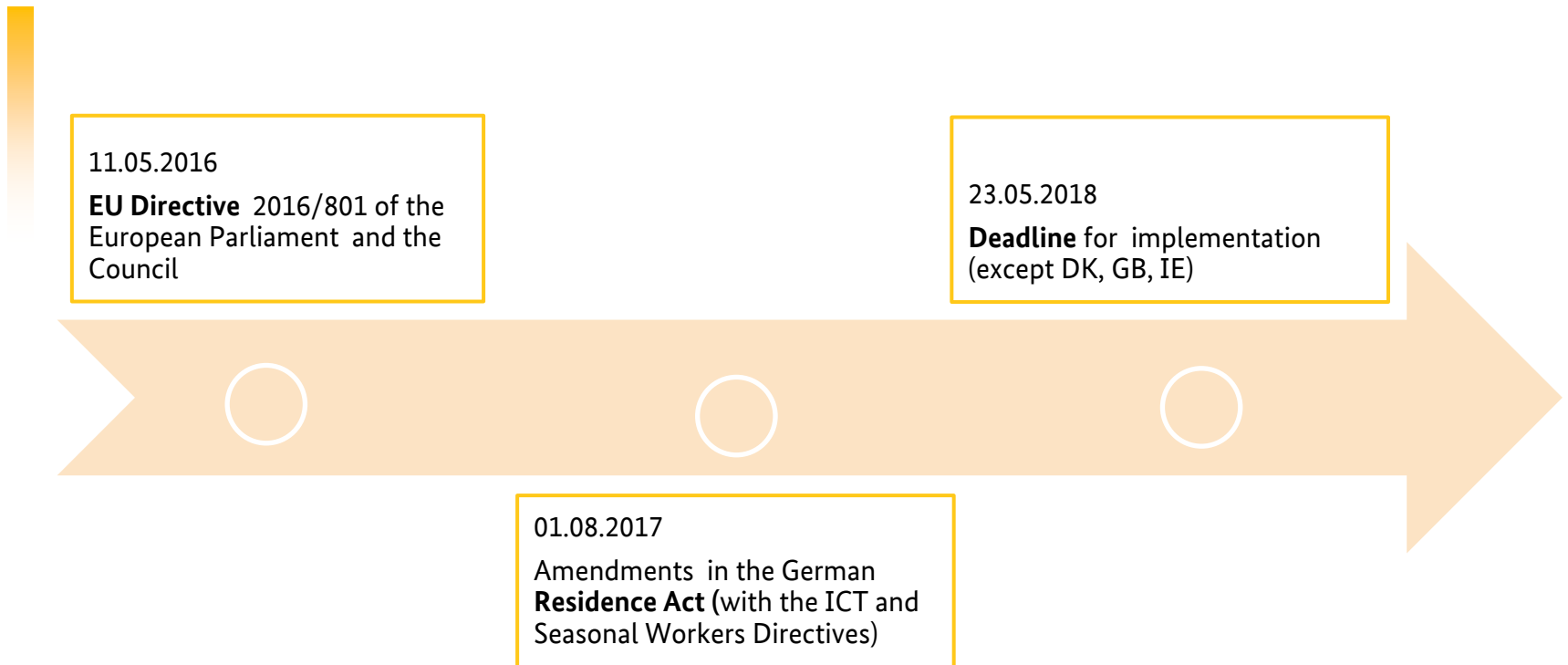
Seasonal Workers (2014/36/EU)



Implementation in Germany



Timeline of the Implementation



Scope of (EU) 2016/801

Mandatory: studies, training, research, European Voluntary Service

Optional: pupil exchange, other voluntary service, au pairing



In Germany entitlement to a residence permit and reference to the Directive:

Sec. 16 Studies

Sec. 17b Study-related traineeship EU

Sec. 20 Research

Sec. 18d Participation in European Voluntary Service

Positioning (EU) 2016/801 in German Law

German Residence Act

New sections:

Sec. 16a Mobility of students

Sec. 16b Pupil exchange and language courses

Sec. 17b Study-related traineeship EU

Sec. 18d Participation in European Voluntary Service

Sec. 20a Short-term mobility of researchers

Sec. 20b Long-term mobility of researchers

Section changes:

Sec. 16 Studies

Sec. 20 Research

Sec. 29 Subsequent immigration of dependents to join a foreigner

Sec. 30 Subsequent immigration of spouses

Sec. 32 Subsequent immigration of children

Sec. 91d Intra-Community information in implementation of Directive 2017/801

Intra-EU mobility of researchers and students

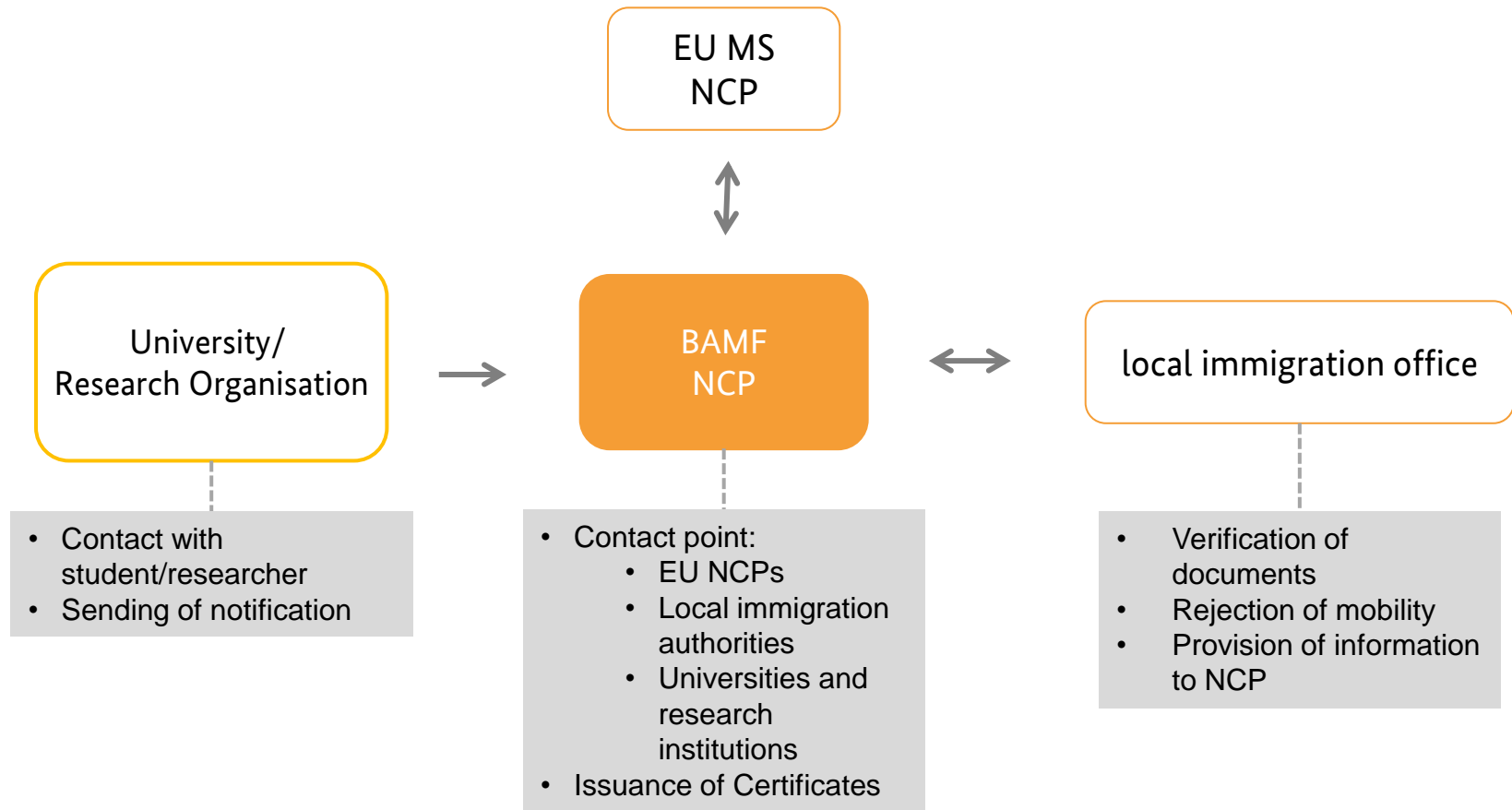
➤ **Students:** up to 360 days

- ✓ Valid authorisation under the scope of Directive (EU) 2016/801
- ✓ Multilateral programme or agreement
- ✓ No German permit needed (notification procedure)

➤ **Researchers:**

- Short-term mobility: up to 180 days
 - ✓ Valid authorisation under the scope of Directive (EU) 2016/801
 - ✓ No German permit needed (notification procedure)
- Long-term mobility: 180-360 days
 - ✓ Residence permit for mobile researchers

Notification Procedure



Main changes for universities and research institutions

- ✓ General consulting
- ✓ Support in visa application process
- ✓ Provision of documents
- ✓ ...

- + **Checking of authorisations**
- + **Completing notification forms**
- + **Collection of relevant information and documents**
- + **Sending mobility notifications**

Many thanks for your attention!

Contact

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