

„Chancenaufenthalt“/Opportunity-Residence-Act:

Language and Integration

Placement test/Einstufungstest (language level)

There are free placement tests for your language level on the Internet:

Telc.net

Goethe.de

Learninggerman.com

Language level assessment

The regional association of adult education centres offers free language level assessments. This means that you can test how well you speak German at the adult education centres. If you speak German at an A2 level, you will receive a certificate from the adult education centres. This certificate must be recognised by the immigration authority.

You can find more information on language proficiency tests [hier](#).

Integration and language courses

Where can I find integration and language courses in my area?

As a person who has been granted the right of residence (Chancen-Aufenthaltsrecht), you have access to both integration courses and vocational language courses, subject to availability.

You can find courses in your area via the following link:

<https://bamf-navi.bamf.de/de/Themen/Kursorte/>

Can't get into a language course?

Unfortunately, not all immigrants in Germany have the same rights and access to German courses. We try to counteract this disadvantage and would like to show you ways and alternative possibilities to learn German. You can obtain information on free language courses from your migration and integration coordinator in your city or district:

<https://mffki.rlp.de/themen/standard-titel-3>

Further information about the exam

Exams for the language certificate A2 and the 'Living in Germany' exam can be taken at local examination centres. You can find the examination centres in your area under the following link: [hier](#)

You can take the exams without attending the official integration and German courses. This means that you can attend free and online German courses and then take the respective exam, which is not free of charge.

How much is the exam fee?

For the language certificate A2 it is between 100 - 200€ per exam.

Current information from the BAMF on integration courses

Further information on integration courses from the BAMF can be found here:

<https://www.bamf.de/SharedDocs/Meldungen/DE/2024/241223-bundeshaushalt-integrationskurse.html?nn=282772>

Living in Germany

As a person who has been granted the right of residence, you have access to both integration courses and vocational language courses, subject to availability.

You can find courses in your area under the following link: [hier](#)

Free online questionnaire for practising

To prepare for this "Living in Germany" test, there is a free online questionnaire that you can use to prepare for the "Living in Germany" test. You can practise with a total of 310 questions on the Internet under the following link: [hier](#)

Further information about the test

You can register for the test at the test centres of the Federal Office for Migration/Bundesamt für Migration und Flüchtlinge and Refugees (BAMF). Places near you where you can take the test can be found under the last link from above.

How much is the examination fee?

The exam for the orientation course/Orientierungskurs ('Living in Germany') costs €25.

„Chancenaufenthalt“/Opportunity-Residence-Act: Work

Recognition of qualifications

In Rhineland-Palatinate, as in all other federal states, there is also the IQ network (regional integration network). This helps you with the recognition of qualifications. Further information can be found on the IQ Network website:

"If you have obtained a qualification abroad, you need recognition of your vocational qualification or degree in order to be able to work in Germany. The IQ Network Rhineland-Palatinate can help you in both cases. We have counsellors who can support you with the recognition procedure."

If you have only received partial recognition of your profession in Germany, we can also offer you qualification support (<https://iq-rlp.de/angebote/qualifizierungsbegleitung>). For some occupational groups, you will find 'specific qualification offers.'

Further information on the IQ network and its contact details can be found at: <https://iq-rlp.de/ueber-uns/rin-rlp-und-trier>.

Apprenticeship (Ausbildung)

If you are a young person and would like to do an apprenticeship in Rhineland-Palatinate, there are people in Rhineland-Palatinate who can help you find a training place. These people work at "KAUSA". You can find out exactly what 'KAUSA' does on its website:

"We are your local contact point. Self-employed people, young people and parents with a migrant or refugee background come to us for advice and information on all aspects of vocational training and the dual training system. The KAUSA regional centre provides support services and highlights the opportunities offered by our vocational training system.

Our network partners come from the vocational training sector and schools. We also work together with companies and organisations from the region.

The aim of the nationwide 'Coordination Centre for Training and Migration' is to attract more entrepreneurs with a migrant or refugee background to vocational training. In this way, the aim is to increase the participation in training of the young people addressed."

Further information on the "KAUSA regional office Rhineland-Palatinate" and its contact details can be found here: <https://www.kausa-rlp.de/>

Exceptions for securing a livelihood in order to obtain a long-term right of residence/für ein langfristiges Bleiberecht

Here is the simplified version of the text:

If someone is going to school, training or studying, he or she does not have to provide for his or her own living expenses (see Section 25a (1) sentence 2 of the Residence Act).

(Becoming) a skilled worker/Fachkraft

Would you like to become a skilled worker or are you already a skilled worker?

A so-called skilled worker is a person who has completed training or studies in a specific field. They have special knowledge and skills that are important for practising a profession.

If you would like to become a skilled worker, the **WelcomeCenter** Rheinland-Pfalz can help you.

You can find more information about the WelcomeCentre and the relevant contact details here: <https://www.ihk.de/pfalz/produktmarken/fachkraeftesicherung/welcome-center-rheinland-pfalz>

You can find more information about **skilled workers** and the relevant contact details here: <https://www.ihk-rlp.de/produktmarken/fachkraeftesicherung>

Job centre

Holders of a right of residence with an opportunity are entitled to benefits under SGB II (citizen's allowance/Bürgergeld) and receive an employment permit.

Saxony-Anhalt's Ministry of Labour, Social Affairs, Health and Equality has provided a checklist for the transition to SGB II/benefits from the job centre in German, English, French, Russian, Arabic, Hindi, Persian, Urdu and Hindi (PDF files, as of 8 March 2023):

- [Deutsch](#)
- [Englisch](#)
- [Französisch](#)
- [Russisch](#)
- [Arabisch](#)
- [Persisch](#)
- [Urdu](#)
- [Hindi](#)

Securing your livelihood

"In the context of Section 25b AufenthG, it is not necessary to secure the means of subsistence completely, but only predominantly. This means that more than 50 per cent of the needs of the applicant and the community of need must be covered by gainful employment. This is not even relevant if it can be expected that the applicant will be able to support themselves in the future when considering their schooling, training, income and family

situation (see Section 25b (1) sentence 2 no. 3 AufenthG)." (Proasyl) Further information at proasyl.de

Here is the paragraph in simplified language:

If you do not live alone, the so-called 'community of need' counts for the assessment of your livelihood. This means that they will look at who you live with and whether you earn and spend money together - for example, whether you pay rent or go shopping together.

Your livelihood is considered to be predominantly secured if more than half of the money in your benefit community is earned through work. You or your benefit community must also be able to pay the rent yourself - without support from the state.

However, some state assistance is not considered negative ('harmless'). These include

- **Housing benefit/Wohngeld,**
- **Pensions or unemployment benefit I/Renten oder Arbeitslosengeld 1,** if you or your family have paid contributions for these,
- **Child benefit/Kindergeld,**
- **scholarships for training or studies.**

These benefits are assessed as own income.

However, assistance such as the **citizen's allowance (formerly Hartz IV)**, which is not based on your own contributions, **is not regarded** as earned income.

The authorities must be able to assume that you or your family will be able to support yourselves in the future - for example, because you are already working, have a concrete job offer or have good chances on the labour market (e.g. through training and language skills).

Caution: Do not make false job offers. This can have serious consequences for you and the other person.

However, there are also **exceptions**. You do not have to support yourself completely if, for example, you are

- **are studying or doing a recognised apprenticeship,**
- **have children and need temporary support,**
- **are a single parent with young children and are unable to work,**
- **are caring for close relatives,**
- **are unable to work due to illness or disability (a medical certificate or pension certificate is required),**
- **or have reached retirement age.**

If you have any questions, your immigration office will be happy to help you.

„Chancenaufenthalt“/Opportunity-Residence-Act:

Identity/Obtaining a passport

If you wish to obtain or renew a national passport, you must go to the embassy of your home country.

If you have applied for asylum, you usually have to hand in your passport at the immigration office - if you have one. If you do not have a passport, you are obliged to help obtain an identity document (§ 15 Asylum Act). **However, you do not have to go to the embassy of your home country while your asylum procedure is ongoing, especially if you have been persecuted there.**

If you have been recognised as a refugee or have been granted asylum, **you do not have to apply for a passport at the embassy at a later date.** You will receive your own travel document from Germany. If you nevertheless apply for a passport from your country of origin, this can be a problem: The authorities may then think that you are accepting protection from that state again. In such a case, your protection status/Schutzstatus in Germany can be reviewed and possibly revoked (§ 73 Asylum Act).

If you have **subsidiary protection/subsidiärer Schutz or a ban on deportation/Abschiebungsverbot** applies, **you must always help to obtain a passport.** However, you will also receive a residence permit without a passport. If you cannot reasonably be expected to obtain a passport, you will receive a replacement document (Section 48 Residence Act).

If you have a **tolerated stay permit/Duldung**, **you must co-operate in obtaining a passport or replacement documents.** If you do not do this and therefore cannot be deported, you will receive a special tolerated stay for persons with an unclear identity (§ 60b Residence Act). ◇ You can find further information here: : [Informationsverbund Asyl & Migration - Passbeschaffung und Ersatzpapiere](#)

Mitwirkung/cooperation

It is difficult or even impossible for many people to obtain a passport. That is why it is important that each individual concerned seeks advice on their own case. A counselling centre or a law firm can help you. Please note that counselling at a law firm can be very expensive. **You can find counselling centres near you here:** <https://handbookgermany.de/de/local-search> . Enter the city in which you live and search for ‘asylum, right of residence or legal advice’.

If all steps have been taken to clarify your identity but have been unsuccessful, the immigration authority may, at its discretion, **refrain from clarifying your identity** (see § 25a Para. 6 AufenthG, § 25b Para. 8 AufenthG). Further information: [hier](#)

An exception has been made for the clarification of identity that is actually required for persons who wish to switch from the right of residence based on opportunity to a residence permit in accordance with Section 25a AufenthG. This applies if they have previously completed all necessary and have taken reasonable measures to clarify their identity but have

nevertheless failed to do so (Section 25a (6) AufenthG). Further information:

<https://www.proasyl.de/hintergrund/hinweise-zum-chancen-aufenthaltsrecht/>

If cooperation in clarifying your identity has been proven, the residence permit can be granted, i.e. approved, at the discretion of the immigration authority in accordance with Sections 25a or 25b AufenthG even without the presentation of a passport.

Misrepresentation of identity

Reasons for refusal: The foreigner must not have repeatedly and wilfully misrepresented his or her identity or made false statements:

"The residence permit pursuant to sentence 1 shall be refused if the foreigner has repeatedly and wilfully made false statements or misrepresented his or her identity or nationality, thereby preventing his or her deportation. For the application of sentence 1, the periods specified in Section 60b (5) sentence 1 shall also be taken into account." (Section 104c (1) sentence 2)

This is a so-called 'bound discretion' ('shall be denied')/"gebundenes Ermessen", i.e. an exercise of discretion that is regularly interpreted to the detriment of the person concerned in such cases.

The BMI states:

'A deception about nationality occurs if the foreigner himself and deliberately

- states a different nationality than he actually possesses,
- conceals a nationality despite being asked about all nationalities or
- incorrectly states that he does not possess any nationality.' (Application instructions BMI 23.12.2022)

A distinction must be made between different cases:

- **False declaration of nationality:** This is always a deliberate deception.

- **Other nationality concealed:** Here it depends on whether the person knew,

1. that they have several nationalities, and
2. that they must declare all of them.

- **Statelessness declared:** It depends on the individual case - especially whether the person knew that they had a nationality after all and whether they used it.

Important:

In order for the opportunity to stay to be excluded, the deception or concealment must be the main reason why deportation was not possible.

If there are other reasons - for example illness or lack of flight connections - then the opportunity stay is still possible. In such cases, false information no longer plays a role.

Principle:

Only your own active actions count.

Minors or persons whose information was provided by parents or carers are generally not affected.

Furthermore:

These grounds for exclusion are not intended to undermine the purpose of the law. The point is precisely to clarify identity during the 18 months of the residence permit.

The BMI reiterates this:

"If the identity is clarified during this period of validity and it emerges that the foreigner was previously deceptive, this realisation does not lead to the expiry of the residence permit. It is the intention of the law that 'honesty' should not have a detrimental effect on the foreigner. With the identity now clarified, the requirement of Section 5 (1) sentence 1 no. 1a AufenthG for the subsequent title is also fulfilled." (Application notes BMI 23.12.2022)

Further information at: berlin-hilft.com

Bleiberecht und Perspektiven

English!

Most important informations about

§25a AufenthG

“Aufenthaltsgewährung bei gut integrierten Jugendlichen und jungen Volljährigen”



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Bleiberecht und Perspektiven RLP

Requirements

- You are 14 to 27 years old
- You have had a “Duldung” for at least 12 month
- You have been legally and uninterruptedly been in Germany at least for 3 years



Requirements

- You have successfully visited school in Germany for at least 3 years



“successful” in this case means, that you were present most of the time and you will most likely pass your degree

- You can adapt into the German living conditions and dont have any anti-democratic aims



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Bleiberecht und Perspektiven RLP

What else is important?

- Your identity is clarified or you can prove that you have done anything possible for the clarification
- The permit will be extended, if the requirements are still met
- temporarily receiving social benefits is not a problem
- §25a does usually NOT entitle to family reunion



It is **NOT POSSIBLE** to apply for §25a if

- You prevent the termination of residence by intentionally providing false information regarding your identity
- You have been convicted to 50 daily rates (or 90, if it were crimes, only foreigners can commit)



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**If any of this applies to you or
someone in your surroundings,
please contact a counseling
center or reach out to us
through the form on our website
or via email**

bup@fluechtlingsrat-rlp.de



Bleiberecht und Perspektiven

English!

Most important informations about

§25b AufenthG

“Aufenthaltsgewährung bei nachhaltiger
Integration”

Requirements

**For people, who live in a household
WITHOUT_minors**

- You have legally and uninterruptedly been in Germany for 6 or more years
- You acknowledge the "freiheitlich demokratische Grundordnung" (FDGO) and have general knowledge about the German law and ways of living



Requirements

For people, who live in a household **WITH**
minors

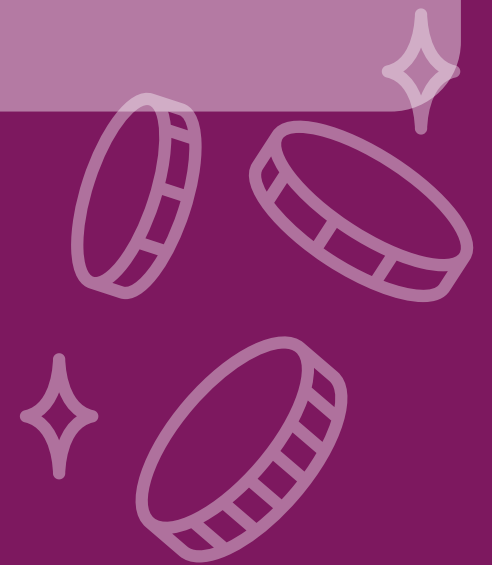
- You have legally and uninterruptedly been in Germany for 4 or more years
- You can verify that school-age minors are going to school ("**Schulbescheinigung**")



Requirements

For everyone

- You can speak German (oral level A2)
- You secure more than half of your livelihood yourself



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Bleiberecht und Perspektiven RLP

It is **NOT POSSIBLE** to apply for §25b if

- You prevent the termination of residence by intentionally providing false information regarding your identity
- There is an interest in deportation as per §54 Abs.1 or Abs. 2 Nr. 1&2 AufenthG



This includes, among other things, the conviction of criminal offenses or engagement in activities contrary to FDGO



Attention

- Unfortunately, just like §25a, §25b AufenthG does **not entitle to family reunion**



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Bleiberecht und Perspektiven

English!

Most important informations about

§104c AufenthG

“Chancen-Aufenthaltsrecht”



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Bleiberecht und Perspektiven RLP

Requirements

- You have entered Germany before 01.11.2017
- Since then you are uninterruptedly and legally in Germany
- You were **NOT** convicted to more than 50 (or 90) daily rates
- You acknowledge the “freiheitlich demokratische Grundordnung” (FDGO)



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Bleiberecht und Perspektiven RLP

What is NOT necessary for applying §104c

- a clarified identity
- a Passport
- Labour
- formal German skills



Important

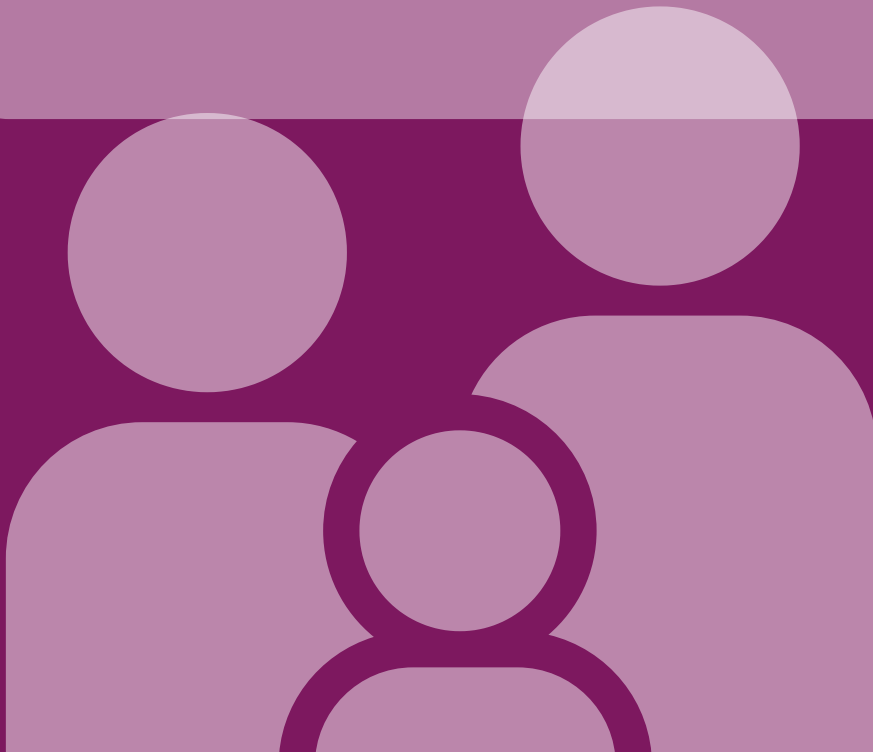


- This residence permit is only issued for 18 month!
- after the 18 month **it CAN'T be extended!**
- within the 18 month, you can apply for a residence permit in accordance to **§25a oder §25b AufenthG**
- the last Day, you can apply for §104 is **31.12.2025**



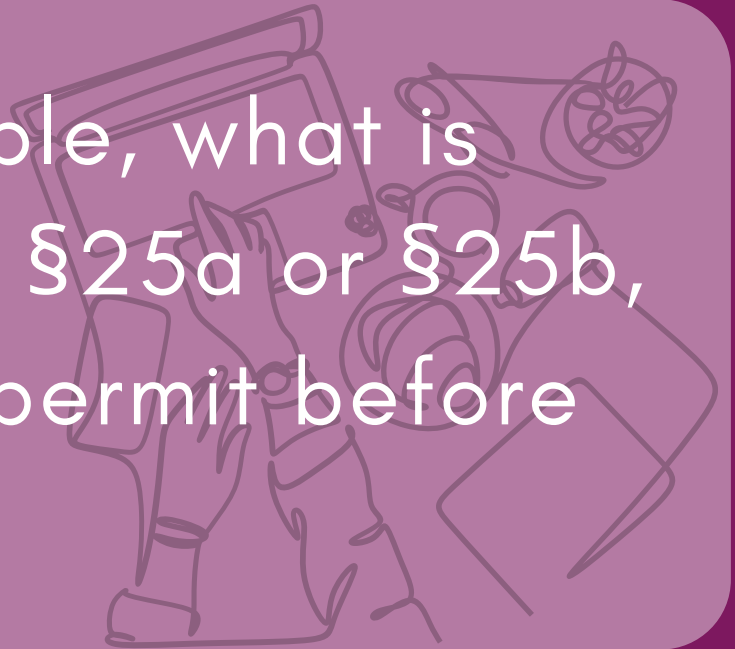
What else?

- family members can get a permit according to §104c as well, even if they didn't enter Germany before 01.11.2017
- §104c includes a working permit



Hints for §104c AufenthG

- Check as soon as possible, what is missing for applying for §25a or §25b, so you can receive the permit before the 18 month are over



For informations about §25a and §25b
AufenthG check our other info slides

- If you can't understand the FDGO in german, you are allowed to bring an interpreter/translator



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Bleiberecht und Perspektiven RLP

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