

## General information

The United Kingdom (UK) withdrew from the European Union (EU) with a ratified withdrawal agreement on 31 January 2020, so-called Brexit.

In order to achieve widest possible clarity, we will provide current information concerning the right of residence of UK nationals and their family members concerned, naturalisation of UK nationals in Germany. Feel free to contact the staff of the foreign authority if you have any further question using either phone (0911 9773 0) or mail ([auslaender-personenstandswesen@ira-fue.bayern.de](mailto:auslaender-personenstandswesen@ira-fue.bayern.de)).

## Right of residence as from 1 January 2021 under the withdrawal agreement

According to the withdrawal agreement, free movement rights will apply permanently as from 1 January 2021 to UK citizens and their family members who are living and having their centre of life here or are working in Germany on 31 December 2020 and continue to do so after 31 December 2020. This right of residence already exists by law.

- As proof of your right of residence under the withdrawal agreement, you need a residence document (**Aufenthaltsdokument-GB**) from the Foreigners Office.
- In order to be able to obtain the new residence document (Aufenthaltsdokument-GB), UK citizens must **register** their **residence** at the Foreigners Office responsible for their place of residence **by 30 June 2021** (see section 16 sub-section 2 sentence 2 Freedom of Movement Act/EU).
- **Third-country nationals who are family members** of UK nationals who are entitled to residence under the withdrawal agreement, do not have to register their residence if they already hold a residence card or permanent residence card. The card will remain valid until 31 December 2021 and will be exchanged at the Foreigners Office beforehand for a new residence document (Aufenthaltsdokument-GB), which they will need as from 1 January 2022.

## Procedure of the Foreigners Office

Please **send us** the residence registration form, duly completed and signed by hand, by e-mail as a PDF file to [auslaender-personenstandswesen@ira-fue.bayern.de](mailto:auslaender-personenstandswesen@ira-fue.bayern.de) or by post with the following necessary **documents** attached:

- A copy of your **passport(s)** and, if applicable, the passports belonging to any family members living with you and who are concerned
- **What additional documents need to be provided?**

If you belong to one of the following groups described below, please attach the listed documents to your registration form. Preferably this should be done via e-mail as PDF file, postal copies are accepted though.

**You have been living in Germany for over five years without interruption and you belong to one of the following categories:**

- **Employee:** Pension information notice including a documentation about your social insurance history (see [Insurance Office](#))
- **Self-employed/ Freelancer:** Income tax assessments for the five years
- **Pensioner:** Proof of pension by the social security authority
- **Student:** School reports/ exams
- **Permanent resident:** If you already have a certificate of permanent residence, please send us a copy

**You have been living in Germany for less the five years and you belong to one of the following categories:**

- **Employee:** The latest salary sheet
- **Self-employed/ Freelancer:** Proof of either business registration or profit after tax
- **Pensioner:** Proof of pension by the social security authority
- **University student:** Certificate of matriculation
- **Student:** School report or certificate of registration at school

If none of the examples listed above applies to you, please only send us your registration form and the copy of your passport. We will contact you.

- Our **postal address** is:

Landratsam Fürth  
- Ausländerbehörde -  
Im Pinderpark 2,  
90513 Zirndorf

- You will have time **until 30 June 2021** to register your residence at our office.
- After the receipt of your residence registration, we will send you a **confirmation of registration**. This also serves as proof that your right of residence in Germany will continue to apply from 1 January 2021 and that you are allowed to continue to work until the residence document (Aufenthaltsdokument-GB) is issued. You can therefore present your confirmation of registration as proof, for example, to authorities, your employer and the Federal Police during the border control for re-entry.

- After the examination of your residence registration, you will have to book a binding **appointment** for a personal visit and, if applicable, for your family members. You will receive a confirmation of the appointment.
- If all documents are complete at your personal visit, we will order your **residence document (Aufenthaltsdokument-GB)** at the Bundesdruckerei and send it to you by post as soon as we have received it.
- **Fees:** The fee for the residence document (Aufenthaltsdokument-GB) is **EUR 37** for persons aged 24 and over, and **EUR 22.80** for younger holders.

For family members who are already holding a permanent residence card, the residence document (Aufenthaltsdokument-GB) is issued **free of charge**.

### **Fictional certificate:**

In urgent cases, you may apply for a fictional certificate in addition to your residence registration until you receive your residence document (Aufenthaltsdokument-GB). A fee of EUR 13 is charged for the issuance of a fictional.

### **Important notice on re-entry**

In coordination with the **Federal Police**, the confirmation of registration from the Foreigners Office will serve as proof of your continued right of residence in Germany at the border control. Until you have received your requested fictional certificate or your residence document (Aufenthaltsdokument GB), you can therefore re-enter Germany by presenting our **confirmation of registration**.

If you have stayed in a risk area during the last ten days before re-entering Germany, you must observe the quarantine regulations of the Free State of Bavaria and fill out a **digital entry registration form**.

### **Notice for frontier workers**

Under the Withdrawal Agreement, the right to work as frontier worker already exists by law if, **on 31 December 2020**, you are working in Germany as

- an employee or as a civil servant and are have not merely been posted to provide a service for a foreign employer or
- self-employed and do not only provide transborder services in Germany, but have also established a business as self-employed person in Germany.
- British frontier workers within the scope of the Withdrawal Agreement who work as employees, as self-employed persons or as civil servants, but do not live in Germany, **must apply for a residence document for frontier workers (Aufenthaltsdokument für Grenzgänger-GB)** as proof.

- To apply for the residence document for frontier workers, **send us** the form for residence registration, duly completed and signed by hand, by e-mail as a PDF file to [auslaender-personenstandswesen@lra-fue.bayern.de](mailto:auslaender-personenstandswesen@lra-fue.bayern.de) or by post with the following required **documents**:
  - Copy of your **passport(s)**
  - **Employees/ civil servants**: a current salary statement
  - **Self-employed**: business registration and proof of profit after tax
- For clarification, please **tick** the answer "**Grenzgänger\*in/ frontier worker**" in the form under "Purpose of stay"(Aufenthaltszweck).
- **Fees**: The fee for the residence document for frontier workers is **EUR 37** for persons aged 24 and over, and **EUR 22.80** for younger holders.
- **Fictional certificate**: In urgent cases, you can apply for a so-called fictional certificate in accordance with section 81 (3) of the Residence Act using the form for residence registration until you receive your residence document for frontier workers. A fee of EUR 13 is charged for the issuance of a fictional certificate. The fictional certificate serves as proof of your right to enter and work as a frontier worker, but not to take up residence. It therefore includes the note "Gainful employment as a frontier worker permitted; no main residence in Germany".

### **Notice for employers and employees**

- **Until 30 June 2021**, an employed person covered by the withdrawal agreement is entitled to work even without a residence document.
  - This applies in particular to family members who are third country nationals and in possession of a residence card or permanent residence card as well as to UK nationals who were already legally working in Germany before 1 January 2021.
  - Employers can continue to employ these people without proof and do not have to keep any additional documents.
  - After receipt of the residence registration, the persons concerned will be issued a registration confirmation stating that employment is permitted. The registration confirmation may serve as proof until the residence document is issued.
- **After 30 June 2021**, UK nationals entitled under the withdrawal agreement should also submit their residence document to their employers.

- A note in the personal file stating that a residence right under the withdrawal agreement applies is certainly useful, but not required by law.
  
- **UK nationals, who enter Germany on or after 1 January 2021** and who do not hold a residence document or a relevant residence title, require, like other third-country nationals, permission from the competent Foreigners Office to take up any employment.