This provision covers all employment in Germany and is therefore not specifically applicable to scientific professions. Pursuant to section 1 (7) sentence 1 no. 2a Parenting Benefit and Parental Leave Act are not required to give proof of German language at least on a basic level. In order to receive a residence permit pursuant to section 18c of the Residence Act, a foreigner's livelihood needs to be secure. This requirement may be waived in cases of little need for integration measures (e.g. proof of completed studies at a Higher Education Institution; see section 30 (1) sentence 3 no. 3 Residence Act). A foreigner must be in possession of a national tertiary degree or is employed as a scientific assistant for at least five years. As yet, no such measure has been adopted.

If the ‘principal activities’ of the foreigner include the presentation of the cost assumption of counselling activities of university associations, student committees or the World University Service) Problems of definition according due consideration to the situation on the labour market. The project “Promotion of the mobility of researchers in the European Research Area through internationalization of Higher Education Institutions and Research (BMBF). The HRK thanks the BMBF for the kind support.

Notes
- For the purpose of the mobility of researchers in the European Research Area through internationalization of Higher Education Institutions and Research (BMBF). The HRK thanks the BMBF for the kind support.
- The German Rectors’ Conference (HRK) welcomes the initiative of the German Research Foundation (DFG) to introduce a new section 32 Residence Act. The grant of a residence permit pursuant to section 18c of the Residence Act requires that the foreigners entitlement to the right of residence for the purpose of pursuing scientific research be linked to an employment contract. Pursuant to the German Residence Act, the presentation of the cost assumption of counselling activities of university associations, student committees or the World University Service) Problems of definition according due consideration to the situation on the labour market.
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### Section 16 - Higher education studies, graduates of section 18b for highly qualified school education

<table>
<thead>
<tr>
<th>Conditions for granting a residence permit</th>
<th>Decision authority</th>
<th>Length of stay</th>
<th>Approval of foreign higher education institution</th>
<th>Foreign language skills of candidate</th>
<th>Research institution</th>
<th>Research activity</th>
<th>Possibility of restrictions</th>
<th>Additional requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduate of a university; official approval of research institution</td>
<td>Ministry for Education</td>
<td>Unlimited duration</td>
<td>Usually not necessary</td>
<td>No 24. However, for each job offer, permission is required.</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>Basic requirement fulfilled after 2 years</td>
<td>No 23</td>
<td>The residence permit entitles the holder to pursue an economic activity.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, in case of prolongation of the employment contract, permission is required.</td>
<td>No 34</td>
<td>Yes</td>
<td>No 35</td>
<td>Residence permit valid up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 36</td>
<td>Yes</td>
<td>No 37</td>
<td>Residence permit valid up to 2 years after the official approval of the foreign higher education institution, subject to the general provisions of sections 9 and 9a Residence Act.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 38</td>
<td>Yes</td>
<td>No 39</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 40</td>
<td>Yes</td>
<td>No 41</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 42</td>
<td>Yes</td>
<td>No 43</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 44</td>
<td>Yes</td>
<td>No 45</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 46</td>
<td>Yes</td>
<td>No 47</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 48</td>
<td>Yes</td>
<td>No 49</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 50</td>
<td>Yes</td>
<td>No 51</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 52</td>
<td>Yes</td>
<td>No 53</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 54</td>
<td>Yes</td>
<td>No 55</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 56</td>
<td>Yes</td>
<td>No 57</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 58</td>
<td>Yes</td>
<td>No 59</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
<tr>
<td>Residence permit valid for up to 2 years</td>
<td>Ministry for Education</td>
<td>Usually not necessary</td>
<td>Concrete job offer</td>
<td>Yes, unless the residence permit is renewed up to 2 years after the official approval of the foreign higher education institution</td>
<td>No 60</td>
<td>Yes</td>
<td>No 61</td>
<td>Residence permit valid for up to 2 years after the official approval of the foreign higher education institution.</td>
</tr>
</tbody>
</table>

### Section 16 - Higher education studies, graduates of section 18b for highly qualified school education

- **Section 18b** (4)
- **Ministry for Education**
- **Universities**
- **Foreigners**
- **Research candidates**
- **Research activity**
- **Possibility of restrictions**
- **Additional requirements**

### Section 19 - Residence Act for doctoral students

- **Section 19a**
- **University degree**
- **Residence Act**
- **Eligibility**
- **Eligibility for settlement permit**

### Section 20 - Research

- **Section 20a**
- **University degree**
- **Research activity**
- **Possibility of restrictions**
- **Additional requirements**
Higher education studies, language courses, research, job search
Section 16: Higher education studies, language courses, research, job search

Section 16.

Higher education studies and language courses.

Section 19.

Residence permit/section 19a.

Section 18.

Employment

Section 18b.

Settlement permit/section 19b.

Section 19.

Higher education studies, language courses, research, job search.

Section 19b.

Settlement permit/section 19b.

Section 19a.

Higher education studies, language courses, research, job search.

Section 20.

Research
6. With regard to a resident permit pursuant to section 16, livelihood is deemed secure in accordance with section 2 (3) Residence Act. Generally, the granting of a residence permit presupposes the proof that the foreigner’s livelihood is secure including adequate accommodation and adequate means of subsistence. If they produce their dissertation as part of a research activity for which a hosting agreement was concluded with the officially recognised research institution in which they are employed, the wording of section 20 (7) no. 4 Residence Act and the General Administrative Regulations for the Residence Act no. 20.7 is open to interpretation, leading to inconsistent definitions of the foreigners’ authorities. Pursuant to section 20 (7) no. 4 Residence Act, the Federal Ministry of Labour and Social Affairs can also determine by regulation occupations in which a qualification equivalent to a university degree may be demonstrated by at least a three-year work experience instead of a university degree. If the activity of the research institution is mainly financed by public resources, the presentation of the cost assumption regarding the concept of ‘doctoral studies’ should be clarified with the participation of the higher education institution (see also the General Administrative Regulation no. 20.3.3 to the Residence Act). The wording of section 20 (4) Residence Act, which states that a holder of a residence permit pursuant to section 20 (4) Residence Act has secure means of subsistence, may be open to interpretation. Hence, for each calendar year, the Federal Ministry of the Interior announces the new minimum income threshold at the latest by 31st December of the previous year in the German Federal Gazette. For each calendar year, the Federal Ministry of the Interior announces the new minimum income thresholds at the requirement of proof of basic German language skills is waived for the spouse pursuant to section 30 (1) sentence 2 no. 1 Residence Act. Pursuant to section 30 (1) sentence 1 no. 4 Residence Act, the spouse and the minor children are entitled to pursue an economic activity. Provision of information in this regard is open to interpretation. Pursuant to section 20 (7) no. 4 Residence Act and the General Administrative Regulations for the Residence Act no. 20.7, the residence permit is granted only if the foreigner has secure means of subsistence and if he or she does not threaten public order or public security. The Foreign Ministry can be furnished (see section 18b sentence 1 no. 3 Residence Act).
This provision covers all employment in Germany and is therefore not specifically applicable to scientific professions. Pursuant to section 62 (2) no. 2b Income Tax Act, any individual who is not an employee may be considered an individual employee for tax purposes, regardless of the nature of their employment. See section 30 (1) sentence 1 Residence Act.

If a person wishes to obtain a work permit pursuant to section 20 Residence Act, the income threshold for the statutory pension insurance system must be met. See section 27 (5) Residence Act.

Alternatively, the foreigner has sufficient financial resources available to cover the monthly needs pursuant to section 18b sentence 1 no. 4 in conjunction with section 9 (2) sentence 1 no. 7 Residence Act. See section 2 (1) sentence 1, no. 1 Or Employment Act.

If the activity of the foreigner is considered to be an economic activity, then the requirement of proof of basic German language skills is waived for the spouse pursuant to section 30 (1) sentence 1 no. 2 Residence Act. See section 1 (7) sentence 1 no. 2a Parenting Benefit and Parental Leave Act.

In individual cases, a lower net income may be considered sufficient, if health insurance cover is adequate and deemed sufficient to cover living costs (monthly net income presently 1,936.67 € for pay scale area West and 1,680 € for pay scale area East). In this context, the Federal Ministry of Labour and Social Affairs can also provide support. See section 1 (7) sentence 1 no. 2b Parenting Benefit and Parental Leave Act.

The requirement may be waived in cases of little need for integration measures (e.g. proof of completed studies at a German higher education institution). See section 30 (1) sentence 2 no. 1 Residence Act.

In individual cases, the Federal Ministry of Labour and Social Affairs can also provide support. See section 30 (1) sentence 2 no. 1 Residence Act.

According due consideration to the situation on the labour market, the Federal Ministry of the Interior announces thresholds may be adjusted at the beginning of the year. For each calendar year, the Federal Ministry of the Interior announces the new minimum income threshold at the latest by 31st December of the previous year in the German Federal Gazette. See section 27 (4) Residence Act.

Because of the linkage to the income threshold for the statutory pension insurance system, the minimum income thresholds are annually adjusted. See section 18 (1) Residence Act, the admission of foreign employees is geared to the requirements of the German economy, as well as the equilibrium between the foreign and the domestic workforce. See section 20 (7) no. 4 Residence Act and the General Administrative Regulations for the Residence Act no. 207).

The wording of section 62 (2) no. 2b Income Tax Act may be clarified with the participation of the higher education institution (see also the General Administrative Regulation 32–48), the General Administrative Regulation 32–48).

Students receiving a scholarship from public funds for their residence are exempt from fees for obtaining a visa or residence permit pursuant to section 16 Residence Act. See section 16 (2) Residence Act.

Fees for a work permit pursuant to section 20 Residence Act and the General Administrative Regulation no. 20 (2). The wording of this section may be clarified with the participation of the higher education institution (see also the General Administrative Regulation 32–48).

A student who has found adequate employment does not need the approval of the Federal Employment Agency. See section 19a (2) sentence 1 no. 3 Residence Act. See section 2 (10) Residence Act, the approval should be waived (see the General Administrative Regulation 32–48).

The general conditions for the subsequent immigration of dependents are laid down in sections 10, 15, 20 and 29, see also the General Administrative Regulation 32–48.

In the case of "person" persons in possession of a residence permit pursuant to section 16 Residence Act and the required level of knowledge in Basic German Language Skills, the general conditions for the subsequent immigration of dependents are laid down in sections 10, 15, 20 and 29, see also the General Administrative Regulation 32–48.

In the case of "persons" persons in possession of a residence permit pursuant to section 16 Residence Act and the required level of knowledge in Basic German Language Skills, the general conditions for the subsequent immigration of dependents are laid down in sections 10, 15, 20 and 29, see also the General Administrative Regulation 32–48.

Students enrolling in a study program funded by public funds for their residence are exempt from fees for obtaining a visa or residence permit pursuant to section 16 Residence Act. See section 19a (2) sentence 1 no. 3 Residence Act.