

Visa, residence and work permits for internships during and after your studies



INFORMATION FOR

INTERNATIONAL STUDENTS

Visas, residence and work permits
before, during and after your studies



2.2.8 Travel abroad

With a German residence title you have the benefit of freedom to travel within the Schengen area and can therefore travel to the Schengen states¹⁰ without border controls and stay there for up to three months within a six-month period. For this you need to carry your passport, your residence title and sufficient means of subsistence.

Apart from this the following must be taken into account: You should also note the following: any stay outside Germany that lasts longer than six months will automatically lead to forfeiture of the residence permit unless a longer period has previously been agreed expressly and in writing with the Foreigners Registration Department. The only exception is stays abroad where you make use of the option provided by EU Directive 2016/801¹¹ to complete part of your studies in another EU member state where the directive applies.¹²

Internships during studies

4.1 Students from EU states

Students from the EU states enjoy freedom of movement for workers and may engage in internships unrestrictedly.

4.2 Students from non-EU states

Students from non-EU states must take the following into account:

4.2.1 Internship abroad

An internship abroad is possible. Please check whether you need a visa for this (see above no. 2.2.8). If you intend to leave the country for longer than six months for your internship, you must be interviewed priorly – presenting the internship contract – at your local Foreigners Registration Department office and agree a correspondingly longer period for a temporary exit. If you do not do this, your residence permit will expire after six months.

4.2.2 Obligatory internships

In the case of obligatory internships stipulated in the study and examination regulations as a mandatory component of a course of studies, there are no particularities of residence law to be taken into account, i.e. an obligatory internship will always be permitted to you. The occupation involved in an obligatory internship will also not be credited to the 120 days of permitted occupation.

4.2.3 Voluntary internships

In terms of residence law, internships not stipulated in the examination regulations as a mandatory component of a course of studies are assessed as normal employment circumstances and are usually

¹⁰ Schengen states are: Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Switzerland. See under www.auswaertigesamt.de/DE/Infoservice/FAQ/VisumFuerD/17-Schengenstaaten.html?nn=350374

¹¹ Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing; see <http://eur-lex.europa.eu/legalcontent/EN/TXT/?uri=CELEX:32016L0801>.

¹² The directive does not apply in the member states Denmark and Ireland.

possible only in the context of the 140-day rule-exceptions are practical examination projects and study-related activities at universities / research institutions. An internship counts as a job regardless of whether it is paid or unpaid.

If for example you intend to do a six-month internship or have already used up the 140 days for temporary work, the following applies:

Students from non-EU states need a permit from the Foreigners Registration Department, which must obtain the consent of the ZAV for this. The Foreigners Registration Department will first check whether the internship will mean that the maximum duration of ten years for a course of studies is exceeded, and ZAV certain whether it is an education-oriented internship (in which you will be learning something that contributes to your field of study) and not just a badly paid job.

Right of residence after studies for international graduates of German universities

7.1 Graduates from EU states

EU citizens, nationals of EEA states and Swiss citizens enjoy freedom of movement for workers and may exercise any occupation without the need for an interview at the Foreigners Registration Department.

7.2 Graduates from non-EU states

7.2.1 Residence permit for the purpose of seeking work

Following successful conclusion of your studies in Germany your residence permit may be extended by up to 18 months for the purpose of looking for a job commensurate with the degree. To this end you must apply at the local Foreigners Registration Department office for an extension to your residence permit according to § 20 Para. 1 No. 1 AufenthG. Your studies are regarded as finished as soon as the university has certified the passing of the last examination in writing. It is not a question of when you were exmatriculated or when you receive your credentials. At all costs therefore keep the letter and/or envelope with its postmark with which you received the confirmation from the university that you passed the final examination.

During the 18 months available to you to look for a job commensurate with your degree, you may carry out unrestrictedly any gainful employment, including any internship or trainee post. You may also work self-employed or as a freelancer during your search for a job.

To receive the residence permit for the purpose of seeking employment, you must continue to prove that you can provide your means of subsistence yourself. The same conditions apply to the type of proofs as described above under no. 2.2.6.

7.2.2 Internship abroad

During these 18 months you may also complete an internship abroad. However, any stay outside Germany that lasts longer than six months will automatically lead to forfeiture of the residence permit unless a longer period has previously been agreed expressly and in writing with the Foreigners Registration Department. It is therefore recommended that you present yourself with the internship contract at your local Foreigners Registration Department office and reach the necessary agreements.

7.2.3 Change in doctorate or master study course

Both during and directly following the 18 months of the job search you may begin a doctorate or master study course. To this end you must again apply for a residence permit for the purpose of study. The same rules as described under nos. 2, 3, and 4 apply. If you do not finish the masters or doctorate you are not entitled to any remaining months of the “old” 18 months for the job search. If you gain a new degree, you may again apply for a residence permit according to § 20 Para. 1 No. 1 AufenthG for 18 months to look for a job.

7.2.4 Job search after first job abroad

If you go abroad for a job directly after completing your studies, you can no longer apply for a residence permit in accordance with § 20 Paragraph 1 No. 1 AufenthG. This option is only available immediately after graduation.

However, if you intend to look for a job in Germany afterwards, you can visit a local German diplomatic mission abroad and request a visa in the form of a 'Chance card' in accordance with Section 20a (3) AufenthG for the purpose of job seeking, which can be issued for 12 months. In contrast to a residence permit in accordance with § 20 Para. 1 No. 1 AufenthG, however, you are not allowed to work without restriction with a 'Chance card' in accordance with § 20a Para. 3 AufenthG and must prove that you have sufficient financial resources to cover your living expenses in Germany for the duration of your job search. Only jobs totalling a maximum of 20 hours per week are permitted, as well as probationary employment for a maximum of two weeks at a time. You must ensure that probationary employment is for qualified workers, i.e. that they require a university degree. You may undertake trial employments with various employers after receiving your 'Chance card' but may not work for the same employer for longer than two weeks.

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This information brochure is intended to provide international students who choose to study in Hamburg with the most important information about aspects of their life in Hamburg and the various rights of residence. It does not replace personal consultation on important matters as offered by many bodies in Hamburg mentioned in this brochure.

The information brochure describes the legal position in July 2024. It is intended that legal changes will be updated promptly. Nevertheless legal changes, as well as changes to addresses or telephone numbers, may impair the accuracy of this brochure or make parts of it invalid. The editors will be happy to receive any information in this respect.

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