



INFORMATION SHEET ON „AUSBILDUNGSDULDUNG“ (exceptional leave to remain for apprenticeships)

! The legal regulation is to be found in § 60a section 2 sentence 4 ff. Aufenthaltsgesetz (AufenthG).

What does “Ausbildungsduldung” mean?

There are different forms of “Duldung” (exceptional leave to remain). If I have an “Ausbildungsduldung” I, can stay for the duration of my apprenticeship in Germany. If I have successfully completed my apprenticeship, I can receive a residence permit for another two years in order to work in that job. This is called the “3+2 regulation” („3+2 Regelung”).

When can I receive an “Ausbildungsduldung”?

- ✓ I currently have a “Duldung” (following § 60a, see the information on Duldung),
- ✓ I am at least 14 years old – there is no upper limit for the age,
- ✓ I find a apprenticeship position:
 - ✓ This position has to be acknowledged as a **“qualified apprenticeship”**. This means that it is an in-company training in a state-approved company or comparable skilled occupation, for example a school-based training.
 - ✓ The apprenticeship has to have a duration of at least two years. At the end a state-approved or comparable qualification of the apprenticeship is received.
- ✓ I have proof of the enrollment onto the apprenticeship:
 - ✓ Original and copy of the signed apprenticeship contract,
 - ✓ Proof of the entry of the apprenticeship into the apprentices’ register
 - ↪ **or** proof of the verification (“verified-stamp” on the original paper) of the apprenticeship contract by the responsible office
 - ↪ **or** in case of apprenticeships at vocational schools or colleges: the verification of the apprenticeships by the state or state-approved school.
- ✓ The length of time between between the application and start of the apprenticeship is regulated differently in each federal state. This period can be between 6 weeks and 6 months. If required, please get support.
 - ▶ It is possible to receive a “Duldung” for the period until the start of my apprenticeship if take part in a “vocational preparation” („berufsvorbereitende Maßnahme”).
- ✓ I have a passport or passport substitute or a residence permit or other identity documents (for example: copy of passport, driving license, certificate of birth, extract of civil register)
 - ↪ **or** I can prove that I applied for a passport, a passport substitute or a residence permit. ! It is important that I can prove my effort in obtaining a passport: for example I can present the written confirmation of my visit at the embassy or prove that I contacted state agencies in my home country to issue a passport.
 - ↪ **or** I can prove that in the near future I can’t receive any identity documents from the diplomatic mission of my home country and further attempts would be unreasonable unbearable (this means: cannot be required of me)
 - ↪ **or** in case of total lack of passport/ proof of identity: I can prove that I tried everything to obtain a passport and clarify my identity (this means: to fulfill the legal obligation to cooperate).
- ! When my identity is legally clarified, the foreigner registration office has to grant me the work permit.



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