

Immigration Law (2005)

Abstract

This law resulted from a compromise between the Social Democrats and the Christian Democrats in June 2004. As Germany's first comprehensive immigration law ever, it marks a symbolic threshold in the country's legislative and political history.

Source

Act on the Residence, Economic Activity and Integration of Foreigners in the Federal Territory

Section 1

Purpose of the Act; scope

(1) This Act shall serve to control and restrict the influx of foreigners into the Federal Republic of Germany. It shall enable and organise immigration with due regard to the capacities for admission and integration and the interests of the Federal Republic of Germany in terms of its economy and labour market. At the same time, the Act shall also serve to fulfil the Federal Republic of Germany's humanitarian obligations. To this end, it shall regulate the entry, stay, economic activity and integration of foreigners. The provisions contained in other acts shall remain unaffected.

[...]

Section 19

Permanent settlement permit for highly qualified foreigners

(1) A highly qualified foreigner may be granted a permanent settlement permit in special cases if if the Federal Employment Agency has granted approval in accordance with Section 39 or it has been determined by statutory instrument pursuant to Section 42 or by intergovernmental agreement that the permanent settlement permit may be granted without approval from the Federal Employment Agency in line with Section 39 and there is reason to assume that integration into the way of life in the Federal Republic of Germany and the foreigner's subsistence without state assistance are assured. The *Land* government may stipulate that issuance of the permanent settlement permit pursuant to sentence 1 requires the approval of the supreme *Land* authority or a body designated by it.

(2) Highly qualified persons in accordance with subsection 1 are, in particular,

1. researchers with special technical knowledge or
2. teaching personnel in prominent positions or scientific personnel in prominent positions.

[...]

Section 43

Integration course

(1) Foreigners living lawfully in the federal territory on a permanent basis shall be provided with support in integrating into the economic, cultural and social life of the Federal Republic of Germany and are expected to

undertake commensurate integration efforts in return.

(2) Integration efforts by foreigners shall be supported by a basic package of measures to promote integration (integration course). The aim of the integration course shall be to successfully impart the German language, legal system, culture and history to foreigners. In this way, foreigners are supposed to become acquainted with the way of life in the federal territory to such an extent as to enable them to act independently in all aspects of daily life, without the assistance or mediation of third parties.

Source of the German original text: *Bundesgesetzblatt* (2004), p. 1950.

Source of English translation: Residence Act in the version promulgated on 25 February 2008 (Federal Law Gazette I p. 162), last amended Article 10 (4) of the Act of 30 October 2017 (Federal Law Gazette I p. 3618).

Translation: Language Service of the Federal Ministry of the Interior

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