

Information pursuant to section 18 (2) no. 4a of the Residence Act (AufenthG) – Requirement to have a concrete job offer

A foreigner and their employer assure that the employment on which the visa application is based will actually be pursued, i.e. that the foreigner actually has a “concrete job offer” with the intention for them to take up employment accordingly pursuant to section 18 (2) no. 1 of the Residence Act, and that it is not merely a sham employment contract created in order for the foreigner to obtain a residence title pursuant to Part 4 of the Residence Act.

The payment of a salary alone, without the intention for the employment to be pursued, is not sufficient.

Untrue declarations constitute “false information” and are punishable under section 95 (2) no. 2 of the Residence Act. If such an act is committed in return for a pecuniary advantage, this is punishable under section 96 (1) no. 2 of the Residence Act. The relevant aggravating factors are also applicable.

Visa offices and foreigners authorities have the option of involving law enforcement authorities if they have specific reason to believe that an employment contract is being entered into only as a sham, making it void pursuant to section 117 of the German Civil Code (BGB).

Information pursuant to section 82 (1) sentence 6 of the Residence Act (AufenthG) – Requirement to inform of any change of employer or employment status

Holders of an EU Blue Card are required to inform the competent foreigners authority of any change of employer and any changes affecting the conditions for granting a card (e.g. change in salary relevant for salary thresholds, change in employment affecting commensurateness with their qualification, change of job) within the first 12 months of taking up employment on the basis of the EU Blue Card.

If the card holder fails to provide this information or does not provide it on time, this can lead to the EU Blue Card being revoked (c.f. section 52 (2b) of the Residence Act). The information is provided on time if it is submitted without culpable hesitation after the relevant changes have occurred.

By signing below, I confirm that I have read and understood the above information, and I declare pursuant to section 18 (2) no. 4a of the Residence Act that I have a concrete job offer within the meaning of section 18 (2) no. 1 of the Residence Act and that I intend to take up employment on the basis of this job offer.

Place, date

Applicant's signature