

The Reform of the Skilled Immigration Act

Overview of newly introduced changes

What is "Make it in Germany"?

The German government's information portal for skilled workers

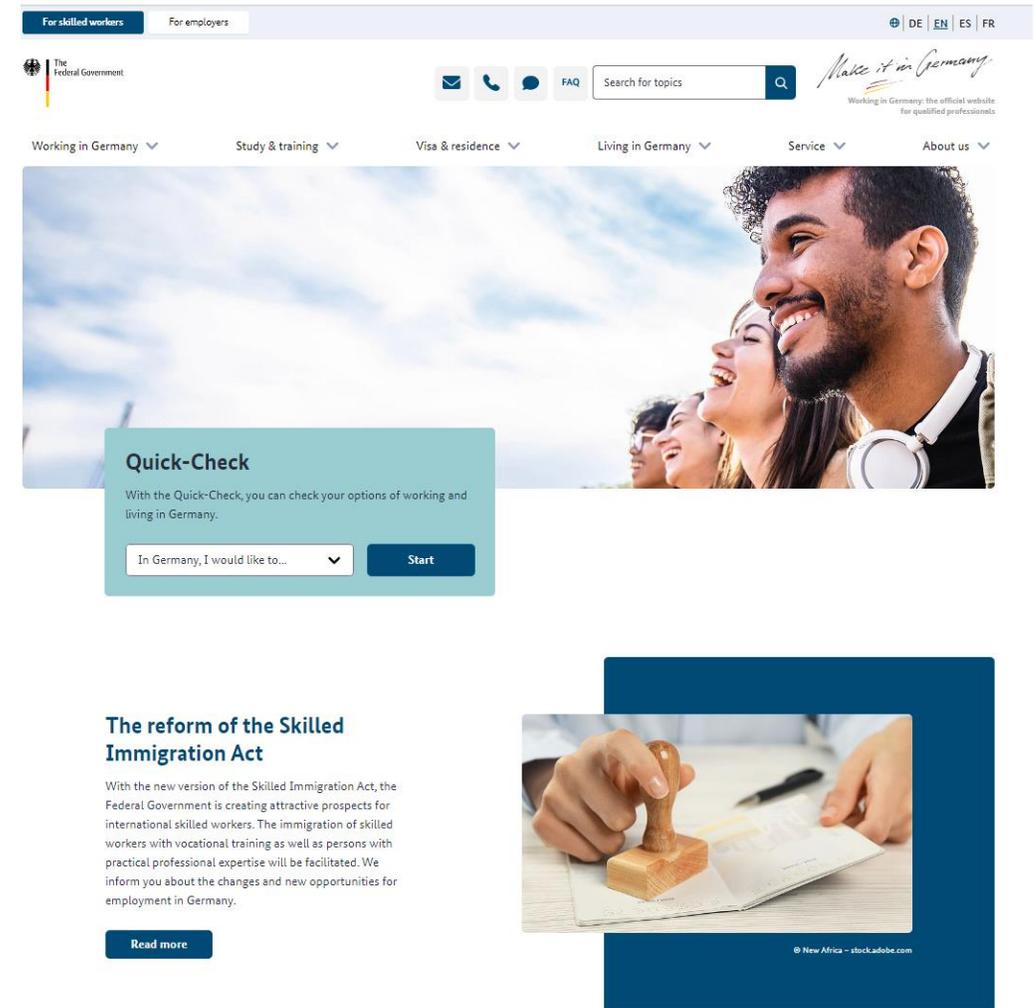
Information for:

- International skilled workers & professionals
- Companies in Germany

Start: June 2012

- Full version available in 4 languages: GE, EN, SP, FR
- Short information in 17 other languages (incl. Bahasa)

66 million users worldwide



The screenshot shows the website's header with navigation tabs for 'For skilled workers' and 'For employers', and language options for DE, EN, ES, and FR. A search bar is present with the text 'Search for topics'. The main navigation menu includes 'Working in Germany', 'Study & training', 'Visa & residence', 'Living in Germany', 'Service', and 'About us'. The main content area features a large image of a smiling man and woman, with a 'Quick-Check' box overlaid. The 'Quick-Check' box contains the text: 'With the Quick-Check, you can check your options of working and living in Germany.' Below this is a dropdown menu with the text 'In Germany, I would like to...' and a 'Start' button. Below the 'Quick-Check' box is a section titled 'The reform of the Skilled Immigration Act' with a 'Read more' button. To the right of this section is an image of a hand using a wooden stamp on a document. The footer of the website includes the text '© New Africa - stock.adobe.com'.

<https://www.make-it-in-germany.com/en/>

New Skilled Immigration Act: Legal changes at a glance

- Official information on the Skilled Immigration Act
- Translated in English, Spanish and French
 - As well as PDF-Versions in more languages, e.g.: Arabic, Turkish, Vietnamese, Indonesian, Russian, Serbian...



The new Skilled Immigration Act at a glance

The new Skilled Immigration Act (FEG) makes it easier for skilled workers with vocational training and individuals with practical knowledge to immigrate to Germany.

🏠 > [Visa & residence](#) > [The Skilled Immigration Act](#)

With the new law, existing mechanisms for skilled workers with a university degree, such as the [EU Blue Card](#), will continue and in some cases be extended. In addition, a new opportunity card (*Chancenkarte*) will enable third-country nationals to seek employment.

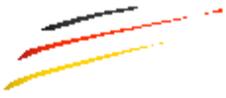
The new law has several parts. The provisions will be phased in from November 2023. Here is an initial overview of the planned amendments:

The new EU Blue Card from November 2023

In implementing the requirements of Directive (EU) 2021/1883, the German legislator has restructured and widened the migration possibilities with an EU Blue Card:

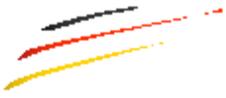
- **Lower salary thresholds:** The salary thresholds for the EU Blue Card in regular occupations and **bottleneck professions** will be significantly lowered. In future, a minimum salary of 45.3% of the annual contribution assessment ceiling for pension insurance (in 2023: €39,682.80) will apply to bottleneck professions and new entrants to the labour market; for all other occupations, the figure will be 50% (in 2023: around €43,800).

Overview of changes regarding skilled immigration from non-EU states



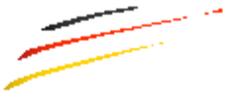
Changes from 18 November 2023	Changes from 1 March 2024	Changes from 1 June 2024
EU Blue Card regulation	Employment based on professional experience / IT specialists	Introduction of the opportunity card for job-seeking
Entitlement to residence permit for skilled workers (Sections 18a, 18b <i>AufenthG</i>)	Employment in the framework of „recognition partnerships“ (<i>Anerkennungspartnerschaften</i>)	Western Balkans Regulation: doubling of the yearly quota
Simplification of employment of professional drivers	Employment of “nursing care assistants” from third countries	Job-seeking following residence in Germany
Permanent status of Western Balkans Regulation	Expanded options for (prospective) students and trainees	
	Expanded family reunification to skilled workers (joining of parents and parents-in-law) limited until 2028	
	Expanded options for asylum seekers and foreigners with suspended deportation	
	Short-term quota employment	

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2. Changes from 18 November 2023



New EU Blue Card regulation

(from 18 November 2023)

- Different types of qualifications:
 - (recognized /equivalent) university degree
 - Tertiary educational qualification
 - Vocational experience (IT specialists only)
- Tertiary educational qualification:
 - Minimum education duration of 3 years
 - At least level 6 EQF or ISCED
 - e.g. master craftsmanship or qualifications in childhood education
- Requirement for employment contract: at least 6 months of employment
- Employment has to be related to qualification
- Extended list of „Bottleneck professions“
 - Managers in production or logistics
 - Veterinarians
 - Teachers and childhood educators

Salary thresholds	2023	2024
Regular professions: 50% annual earnings ceiling (<i>Beitragsbemessungsgrenze</i>) in general pension scheme	43.800 €	45.300 €
Bottleneck professions: 45,3 % annual earnings ceiling (<i>Beitragsbemessungsgrenze</i>) in general pension scheme	39.682 €	41.042 €

EU Blue card for special groups

first-time job entrants,
namely university
graduates who have
graduated no longer
than three years ago

IT specialists without
formal qualifications

- at least three years of work experience at a university graduate level
- concrete job offer in the IT sector at a university graduate level.

Bottleneck professions*:
Classification of
Occupations (ISCO-08)

Group
132

Group
133

Group
134

Group 21

Group
221

Group
222

Group
225

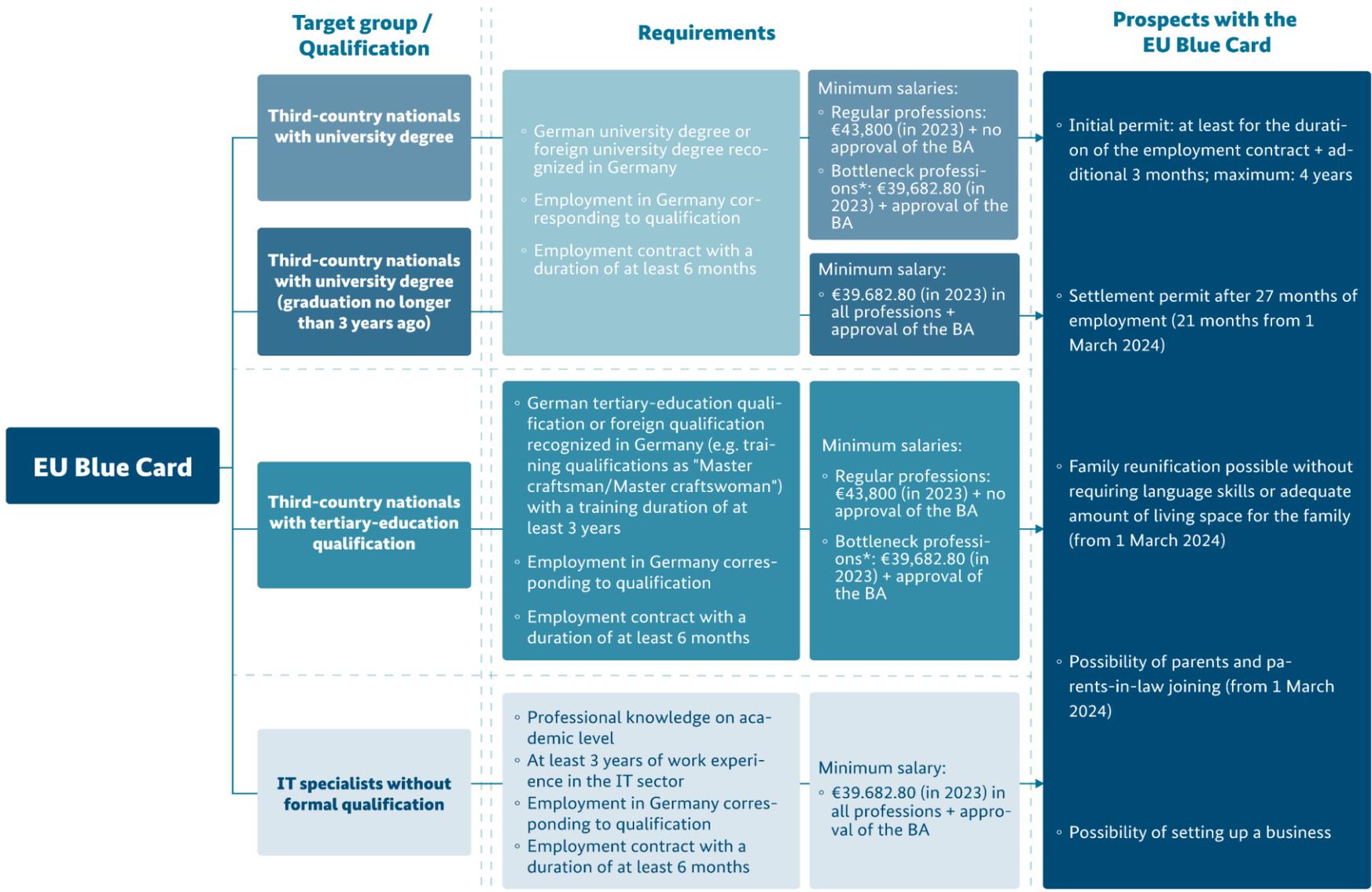
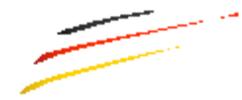
Group
226

Group 23

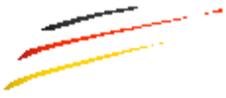
Group 25

- The EU Blue Card for these special groups requires the Approval of the Federal Employment Agency (BA)
- Salary thresholds of **45,3%** of *Beitragsbemessungsgrenze* (year 2023: 39.682 euro) applies

*Bottleneck professions: for example: Manufacturing, mining, or construction, Information and communications technology service managers; Professional services managers, such as childcare or health services managers; Veterinarians; Pharmacists; Nursing or midwifery professionals; School and out-of-school teachers and educators; Details lists [here](#)



*the following professions are currently considered as bottleneck professions: manufacturing, mining, construction and distribution managers, information and communications technology service managers, professional services managers (e.g. childcare services, health services and education managers), academic STEM professionals, academic professionals in architecture, spatial planning and transport planning, medical doctors, veterinarians, dentists, pharmacists, academic and comparable nursing and midwifery professionals, school and out-of-school teachers and educators



Example: Who is entitled to a EU Blue Card?

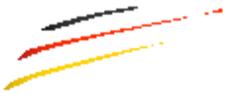
Example 1:

Hasan (23 years) has graduated in Economics & Finance at the State University of Jakarta in 2020. He has been working as an accountant in a SME. Recently he was offered a job as a Trader in a financial institution in Stuttgart. According to the work contract (open-ended), he will earn a gross salary of 35,000 euros per year. Is Hasan entitled to a German Blue Card?

Example 2:

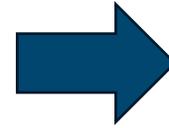
Anisa (23 years) has graduated in Economics & Finance at the State University of Jakarta in 2021. She actively searched the internet for career opportunities abroad. She has now found a job as a financial and tax consultant at a financial institution in Bonn. The employer offers a 2-year work contract that starts immediately after her arrival in Germany. According to the contract, Anisa will earn a gross salary of 40,000 euros per year. Is Anisa entitled to a German Blue Card?

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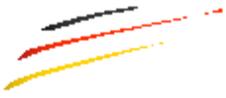


- ✓ Academic qualification available (*provided equivalence in Germany*)
- ✓ Concrete qualified employment matching with qualification (Trader: regular profession)
- ✓ At least 6 months of employment contract
- Salary level not sufficient (35,000 euros < 43,800 euros)

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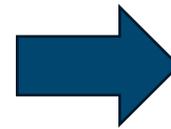
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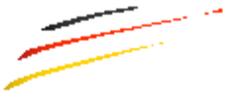
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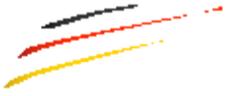
- ✓ Academic qualification available (*provided equivalence in Germany*)
- ✓ Concrete qualified employment matching with qualification (Trader: regular profession)
- ✓ At least 6 months of employment contract
- ✓ Salary level of 45,3 % BBG applies (academic qualification no longer than 3 years): 39,682 euros

Entitlement to a residence permit for skilled workers

(Sections 18a, 18b of the Residence Act [AufenthG])



	Old regulation <i>(Sections 18a, 18b (1) AufenthG)</i>	New regulation from 18 November 2023 <i>(Sections 18a, 18b AufenthG, new version)</i>
Recognition of foreign qualifications	<ul style="list-style-type: none"> • “full recognition” of foreign qualifications (academic or vocational) mandatory • Licence to practise , if need be 	unchanged
Employment	<ul style="list-style-type: none"> • Concrete job offer in Germany corresponding to the recognized qualification • employment in “related professions” possible • Approval of the Federal Employment Agency (BA) 	<ul style="list-style-type: none"> • Concrete job offer for qualified employment • <u>No relation</u> between employment and recognized qualification (exception: regulated professions) • Approval of the Federal Employment Agency (BA)
Required salary	Minimum salary for people at the age of 45 and older: 55% of BBG of general pension scheme	unchanged
German skills	recommended, but not mandatory by law	unchanged
Residence permit	<ul style="list-style-type: none"> • Residence permit for duration of employment contract • Maximum of four years (discretionary decision) 	<ul style="list-style-type: none"> • Residence permit for duration of contract + 3 months • Maximum of four years (entitlement)



Example of Hasan: Since Hasan (23) is not entitled to a Blue Card in Germany, is there another option for him to get a visa?

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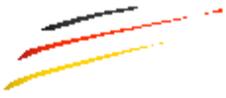


- ✓ Formal academic qualification available (provided recognition in Germany)
- ✓ Qualified employment available (Trader in Germany requires at least 2 years of vocational training)
- ✓ No minimum level required: Reasonable salary level checked in BA's Approval procedure

3. Changes from 1 March 2024

Employment opportunities based on practical professional skills

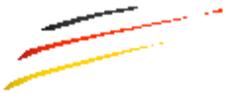
(from 1 March 2024)



Employment based on
professional skills
(Section 6 BeschV, new version)

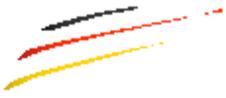
- New version of Section 6 BeschV: now applies to employment in all non-regulated professions in all sectors
- Requirements:
 - State-recognized qualification abroad (formal university or vocational qualification) or
 - Qualification from German Chamber of Commerce
 - At least 2 years of professional experience in the intended profession
 - Concrete job offer with salary threshold: at least 45% of BBG of general pension scheme
(**exception:** employer is bound to wage agreement)
- Recognition of foreign qualification not required
- Special case for IT specialists: formal qualification not required
- Residence title for other employment purposes according to Section 19c (2) AufenthG

Case 2: IT specialists



My (35 years old) from Vietnam has been working as a system administrator in a bank in Hanoi for 6 years. She met a German on holiday and would now like to move to Germany to live with him. She would also like to make a career in Germany. With the help of her boyfriend, she has found a job offer as a systems analyst at an IT service provider in Ansbach. The employer offers her an open-ended employment contract with a 6-month probationary period, subject to visa approval. She is expected to earn 43,000 euros gross per year.
Which residence permits are possible for My under the current legal situation?

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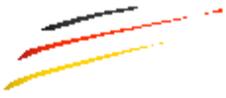
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Option Blue Card – special provision for IT specialists (Section 18g (2) AufenthG)

- Min. 3 years of professional experience in IT
- Minimum salary for IT specialists (45,3% BBG)
- Min. 6 months of employment contract
- EU Blue Card for max. 4 years

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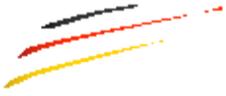


Option other employment – practical skills (Section 19c (2) AufenthG i.V. m. section 6 BeschV)

- Min. 2 years of professional experience in IT
- Minimum salary according to section 6 BeschV (45% BBG)
- Residence permit for max. 4 years

Visa / Residence title options for IT specialists

(from 18 November 2023)



Option 1: residence title according to Sections 18a, 18b AufenthG

- IT specialists with vocational or academic education
- Minimum salary for people over the age of 45 (55% of BBG of general pension scheme), if need be

Option 2: “small” EU Blue Card (Section 18g AufenthG)

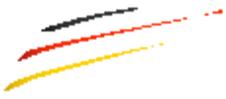
- IT specialists with university degree + minimum salary (45.3% of BBG of general pension scheme)

or

- IT specialists without formal qualification + 3 years of work experience + minimum salary (45.3% of BBG of general pension scheme)

Option 3: residence title according to Section 19c (2) AufenthG (in conjunction with Section 6 BeschV)

- IT specialists without formal qualification
- At least 2 years of work experience
- Minimum salary of 45% of BBG of general pension scheme or wage agreement

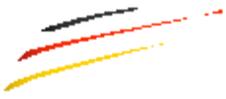


NEW: Employment in the framework of recognition partnerships

(from 1 March 2024)

Employment in the framework of recognition partnerships (Section 16d (3) AufenthG in conjunction with Section 2a BeschV, new version)

- Taking up of a qualified employment with simultaneous recognition procedure in Germany
- Residence title for the recognition of foreign qualifications (Section 16d (3) AufenthG, new version): up to 1 year with first-time grant; prolongation for up to 3 years
- Regulated and non-regulated professions
- Requirements:
 - University degree or vocational training that took at least 2 years to complete
 - At least German skills at A2 level
 - Concrete job offer
 - Obligation of employer and skilled worker to recognition procedure after entry to Germany
 - Approval of the BA according to Section 2a BeschV
 - Employer is “training company” or rather suitable for further training



Expanded opportunities for (prospective) trainees

(from 1 March 2024)

Apprentices & people seeking a vocational training position
from third countries
(Sections 16a, 17 (1)
AufenthG, new version)

Visa for seeking a vocational training position

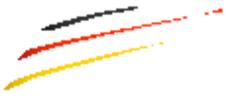
- Entry to seek a vocational training position: residence permit for up to 9 months (previously 6 months)
- Age limit for potential applicants raised from 25 to 35
- Requirements for German skills for seeking vocational training: at least level B1 (previously level B2)
- NEW!! Secondary employment possible: up to 20 hours/week

Visa for completing vocational training

- Elimination of priority check in approval procedure of BA
- Secondary employment extended from 10 hours/week to 20 hours/week

Expanded opportunities for (prospective) students

(from 1 March 2024)



Students & Study applicants from
third countries
(Sections 16b, 17 (2) of the
Residence Act
[AufenthG; new version])

Visa for applying to university

- Entry to apply for studies unchanged: residence permit (Section 17 (2) AufenthG) for up to 9 months
- No age limit for study applicants
- German language requirements for application depends on the chosen course to study
- Second job during application duration: 20 hours/week and probationary employment (2 weeks respectively)
- Switching from application for studies to other employment purposes (Section 19c (2) AufenthG) possible

Visa for studying

- Secondary employment opportunities extended (Section 16b AufenthG):
 - 140 full days or 280 half days/year
 - Alternatively: student assistant jobs of up to 20 hours/week

4. Changes from 1 June 2024

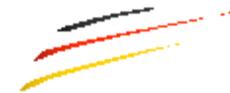
Introduction of the “Opportunity Card” for job-seeking

(from 1 June 2024)

„Opportunity Card“ for job-
seeking
(Sections 20a, 20b of the
Residence Act
[AufenthG; new version])

- Opportunity Card for job-seeking replaces visa for job-seeking (Section 20 (1) AufenthG)
- Opportunity Card in the following cases:
 - Skilled workers according to Section 18 (3) AufenthG
 - Scoring system: at least 6 points
- Basic requirements:
 - Qualification recognized in the country of origin (at least 2 educational years) and
 - at least German A1 or at least English B2
 - enough financial means to support oneself
- Validity duration:
 - First-time issuance (*Such-Chancenkarte*): up to 1 year
 - Extension in case of qualified employment (*Folge-Chancenkarte*): up to 2 years
- Secondary employment (20 hours/week) and probationary employment (two weeks respectively) possible

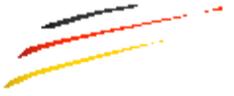
Opportunity Card: Criteria in scoring system



Points	Profession-related characteristics (qualification + work experience + bottleneck profession)	Language skills	Age	Links to Germany	Potential of spouse/life partner
4	Partial equivalence of formal qualification (qualification measure required)				
	Licence to practise required for regulated professions				
3	At least 5 years of work experience during the 7 years after graduation or acquisition of vocational qualification	B2 German skills			
2	At least 2 years of work experience during the 5 years after graduation or acquisition of vocational qualification	B1 German skills	Not older than 35 years of age		
1	Formal qualification in bottleneck profession	A2 German skills	Between 35 and 40 years of age	At least 6 months of previous legal stay in Germany	Spouse or life partner meets the requirements of the opportunity card
		C1 English skills			

Minimum score to reach: 6 points

“Opportunity Card” self-check on Make it in Germany



The screenshot shows the top navigation bar of the 'Make it in Germany' website. On the left is the logo for 'The Federal Government'. In the center, there are icons for email, phone, chat, and an 'FAQ' button, followed by a search bar labeled 'Search for topics'. On the right is the 'Make it in Germany' logo with the tagline 'Working in Germany: the official website for qualified professionals'. Below the navigation bar are several menu items: 'Working in Germany', 'Study & training', 'Visa & residence', 'Living in Germany', 'Service', and 'About us', each with a dropdown arrow. The main content area is a light blue box with the heading 'What is your nationality? Select your country.' Below this heading is a link for 'Additional information' and a search bar labeled 'Search country' with a search icon.

- Preliminary check of the basic requirements for the „Opportunity Card“
- Available in German, English, Spanish and French
- Tool will be integrated into online visa application form of the Federal Foreign Office
- Launch: expected in May 2024

Thank you for your attention!



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www.make-it-in-germany.com