

Residence permit for entrepreneurs in order to practice a self-employed business activity according to §21 “residence permit to start up a business or investment

Self-employed entrepreneurs are usually given a residence permit if the activity is expected to be successful and will have positive effects on the economy. Its financing must be guaranteed.

Therefore the project of investment depends on the following preconditions:

- There is an economic and/or regional interest
- Positive effects on the economy are to be expected by this investment project
- The financial means are guaranteed.

The local office for foreigners examines if the preconditions of the individual project of investment are fulfilled., having a special look on:

- The prospects of the business concept,
- The investor's entrepreneurial experience
- The financial resources,
- The effects on the (regional) situation of employment and apprenticeship,
- The expected contribution to innovation, research and development in Germany.

The evaluation of the local trade supervisory offices, the Chamber of industry and commerce as well as the Chamber of handicrafts is also taken into account.

The residence permit for self-employed is limited, generally up to three years. In case the project has been successful and there are serious prospects for the project to succeed furtheron so that the livelihood of the person concerned seems to be secured, a permanent residence permit can be applied for.

How will a residence permit be issued?

Self-employed entrepreneurs are first given a national visa by the German embassy. This visa enables the person concerned to enter Germany.

After the arrival the limited residence permit is given by the local office for foreigners.

Who is “self-employed“?

A foreign entrepreneur is self-employed when he works as

- Individual entrepreneur, freelancing included, or as
- An associate in a commercial partnership, or as
- A managing partner in a limited liability company not being employed, or as
- A managing director or executive with procuracy with general power of attorney working as a risk-bearing partner.

Do you have a promising business concept and do you intend to realize it in Germany? Can you make sure that your project can be financed by your personal financial means or by granted loans?

You are invited to contact us. We are pleased to give you legal advice and to support you during the whole process from founding your company to applying for your residence permit.

Of course we also like to support you in having your family in Germany, too.

With kind regards
Attorney JABERI