

Information about the abolition of certification of free movement

No effect on the rights of free movement

Due to the changed Freedom of Movement Law/EU, as of 29 January 2013 no certificates about the Community right of residence (certification of free movement) are issued.

The amendment leads to a reduction of bureaucracy, however does not affect free movement of Union citizens (citizens of the EU member states) and citizens of EEA countries (Iceland, Liechtenstein and Norway).

In order to exercise rights or to take care of administrative formalities certification of free movement has not been necessary

Certification of free movement not necessary

It is referred to Directive 2004/38/EC on the right to move and reside freely. This directive regulates the conditions for the right to move and reside in the European Union.

Article 25 of the directive defines that exercising a right or taking care of administrative formalities shall not depend on a certification of free movement if the right can be proven by another certification (e. g. employment contract or proof of self-employment or proof of sufficient means of subsistence and health insurance).

Already before the abolition of certification of the right to move, the respective authorities were responsible for proving if free movement was given when processing applications.

It is also possible for all Union citizens and citizens of EEA countries to start employment without certification of free movement. Until 21 December 2013 Bulgarian and Romanian citizens needed an EU work permit by the Federal Employment Agency to start work but not a certification of free movement.

Abolition without substitute

Certification of free movement has been abolished without substitution. Thus the immigration office does not issue any certificates of free movement. If you are asked to provide certification of free movement by the immigration office, please refer to the following information sheet.