

Mobility: Immigration alert

December 2023



Germany

New rules for extension of existing permits under the Temporary Protection Directive

Executive summary

The German federal government has passed additional rules regarding the Temporary Protection Directive (TPD) introduced due to the ongoing Ukraine crisis. Permits issued under the Temporary Protection scheme with an expiry date of 1 February 2024 or later will be automatically extended until 4 March 2025.

Background

Under the TPD, Ukrainian citizens and third-country nationals (i.e., nationals of countries outside the EU or EEA) who fled Ukraine may be eligible to receive various rights in an EU country that has adopted the TPD, including residence and work authorization, housing, and medical assistance. The TPD was initially in effect until 4 March 2023 and was then extended until 4 March 2024. In September 2023, the European Commission proposed [extending](#) the TPD further until 3 March 2025.

Key developments

Germany announced recently that effective 5 December 2023, a new rule has been added to the German implementation of the TPD. One aim is to mitigate potential delays in immigration application processing due to a large number of extension applications being filed in early 2024. Currently, more than 1 million people reside in Germany under the TPD.

Individuals holding a lawful TPD status as of 1 February 2024 will have their current permits automatically extended until 4 March 2025 and will not be required to obtain new permits until this date. These individuals will be able to reside and work in Germany until 4 March 2025 using their existing permits

even after their expiry. However, when traveling outside Germany, they must have one of the following documents:

- ▶ A valid physical permit (i.e., an updated official document such as a new Electronic Residence permit (eAT))
- ▶ An interim permit

Individuals who hold permits under the TPD that will expire before 1 February 2024 must file an extension application before their expiry.

Impact on employers

Employers may ensure that impacted individuals who hold permits under the TPD with an expiry date of 1 February 2024 or later remain fully compliant concerning residence and work authorization in Germany.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

Florian Brandl

Partner - People Advisory Services, Global Immigration
Tel: +49 6196 996 27327
Email: florian.brandl@de.ey.com

Martina Unrau

Senior Manager - People Advisory Services, Global Immigration
Tel: +49 6196 996 10077
Email: martina.unrau@de.ey.com

Jan Werner

Senior Manager - People Advisory Services, Global Immigration
Tel: +49 6196 996 16586
Email: jan.werner@de.ey.com

Svenja Rohrmann

Senior Manager - People Advisory Services, Global Immigration
Tel: +49 6196 996 18215
Email: svenja.rohrmann@de.ey.com

Ulrike Kürten

Manager - People Advisory Services, Global Immigration
Tel: +49 3514 840 18771
Email: ulrike.kuerten@de.ey.com

Lia Teichler

Manager - People Advisory Services, Global Immigration
Tel: +49 6196 996 16265
Email: lia.teichler@de.ey.com

Ben Willis

Partner - People Advisory Services, EMEA Immigration Leader
Tel: +44 20 7951 9589
Email: ben.willis@uk.ey.com

Seema Farazi

Partner - People Advisory Services, EMEA Immigration Leader
Tel: +447384908473
Email: seema.farazi@uk.ey.com

EY | Building a better working world

EY exists to build a better working world, helping create long-term value for clients, people and society and build trust in the capital markets.

Enabled by data and technology, diverse EY teams in over 150 countries provide trust through assurance and help clients grow, transform and operate.

Working across assurance, consulting, law, strategy, tax and transactions, EY teams ask better questions to find new answers for the complex issues facing our world today.

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation are available via ey.com/privacy. EY member firms do not practice law where prohibited by local laws. For more information about our organization, please visit ey.com.

Ernst & Young LLP is a client-serving member firm of Ernst & Young Global Limited operating in the US.

© 2023 Ernst & Young LLP.
All Rights Reserved.

EYG no. 011796-23Gbl

2101-3682263
ED None

ey.com