



Visa and Immigration Regulations for Exchange Students

EBS Law School

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Introduction

Dear students,

With the following Visa Guide we would like to assist you with Visa and health insurance questions. All information is carefully monitored. Nevertheless, we cannot give liability for the content as the content cannot cover every individual case. The given information is not necessarily complete, comprehensive or up to date. The Visa Guide does not represent a legal advice nor is it legally binding. You may also know that Visa regulations sometimes change very fast. Therefore this brochure cannot replace information from experts in the particular case.

1. Timing

International students are required to investigate in advance whether they need a Visa to study in Germany or not. Please contact the nearest German embassy or consulate in your home country in this matter. Also, the EBS International Programmes team can offer general advice.

If a Visa is required, you should calculate **at least 6 to 12 weeks** to receive a Visa. Also, at some embassies you have to wait for a very long time to get an appointment. Please start the Visa application process **directly after receiving your EBS Letter of Acceptance**. The last accepted day of arrival is one day before the start of the obligatory Induction Day for the EBS Law Term. Especially students from the following countries should expect long waiting times to get an appointment and a time-consuming Visa application process in general: China, Russia, Iran, Lebanon, Egypt, Morocco. You need to apply for a national Visa (also called STUDENT's or D-Visa). It's not an option to apply for a Schengen Visa (C-Visa). You also need to apply for a D-Visa if your passport allows you to enter the Schengen Area for 90 days for touristic purposes (e.g. students from Singapore, HongKong, Taiwan etc.)

If you apply for your Visa too late, EBS has NO possibility to speed up the Visa process on your behalf. If you cannot be on campus in time, you cannot study at EBS unfortunately.

2. Who needs to apply for a Visa?

The German immigration law categorizes all visitors into different categories, depending on country of origin. Please contact your closest German embassy or consulate to find out to which category your country belongs to.

2.1 Visa waiver countries



Exchange Students from Visa-Waiver countries (USA, United Kingdom, Canada, Australia, New Zealand, Japan, Republic of Korea, Israel and Brazil) have two options:



Option 1: Entering Germany without a Visa

Enter Germany without a Visa but with a valid passport. This way you are allowed to stay for 90 days. After arrival:

1. Register your address in Germany at the local authorities (Bürgerbüro).
2. Apply for a German Residence Permit at the responsible Immigration Office which enables you to stay for more than 90 days in Germany/Schengen Area. We will help you with the application.
3. Make sure to leave the Schengen Area before your Residence Permit expires.

Option 2 (recommended): Entering Germany with a valid Visa:

Apply for a Visa for your entire stay at EBS/in the Schengen Area (not possible for Bachelor Dual Degree students):

Follow these steps:

1. Try to apply for a Visa valid for your entire stay at EBS/Germany/Schengen Area. Make sure that all your Visa documents cover the period you are applying for.
2. Register your address after your arrival in Germany at the local authorities (Bürgerbüro)
3. Make sure to leave the Schengen Area before your entire semester's/full year's Visa expires.

We definitely recommend Option 2. In the past years the responsible Immigration Offices in Germany had long waiting times for appointments so that students had difficulties to get an appointment within the duration of the EBS Law Term.

2.2 Countries with Visa waiver only for tourists and countries with Visa requirements



Citizens of Singapore, Hong Kong, Malaysia, Taiwan, Argentina, Chile, Costa Rica, Ecuador, Guatemala, Mexico, Taiwan and Uruguay must enter Germany with a D-Visa for studying at EBS. Their passport only allows them to stay for 90 days maximum for touristic purposes. Exchange students of course need to stay longer than 90 days. This is only possible if you apply for a D-Visa **before entering Germany**.



Citizens of for example Russia, Bangladesh, China, Egypt, India, Indonesia, Kazakhstan, Lebanon, Morocco, the Philippines, South Africa, Peru, Iran, Turkey or Thailand always need a Visa to enter Germany! The Visa is usually valid for 90 days but you can try to apply for a Visa which is valid for your entire stay at EBS/in Germany/Schengen Area. Please note that long waiting times at the responsible embassy/consulate might occur. Apply for an appointment duly in advance!

Option 1: Entering Germany with a 90 days D-Visa

Apply for a usual D-Visa before coming to Germany which is valid for 90 days



Follow these steps:

1. Apply for a D-Visa valid for 90 days at the embassy of your home country at least 6-10 weeks before arrival.
2. After arrival, register your address in Germany at the local authorities (Bürgerbüro) and
3. Apply for a German Residence Permit at the responsible Immigration Office which enables you to stay for more than 90 days in Germany/Schengen Area. We will help you with the application.
4. Make sure to leave the Schengen Area before your Residence Permit expires.

Option 2 (recommended): Entering Germany with a valid Visa for the whole stay

Apply for a Visa for your ENTIRE stay at EBS/in the Schengen Area:

Follow these steps:

1. Try to apply for a D-Visa valid for your entire stay at EBS/Germany/Schengen Area. Make sure that ALL your Visa documents cover the period you are applying for. Also, please enquire with the responsible embassy in this matter.
2. Register your address after your arrival in Germany at the local authorities (Bürgerbüro)
3. Make sure to leave the Schengen Area before your Visa expires.

ATTENTION: Chinese holders of a British National Passport (overseas) also need to apply for a Visa. They are only allowed to enter Germany without a Visa if they stay for up to 90 days as a tourist. As you would like to study in Germany and stay longer than 90 days, you definitely need a student's Visa!

Are you a Non-EU citizen already studying in another Schengen State?

If so and if you have a valid permit of another Schengen State, you usually do not need to apply for a Visa to enter Germany. However, you must apply for the German Residence Permit directly after arrival. E.g. a Chinese citizen pursuing a Bachelor Degree in Sweden usually does not need to apply for a Visa to enter Germany as a student. However, you need to make sure that your Residence Permit from the Schengen country you are currently studying in is still valid when coming to Germany! For further information please contact the EBS International Programmes Office or the authorities.

APS procedure for Chinese and Indian applicants:

All Chinese and Indian applicants residing in China/ India (except applicants from HongKong and Macao) need to go through the APS procedure:

- All Chinese / Indian degree-seeking students (also Master and Bachelor Dual Degree students) need to apply for the APS-China-procedure / APS-India-procedure
- If you are a Chinese / Indian exchange student, you need to go through the APS A-procedure. Please contact your home university coordinator and ask for more information or check the APS homepage:

China: <https://www.aps.org.cn/web/zh/verfahren-und-services-deutschland>

India: <https://aps-india.de/>



3. Terminology: Visa vs. Residence Permit

These terms often cause confusion among applicants: they are very closely related but not the same thing. Here is the difference:

VISA:

A (national) Visa is your permission to enter Germany. You have to apply for a Visa at the nearest German embassy or consulate in your home country or country of residence. A Visa is normally only valid for a maximum of 90 days. You may try to receive a Visa for your entire semester at EBS. The responsible embassy may grant this application, but it also may happen you will receive a 90 days Visa. Please enquire with your embassy in this matter.

RESIDENCE PERMIT:

As the Visa usually gives you only permission to enter Germany and to stay for 90 days every NON-EU-national needs a German residence permit to study/extend his/her right to stay in Germany for an entire semester. Students apply for the residence permit after entering Germany. EBS International Programmes Office will assist you in this procedure during the Induction Day at EBS.

Students who were successful in applying for a Visa for their entire stay in Germany (as mentioned above) are exempt from applying for a Residence Permit.

4. The four steps of the Visa application process

Apply for your Visa at the nearest German embassy/consulate in your home country (or country of residence). Contact the embassy/consulate for all necessary details on the application process.

Step 1:

Make an appointment at the nearest embassy/consulate. Each embassy/consulate around the world has its own procedures for applying for a Visa. Thus, please enquire directly at the embassy/consulate for the first steps and which documents they require.

Step 2:

Prepare all your Visa documents.

In the past we have noticed, that some embassies have different ways of checking the Visa documents. The responsible Immigration Office in Germany, however, has the final say in granting or rejecting your application! The following documents must be submitted (even if the embassy does not want them initially) so that the Immigration Office in Germany can approve your application:

1. EBS Letter of Acceptance (in German)
2. Housing Letter that EBS will assist you in your search for accommodation (in German)
3. Proof of sufficient health insurance in Germany (see ch. 6 for details),
4. Proof of financial support. (see ch. 7 for details)



No matter what the embassy/consulate in your home country tells you, the proof of health insurance and the proof of financial support must fulfil the requirements of the responsible Immigration Office in Germany. Please carefully read the info below about these two documents.

If any of these documents are missing/ unacceptable for the Immigration Office, they will ask you to supply more

Step 3:

Hand in your application documents. The embassy/consulate of your home country will send the entire package to the responsible Immigration Office in Germany. The sending of the documents takes a minimum of 1-3 weeks. The Immigration Office in Germany is in charge of accepting or rejecting your application.

Make sure the embassy sends your Visa application files to the correct Immigration Office!

If you are planning to live in Oestrich-Winkel:

Ausländerbehörde Rheingau-Taunus-Kreis Bad Schwalbach
Heimbacher Str. 7
65307 Bad Schwalbach, Germany
Phone: +49 6124 5100

If you are planning to live in Wiesbaden:

Ausländerbehörde Wiesbaden
Alcide-de-Gasperi-Straße 3
65197 Wiesbaden, Germany
Phone: 0611 31-7474

If your Visa files are sent to the wrong Immigration Office your application process will be slowed down for a minimum of 2 weeks. In case the Immigration Office has no reason to reject your application, they will stay silent for 3 weeks and 2 days (so called "Verschweigefrist"). If the embassy does not receive any feedback within 3 weeks and 2 days it is a sign for them to issue the Visa.

If your application is incomplete, the countdown is stopped until you supply the missing documents. This severely slows down your Visa process. EBS has no possibilities to speed up your Visa process. It's your responsibility to apply in time and submit complete applications. EBS can only assist you with advice, trouble shooting or submitting missing documents directly to the Immigration Office.

➔ **EBS has NO possibilities to speed up your visa process**

Step 4:

After the German Immigration Office approves your Visa application, the embassy will notify you when and where you may pick up the Visa.

5. How long am I allowed to stay in Germany?

The fall term runs from 01 August – 31 December each year. Courses run from mid/end of September – mid/end of December. You can apply for an entire semester's Visa/ German residence permit up to the end of December if all of your documents (health insurance, financial documents, etc.) are valid until the end of December.



6. Information on proof of health insurance

By law, all students **must** have sufficient health cover for their stay in Germany to become registered as a student at a German university and/or to apply for a student Visa. Thus, non-EU-students should be careful in selecting a health insurance plan as it has to satisfy the very strict requirements of the university **and** the Immigration Office.

We strongly recommend purchasing a full German student health coverage for your stay at EBS. All public German insurance providers offer the same, comprehensive services for the same price (about 120 EUR per month).

Barmer Insurance and TK Insurance for example offer a very convenient email application service:

- Barmer: please contact Mr. Darius Kosteczka at Darius.Kosteczka@barmer.de or Christina Dietz at Christina.Dietz@barmer.de.
- TK Insurance: Mr. Luis Garbo at Luis.Garbo@tk.de.
- Other public insurance providers are for example AOK (www.aok.de) or DAK (www.dak.de).

If you are only studying at EBS for one semester and don't want to get full German health coverage please take in mind:

- Other plans may be cheaper but they provide less comprehensive coverage and mostly you have to pay all treatments in advance before being able to reclaim some of the costs.
- The Immigration Office is extremely strict which plans they accept! Most international plans are **not sufficient** for them! If they don't accept your plan, this may cause several weeks delay in the Visa process.
- Travel insurances (= only emergency treatments) are immediately rejected by the Immigration Office! Also, they only accept insurance documents issued in either German or English! The insurance document must clearly state the insured student's name, exact dates of coverage and validity in Germany.

For enrolment, students need a digital insurance notification from the statutory health insurance fund with which they are or are expected to be insured at the start of their studies. The statutory health insurance fund then digitally notifies EBS that the student is insured by sending a digital insurance notification, a so-called M10. For the digital insurance notification, the statutory health insurance company requires the sender number of EBS Universität für Wirtschaft und Recht. This is: H0002980

For more details on the digital insurance notification process, please refer to the document called "Health Insurance FT23" that you have already received along with the Application procedure instruction.

Please note that your insurance plan needs to be valid for your entire stay in the Schengen Area but at least from August 1st to December 31st.



7. Information on proof of financial support

By law you have to prove that you have a certain amount of money for every month of your stay in the Schengen Area/Germany.

If you apply for a Visa/German residence permit, you need to show proof of at least **934** EUR for every month of your stay.

The authorities count from the date of your ARRIVAL in Germany/Schengen Area!

- Example: If you are planning to arrive in September and stay until the end of December, you will have to prove funds for the entire months of September – December (= 4*992 EUR = 3968 EUR)!

The local Immigration Office in Germany who decides on your Visa issuing is very strict and accepts only three kinds of financial proof (and nothing else!) for your visa and Residence Permit application:

1. A "Verpflichtungserklärung" (=formal obligation) issued by a German embassy/consulate abroad (not possible for some citizens, e.g. from the US and Brazil)
2. A German blocked bank account (German: Sperrkonto)
3. A scholarship certificate.

All of these documents need to fulfil special requirements or they will be rejected by the Immigration Office. Please find them listed here:

7.1 Verpflichtungserklärung (= formal obligation)

This is the fastest and most convenient option for Visa application purposes! We highly recommend getting one (if possible)!

A "formal obligation" is an official document that only a German embassy or consulate abroad can issue. In the presence of an embassy official your parents/sponsors declare that they are willing and able to support you financially with at least 992 EUR per month during your studies in Germany. To prove this, they have to bring e.g. bank statements, statement by employer about monthly income, etc.

The formal obligation is signed by the financial sponsor and verified by the embassy/consulate. The procedures to receive a formal obligation vary according to the responsible embassy/consulate.

Please contact them directly to enquire. You can find a sample of a formal obligation in ANNEX I. Your formal obligation has to be the same.

Attention: in the past some embassies have rejected to issue formal obligations e.g.

Brazil, USA, China. Actually they have the duty to issue formal obligations, so please show them the sample of the formal obligation (ANNEX I) and point out that the responsible Immigration Office is definitely accepting this document. If they should still refuse to do so, please ask them to get in contact with the local Immigration Office in Bad Schwalbach or Wiesbaden to get their acceptance confirmation.

If it's still not working out with the formal obligation please apply for a blocked bank account.



7.2 German blocked bank account

What is a blocked account?

This is a special type of German bank account. Regardless of how much money you deposit in the account, it only gives you access to a previously agreed amount of money per month. This monthly amount has to be at least 934 EUR per month. The block can only be cancelled with written permission of the responsible immigration authority.

- **Is a bank account at my home bank acceptable?** No. Only German bank accounts can be considered.
- **Can I also open a regular German bank account instead?** No, not for your Visa application.

How can I open a blocked account?

From your home country: You can open the blocked bank account with the following German banks. The most convenient way is to open it at Fintiba which is a German online bank. If you do not want to choose an online bank we recommend applying for the account at Rheingauer Volksbank as this will be faster than applying with Deutsche Bank.

1. Applying for a blocked bank account at Fintiba or Expatrio (highly recommended – simple!):

1. Fully online opening of the account in English language. Go to <https://www.fintiba.com> or <https://www.expatrio.com>. They will lead you through the process.

2. Applying for a blocked bank account with Rheingauer Volksbank (more complicated!):

1. Send an Email to MSC@rheingauer-volksbank.de and state that you need a "Sperrkonto" for your studies at EBS. You need to add the following documents to this email:
2. Very good copy of your passport
3. EBS letter of acceptance (German version)
4. Your full address (in your home country) + phone number
5. After 2-3 weeks you will receive account details from Rheingauer Volksbank. You will subsequently need to transfer the money to the mentioned account. After this has been done, they will set up the block and you will receive a "Sperrkonto"-confirmation (which is needed for your visa/residence permit application).
6. After arrival in Germany **you need to go to the Rheingauer Volksbank in person** to activate your account. Therefore you need to bring your passport, your student card and your registration letter (after arrival you need to register your address at the local authorities).

If you have difficulties to reach the above mentioned E-mail address please contact the Rheingauer Volksbank via their homepage www.Rheingauer-volksbank.de. Go to "Kontakt" and tell them that you are interested in a blocked bank account.

Please note that the whole process can take 4-5 weeks!

If you sent your emails with outlook you might have difficulties with the email address of the Rheingauer Volksbank. Please try to send the message to the bank by using a different program or contact them via their website. There is a "contact" button on the first page.

Does the proof of the blocked account need to fulfil certain criteria?



YES. You need a written proof of your blocked account. The document needs to state explicitly that the block can only be removed with written permission of the "zuständige Ausländerbehörde" (the Immigration Office). Also, the amount of the monthly block needs to be stated on the document as well as the total amount on the account.

Which amount should be blocked for each month? The absolute minimum for the block is 934 EUR. If you want to bring more money than the absolute minimum, you should be careful! Even if you bring much more money, the block is absolute and cannot be changed!

For example:

You want to bring 10.000 EUR for your 5 months stay in Germany and put it in your new German bank account. Now, if you set the block at the minimum of 992 EUR per month you will only get 992 EUR per month. Not a cent more! Not even in emergencies! The rest of the money will be totally out of reach for you! There are 3 possibilities to avoid this problem:

1. Set the block higher than the absolute minimum: e.g. bring 10.000 EUR for 5 months and set the block at 2.000 EUR per month.
2. Put only 4*992 EUR in the blocked account. Open a second bank account for the rest of the money so that you can use it whenever you want or need it. Most banks offer accounts free-of-charge to university students if you show your EBS student ID when opening the account.
3. Put only 4*992 EUR in the blocked account and get the rest of the money from your home bank account via cash withdrawals with your credit card or ATM card. Attention: this may be rather expensive as many banks will bill you with high transfer charges for international cash withdrawals. Please discuss this possibility with your home bank first!

7.3 Scholarship certificate

A scholarship statement can be accepted if it

1. covers the minimum monthly requirement (at least 992 EUR);
2. states your full name;
3. states the exact time period of your scholarship (start day and end day);
4. states the exact amount of money you will receive per month (if the document says e.g. "5000 EUR per semester", it is unacceptable for the Immigration Office!).

What happens if your scholarship is less than 992 EUR per month?

The authorities will require proof of an additional blocked account over the remaining amount. E.g. if you get a scholarship of 5*600 EUR per month you need an additional blocked account over 5*392 EUR or a Verpflichtungserklärung (formal obligation) as described above.

8. Residence Permit

If you have a visa for 90 days or if you are from a visa waiver country and entered with your passport you have to apply for a German residence permit after arrival. As mentioned there will be an Info-Session after your arrival. However: You can already prepare the following documents which will definitely be needed:

1. Proof of sufficient health insurance cover (please see ch. 6)



2. Proof of financial support (please see ch. 7)
3. German EBS Letter of Acceptance
4. A biometric picture
5. Original passport valid for entire stay + six months

Furthermore you will have to organize the following things at a later stage:

6. "Wohnungsgeberbescheinigung": a confirmation that you will receive in Germany from your landlord
7. You need to register your address at the local authorities (Bürgerbüro) after arrival
8. Fill in the application form for the residence permit (we will do this together in the Info-Session)
9. If you are staying for one semester only, you will have to pay a processing fee of 50 EUR.

You need to apply for your German residence permit at the Immigration Office that is responsible for the area you are a registered citizen in (the area where you are going to live).

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Bundesrepublik Deutschland **VERPFLICHTUNGSERKLÄRUNG**
 DÉCLARATION DE PRISE EN CHARGE
 Annexe IV: Sample "Formal Obligation" **D 0743792**

Person / Personne / Person
 Firma / Société / Company
 Verband / Association / Association

Ich, der/die Unterzeichnende Je, soussigné(e) I, the undersigned

Name / Nom / Surname
 [Redacted]

Vorname(n) / Prénom(s) / First name
 [Redacted]

Geburtsort und -ort / Né(e) le/à / Date and place of birth
 [Redacted]

Staatsangehörigkeit / Nationalité / Nationality
 [Redacted]

Identitätsdokument⁽¹⁾/Aufenthaltstitel⁽²⁾/Document d'identité⁽³⁾/Titre de séjour⁽⁴⁾/Identity card⁽⁵⁾/Residence title⁽⁶⁾
 [Redacted]

Wohnhaft in / Adresse / Address
 [Redacted]

Beruf / Profession / Profession
 [Redacted]

Zuständige Behörde
 Ausländerbehörde / Ausländerverteilung, für
 Concédant l'autorité

verpflichte mich gegenüber der
 Ausländerbehörde / Ausländer-
 verteilung, für
 m'engage auprès du service des
 étrangers / de la représentation
 diplomatique à héberger
 take full responsibility towards the
 aliens authority / diplomatic
 representation for accommodating

Name / Nom / Surname
 [Redacted]

Vorname(n) / Prénom(s) / First name
 [Redacted]

Geburtsort und -ort / Né(e) le/à / Date and place of birth
 [Redacted]

Staatsangehörigkeit / Nationalité / Nationality
 [Redacted]

Reisepass Nr. / Passport n° / Passport No.
 [Redacted]

Wohnhaft in / Adresse / Address
 [Redacted]

(1)
 Art / type / type
 Nummer / number / number

(2)
 Aufenthaltstitel
 Art des
 Titels
 (3)
 Name / nom / surname
 Vorname / prénom / first name
 Geburtsort / date de naissance / date of birth
 Geschlecht / sexe / sex

Verpflichtungserklärung mit dem Antragsteller / Lien de parenté avec le demandeur / Family relationship to applicant
 [Redacted]

und folgende ziele begleitende Personen, z.B. Ehegatten⁽¹⁾ / accompagnés de ses conjoints⁽²⁾ / accompanied by his or her spouse⁽³⁾
 [Redacted]

und Kinder⁽¹⁾ / accompagnés de ses enfants⁽²⁾ / accompanied by children⁽³⁾
 [Redacted]

Dauer der Verpflichtung / Durée de la prise en charge / Duration of obligation
 [Redacted]

von Beginn der Aufnahme der Verpflichtung an ... bis zur Beendigung der Aufenthaltserlaubnis ...
 ab Einreise
 nach § 68 des Aufenthaltsgesetzes die Kosten für den Lebensunterhalt und nach §§ 68 und 67 des Aufenthaltsgesetzes die Kosten für die Ausreise o.g. Ausländer/in zu tragen.
 et à prendre en charge les frais de subsistance de l'étranger accompagné conformément à l'article 68 de la loi relative au séjour ainsi que les frais de retour conformément aux articles 68 et
 and for bearing the living costs according to § 68 of the Residence Act, and the costs for the departure of the above-mentioned foreigner according to §§ 68 and 67 of the