



Federal Office
for Migration
and Refugees

Intra-corporate transfer for third- country nationals

Information on the ICT Card and on
Europe-wide mobility

ENGLISCH

Intra-corporate transfer to the European Union

Undertakings that are established outside the European Union (EU) can second managers, specialists and trainees to branches of the same undertaking within the EU. This option for the posting of skilled workers is referred to as **intra-corporate transfer (ICT)**. The basis for this is formed by the ICT Directive 2014/66/EU, which is implemented in all EU Member States except Denmark and Ireland.

The ICT Card

The ICT Card is a non-permanent residence permit. For employees seconded within the undertaking or group of undertakings it is the basis for the entire residence in the EU. The respective EU Member States issue the ICT Card according to uniform conditions.

The objective and target group of the ICT Card

The ICT Card enables undertakings established outside the EU to deploy their employees flexibly in the EU. It allows employees to be seconded to several EU Member States for a limited period of time.

The validity of the ICT Card (in Germany)

In Germany the ICT Card is issued to **managers and specialists** for the duration of the transfer but for a maximum of three years.

The ICT Card can be issued to **trainees** for the duration of the transfer but for a maximum of one year.

Preconditions for the ICT Card

The ICT Card is always issued in the EU Member State in which the longest total residence for intra-corporate transfer is planned. This state is designated as the first Member State, even if this is not the first place of residence for intra-corporate transfer.

The following requirements have to be met in order for an ICT Card to be issued in Germany:

- an **employment contract** with the sending undertaking which has been established for at least six months at the beginning of the intra-corporate transfer and is valid for its duration
- an **assignment letter** if the transfer is not regulated in the employment contract
- the intra-corporate transfer takes place at an **entity of the same undertaking or group of undertakings**
- the intra-corporate transfer will last **at least 90 days**
- work in the host entity in Germany as a **manager, specialist or trainee**
- proof of **professional qualifications**
- **consent by the Federal Employment Agency**
Consent is generally obtained via the German diplomatic mission or the immigration authority.

In order to enter the country a visa is needed from the German diplomatic mission. Information regarding which documents have to be submitted in doing so can be obtained from the diplomatic mission in question.



The advantages of the ICT Card

Mobility to other EU Member States

The ICT Card facilitates the intra-corporate transfer of third-country nationals, and increases their mobility within Europe.

With a German ICT Card employees can exercise their mobility rights to another Member State for up to 90 days within 180 days without having to apply for a residence permit. The undertaking in the first EU Member State must send a notification to the competent authority in the second EU Member State where legally mandated.

The ICT Card furthermore also facilitates residence for intra-corporate transfer in other EU Member States for a period of more than 90 days (up to the maximum duration of residence in the first Member State). An application for a **Mobile ICT Card** or a notification by the branch of the undertaking in the first EU Member State must be submitted in the other EU Member State for this purpose where legally mandated. The procedure and conditions are determined by the respective EU Member State, and may therefore vary.

The procedure for notifications

The simplified notification procedure obviates the need to visit authorities in person for interviews in cases of short-term mobility.

Legal and planning security

If the legal requirements are met, there is a legal entitlement to intra-corporate transfer – both to the issuance of the ICT Card in Germany, and to mobility with an ICT Card from another EU Member State.

Mobility in Germany

Short-term mobility with ICT Cards of other EU States

Third-country nationals who hold an ICT Card in another EU Member State can use their mobility rights in Germany without a German residence title for a maximum of 90 days within a period of 180 days. All that is required is a notification to the Federal Office for Migration and Refugees.

Long-term mobility with a Mobile ICT Card in Germany

Third-country nationals who already hold an ICT Card in another EU Member State and would like to work in Germany for more than 90 days will receive a German residence permit, the Mobile ICT Card.

The application for a Mobile ICT Card will be rejected if it is submitted at the same time as a notification of short-term mobility!

Detailed information on the procedure for notification and how to apply for the Mobile ICT Card in Germany can be found on the back of this flyer.



Notification procedure for intra-corporate transfers for up to 90 days (short-term mobility)



The host entity in the other EU Member State must send a notification to the National Contact Point at the Federal Office for Migration and Refugees for intra-corporate transfers of up to 90 days within a period of 180 days.

before entering
Germany



host entity in the other EU Member State
submission of documents



National Contact Point
review of the documents



20-day examination
period

National Contact Point
issuance of a certificate

Documents to be submitted with the **notification form**:

- copy of the residence title within the meaning of the ICT Directive
- copy of passport
- proof that the host entity in the second member state and the undertaking in the third state belong to the same undertaking or group of undertakings
- employment contract, and where necessary an assignment letter
- professional licence, where necessary for this profession
- for trainees: academic degree

Applying for the Mobile ICT Card (long-term mobility)



Seconded workers who would like to stay in Germany for more than 90 days as part of long-term mobility have to apply for a Mobile ICT Card. This can be done directly at the local immigration office.

at least 20 days
before entering
Germany



at least 20 days before the
end of short-term mobility
in Germany

seconded workers
submission of documents



immigration office
review of the documents



gainful employment permitted
until a decision is made

immigration office
issuance of a Mobile ICT Card

Information regarding which documents have to be submitted to **apply for long-term mobility** can be obtained from the competent local immigration office. You can find the authority at **www.bamf.de/webgis-abh**.



You will find detailed information on mobility at
www.bamf.de/mobility

You can find further information on the ICT Card on the Internet at:



www.bamf.de/ict_en

The detailed requirements and the respective procedures are laid down in sections 19, 19a and 19b of the Residence Act (AufenthG). The wording of the Act is authoritative in cases of doubt.

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