



Annex 3: Procedure for Admission to the Job Market

of the

Joint Agreement on the Recruitment and Placement of Mexican workers

for obtaining a job as qualified personnel in the Federal Republic of Germany

between

the Ministry of Labour and Social Welfare of the United Mexican States

and

the Federal Employment Agency of Germany.

The described procedure refers to foreign professionals from the United Mexican States who wish to enter Germany on the basis of this internship placement agreement. They need an entry visa and a residency card. The hosting agreement establishes this residency card. The relevant legal grounds are set forth in article 16d (4) of the Residency Law (AufenthG) and article 2 of the Employment Regulations (BeschV).

I. Entry visa

To enter Germany, the applicable residency card is the visa issued by the German embassy or consulate in the country of origin. To issue the visa, the Federal Employment Agency (BA, for its German initials) requires labor market approval. The visa grants its holder the right to enter Germany and take up employment.

The Embassy of Germany limits the visa to several months. The duration of the visa may vary in each case. The following requirements must be met before applying for a visa:

1. Proof of the required language skills (see annex 1).
2. Approval by the BA to take up employment during the recognition procedure in accordance with the applicable legal regulations in Germany. The BA will accompany the successful completion of the recognition process. Full-time employment is permitted only in this field of work and only if full-time employment does not adversely affect the recognition procedure, such as, for example, the duty to attend any professional training programs.
3. a guarantee of a specific job offer provided by the employer for employment as a recognized specialist worker from the time of successful completion of the recognition procedure. The BA will accompany the successful completion of the recognition process. This is to prevent abuse of the specialist worker by employing him/her as an auxiliary worker all the time and to ensure completion of the recognition procedure;
4. a declaration to be submitted by the foreign specialist worker as early as during the prerecognition procedure stating that, after entering the country, he/she will institute and complete the procedure of determining and confirming equivalence of his/her foreign



professional qualification with the competent recognition authority and, if necessary, that of issuing the license required for exercising his/her profession.

II. Objective of the stay in Germany

The purpose of the stay in Germany is the successful professional recognition of the Mexican profession (see appendix 2). Therefore, the professional recognition procedure must be carried out from the moment of entry and completed within three years.

III. German residency card

Before the entry visa expires, the foreign qualified worker must apply for a residency permit from the competent foreign affairs authority at their new place of residence in Germany.

Then, the Foreigners Registration Office examines the granting of the residency card, consulting with the BA, based on the proof that the recognition procedure has indeed been carried out and that employment has been accepted. In that case, the qualified worker will obtain a residency card for an extended stay in Germany. It is limited to one year.

The first time the residency card is issued, it may be extended for one year at the time of expiration if the applicable proof is provided. Alternatively, if the requirements are met, the foreigner may apply for a new residency card to work as a recognized specialist (see below). A condition for extension in both cases is that the foreign specialist proves they have systematically followed the recognition procedure (see annex 2) during their previous stay.

Proof of coherently carrying out the recognition procedure, or the procedure for the granting of a professional activity permit in the case of regulated professions, may be provided with the appropriate written documents, for example:

- Application for recognition procedure or professional activity permit
- Notice of partial recognition
- Confirmation of the provider's participation in a qualification measure
- The company's employment test with qualification content
- Confirmation of completed exams
- Proof of good prospects for repetition in the case of failed exams
- Additional correspondence with the authorities responsible for recognition

The residency card may be extended to a maximum stay of three years.

IV. Additional stay with a new residency card once the residency card from this placement agreement has expired

If the maximum three-year residency period has expired, this residency card cannot be extended again. This is because the qualified worker must have gained the right to work in Germany as a recognized qualified worker during their previous residency period.



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If the foreign specialist has successfully completed their professional recognition during this period and if they have the necessary professional activity permit, they may then work as a recognized specialist. For this purpose, the foreign specialist may then apply for a residency card at the foreigner affairs authority responsible for paid employment in Germany.