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| **n. 3 2016** | **Osservatorio sulle fonti / Observatory on Sources of Law****----------------------------------------------------------------------------****Section: Sources of Law in the EU member States****GERMANY** **By Hannes Herbert Viktor Hofmeister, Libera Università di Bolzano/Bozen** |
| Name of the Act/s | Integration law |
| Date  | 31 July 2016 |
| Type of Act(name in English / in the official language) | Federal Law/Bundesgesetz |
| Enacted by  | Legislator |
| Reference to the Constitution (art.) | Article 6 of the Basic Law (Grundgesetz) |
| Subject area | Public law |
| If the act implements a source of EU Law: cite the relevant EU legal source |  |
| Comment  | On 6 August 2016 the new integration law entered into force in Germany. This new law envisages a number of supportive measures for refugees, such as easier access to the job market. At the same time, however, it also envisages sanctions for those refugees unwilling to attend integration courses. In essence, the law pursues three major objectives: First, to integrate refugees into the job market; second, to give them better orientation, and third, to make active integration a duty for every refugee. In the following paragraphs the key features of this new law will be outlined:The law envisages, inter alia, the creation of 100.000 so-called “one euro jobs” for refugees. This should help them to enter the job market. Refugees are obliged to accept the jobs allocated to them. In case they refuse to do so, their benefits will be reduced. It should be noted that these jobs – primarily in asylum centres - are already available to refugees before their asylum claim procedure has been completed. Moreover, the so-called “priority test”, according to which asylum seekers can only get a job if there is no equally suited applicant from Germany or the rest of the EU will be suspended for three years. In order to avoid negative effects in regions with high unemployment, it was decided to leave it to the federal states to decide in which areas this new rule will apply.Another key feature of the new law is to provide both refugees and employers with a degree of legal certainty in the future. The residence status of tolerated apprentices will be regulated in such a way as to make sure the “toleration period” will last for the whole period of the apprenticeship. If they respective refugees are then offered adequate continued employment, the right to residence will be extended for a further two years.Another aspect of the new integration law is to give refugees, who stand a good chance of being granted the right to stay in Germany, more orientation. For instance, the integration courses on offer will be extended from 60 hours to 100 hours. Hence they have the chance to improve their language skills. In addition, the waiting period to participate in integration courses will be reduced to six weeks.Moreover, the law will also introduce a rule, which allows the federal states to allocate recognised refugees a certain town of residence. The rationale of this rule is to prevent massive influx of refugees into the big cities and the concomitant problems currently experienced in cities such as Berlin or Cologne. Refugees should be more evenly distributed across the country. However, an exception to this rule applies, if a refugee has found a job in another city or a place to study in another town.  |
| Secondary sources/ doctrinal works (if any) | N/A |
| Available Text | <http://www.buzer.de/gesetz/12155/index.htm>  |
| Date of entry into force  | 6 August 2016 |