



FAQs on proof of language skills for residence (B) permits and permanent residence (C) permits

September 2019

1. Background

The legal provisions on the integration of foreign nationals have been revised in the relevant federal act (FNIA)¹ and Federal Council ordinances (ASEO² and FNIntO³). The amendments came into force on 1 January 2019. A commentary is provided in the SEM guidelines for foreign residents.⁴ Language skills are one of the integration criteria that foreign residents are required to meet (Art. 58a FNIA). The requirements vary depending on the foreign persons legal status and the type of permit they hold. The ASEO⁵ sets out the minimum language level necessary, the required language skills and the necessary qualifications (Art. 77d ASEO).

2. Who do the new regulations affect?

The provisions on integration apply in essence to all foreign residents. There is no language requirement for unmarried children under 18 years of age, for spouses and unmarried children up to 18 years of age of Swiss citizens, nor for persons who may benefit from the provisions of the Agreement on the Free Movement of Persons (AFMP⁶) and their family members (spouses and unmarried children up to the age of 21). Due account should be taken of the situation of persons who because of disability or illness or other important personal circumstances are unable to meet or have difficulty meeting the integration criteria (Art. 58a para. 2 FNIA).

3. Proof of language skills

Proof of the required language skills is provided if⁷:

- a) the foreign national's mother tongue is a national language spoken in the place of domicile, mastered in spoken and written form; or
- b) the foreign national has attended compulsory schooling in a national language for a minimum of three years; or

¹ Foreign Nationals and Integration Act; SR 142.20

² Admission, Period of Stay and Employment Ordinance; SR 142.201

³ Foreign Nationals Integration Ordinance; SR 142.205

⁴ <https://www.sem.admin.ch/dam/data/sem/rechtsgrundlagen/weisungen/auslaender/weisungen-aug-f.pdf> (not available in English)

⁵ Admission, Period of Stay and Employment Ordinance; SR 142.201

⁶ <https://www.sem.admin.ch/sem/fr/home/publiservice/weisungen-kreisschreiben/fza.html>

⁷ Art. 77d ASEO

- c) the foreign national has completed upper secondary level education (apprenticeship, baccalaureate school, upper-secondary specialised school) or tertiary-level education (higher education institution) in a national language (as the language of instruction); or
- d) the foreign national can present a recognised document attesting to the required language skills.

4. In which situations must the foreign national give proof of the required language skills?

The foreign national must show that they have the required language skills in order to:

- a) obtain or extend a residence permit in the case of family reunification;
- b) obtain a permanent residence permit in the case of family reunification;
- c) obtain temporary admission in the case of family reunification;
- d) extend their residence permit after dissolution of the family;
- e) obtain a permanent residence permit
- f) obtain a fast-track permanent residence permit
- g) obtain Swiss nationality

The language levels required are set out in the ASEO; these are minimum levels (see below*).

<p>Family reunification: to obtain and extend a residence permit (B)</p>	<p>A1 spoken*</p>	<ul style="list-style-type: none"> • Spouses of holders of residence permits (B) or permanent residence permits (C) (Art. 73a ASEO) • After dissolution of the marriage or the family (Art. 77 ASEO).
<p>Family reunification: to obtain a permanent residence permit (C)</p>	<p>A2 spoken* A1 written*</p>	<ul style="list-style-type: none"> • Spouses of permanent residence permit holders (C-permit) • Spouses of Swiss citizens
<p>To obtain a permanent residence permit (C)</p>	<p>A2 spoken* A1 written*</p>	<ul style="list-style-type: none"> • Foreign nationals who have lived uninterrupted in Switzerland for 10 years (Art. 60 ASEO) • Foreign nationals reissued with a residence permit after a stay abroad (Art. 61 ASEO) • Foreign nationals reissued with a residence permit after downgrading⁸ (Art. 61a ASEO)
<p>To obtain a fast-track permanent residence permit (C)</p>	<p>B1 spoken* A1 written*</p>	<p>Fast-track residence permit after five years' uninterrupted residence in Switzerland (Art. 62 ASEO).</p>

⁸ See Art. 63 para.2 FNIA

<p>To acquire Swiss nationality⁹</p>	<p>B1 spoken A2 written</p>	<ul style="list-style-type: none"> • Standard naturalisation after 10 years (cantonal practice: spoken language in place of residence) • Simplified naturalisation for spouses of Swiss citizens living abroad after six years of marriage and cohabitation. The applicant must be able to communicate orally in everyday situations. Language skills are assessed in an interview with the applicant at an appropriate Swiss representation.¹⁰
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5. Can a person with B1 language skills according to the Common European Framework of Reference for Languages CEFR¹¹ cope with everyday life in Switzerland?

The ability to communicate was a key element in the formulation of the language requirements set in the ASEO. Furthermore, residence status should not depend on a person's ability to speak accurately – this assumes a certain level of education – but to communicate in everyday situations, for example with work colleagues or with one's children's teachers. When the federal programme to promote language skills was set up,¹² the descriptors for the various levels of the CEFR were adapted to the everyday experience of migrants in Switzerland in consultation with experts from the Institute of Multilingualism in Fribourg and from the Council of Europe.

Level A1

- Can communicate in a simple manner in their personal social environment, e.g. in their hometown, at work or at their children's school, provided the other person talks slowly and clearly and is prepared to help if necessary.
- Can introduce themselves and others in simple terms.
- Can give short simple answers to simple questions about personal details, e.g. where they live, or about their work or children.
- Can express their concerns in standard and practised expressions, e.g. in their home environment or when shopping.

⁹ See <https://www.sem.admin.ch/sem/fr/home/publiservice/weisungen-kreisschreiben/buergerrecht.html#Manuel> Nationalité for applications made after 1.1.2018 (not available in English)

¹⁰ Figure 5 of Nationality guidelines

¹¹ CEFR: Common European Framework of References of Languages

¹² <https://www.fide-info.ch/en/wasistfide>

Level A2

- Can understand simple questions and statements relating to important aspects of life, e.g. questions and information about school, education and training, work, health or housing.
- Can communicate in simple and routine situations in offices or other public institutions when a direct exchange of information about familiar matters is required.
- Can describe in simple terms their background, education, work experience and personal experiences.

Level B1

- Can understand the main points of information about familiar matters given by the school, their employer or property owner or by an authority if clear standard language is used.
- Can cope with most situations that people encounter in everyday life, for example at home, at work or when out and about in public areas.
- Can express themselves in simple and connected sentences about familiar topics, personal interests and experiences.
- Can express their own views, goals, hopes and wishes, and briefly justify or explain their viewpoint.

6. Are these language skills minimum requirements?

Under the relevant legislation (Articles 60, 61, 61a, 62, 73a and 77 ASEO), the applicant must prove that they have attained *at least* the relevant reference level in the national language spoken at their place of residence. These are, therefore, minimum requirements. The cantons are responsible for assessing language skills when granting or extending residence permits and issuing or reissuing permanent residence permits.

7. Does a language course have to meet certain quality criteria? Are informal arrangements such as ‘tandems’, courses run by churches or voluntary groups or online courses regarded as sufficient?

If a person’s spoken language skills do not meet the required reference level, providing evidence of enrolment in a language course will suffice, provided that the course takes the person to the required level (Art. 44 para. 2 and Art. 44 para.2 FNIA). The cantonal migration authority will set a deadline by which proof of language skills must be provided. During the transition period up to 31 December 2019, it is enough to provide a language certificate from a course which does not necessarily meet the recognised quality standards (Art. 91c ASEO). The cantons have their own directives on the recognition of language certificates during this transition period.

Online language courses are acceptable provided that they allow the foreign national to acquire the language level stipulated. The certificate must meet generally recognised quality standards for language tests (Art. 77d para.1 ASEO; see also SEM’s list of recognised language certificates¹³). Language courses may also be taken abroad; the main criterion is that proof of the required level can be provided.

SEM recommends the *fide* language passport.¹⁴ This is a recognised proof of language skills; if appropriate, only oral skills are tested. Information on obtaining the language passport, the list of recognised language certificates and the list of *fide*-accredited assessment centres can be found at www.fide-info.ch.

¹³ https://www.fide-info.ch/doc/08_Sprachenpass/fideFR08_ListeCertificatsReconnus.pdf (not available in english)

¹⁴ <https://www.fide-info.ch/en/sprachnachweise/wegezumsprachenpass>

8. Do children have to provide proof of language skills? From what age? Do the same requirements apply as for adults?

Under the family reunification programme, unmarried children under 18 are not required to demonstrate any particular language skills (see Art. 42 para. 3 FNIA and Art. 44 para. 3 FNIA). The same applies to unmarried children of Swiss citizens who are below the age of 18.

9. How can you verify whether a person speaks a national language as their mother tongue?

The term 'mother tongue' means the language learned in early childhood without any formal teaching; i.e. an official Swiss language acquired in childhood from parents or in the immediate social environment. Characteristics of a mother tongue are that a person has an excellent command of the language concerned, uses it frequently for communication (main language) and has special emotional ties to it.

10. Is proof of language skills required when granting a permanent residence permit to persons from countries that have concluded an agreement with Switzerland on permanent residence?

Some countries have an agreement with Switzerland meaning that their citizens do not have to prove their language skills to obtain a permanent residence permit. This applies to citizens of: Austria, Belgium, Denmark, France, Germany, Italy, Netherlands, Portugal, Spain, Greece, and Liechtenstein.¹⁵ A citizen of a country with which Switzerland has not concluded a residence agreement must provide proof of their language skills as required by the Foreign Nationals Act and by the ordinance (ASEO).

11. Which types of language certificate are recognised?

Recognised language certificates include the SEM language passport¹⁶ and those on the official SEM list, which can be accessed [here](#) (not available in English).¹⁷

12. Are there also recognised language certificates for Romansh?

No, there are not yet any language tests for Romansh that meet the quality criteria of the Association of Language Testers in Europe (ALTE).

13. Can the canton demand a Language Passport from everyone who has to prove their language skills?

The SEM language passport is not compulsory. Other language qualifications and certificates are recognised and can be found on the SEM list. Holders of recognised certificates can, however, also obtain a SEM language passport from the *fide* secretariat for CHF 20. The language passport can also be used when applying for jobs.

¹⁵ See No 0.2.1.3.2 Guidelines for foreign residents I (not available in English)

<https://www.sem.admin.ch/dam/data/sem/rechtsgrundlagen/weisungen/auslaender/weisungen-aug-f.pdf>

¹⁶ <https://www.fide-info.ch/en/sprachnachweise/wegezumsprachenpass>

¹⁷ <https://www.sem.admin.ch/dam/data/sem/integration/themen/sprache/anerkante-sprachzertifikate-d.pdf> (not available in English)

14. Are there enough language test centres to meet demand?

Fide gives accreditation to language centres and authorises them to conduct language testing. There are accredited centres all over Switzerland (see [list of accredited test centres](#)). There are also others recognised tests (e.g. DELF, Goethe, etc.) that can be taken in centres throughout Switzerland.

15. Are there any exemptions (due to illness, disability, other personal reasons)?

The person in question needs to provide evidence of why they cannot learn the language, for example by presenting a medical certificate, a literacy development course certificate or a certificate from a speech therapist. The cantonal authorities or SEM will consider an applicant's personal circumstances carefully and in full when assessing their language skills.

16. Transitional regulation (recognition of language certificates not meeting the standard quality requirements)

During the transitional period, the cantons can accept proof of language skills that does not meet the quality criteria nor the criteria applied in the naturalisation procedure (ALTE criteria). For example, they can accept language course attendance certificates or language certificates that do not feature on SEM's list of recognised certificates. The transitional period lasts until 31 December 2019 (see Art. 91c ASEO). After this date, only the SEM language passport and the certificates on the above-mentioned list will be accepted. This transitional regulation does not apply to the Swiss naturalisation procedure. The Swiss Citizenship Act and the Swiss Citizenship Ordinance, in force since 1 January 2018, do not contain any provisions to this effect.

17. Entry procedure and language skills

When an application is made to enter and stay in Switzerland for the purpose of family reunification, the Swiss representations abroad only ascertain that the conditions for entry into Switzerland are met (see note¹⁸). They do not conduct language tests.

Further information can be obtained from the relevant cantonal authorities (see list of addresses¹⁹)

¹⁸ See Factsheet on proof of language skills under internet homepage SFM

¹⁹ See

https://www.sem.admin.ch/sem/fr/home/ueberuns/kontakt/kantonale_behoerden/adressen_kantone_und.html.