



Factsheet on proof of language skills when granting a residence permit (B) or permanent residence permit (C) to citizens of third Countries

Language requirements

The Foreign Nationals and Integration Act (FNIA) and the Ordinance on Admission, Period of Stay and Employment (ASEO) have been revised and now specify the integration criteria to be fulfilled by foreign persons in Switzerland. The language competence are part of these requirements (Art. 58a FNIA). The revised legislation came into force on 1 January 2019. The provisions in question refer to *minimum language requirements* (see especially Art. 77d ASEO). The Confederation is allowed to conduct controls through the approval procedure (for granting residence or permanent residence permits) and to intervene if the minimum conditions provided for in federal law are not met. A foreigner entering Switzerland for the first time usually first receives a residence permit (B). A permanent residence permit (C) can only be issued after the person has lived in Switzerland for a certain period of time established by domestic law or an international agreement.

Issuing or extending a residence permit (B) for citizens of a third country or including them in a decision on temporary admission

Situation	Requirement
Family reunification for a third country national who holds a B, C or F permit	<ul style="list-style-type: none"> Knowledge of the national language spoken at the place of residence: spoken A1 <p>or</p> <ul style="list-style-type: none"> enrolment in a language course that will allow this level to be acquired.
Following family break-up (after at least three years of marriage and integration criteria are met)	Knowledge of the national language spoken at the place of residence: spoken A1
Admission of teachers or religious instructors	Knowledge of the national language spoken at the place of work: spoken B1, written A1

Issue of permanent residence permit (C):

Situation	Requirement
<p>Ordinary granting of permanent residence status after a regular and uninterrupted stay in Switzerland of 5 years, or after 10 years.</p> <p>Citizens of the following countries are exempted from the language requirements:¹ Austria, Belgium, Denmark, France, Germany, Greece, Italy, Liechtenstein, Netherlands, Portugal, Spain.</p>	Knowledge of the national language spoken at the place of residence: spoken A2, written A1
Reissue of a permanent residence permit after downgrading ² or following a stay abroad. ³	Knowledge of the national language spoken at the place of residence: spoken A2, written A1
Fast-track granting of permanent residence status after a regular and uninterrupted stay in Switzerland of 5 years.	Knowledge of the national language spoken at the place of residence: spoken B1, written A1

Proof of language skills (Art. 77d ASEO)

- a) Language skills are regarded as **proved** if the applicant :
- speaks and writes the national language spoken at their place of residence as their mother tongue;
 - has attended compulsory schooling in a national language for a minimum of three years;
 - or has completed education or training in a national language at upper secondary level (e.g. an apprenticeship, baccalaureate school (*Gymnasium*) or upper secondary specialised school (*Fachmittelschule*)) or tertiary level (e.g. university, university of applied sciences). The applicant need not have studied or trained *in Switzerland*. The language of instruction is the determining factor.
- b) In all other situations, the applicant must provide **recognised proof of language proficiency** that certifies that they have the required language skills (Art. 77d para. 1 let. b ASEO). The following are recognised as proof of the required language skills :
- the language passport⁴
 - or a recognised language certificate which features on the SEM list⁵; this also includes the 'fide' proof of language competency.

These certificates meet the quality standards required under ASEO.

¹ Switzerland has concluded residence agreements with these countries.

² See Art. 63 para. 2 FNIA

³ See Art. 61 ASEO

⁴ See <https://www.fide-info.ch/en/sprachnachweise>

⁵ See <https://www.sem.admin.ch/sem/de/home/themen/integration/themen/sprache.html> (not available in English)

Exceptions

If the applicant is unable to meet the language requirements or can only do so with difficulty, an exemption may be granted (Art. 77f ASEO). This may be because of serious personal circumstances such as a physical or mental disability, learning, writing or reading difficulties or a serious or chronic illness. The person must submit proof of their inability to meet the legal language requirements.

Transitional regulation

Certain certificates providing proof of language skills that do not meet the generally recognised quality standards will still be accepted until 31 December 2019 under a transitional provision (Art. 91c ASEO). There is no transitional regulation for persons providing religious instruction or to teaching staff as defined in Art. 26a FNIA in conjunction with Art. 22a ASEO.

Entry procedure

When someone applies to a Swiss representation abroad to enter and remain in Switzerland for the purpose of family reunification, the representation merely establishes that the conditions for entry into Switzerland are fulfilled, without taking account of the person's language skills. Once the foreign national has arrived in Switzerland, the competent cantonal authority where they are domiciled assesses their language skills and may require certain language requirements to be fulfilled. Several options are available, such as issuing a conditional permit or a recommendation for integration, which clearly explains to the person concerned that they must reach the language level required (in principle A1) in order for their permit to be renewed. Enrolment in a language course may be required for the delivery of the residence permit but is not a condition for entry into Switzerland.⁶ In such a case, the competent cantonal authority contacts the applicant and sets with him the terms of their conditions of residence.

Further informations

- FAQs on proof of language skills
- SEM Directives for foreigners (Section 3.3) not available in English
<https://www.sem.admin.ch/dam/data/sem/rechtsgrundlagen/weisungen/auslaender/weisungen-aug-f.pdf>
- FNIA: <https://www.admin.ch/opc/en/classified-compilation/20020232/201906010000/142.20.pdf>
- ASEO: <https://www.admin.ch/opc/fr/classified-compilation/20070993/201906010000/142.201.pdf> not available in English)
- Fide: <https://www.fide-info.ch/en/>

⁶ Entry procedure (not available in English)

<https://www.sem.admin.ch/dam/data/sem/rechtsgrundlagen/weisungen/visa/bfm/weisungen-bfm-national-f.pdf>