



Information Sheet 89: My visa application was denied – what are my options? August 2016

If your visa application was denied for reasons that you do not understand or agree with, you can request that the visa section reconsider its decision (i.e., remonstrate).

You can remonstrate either in person or through a representative (e.g. an attorney or other representative). In the latter case, a power of attorney must be presented that bears your (i.e. the applicant's) signature. Remonstrations for minors under the age of 18 must be made by the legal guardian(s).

If the notice of refusal contains information regarding appeals, (e.g. refusal of a **Schengen visa** or a **visa in accordance with the Freedom of Movement Act/EU** [see Information Sheet 2]), the following shall apply:

- Remonstrations must be received by the visa section no later than one month after the date of the notice of refusal.
- Remonstrations must be made in writing and in German and must bear the applicant's signature. It may be submitted by fax, as an email attachment or by regular mail. There is no specific form. Please include the six or seven-digit code that appears on the notice of refusal, as well as your full name, date of birth and email address, so that the visa section will know exactly which visa application the remonstrations concerns.
- The reason(s) why you are remonstrating should also be included. Please specifically address the justification given in your notice of refusal. Your remonstrations should, if possible, be accompanied by supporting documents that have been translated into German. Documents that have previously been submitted to the visa section do not need to be resubmitted.
- Submitting a remonstrations is free of charge.

If the notice of refusal does not contain information regarding appeals (e.g. refusal of a **national visa**), then the following shall apply:

- Remonstrations must be received by the visa section no later than one year after the date of the notice of refusal.
- See above-mentioned items 2 to 4 with respect to a Schengen visa.

Careful reconsideration of the decision by the visa section in connection with your remonstrations can take several months (**in most cases, up to three months**). You will be contacted after your case has been reconsidered. If your visa application was denied because documents were lacking or the travel dates have passed, we recommend that you do not remonstrate, but rather submit a new visa application, along with a complete set of documents, or the new travel dates. This will again require the payment of a visa application fee. Submitting a new application is faster than remonstrating.

You may also take legal action against a notice of refusal (regarding a visa application or a remonstrations). Further information can be obtained at: www.berlin.de/sen/justiz/gerichte/vg/. If the notice of refusal contains information regarding appeals, the deadline for taking legal action is one month from the date of the respective notice. If the notice of refusal does not contain information regarding appeals, the deadline for taking legal action is one year.