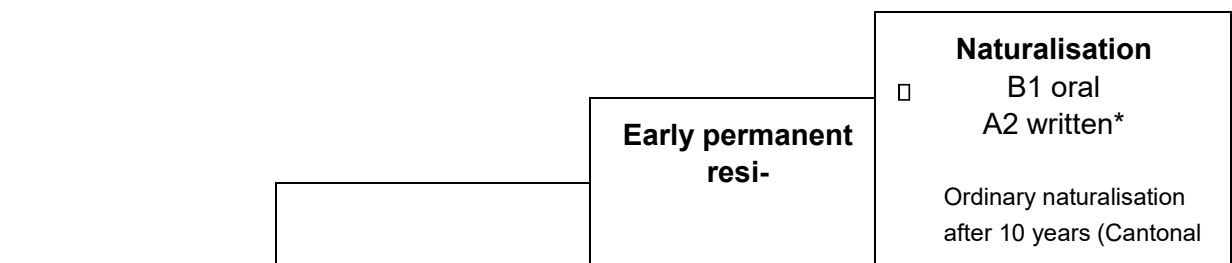




FAQs on proof of language skills for residence and permanent residence permits in accordance with the Foreign Nationals and Integration Act (FNIA) and the Ordinance on Admission, Period of Stay and Employment (ASEO); new regulations coming into force on 01.01.2019

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1. Who do the new regulations affect? Who must provide proof of language proficiency in which situations?



<p>Residence permit A1 oral*</p> <ul style="list-style-type: none"> • Spouses of persons with permanent residence or residence permits (Art. 73a ASEO) • After dissolution of the marriage or the family household (Art. 77 ASEO) 	<p>Permanent residence permit A2 oral A1 written*</p> <ul style="list-style-type: none"> • Normally granted after 10 years (Art. 60 ASEO) • Early re-issue (Art. 61 ASEO) • Reissue after downgrading (Art. 61a ASEO) • Spouses of persons with a permanent residence permit or of Swiss citizens 	<p>dence permit B1 oral A1 written*</p> <ul style="list-style-type: none"> □ Granted early after 5 years (Art. 62 ASEO) 	<ul style="list-style-type: none"> □ practice: language in place of residence) Simplified naturalisation for spouses of Swiss citizens, after 5 years (national language) Simplified naturalisation for spouses of Swiss citizens living abroad after 5 years: basic oral language skills (corresponding to A1)
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The relevant provisions use the term 'minimum language requirements'.

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

For citizens of certain countries, a permanent residence permit is not dependent on language skills. As a result, they are not required to provide proof of language proficiency. This applies to citizens of the following countries: Belgium, Netherlands, Italy, France, Austria, Germany, Denmark, Spain, Portugal, Greece, and Liechtenstein. Where there is no such formal agreement on permanent residence, proof of language proficiency is required as provided for in the Act.

3. In order to obtain a residence permit (B), is it sufficient to enrol in a language course? Does the course have to be of a certain quality? Are informal arrangements, such as ' tandems ' (language practice with friends or colleagues) or offers from churches or other charitable organisations regarded as sufficient?

If the person is unable to provide proof and must therefore enrol for a language course, the migration authority will set a deadline by which proof of language proficiency must be provided. During the transition period until 31.12.2019, the cantonal regulations apply to the recognition of language certificates. The fide Language Passport is recommended as

proof of language proficiency; it is certain to be recognised and, if desired, may be based on an oral test only.

4. Must children provide proof of language proficiency? From what age? Do the same requirements apply as for adults?

Under Art. 44 para. 3 FNIA, the language skills of minors (persons under 18) do not have to be verified.

5. Which language certificates are recognised?

The Language Passport and all language qualifications that are found on the [list of recognized language certificates \(in German\)](#) / [list of recognized language certificates \(in French\)](#) / [list of recognized language certificate \(in Italian\)](#).

6. What checks will be carried out if someone claims that they are unable to acquire or prove the required language skills because of illness, disability or personal circumstances?

The applicant must provide proof of the personal circumstances that make it difficult or impossible to acquire or prove language skills. This may take the form, for example, of a medical certificate, a course certificate from a literacy development course or confirmation from a speech therapist. The cantonal authorities or SEM will take careful and comprehensive account of the applicant's personal circumstances when verifying his or her language skills.

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

The Language Passport is not mandatory – because the language qualifications on the list of recognised language certificates are also sufficient as proof. Holders of recognised certificates can however also obtain a Language Passport from the fide secretariat for CHF 20.-. The Language Passport can also be used when applying for jobs.

8. What do the required levels (GER) actually mean? Can a person with B1 language skills cope with everyday life in Switzerland?

When setting the language requirements, the focus is always on a person's ability to communicate. Accordingly, residency status is not dependent on an ability to use the language in any error-free way (this normally depends on the education that the person concerned has had), but on a person's ability to communicate in everyday life, for example with work colleagues or with their child's teacher.

When devising the conceptual framework for language support measures in consultation with experts from the Institute of Multilingualism in Fribourg and from the Council of Europe, the descriptors for the various levels of the Common European Framework of Reference for Languages were adapted to the everyday lives of migrants in Switzerland.

Level A1

- Can communicate in a simple manner in their personal social environment, e.g. in their home town, 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.

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.

9. Are there also recognised language certificates for Romansh?

No, there are no language tests for Romansh that meet the quality criteria of ALTE¹ language tests.

10. 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. one of our official Swiss languages that was acquired in childhood from our 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.

11. About the transitional provision: what do you mean when you say that some language certificates that do not satisfy the standard quality requirements may be recognised?

This means that the cantons (as at present) are entitled to recognise evidence of language proficiency that does not necessarily satisfy future or currently applicable quality requirements for naturalisation (i.e. the ALTE criteria) (for example qualifications that do not appear on the list of recognised language certificates, course certificates etc.). The transitional provision applies until 31.12.2019. On expiry of the transitional period, only the qualifications that are on the list of recognised language certificates or the Language Passport will be recognised. This transitional arrangement does not apply to naturalisation procedures – the Swiss Citizenship Act and Ordinance have been in force since 1.1.2018 without any such arrangement.

12. Are sufficient resources available to cope with the demand for language tests?

Institutions are continually being accredited to conduct fide tests that provide proof of language proficiency. There are accredited institutions all over Switzerland (see [Liste](#)

¹ Association of Language Testers in Europe

[Sprachnachweis fide](#) / [liste des centres d'évaluation fide accrédités](#) / [lista dei centri di valutazione fide accreditat](#)). In addition, you can still take other recognised tests anywhere in Switzerland (DELF, Goethe, etc.). We assume that after the transitional period of one year, the market will be able to cope with the demand without any difficulties.

13. Are these language skills minimum requirements?

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

For further information, please contact the cantonal authority responsible. You will find a list of the addresses of these authorities [here](#).