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flash Alert

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Germany – Immigration Scammers Making Phone Calls with Threats to Foreign Nationals

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According to a report by Germany's Ministry of the Interior, Indian nationals in Germany have been subject to fraudulent telephone calls by scammers seeking money or personally identifiable information.¹

Why This Matters

Indian nationals on international assignment to Germany, and their family members, need to be aware of the threats and risks arising from these fraudulent telephone calls, so that they may be prepared and exercise vigilance. Doing so will also help to prevent the sharing of any personally identifiable and confidential financial information with scammers who might use that information for their own criminal purposes.

Other foreign nationals in Germany should also be made aware of these fraudulent activities, so that they may exercise vigilance and take the necessary steps in the event they are also contacted in this manner.

The Ministry is currently cautioning parties at risk from these fraudulent calls that, in some instances, make use of what appear to be official telephone numbers of the Ministry itself.² Indeed, during summer 2014, Indian nationals were reporting fraudulent calls which appeared to come from telephone numbers of the Federal Office for Migration and Refugees ("BAMF", an agency of the German Ministry of the Interior).

Many of these fraudulent calls reaching Indian nationals in Germany threaten the recipient with deportation unless he/she pays a specified fine (to "stay" the threatened deportation from Germany). Up to this point, based on information that is available, only Indian nationals have been the recipients of such calls/threats.

It is important to note that deportation can only be processed on the basis of an explicit and written deportation order of the responsible German immigration office ("Auslaenderbehoerde").³ Generally, a deportation order will annul an existing residence title/permission and require the individual to leave Germany within a grace period specified by the immigration office. A deportation order cannot be avoided by paying a fine. Reasons for a deportation can be severe criminal delinquency and the need to ensure public safety and order.

Action Steps

All Indian nationals in Germany – indeed, any foreign nationals – who receive such fraudulent telephone calls, should immediately report the incident to the Federal Ministry of the Interior using the following e-mail address: buergerservice@bmi.bund.de.

Additionally, recipients should not – as also advised by the Federal Ministry of the Interior – provide any personal information to the caller and act without delay to simply disconnect the call.

KPMG Note

During the past few months, in reaction to the calls reported by Indian nationals in Germany, the relevant German authorities have reacted swiftly with investigations and legal proceedings against the perpetrators. They have also issued warnings and made information available to the public.

Indian nationals and German companies employing Indian nationals should be aware of the risks and threats, as well as the steps and information they may rely on to assist them if they are the victims of such scammers.

While up to this point only Indian nationals have been subject to these fraudulent calls, it is possible that other foreign nationals in Germany may be at risk. In light of this, generally speaking, other Germany-inbound assignees and foreign nationals living in Germany should be made aware of this type of fraudulent activity and cautioned to exercise vigilance. And, if they are contacted in this manner, they should notify their global mobility managers and immigration professionals.

Footnotes:

1 See: <http://www.bmi.bund.de/SharedDocs/Kurzmeldungen/EN/2014/10/fraud-telephone-calls.html> .

2 Ibid.

3 See Section 77 (1) of the German Residence Act, at: http://www.gesetze-im-internet.de/englisch_aufenthg/index.html .

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The information contained in this newsletter was submitted by the KPMG International member firm in Germany. The information contained herein is of a general nature and based on authorities that are subject to change. Applicability of the information to specific situations should be determined through consultation with your tax adviser.

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