



Information on the federal government guidelines of 31 March 2021 regarding transitional payments to surviving spouses of victims of National Socialist injustice

On 31 March 2021, the German federal government issued guidelines stating that transitional payments may be granted to surviving spouses of victims of National Socialist injustice who, until their death, received pension payments pursuant to the Federal Compensation Act (*Bundesentschädigungsgesetz*) or received ongoing payments from the Compensation Reserve Fund (*Wiedergutmachungs-Dispositions-Fonds*) pursuant to section 5 of the General Act Regulating Compensation for War-induced Losses (*Allgemeines Kriegsfolgengesetz, AKG*), pursuant to sections 5 and 6 of the AKG Hardship Guidelines (*AKG-Härterichtlinien*) or from the fund for persons affected by the Nuremberg Laws (*NGJ-Fonds*).

Transitional payments are granted only upon application.

Who is eligible to apply?

Widowers or widows of a victim of National Socialist injustice who were married to the victim at the time of his/her death may apply if

1. the victim died after 1 January 2020 and
2. the widow/widower has no claim to a pension pursuant to sections 41, 85, 97 or 157 of the Federal Compensation Act or to assistance pursuant to section 41a of the Federal Compensation Act.

What are the amount of the transitional payments and for how long are they granted?

Transitional payments amount to

1. €513 per month in cases where they are disbursed for months preceding 1 January 2021 and
2. in cases where they are disbursed for months following 31 December 2020, the minimum pension applicable for the respective month pursuant to section 32 (1) in conjunction with section 42 (3) of the Federal Compensation Act in conjunction with section 21a of the second ordinance to implement the Federal Compensation Act.

Transitional payments are granted for a maximum of nine months. They begin in the month following the death of the victim of National Socialist injustice. They cease after nine months, or upon the death of the recipient.

When are transitional payments disbursed?

Transitional payments for months preceding the entry into force of the notice from the Federal Office for Central Services and Unresolved Property Issues are disbursed on the first day of the month following the entry into force of the notice.

Transitional payments for months following the entry into force of the notice from the Federal Office for Central Services and Unresolved Property Issues are disbursed in advance and on a quarterly basis.

If the widower/widow dies, transitional payments cease and the next quarterly payment is not made.

If the recipient dies during a quarter for which a transitional payment has already been disbursed, the transitional payment does not have to be paid back.

To whom are transitional payments disbursed?

There is no legal entitlement to transitional payments.

Transitional payments are strictly tied to the individual recipient. They cannot be transferred or inherited. They cannot be disbursed to third parties.

This does not apply to the widower's/widow's children who are still alive and entitled to inherit if the widower's/widow's application for transitional payments was received by the Federal Office for Central Services and Unresolved Property Issues prior to the death of the widower/widow.

Can transitional payments be deducted from other payments?

Yes, overpayments for pensions pursuant to the Federal Compensation Act or for ongoing payments from the Compensation Reserve Fund pursuant to section 5 of the General Act Regulating Compensation for War-induced Losses or pursuant to sections 5 and 6 of the AKG-Hardship Guidelines or from the fund for persons affected by the Nuremberg Laws may be offset against the transitional payments.

How and where can an application be submitted?

Applications must be submitted using the official form provided for this purpose. The form can be downloaded from the following website or requested from the address below:

<https://www.badv.bund.de/DE/OffeneVermögensfragen/UebergangsleistungenEhegattenNSOpfer/antrag.html>

Please send your application to

Bundesamt für zentrale Dienste und offene Vermögensfragen (BADV)
11055 Berlin, Germany.

If you require further information, you can call the following hotline: +49 (0)30 187030 1324.

Which documents must be enclosed with the application?

The following documents must be submitted with the application:

- A copy of a valid ID card, passport or another official identification document or officially recognised document (birth certificate or genealogical certificate)
- A power of attorney document or order of the guardianship court (if applicable)
- A marriage certificate
- A pension notice or notice confirming disbursement of ongoing payments pursuant to points 3 and 4 of the application form
- A signed transfer agreement if a surviving dependants' pension or ongoing assistance for surviving dependants has been applied for or is being received

Information on data protection

Personal data is collected and processed for the purpose of reviewing and disbursing transitional payments.

For further details, please consult

<https://www.badv.bund.de/SharedDocs/Downloads/DE/Datenschutz/uebergangsleistungenEhegattenNSOpfer.pdf>

Upon request, this information can also be sent to you as a hard copy.