

99104002080000

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/26345/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99104002080000
Leistungsbezeichnung I	
Leistungsbezeichnung II	SED prison victims; application for capital compensation and special allowance
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

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Fachlich freigegeben am	09.05.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Familie, Arbeit und Soziales (Bavarian Bavarian State Ministry for Family, Labour and Social Affairs)
Handlungsgrundlage	<a href="http://www.gesetze-im-internet.de/hhg/_10.html">http://www.gesetze-im-internet.de/hhg/_10.html</a> <a href="http://www.gesetze-im-internet.de/hhg/_10.html">http://www.gesetze-im-internet.de/hhg/_10.html</a> <a href="http://www.gesetze-im-internet.de/strrehag/_17.html">http://www.gesetze-im-internet.de/strrehag/_17.html</a> <a href="http://www.gesetze-im-internet.de/strrehag/_17.html">http://www.gesetze-im-internet.de/strrehag/_17.html</a> <a href="http://www.gesetze-im-internet.de/strrehag/_17a.html">http://www.gesetze-im-internet.de/strrehag/_17a.html</a> <a href="http://www.gesetze-im-internet.de/strrehag/_17a.html">http://www.gesetze-im-internet.de/strrehag/_17a.html</a>
Teaser	Persons who were deprived of their liberty in the former GDR in a manner incompatible with the fundamental principles of a free constitutional order can apply for capital compensation and a special allowance.
Volltext	<p>Persons who were deprived of their liberty in the former GDR in a manner incompatible with the fundamental principles of a free constitutional order shall receive capital compensation of EUR 306.78 for each commenced calendar month of deprivation of liberty. Compensation payments made on the basis of the same facts under other statutory provisions, in particular under the Prisoner Assistance Act, shall be offset against this capital compensation.</p> <p>Persons entitled to capital compensation also receive a special monthly allowance (SED victim's pension, SED victim's pension) if they were deprived of their liberty for at least 90 days in the former GDR in violation of the fundamental principles of a free constitutional order and there are no grounds for exclusion. The deprivation of liberty contrary to the rule of law must be proven by a court rehabilitation certificate and/or a certificate in accordance with Section 10 (4) of the Prisoner Assistance Act.</p> <p>The monthly special allowance currently amounts to EUR 330. From July 1, 2025, this amount will increase to €400 per month. From 2026, this amount will be adjusted according to the percentage by which the current pension value in the statutory pension</p>

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insurance changes. So far, it has only been granted if the beneficiary's income does not exceed the prescribed income limit (see: Requirements). All pensions and benefits as well as child benefit are not taken into account when calculating income. Taxes paid, compulsory social security contributions, any childcare costs and the necessary expenses associated with earning the income (income-related expenses) must be deducted from the income to be taken into account. The income of the spouse is not taken into account. If the income limit is not exceeded by more than EUR 330, the beneficiary receives the special allowance in the amount of the difference between the excess amount and the full benefit of EUR 330, rounded to full euros. From July 1, 2025, this means test will no longer apply when the application is submitted. The monthly special allowance will then be paid regardless of the applicant's financial situation.

Payment will be made from the month following receipt of the application. Eligible persons receive the benefit for life if the income requirements are met. The entitlement to SED victim's pension is non-seizable, non-transferable and non-inheritable (e.g. to spouses or children).

**Erforderliche Unterlagen**

- Proof of deprivation of liberty
- judicial rehabilitation certificate or a certificate pursuant to Section 10(4) of the Prisoner Assistance Act
- Proof of income (until June 30, 2025)

**Voraussetzungen**

The prerequisite for the payment of capital compensation is a court certificate of rehabilitation or a certificate in accordance with Section 10 (4) of the Prisoners' Aid Act.

The prerequisite for payment of the special monthly allowance is an impairment of the economic situation until June 30, 2025. This is the case if the income of single persons currently does not exceed the amount of EUR 1,689 (as of January 1, 2025) and the income of married persons or persons living in cohabitation does not exceed the amount of EUR 2,252 (as of January 1, 2025). The income limit is increased by EUR 563 (as of January 1, 2025) for each child for whom a child benefit

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	<p>entitlement exists under the Income Tax Act or the Federal Child Benefit Act.</p> <p>The special monthly allowance does not require a specific age.</p>
Kosten	
Verfahrensablauf	<p>You must submit the application with the required documents to the government of Middle Franconia.</p> <p>The government will check whether the requirements are met and send you a corresponding notification.</p>
Bearbeitungsdauer	
Frist	<p>The application for a capital allowance can be submitted for an unlimited period. There is also no application deadline for the special monthly allowance. The special monthly allowance is only granted in the month following the application.</p>
weiterführende Informationen	
Hinweise	
Rechtsbehelf	(Optional) appeal procedure
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal