Germany Agreement and foreign pension information 106-04015000

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Background

s22 (out of scope)

This document outlines information about the Agreement including the process of making a claim for Australian payment under the Agreement and coding of German payments.

Start date

The Agreement with Germany:

- started on 1 January 2003, and
- has a Supplementary Agreement to include double coverage provisions which started on 1 October 2008

Claiming and benefits covered

The German Agreement allows customers to lodge a claim for payment from either country. It also allows customers to add together periods of residence in Australia and periods of social security coverage in Germany, to meet the minimum requirements for payment.

Australian payments covered:

- Age Pension
- Disability Support Pension (DSP)
- Carer Payment (CP)
- Parenting Payment Single (PPS)
- Double Orphan Pension (DOP)

Note:

- Only 'severely disabled' customers can be granted DSP outside Australia
- CP is limited to carer partners of Age Pension or DSP customers
- Only 'widowed persons' can be granted PPS

 The <u>DOP and Bereavement Smart Centre Processing Team</u> assess and code all DOP claims. Re-categorise DOP claims to s47E(d) For help, see <u>Bereavement/Double Orphan Pension Helpdesk</u>

Customers can <u>claim Australian payments under the Agreement</u> by contacting Services Australia or the German authorities.

German payments covered:

- Old Age Pension
- · Invalidity Pension
- Survivor Pension

Customers can <u>claim a foreign pension</u> by contacting Services Australia or the German authorities.

Information on International Agreements

Information on how International Agreements work and general concepts used in agreements is contained in <u>International Social Security Agreements</u>.

The **Resources** page has a link to:

- Residence and International program
- Centrelink International Services (CIS)
- Services Australia website

Related links

International Social Security Agreements

Claims for Australian payments under International Agreements

Foreign pension claims

Foreign pension coding

Agreement liaisons, NZ CICs and exchange of information

Comparable Foreign Payment (CFP) lump sum arrears debts

Assessing if a customer is an Australian resident

Process

This document outlines information about the Agreement including the process of making a claim for Australian payment under the agreement and coding of German payments.

General information

Social Security Agreement between Australia and Germany

Category title	Description
German Social	German Social Security System + Read more
Security System	In Germany, federal legislation needs the compulsory payment of social security contributions usually through deductions from paid employment. The pension insurance covers most workers and the self-employed.
	Contributions insure individuals against disability and death and provides for income in the form of a pension once the person reaches retirement age.
	Separate legislation also provides insurance for unemployment, work-related accidents and health and long-term care requirements. A social assistance scheme provides support for those with low income.
	The legislation is the responsibility of the German federal government but administration and payment of pensions is the responsibility of the centralised German funds.
History and previous Agreements	Widow B Pension, Wife Pension and Bereavement Allowance + Read more
	Widow B Pension and Wife Pension were sunsetted in 1995 and, along with Bereavement Allowance, stopped being paid from 2020. See:
	Widow B Pension
	Wife Pension
	Bereavement Allowance
	History and previous Agreements + Read more
	The Agreement with Germany started on 1 January 2003. A Supplementary Agreement introduced double coverage

	provisions starting from 1 October 2008 but did not change the original Agreement.
Authorities, Institutions and Liaison Agencies	Contact details for <u>foreign pension authorities</u> are available in the s 47E(d) Competent authorities + Read more
	For Australia:
	Department of Social Services (DSS)
	For Germany:
	Bundesministerium für Arbeit und Soziales (BMAS) - Federal Ministry of Labour and Social Affairs
	Competent institutions + Read more
	For Australia:
	Services Australia
	Note: the Australian Taxation Office (ATO) is responsible for <u>double coverage</u> provisions.
	For Germany:
	Deutsche Rentenversicherung (DRV)
	Liaison agencies + Read more
	For Australia:
	Centrelink International Services (CIS)
	Note: the Australian Taxation Office (ATO) is responsible for <u>double coverage</u> provisions.
	For Germany:
	Deutsche Rentenversicherung Oldenburg-Bremen (formerly the Wage Earners fund)
	Deutsche Rentenversicherung Bund (formerly the Salaried Employees fund)
	Deutsche Rentenversicherung Knappschaft-Bahn-See (formerly the Miners/Railway/Seamen fund)

Exchange of information and liaison forms

See <u>Agreement Country Document Catalogue (ACDC)</u> for samples of forms, foreign documents and translations.

Exchange of information + Read more ...

Under the Agreement with Germany, information held about customers may be exchanged between the liaison agencies to determine entitlement to payments under the Agreement and under either country's domestic legislation (Article 10.4).

However, information may only be exchanged (Article 15.1) if a person:

- · wishes to use the Agreement, or
- claims a benefit after the Agreement started (that is, after 1 January 2003), or
- authorises the exchange of information in writing

For more information on bulk data exchange, see <u>International Data Exchange Program and auto-indexation of foreign pensions</u>.

Australian liaison form + Read more ...

The following liaison form is completed by Centrelink International Services (CIS) and sent to Germany:

 AUS187GE - Australia/Germany Social Security Agreement

For help with creating and completing the liaison form, see Agreement liaisons, NZ CICs and exchange of information.

German liaison forms + Read more ...

The following liaison forms are completed by Germany and are sent to Centrelink International Services (CIS):

 Certification and Information Form 1 (Bestätigungsund Mitteilungsformblatt 1) - D/AUS 3 (A9805-00)

This form is used in all communication from Germany.

Part I - Certification Form and Information
 Form: provides information on the type of benefit

claimed and whether Request for Information (AUS027) has been completed

- Section 1 Information about the contributor: provides details of the insured person
- Part II Information about the spouse/widow/widower, if not the insured person: for German SUR claims or Australian pensions payable to widowed persons, provides details of the applicant
- Section 3 Information about the orphans
- Section 4 Information about the application: provides details about the claim including representatives
- Section 5 Information and documentation provided by Germany: this section specifies the German information and attachments
- Section 6 Information required from Australia: used to request information from Australia including working life residence and information on Australian pensions
- Section 7 Comments
- Section 8/9 German pension insurance institution: certification from the German liaison agency

Note: where Germany requests an AUS/D 6, this indicates a request for confirmation of employment periods. See German employment periods.

German Insurance Record (Deutscher Versicherungsverlauf) – D/AUS 4

This form provides information on German insurance periods.

 Section 1 - Information about the contributor: provides details of the insured person Section 2 - Status of Insurance record: provides verified periods of German contributions

Information Form 2 (Mitteilungsformblatt 2) -**D/AUS5** (A9806-00)

This form contains the outcome of the German pension claim.

- Section 1 Information about the contributor: provides details of the insured person
- **Section 2 Result of claim:** provides the outcome of the customer's pension claim
- **Section 3 Information:** provides any additional details relating to the claim grant or rejection
- Section 4 Comments: any additional comments, as required

Medical assessments | Medical assessments + Read more ...

Under the Administrative Arrangements, each country will arrange for an agreed report to be and sent with claims for invalidity/disability pensions.

Medical examinations may also be undertaken upon request for foreign pension claim purpose. Generally, the liaison agency will contact Services Australia with the request. There is no provision for reimbursement of costs to either country.

The customer should contact Services Australia if they receive a direct request from the liaison agency to undertake a medical examination. Advise the customer to go through Services Australia's foreign pension medical <u>assessment</u> process. Where the customer has already undertaken a medical examination based on a direct request from the Agreement partner without consulting Services Australia, the customer should contact the liaison agency to discuss any possible reimbursement options.

If a customer is claiming reimbursement of costs based on undertaking a medical examination requested by Services Australia for foreign pension purpose, consider all evidence provided. For example, if incorrect advice was provided to the customer by Services Australia that caused them to seek an independent medical examination which caused the customer to be out of pocket.

See <u>Customer compensation and Act of Grace</u>.

See <u>Agreement Country Document Catalogue (ACDC)</u> for samples of forms, foreign documents and translations.

Double coverage/ Taxation and Healthcare

See general information about <u>early release of</u>
<u>superannuation</u>, <u>refunds of contributions</u>, <u>double coverage</u>,
taxation and health insurance.

Double coverage/certificates of coverage + Read more ...

The Agreement with Germany includes <u>double</u> <u>coverage</u> provisions. <u>Certificates of coverage</u> are used to confirm exceptions.

Any enquiries about <u>double coverage or certificates of</u>
<u>coverage</u> should be directed to the <u>Australian Taxation Office</u>
(ATO) website.

Taxation + Read more ...

Any queries about taxation of pensions or the requirement to lodge a tax return should be directed to:

- In the other country the tax authority in the other country
- In Australia the <u>Australian Taxation Office (ATO)</u> website

See general information on <u>taxation</u>, including issuing Australian <u>payment summaries</u>.

Tax treaty

Australia has a double tax agreement with Germany, which avoids the need for the customer to pay tax in both countries.

A person who is 'resident' in one country (according to the definition in the tax agreement) generally only pays tax on pensions in that country.

Tax deductions from income by one country may be allowed as a credit against tax payable in the other country.

Tax deduction

German pensions may be taxed (Steuer) at the source.

The gross rate of German pension, before **any** deduction, is maintained.

German tax year

Germany uses the calendar year (1 January - 31 December) as the tax year.

Health Insurance/Medicare + Read more ...

Australia does **not** have a <u>Reciprocal Health Care Agreement</u> (RHCA) with Germany.

See general information on <u>health insurance and Medicare</u> coverage.

Any queries about:

- Health insurance coverage in the other country tell the customer to contact the health insurance authority in the other country
- Medicare coverage direct them to <u>Medicare</u>

Pensioners in Germany may have a health insurance deduction (Krankenversicherung) taken out of their German pension.

The gross rate of German pension, before **any** deduction, is maintained.

Note: Krankenversicherung der Rentner (KVdR) is **exempt**.

Additional information

Languages + Read more ...

The official language of Germany is German.

See German naming conventions and pronunciation.

Address and contact details + Read more ...

Telephone country code is +49.

Street address

Title FirstName Surname [Addressee]

Schulstrasse 4 [Street address + number]

32547 Bad Oyenhausen [Postal code + city/town]

GERMANY

Post Office Box address

Title FirstName Surname [Addressee]

Postfach 10 01 65 [PO Box + number]

32547 Bad Oyenhausen [Postal code + city/town]

GERMANY

Note: postal code example 26133:

- 2 is the area
- 6 is the region and
- 133 is the town, commune and group of delivery districts

Same-sex relationships + Read more ...

Same-sex marriage has been legal since 1 October 2017, after the Bundestag passed legislation giving same-sex couples full marital and adoption rights on 30 June 2017.

Prior to that, registered life partnerships (eingetragene Lebenspartnerschaft) were available to same-sex couples. These partnerships provided most though not all the same rights as marriages, and they ceased to be available after the introduction of same-sex marriage.

Australian payments

Rules for Australian payments

Category title	Description
Australian payments	Payments covered under the Agreement + Read more

For Australia, the Agreement with Germany (Article 2.1) covers:

- Age Pension
- Disability Support Pension (DSP)
- Carer Payment (CP)
- Parenting Payment Single (PPS)
- Double Orphan Pension (DOP)

Note:

- Customers outside Australia must be severely disabled to be granted under, or transferred to the Agreement outside Australia (Concluding Protocol - Point 3(d))
 - Non-severely disabled customers may be granted/transferred only if they are an <u>Australian resident</u> and in Australia.
 See <u>Lodgement rules and start day</u>
- Carer Payment is limited to carer-partners of AGE/DSP only (Article 1.1(i)
- Only a 'widowed person' may be granted PPS
 under the Agreement. 'Widowed person' means a
 person (any gender) who stops being a member of
 a couple because of the death of their partner and
 who is not currently a member of a couple (Article
 1(h))
- The <u>DOP</u> and <u>Bereavement Smart Centre</u>
 <u>Processing Team</u> assess and code all DOP clams.

 Re-categorise DOP claims to ^{s 47E(d)}
 For assistance, see <u>Bereavement/Double Orphan</u>

 <u>Pension Helpdesk</u>
- While BVA cannot be claimed after 20 March 2020, claims lodged before this date may still be received. See <u>Bereavement Allowance (BVA)</u>

Australian claim forms and processes

See <u>Agreement Country Document Catalogue (ACDC)</u> for samples of forms, foreign documents and translations.

In Australia + Read more ...

Claims for Australian payments under International Agreements use the same methods and processes as domestic claims.

In Germany + Read more ...

Forms to claim an Australian payment in Germany can be obtained by:

- downloading the relevant form from the Services
 Australia website. See Resources
- contacting Centrelink International Services (CIS)
- contacting the <u>German authorities</u>

Australian forms needed

The customer is to complete and provide the following:

All claims:

- AUS140GE Australian Pension Claim Social Security Agreement between and Germany
- Mod(iA)GE Income and Assets Germany

DSP only:

- AUS142GE Work Capacity Customer Information (Germany)
- AUS109GE Treating Doctor's Report outside Australia (Germany)
- AUS175 Medical Assessment Report Disability Support Pension (Outside Australia)

Note: Germany sends copies of German medical information to Australia.

CP only:

• AUS156 - Assessment for Carer Payment

 AUS156a - Health Professional Assessment for Carer Payment

Forms can be lodged at any German social security office.

Under Sections 3 and 4 of the Administrative Arrangements, the German liaison agency will:

- accept and date stamp the AUS140 form
- verify the customer's identity and personal details
- when necessary, arrange medical forms to be completed, and
- send the form(s) and any supporting documentation to Services Australia within 3 months (Section 4.1) with a liaison form specifying periods of coverage in Germany and information regarding German pensions

See Exchange of information and liaison forms.

Lodgement rules and start day

All <u>claims for Australian payments under International</u>
<u>Agreements</u> are assessed by Centrelink International
Services (CIS).

Residence rules for claims + Read more ...

If a person is not an <u>Australian resident</u> and in Australia on the date the claim is made, they may use the Agreement to meet the residence rules for claims if, on that date, they are:

- an <u>Australian resident</u>, a resident of Germany or another <u>Agreement country that accepts claims</u> for <u>Australian pension under other</u> <u>agreements</u> (Article 5.2(a)), and
- physically present in Australia, Germany or that third country (Article 5.2(b))

Note: only severely disabled DSP customers can be granted or transferred under the Agreement outside Australia. Non-severely disabled (DSP) customers may be

granted/transferred only if they are an <u>Australian</u> resident and in Australia (Concluding Protocol – Point 3(d)).

Claim lodgement + Read more ...

Claims under the German Agreement

Claims for Australian payments under the German Agreement may be lodged in certain other Australian Agreement countries.

See the Claim lodgement matrix.

Accepting other Agreement claims

Germany will accept claims for Australian benefits under other Australian social security agreements.

Claim lodgement consideration

The customer must also satisfy any other rules under the other agreement and social security law provisions, including portability. For example, DSP can be claimed in a third country, but the Agreement portability requirements must continue to be met for payments to be made. See <u>Portability</u>.

Date the claim is 'made' and start day + Read more ...

The normal rules for working out the date a claim is 'made' and the start day apply to claims under the Agreement with Germany. However, the Agreement also allows:

- the date of lodgement of a claim for an Australian payment in Germany to be used as the date of lodgement in Australia (Article 13.1), and
- the date of lodgement of a claim for German pension in Germany to be used as the date of lodgement of a claim for the corresponding Australian payment (FP claim = AU claim) if:

- the person declares a period of residence in Australia at the time of claiming the German payment (Article 13.4), and
- the German claim is received in CIS within
 6 months of being lodged (Article 13.5)

Note: Deutsche Rentenversicherung (DRV) may send a liaison indicating lodgement of a claim for German pension. Policy advice is that this or similar notification is taken to be evidence of a claim and so meets the requirements of this provision. In this case, contact the customer to make sure the German claim process is in progress.

For coding help, see:

- Claims for Australian payments under International Agreements), and
- Start Day (CLK)

Qualification/Totalisation

Totalisation of Qualifying Periods + Read more ...

The Agreement allows:

- totalisation of periods of qualifying Australian residence and periods of coverage in Germany to meet any minimum periods to qualify for an Australian pension, for example, 10 years for Age Pension (Article 7.1)
- the total of any non-continuous German periods of coverage to be considered continuous to meet any continuous residence requirement to claim an Australian pension (Article 7.2)

The Agreement covers several German occupational pension funds however, contributions from the following 2 German funds **cannot** be used to totalise for Australian payments (Concluding Protocol - Point 1(a)):

Hüttenknappschaftliche
 Zusatzversicherung (Steelworkers'
 Supplementary Insurance)

 Alterssicherung der Landwirte (Farmers' Old Age Security)

Note:

- Overlapping Australian residence and German periods of coverage are only counted once (Article 7.3)
- For Australian pensions payable to "widowed persons" (Parenting Payment Single (PPS)),
 German periods of coverage for the deceased partner may be used for totalisation (Article 7.6)
- Adjoining periods of Australian qualifying residence and German periods of coverage, with a break of up to 3 months in between, can also be considered to be continuous (Policy)

See Resources in <u>International Social Security</u>
<u>Agreements</u> for examples of totalisation.

German periods of coverage + Read more ...

German period of coverage:

- means a period of contributions, for instance, a period during which contributions were paid, or any equivalent period, as defined in the German legislation
- where equivalent periods may include deemed periods such as for studying, child rearing or military service
- where both actual and deemed periods may be used when totalising for Australian qualification purposes, as long as they are certified, and don't overlap
- must be certified by the German Competent Institution

Minimum Working Life Residence (WLR) to totalise + Read more ...

To be able to use the totalisation provisions, a person who is not an Australian resident at the date of lodgement must have at least 12 months Australian Working Life Residence (WLR) in Australia of which 6 months must be continuous (Article 7.5(a)).

Note: unlike WLR for rate, this period cannot be rounded.

No minimum WLR is needed if the person is an <u>Australian</u> resident at the date of lodgement (Article 7.5(b)).

Carer Payment (CP) + Read more ...

CP has no qualifying residence periods but does have a Newly Arrived Resident's Waiting Period (NARWP). Beside normal exemptions, a NARWP only applies to a person who has 'entered Australia'. See: Newly Arrived Resident's Waiting Period (NARWP) and Qualifying Residence Period.

A person who is resident and present outside Australia has not entered Australia and therefore does not have a NARWP.

To avoid granting CP to a person who has never been to Australia, the Agreement needs a person to have been an Australian resident at some time (Article 5.1).

Ongoing residence requirements + Read more ...

The Agreement allows the ongoing residence requirement for DSP, PPS and CP to be met by customers who in Germany (Article 9.1).

Rate calculation

The rate of payment may be affected by the Agreement with New Zealand.

Outside Australia + Read more ...

For customers outside Australia, the Agreement with Germany (Article 8.1) refers to the overall rate calculation contained in section 12(1) of the Social Security (International Agreements) Act 1999.

This means customers paid under the Agreement have:

- a proportional rate paid according to their Australian <u>Working Life Residence (WLR)</u>
- the Rate Limiter/Limited Rate applied
- additional child amounts (s14A, SS(IA)A 1999)
 included if eligible in the proportional rate. These
 amounts are paid automatically as a component
 of the Australian pension if the customer is
 qualified
- their German pension proportionalised (<u>Randisi</u> <u>concession</u>) for use in the income test using denominator of 300 (Article 8.2)

Note:

- In some circumstances, their partner's WLR may be used. See <u>Working Life Residence (WLR)</u>
- Autonomous customers who are paid a proportional rate and receiving a German pension will also have the <u>Randisi concession</u> applied to their German pension (Article 8.3)
- This does not apply to Double Orphan Pension (DOP) (Article 8.1).

Non-proportional rate extension

Customers paid under the Agreement and temporarily outside Australia, cannot have their non-proportional portability rate extended if they are unable to return to Australia.

Returns to Australia

The proportional rate continues to apply for the first 26 weeks of a temporary return to Australia (Article 8.5).

 For returns to Australia before 9 June 2018, manually code the Temporary Return to Aust Ind on the s 47E(d)

Inside Australia + Read more ...

Customers in Australia under the Agreement are generally paid a <u>direct deduction</u> rate (Article 8.6).

The Agreement does **not** include a <u>comparison rate</u> in Australia.

Departures from Australia

The inside Australia rate continues to be paid for the first 26 weeks of a temporary departure from Australia (Article 8.7).

Portability

Payments other than DSP + Read more ...

Payments under the Agreement

Under the Agreement, provided the customer remains qualified, Australian payments are payable indefinitely in both countries, that is, for temporary or permanent absences (Article 9.1).

Third country portability under the Agreement

Portability to third countries (from Australia or Germany) for a customer paid under the Agreement is the same as for an autonomous customer leaving Australia (Article 9.2). See <u>Portability of payments</u>.

Portability of DSP payments + Read more ...

Under the Agreement, DSP may be paid for up to 26 weeks to a person who is not severely disabled and is travelling to Germany (Concluding Protocol - Point 5).

See <u>Portability of Disability Support Pension (DSP)</u>
<u>payments</u> table for all DSP portability conditions under the German Agreement.

Note: in all below examples, if the customer ceases to be payable for any reason, including for exceeding the allowable portability period, they will not be able to claim again until they return to Australia or Germany.

Examples of DSP portability - non-severely disabled customers

The following examples assume the customer has not left Australia or Germany within the last 12 months and has, unless otherwise stated, as a maximum portability period of 4 weeks in a rolling 12 months available.

Example 1:

A non-severely disabled DSP customer paid under the German Agreement leaves Australia temporarily to travel to Germany:

- they stay in Germany for 23 weeks
- then temporarily go to Luxembourg (a third country)

Under ordinary rules, DSP is portable for the first 4 weeks of the customer's departure to Luxembourg. After 3 weeks in the third country, however, the customer will reach the 26-week outside Australia payment limit.

The customer can only be paid for 3 weeks after they depart Germany.

Example 2:

A non-severely disabled DSP customer paid under the German Agreement leaves Australia temporarily to travel to Germany:

- they stay in Germany for 20 weeks
- then go temporarily to Sweden (a third country)

Under ordinary rules, DSP is portable for the first 4 weeks of the customer's departure to Sweden. After 4 weeks in the third country, the customer will have been absent from Australia for 24 weeks only, and not have reached the 26-week outside Australia payment limit.

The customer can be paid for 4 weeks after they depart German.

Example 3:

A non-severely disabled DSP customer paid under the German Agreement leaves Australia to travel to Austria (an Agreement country) temporarily.

Under ordinary rules, DSP is portable for the first 4 weeks of the customer's departure to Austria. After 4 weeks in the third country, the customer will have been absent from Australia for 4 weeks only, and not have reached the 26-week outside Australia payment limit.

The customer can be paid for 4 weeks after they depart Australia.

Examples of DSP portability to a third country - severely disabled customers + Read more ...

The following examples assume the customer has not left Australia or Germany within the last 12 months and has, unless otherwise stated, as a maximum portability period of 4 weeks in a rolling 12 months available.

Example 1:

A severely disabled DSP customer paid under the German Agreement who has **not** been assessed as having No Work Capacity (NWC) leaves Australia to travel to Germany temporarily:

- they stay in Germany for 23 weeks
- then go temporarily to Turkey (a third country)

Under ordinary rules, DSP is portable for the first 4 weeks of the customer's departure to Turkey. For Severely Disabled DSP customers, the 26-week outside Australia payment limit does not apply.

The customer can be paid for 4 weeks after they depart Germany.

Example 2:

A severely disabled DSP customer paid under the German Agreement who has **not** been assessed as having NWC, leaves Australia to travel to Croatia temporarily.

Under ordinary rules, DSP is portable for the first 4 weeks of the customer's departure to Croatia. For Severely Disabled DSP customers, the 26-week outside Australia payment limit does not apply.

The customer can be paid for 4 weeks after they depart Australia.

Example 3:

A severely disabled DSP customer paid under the German Agreement who **is** assessed as having NWC, leaves Australia to travel to the United Kingdom for residence.

Under ordinary rules, DSP is portable indefinitely for customers with No Work Capacity. For Severely Disabled DSP customers, the 26-week outside Australia payment limit does not apply.

The customer can be paid can be paid indefinitely.

Transfers to/from Agreement

Transfers to the German Agreement + Read more ...

If necessary, a customer who receives an autonomous payment that stops being payable due to portability reasons can transfer to the Agreement to continue payment if:

- the payment is covered by the Agreement
- the customer meets any payment limitations, such as severely disabled, and
- the customer can meet the <u>lodgement</u> <u>provisions</u> of the Agreement

If transferred to the Agreement, all Agreement rules apply to the customer, including <u>portability</u> and <u>rate of payment</u>.

See <u>Transfers to international social security agreements</u>.

Transfers to autonomous + Read more ...

A person who would be autonomously qualified but is paid under the Agreement can transfer from the

Agreement to autonomous only if they are an Australian resident and in Australia. On return to Australia, system processing will automatically transfer from the Agreement to autonomous if the person is an Australian resident who has only used the Agreement to extend their portability while outside Australia. Former resident provisions may affect customers who transfer to autonomous if they leave Australia again within 2 years of becoming an Australian resident. Paying customers in Australian payments to overseas bank account + Read Germany more ... Australian payments may be issued to customers outside of Australia. If the customer intends to be outside of Australia: long-term (12 months or longer), their Australian payment may be issued to an overseas bank account. See Overseas Bank Account Details (OBAD) for payment requirements by country for less than 12 months, payment will generally continue to their normal Australian bank account every 2 weeks See <u>Delivery of payments to Centrelink customers</u> outside Australia.

German payments

Rules for German payments

Category title	Description
German payments	Payments covered under the Agreement + Read more
	For Germany, the Agreement covers pension insurance for:
	Rentenversicherung der Arbeiter (Wage Earners' Pension Insurance)

- Rentenversicherung der Angestellten (Salaried Employees' Pension Insurance)
- Knappschaftliche Rentenversicherung (Miners' Pension Insurance)

On 1 October 2005 there was an organisational reform in Germany. Since then, there is no longer a distinction between occupational pension funds. The are all known as the Deutsche Rentenversicherung (DRV).

The Agreement also covers the following pension funds:

- Hüttenknappschaftliche Zusatzversicherung (Steelworkers' Supplementary Insurance)
- Alterssicherung der Landwirte (Farmers' Old Age Security)

Totalisation and calculation provisions as per (Articles 6 to 9) do not apply to payments from these funds (Concluding Protocol - Point 1(a)).

Main payments + Read more ...

- Altersrenten Old Age pension (AGE)
 - o Regelaltersrente Standard old-age pension
 - Altersrente für langjährig Versicherte Old-age pension for those insured for many years
 - Altersrente für schwerbehinderte Menschen -Old-age pension for severely disabled persons
 - Altersrente für besonders langjährig Versicherte
 Old-age pension for those insured for a particularly long period
 - Altersrente für langjährig unter Tage beschäftigte Bergleute - Old-age pension for miners employed underground for many years)
 - Vorzeitige/Vorgezogene Early retirement
- Erwerbsminderung/ Erwerbsfähigkeit Reduced earning capacity/Invalidity pension (INV), includes:

- Rente wegen teilweiser Erwerbsminderung -Pension due to partial reduction in earning capacity
- Rente wegen teilweiser Erwerbsminderung Pension due to full reduction in earning capacity
- o Rente für Bergleute Pension for miners
- Hinterbliebenenrenten Survivor pensions (SUR)
 - Kleine/Große Witwenrente oder Witwerrente -Small/Large widow's or widower's pension
 - o Waisenrente Orphan's pension
 - Erziehungsrente Child-rearing pension (CRP)

Note: SUR pension may be paid at a higher rate for up to 2 years from grant, then may reduce to a lower rate or cease altogether.

Supplementary payments/Allowances + Read more ...

Rentenzuschlag (Adjustment payment)

German social assistance payments:

- Livelihood support and basic income support in old age or reduced earning capacity (German Social Code: SGB XII):
 - Hilfe zum Lebensunterhalt (SGB XII) (Livelihood support)
 - Grundsicherung (SGB XII) (Basic income support in old age and reduced earning capacity)
- Care benefits (German Social Code: SGB XI):
 - Pflegegeld (Care allowance)
 - Pflegehilfe (Care assistance)
- Welfare benefits for war victims in accordance with the Federal War Victims Relief Act (Bundesversorgungsgesetz - BVG):

- Hilfe zur Teilhabe am Arbeitsleben (Assistance with participation in working life)
- Erziehungsbeihilfe (Education allowance)
- Ergänzende Hilfe zum Lebensunterhalt (Supplementary support for living expenses)
- Erholungshilfe (Recreation assistance)
- Wohnungshilfe (Housing assistance)
- Hilfe in besonderen Lebenslagen (Assistance for special circumstance)
- Hilfe zur Pflege (Nursing care assistance)
- Hilfe zur Weiterführung des Haushalts (Assistance with maintaining the household)
- Altenhilfe (Assistance for the elderly)
- Krankenhilfe (Sickness assistance)
- Former Social compensation benefits (German Social Code: SGB XIV):
 - Opferentschädigungsgesetz (OEG) Victims of violent acts
 - Soldatenversorgungsgesetz (SVG) Soldiers injured during military service
 - Zivildienstgesetzes (ZDG) Injured civilian service members
 - Infektionsschutzgesetz (IfSG) Vaccination victims
 - Häftlingshilfegesetzes (HHG) GDR and East
 German political prisoners
 - Strafrechtlichen Rehabilitierungsgesetzes (StrRehaG) - Politically prosecuted victims from the former GDR

- Verwaltungsrechtlichen
 Rehabilitierungsgesetzes (VwRehaG) repealed decision due to incompatible
 fundamental principles of the GDR
- Other social assistance payments:
 - Kindergeld (Child benefit)
 - Wohngeld (WoGG) (Housing benefit)
 - Bürgergeld (German Social Code: SGB II)
 (Citizen 's benefit)
 - Leistungen der Jugendhilfe (German Social Code: SGB VIII) (Youth supplement)

Other known payments + Read more ...

The following known payments are paid by the German authorities but are not covered under the Agreement:

- Krankenversicherung der Rentner (KVdR) (Health insurance for pensioner)
- Heilbehandlung, Versehrtenleibesübungen und Krankenbehandlung (Health treatment benefits)
- **Beschädigtenrente** (Damaged person pension)
- German civil service and private pensions:
 - Bayerische Versorgungskammer (BVK)
 - Beamtenversogungsgestezt (BeamtVG)
- German Restitution payments

For help with:

- Assessment of German pensions, see Assessment
- Coding of German pensions, see <u>Eligibility and Coding</u>

Comparable Foreign Payment (CFP)

Requirement to claim CFP + Read more ...

The requirement to claim German pensions applies to German AGE and INV.

- Customers may voluntarily claim Survivor pension or Orphans Benefit using the SUR claim pack
- Customers may voluntarily claim Child Rearing pension using the AGE claim pack

See Foreign pension claims.

Eligibility for German payments + Read more ...

Eligibility and coding of foreign pensions tab contains detailed information on German payments that are subject to CFP legislation

German claim forms and processes

See <u>Agreement Country Document Catalogue (ACDC)</u> for samples of forms, foreign documents and translations.

In Australia + Read more ...

Claim packs are available for AGE, INV and SUR.

Claim packs are issued through the ^s ^{47E(d)} s ^{47E(d)} See Assisting customers to claim a foreign pension.

Specific requirements for German claims

s 47E(d)

Requests for additional information

If information provided with the claim for German pension is incomplete, Germany will send requests for information in German direct to customers.

Employment periods + Read more ...

Under the Agreement with Germany, Germany may request confirmation of employment periods in Australia during AWLR for customers that worked in any of the following areas:

- as a miner (Article 6(b))
- for any other situation that is required under German legislation (Concluding Protocol - Point 4(b) and extension facts - Point 4(c))

Periods of self-employment can be counted. See <u>Working Life</u> <u>Residence (WLR)</u>.

The Verification of Working life residence and employment in Australia (**AUS027US**) form may be sent to the customer requesting verification.

Note:

- Germany may request an AUS/D6. This indicates a request for confirmation of employment periods
- Australian periods of employment or self-employment is generally required as part of a German INV pension assessment

s 47E(d)

Receipt of foreign pension claim by Services **Australia** + Read more ...

Under the Administrative Arrangements, German forms can be lodged in Australia at any service centre. See <u>Processing a foreign pension claim</u>.

- All foreign pension claims and supporting documents must be scanned, and
- The original foreign claim form and copies of supporting documents must be sent in paper form to Centrelink International Services (CIS). See <u>Processing</u> a foreign pension claim

Centrelink International Services (CIS) only:

CIS will complete the following or arrange for the following to be completed as necessary and attach the documents to the foreign pension claim to send to the agreement country.

See Agreement Liaison Detail (ALD) for method of transmission.

All claims:

 AUS187GE - Australia/Germany Agreement on Social Security

For help with creating and completing the liaison form, see Agreement liaisons, NZ CICs and exchange of information.

CIS staff are required to sign the relevant section of the claim form.

INV only:

- E213 Detailed Medical Report. See <u>Foreign pension</u> medical assessments
- Copy of existing Australian medical information

In Germany + Read more ...

Enquiries about claims for German payments in Germany or a third country should be directed to the <u>German social security</u> authorities

Payment method and Indexation (CPI)

Payment method + Read more ...

German payments are paid by direct deposit in Australia. In Germany payments are made through Deutsche Post.

German pensions are generally paid on the last Friday of the month to customers in Australia.

Any queries about the non-payment of German pension should be directed to the <u>German pension authorities</u>.

Frequency + Read more ...

Agreement pensions are paid as 12 regular monthly payments. There are no bonus payments.

Currency + Read more ...

German pensions must be recorded in the source currency - Euro (**EUR**). Official statements provide the foreign currency amounts.

Amounts recorded in source currency on the s 47E(d) s 47E(d) screen must **not** be changed to the Australian dollar amount.

Note: payments into Australia are made in Australian dollars.

Indexation (CPI) + Read more ...

German payments are increased for Consumer Price Index (CPI or cost of living) changes from 1 July each year.

For more information on bulk exchanges and auto adjusted CPI increases, see <u>International Data Exchange Program and auto-indexation of foreign pensions</u>.

Assessment

The assessment and coding of German pensions may be affected by the Agreement with New Zealand.

Agreement pensions (AGE/INV/SUR/CRP) are generally: + Read more ...

- directly deducted (Article 8.6) and ignored in the income test (Section 8(8)(zc) Social Security Act 1991) for customers under the German agreement who are in Australia
- proportionalised and assessed as ordinary income (Article 8.2) for customers paid:
 - under the German agreement who are outside Australia

- autonomously who are on a long-term outside Australia rate
- ordinary income (not proportionalised) for customers paid:
 - o autonomously who are inside Australia
 - under another agreement other than Germany or New Zealand who are inside or outside Australia

See <u>Rate Calculation</u> for when a direct deduction or proportional rate is applied.

Note:

- CRP can be paid as a main payment or as a component of a main payment
- Rentenzuschlag (Adjustment payment) is currently paid as a separate payment to the main payment (paid on the 20th of the month). From December 2025, Germany will add it to the main payment
- This does not apply to Double Orphan Pension (DOP) (Article 8.1). DOP is a non-means tested payment
- Each member of a couple is deemed to receive half of the total amount received by the couple (Article 8.8)

The following payments are assessed as ordinary income: + Read more ...

- Heilbehandlung, Versehrtenleibesübungen und Krankenbehandlung - Medical treatment benefits
- Beschädigtenrente Damaged person pension
- German civil service and private pensions

Known German pension funds include:

Bayerische Versorgungskammer (BVK)

Bayerische Versorgungskammer is an umbrella Bavarian pension organisation that administers a number of occupational pension schemes and funds including:

- BVK Beamtenversorgung (BVK Civil Servant pension)
- Das Versorgungswerk des Bayerischen Landtags (Bavarian State Parliament pension fund)
- Die Versorgungsanstalt der bevollmächtigten Bezirksschornsteinfeger (Pension fund for district chimney sweeps)
 - Beamtenversogungsgestezt (BeamtVG)

BeamtVG administers the pensions of federal civil servants and judge

The following payments are exempt: + Read more ...

These payments are assessed as exempt income for customers paid under the Agreement or autonomously.

German social assistance payments

German social assistance payments are **exempt** from the income test for customers **who are residing in Germany** and for the first 26 weeks of a temporary return to Australia (Article 8.4). These payments generally cannot be paid outside of Germany:

- Hilfe zum Lebensunterhalt Livelihood support under Volume XII of the Social Code/Sozialgesetzbuch (SGB XII)
- Grundsicherung Basic income support in old age and reduced earning capacity under Volume XII of the Social Code/Sozialgesetzbuch (SGB XII)
- Bürgergeld Citizen ´s benefit under Volume II of the Social Code/Sozialgesetzbuch (SGB II)
- Wohngeld (WoGG) Housing benefit
- Leistungen der Pflege Care benefits under Volume XI of the Social Code/Sozialgesetzbuch (SGB XI)
- Pflegegeld Care allowance
- Pflegehilfe (until 2016, this payment was known as Pflegestruffe) - Care assistance

- Kindergeld Child benefit
- Kriegsopferfürsorgeleistungen (BVG)

Kriegsopferfürsorgeleistungen are welfare benefits for war under the Federal War Victims Relief Act (Bundesversorgungsgesetz (BVG)). Numerous benefits can be paid under BVG however **only** the following war victims' welfare benefits are **exempt**:

- Hilfe zur Teilhabe am Arbeitsleben (§ 26 BVG) -Assistance with participation in working life
- Erziehungsbeihilfe (§ 27 BVG), Education allowance
- Ergänzende Hilfe zum Lebensunterhalt (§ 27a BVG) -Supplementary subsistence assistance
- Erholungshilfe (§ 27b BVG) Recreation assistance
- Wohnungshilfe (§ 27c BVG) Housing assistance
- Hilfe in besonderen Lebenslagen (§ 27d BVG) -Assistance in special circumstances
- Hilfe zur Pflege (§ 26c BVG) Assistance with nursing care
- Hilfe zur Weiterführung des Haushalts (§ 26d BVG) -Assistance with maintaining the household
- Altenhilfe (§ 26e BVG) Assistance for the elderly
- Krankenhilfe (§ 26b BVG) Sickness assistance

Volume XIV of the Social Code (SGB XIV)

From 1 January 2024, social compensation benefits (Soziale Entschädigung) is regulated under Volume XIV of the Social Code (SGB XIV, replacing the BVG and Victims Compensation Act (OEG)).

In addition to the victims of the war, their survivors can receive any of the following benefits which is assessed as exempt income:

Opferentschädigungsgesetz (OEG) - Victims of violent acts

- Soldatenversorgungsgesetz (SVG) Soldiers who suffered an injury during military service, under the Soldiers' Pensions Act
- Zivildienstgesetzes (ZDG) Civilian service members who have suffered an injury, under the Civilian Service Act
- Infektionsschutzgesetz (IfSG) Vaccination victims who meet the requirements of the Infection Protection Act
- Häftlingshilfegesetzes (HHG) Political prisoners in the former GDR and the former German eastern territories who have suffered health damage as a result of imprisonment, under the Prisoners' Assistance Act
- Strafrechtlichen Rehabilitierungsgesetzes
 (StrRehaG) Victims of politically motivated criminal prosecution measures in the former GDR whose health suffered during imprisonment under the Criminal Rehabilitation Act
- Verwaltungsrechtlichen Rehabilitierungsgesetzes (VwRehaG) -Person whose health suffered because of a repealed administrative decision made by official bodies in the former GDR under the Administrative Law Rehabilitation Act
- Leistungen der Jugendhilfe Youth supplement under Volume VIII of the Social Code/Sozialgesetzbuch (SGB VIII)
- Krankenversicherung der Rentner (KVdR) -Pensioner's health insurance

KVdR is an additional payment for customers who choose to pay compulsory health insurance. It is **exempt** from the income test.

Restitution payments

Restitution payments paid for National Socialist (Nazi) persecution are **exempt** income (s8(8)(n) Social Security Act 1991). **Otherwise**, payment is assessed as <u>ordinary income</u>.

Exempt restitution payments are generally identified by:

- name of restitution payment. Known payments include:
- Compensation payments from the 'Claims of Conference' (Conference on Jewish Material Claims Against Germany), for example, Article 2 Fund
- Erinnerung, Verantwortung und Zukunft
- (Compensation payments from the Remembrance, Responsibility and the Future Foundation)
- Payments under Gesetz zur Zahlbarmachung von Renten aus Beschäftigungen in einem Ghetto (ZRBG)
- Payments to displaced Jewish persons under German Foreign Pensions Law - Fremdrentengesetz (FPL)
- Payments under the Ghetto Labour Compensation Fund
- the words Wiedergutmachung Rente or Zustell Bevollm
- contributions include periods for NS-Verfolgung (Persecution)
- under German law Bundesentschädigungsgesetz (BEG)

Arrears debts and embargo

The assessment and coding of German pensions may be affected by the <u>Agreement with New Zealand</u>.

Arrears debts and embargo + Read more ...

The Agreement includes embargo provisions (Article 14.3) but they are not used.

Arrears debts for customers and their partners are raised under s1228A Social Security Act 1991 and recovered via normal methods under the Act. See Comparable foreign payment lump sum arrears.

s 47E(d)

s47E(d) See Agreement Country Document Catalogue (ACDC) for Life certificates, notices and samples of forms, foreign documents and translations. documents Life certificates + Read more ... Customers will no longer need to provide a life certificate to Germany, if they are: <u>residing in Australia</u>, and in receipt of both an Australian and German pension, and younger than 95 years of age Living status will be provided via the International Data Exchange Program. Customers who do not receive an Australian pension and/or 95 years of age or older will need to continue to provide a life certificate to Germany by October, if requested. German life certificates (Certificate of Being Alive -Lebenstätigung) are in German, French and English. German Life Certificates can be certified by an officer of Services Australia. Apart from the paper life certificate, Germany also offers customers the option of verifying their proof of life digitally via Deutsche Post. See German Digital Proof of Life Process link on the **Resources** page for further information For information on helping customers with life certificates, see Assisting customers to maintain an existing foreign pension. Notices and documents + Read more ... Customers in Australia are sent notices at grant and will receive an annual statement each year in July.

Eligibility Criteria for Altersrenten - Old Age Pension (AGE)

Table 1

Category title	Description	
Claim limitations	None.	
Age	Year of Birth	Qualifying age
	1947	65 and 1 month
	1948	65 and 2 months
	1949	65 and 3 months
	1950	65 and 4 months
	1951	65 and 5 months
	1952	65 and 6 months
	1953	65 and 7 months
	1954	65 and 8 months
	1955	65 and 9 months
	1956	65 and 10 months
	1957	65 and 11 months
	1958	66
	1959	66 and 2 months
	1960	66 and 4 months
	1961	66 and 6 months
	1962	66 and 8 months

	1963	66 and 10 months
	1964	67
Qualifying periods	Domestic minimum: 5 years (60 months) German periods of coverage	
	or	
	Agreement totalisation: minimum of 12 months German periods of coverage, which can be totalised with Australian Working Life Residence (WLR) to meet the domestic minimum above.	
Expiry	Death of pensioner.	
Compatibility	Cannot receive with INV (transferred at qualifying age). Can receive with SUR.	

Eligibility Criteria for Erwerbsminderung/Erwerbsfähigkeit - Invalidity Pension (INV)

Table 2

Category title	Description
Claim limitations	None.
Age	Subject to qualification.
Qualifying periods	Domestic minimum: 5 years (60 months) German periods of coverage or Agreement totalisation: minimum of 12 months German periods of coverage, which can be totalised with Australian

	Working Life Residence (WLR) to meet the domestic minimum above.
Expiry	Revision of incapacity, start of Old Age Pension or death of pensioner.
Compatibility	Cannot receive with AGE (transferred on qualifying age). Can receive with SUR.

Eligibility Criteria for Hinterbliebenenrente - Survivor Pension (SUR)

Table 3

Category title	Description	
Claim limitations	None.	
Age	 47, or disabled, or dependent child under 18, or disabled child 	
Qualifying periods	Domestic minimum: Legally married for one year and: • deceased covered for 5 years before death, or • deceased received German AGE or Agreement totalisation: minimum of 12 months German periods of coverage, which can be totalised with Australian Working Life Residence (WLR) to meet the domestic minimum above. Note: for SUR, WLR of deceased must be certified.	
Expiry	If remarried or dependent child turns 18 or on death of pensioner.	

Compatibility	Can receive with AGE/INV.
	Can receive multiple SUR.
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References

Policy

Social Security Guide 10.1 General Principles of Agreements

Social Security Guide 10.14 Agreement with Germany

Social Security Guide 1.1.D.70 Dependent child

Legislation

Links to the Federal Register of Legislation site go to a 'Series' page. Select the 'Latest' version.

Social Security (International Agreements) Act 1999 Schedule 14, Germany

Social Security Act 1991 section 8, Income test definitions

Social Security Act 1991 section 5, Family relationships definitions - children

Resources

This table has details about portability of Disability Support Pension (DSP) under the German Agreement.

Portability	Severely disabled	Not severely disabled
To Germany (permanent and temporary departures)	Indefinite.	Payable up to a maximum of 26 weeks for any single departure from Australia.

From Germany to	For temporary departures:	For temporary departures:
a third country	if assessed NWC/terminally ill - indefinite otherwise limited to 4 weeks in a rolling 12 month period Departing for residence: if assessed NWC/terminally ill - indefinite otherwise nil	 until the customer has been absent for a total of 4 weeks in a rolling 12 month period until the customer has been absent from Australia for 26 weeks, whichever ends first Departing for residence: if assessed NWC/terminally ill: payable up to 26 weeks from the date of departure from Australia otherwise nil
From Australia to a third country	if assessed NWC/terminally ill - indefinite otherwise limited to 4 weeks in a rolling 12 month period Departing for residence: if assessed NWC/terminally ill - indefinite	• until the customer has been absent for a total of 4 weeks in a rolling 12 month period or • until the customer has been absent from Australia for 26 weeks, whichever ends first Departing for residence:
	• otherwise nil	if assessed NWC/terminally ill: payable up to 26 weeks from the date of departure from Australia

	•	otherwise nil

Intranet links

Centrelink International Services (CIS)

Residence and International program

Contact details

Centrelink International Services (CIS) - contact details for staff

Centrelink International Services (CIS) - contact details for customers

Australian Taxation Office (ATO)

Services Australia website

Services Australia

Medicare phone numbers

External link

German Digital Proof of Life Process