



Short information letter

about German pension entitlements for former ghetto workers (known as ghetto pensions under the ZRBG*) according to the ZRBG Amendment Act*

Information for persons who are already in receipt of a ZRBG pension!

1. What has changed?

The ZRBG Amendment Act improves the legal position of ZRBG beneficiaries. The changes affect **pensions already provided** (see No. 2) as well as claims for ZRBG pensions filed for the first time. Information ZRBG 122 provides more detailed information for **first-time claims** which we will be happy to provide as requested.

2. What are the effects on continuing ZRBG pensions?

To date many ZRBG beneficiaries receive their pension first with effect from January 1st, 2005 or later and not with effect from the earliest possible date (for example, regular old-age pensions with effect from the month after the beneficiary has turned 65). For these beneficiaries the ZRBG Amendment Act stipulates the right to a reassessment of their pension with effect from the earliest possible date, this means with effect from July 1st, 1997 at the earliest.

3. Information provided by the pension offices

If beneficiaries are already in receipt of a pension which could commence earlier based on the new regulation their responsible pension office will contact them in writing. The pension office will carry out a test calculation and will inform the beneficiary about the effects of an earlier pension commencement in his/her individual case as well as about the amount of his/her arrears. These amounts are not yet final, since the pension can first be reassessed after the beneficiary has made his/her decision this will, therefore, take place at a later point in time.

The information letter states the date from which the pension may be paid as well as the amount of the monthly pension rate in case of an earlier pension commencement date. As a rule, the new pension rate will be lower than the current monthly pension rate. Furthermore, the beneficiary will be informed of the amount of his/her arrears resulting from the earlier pension commencement date. Since the pension provided previously (for example, with effect from January 1st, 2005) was higher the pension office also calculates the amount which is to be deducted from the arrears since the beneficiary is no longer entitled to the full amount of the already provided pension payments, if he/she chooses an earlier pension commencement date. The amount of the arrears stated in the information letter is already the final amount after deduction of this overpayment.

Now the beneficiary may choose whether he/she still wishes to receive his/her previous pension at the same rate or whether he/she wishes to receive the arrears for the earlier pension commencement date and the lower continuing pension payments. If he/she decides that he/she wishes his/her pension to be recalculated he/she informs the pension office accordingly.

The following example explains the regulations:

Example:

*Gesetz zur Zahlbarmachung von Renten aus Beschäftigungen in einem Ghetto vom 20.06.2002 (BGBl I S. 2074)

**Erstes Gesetz zur Änderung des Gesetzes zur Zahlbarmachung von Renten aus Beschäftigungen in einem Ghetto vom XX.0X.2014 (BGBl I S. XXXX)

The persecuted person is in receipt of a ZRBG-pension amounting to 250 EUR per month. This pension has been awarded retroactively in 2010 with effect from January 1st, 2005 after an earlier denial has been reviewed.

Result:

The responsible pension office reviews the established pension entitlement on the basis of the ZRBG Amendment Act. According to this the pension may already be provided with effect from July 1st, 1997.

The pension office informs the beneficiary that the arrears for the period from July 1st, 1997 to December 31st, 2004 would amount to 15,300 EUR if he/she decides to choose the earlier pension commencement date. Since the pension provided with effect from January 1st, 2005 is lower because of the earlier commencement date it was overpaid in the period from January 1st, 2005 to November 30th, 2014, the overpayment totalling EUR 8,400 EUR. This overpayment is to be deducted from the arrears resulting in payable arrears of 6,900 EUR. At the same time the monthly continuing pension payments will be reduced from 250 EUR to 170 EUR.

Now the beneficiary may choose whether he or she wishes his/her pension payments of 250 EUR per month to be continued or whether he/she wishes to receive the arrears of 6,900 EUR while his/her monthly pension rate is reduced from 250 EUR per month to 170 EUR. The beneficiary informs the pension office of his/her decision using the enclosed reply form which contains both options.

4. Important: Entitlement to interest payments

The ZRBG Amendment Act provides for interest to be paid on the arrears. As a rule, interest accrues six months after receipt of the complete pension claim. In cases in which continuing pension payments are already provided the previous pension procedure is decisive. The relevant date for the end of the interest period is the date of the actual reassessment, this date is not yet known when the information letter is being sent. Therefore, the information letter does not specifically state the interest amount the beneficiary is entitled to in his/her individual case since the interest can first be calculated when the pension is reassessed. This means that the amount of the interest will be added to the arrears.

5. Entitlement to early old-age pension payments

As already explained at No. 2 every beneficiary shall receive his/her pension under the ZRBG with effect from the earliest possible date. As a rule, for most beneficiaries this will be the pension known as regular old-age pension, which will be provided with effect from the beginning of the month following the month in which the beneficiary turned 65, however, with effect from July 1st, 1997 at the earliest.

Persons who had not yet turned 65 on July 1st, 1997 may also be entitled to early old-age pension payments. This means that these beneficiaries under certain circumstances may already receive pension payments before their 65th birthday. In this case special requirements are to be met (for example, their additional income may not exceed a certain limit). As a rule, the information letter refers to a regular old-age pension and calculates the pension with effect from the month following the month in which the beneficiary turned 65 or from July 1st, 1997 at the earliest.

If a pension commencement date before the beneficiary's 65th birthday may be possible the pension office points out this option and states which further documents are required, if applicable. In this case you can inform your pension office on the reply form that you first wish to receive information about the rate of your possible early old-age pension payments with effect from the earliest possible commencement date (July 1st, 1997 at the earliest) before you make your final decision.

6. Survivor's pensions

If a ZRBG pension had been received by deceased spouse before the survivor's pension was provided, as a rule, the pension office also examines whether the contributor's pension may be reassessed on the basis of an earlier commencement date. Thus, both pensions will be reassessed. The information letter states the arrears resulting from both recalculated pensions.

7. Who will provide advice and assistance?

The information letter states the contact details of your responsible Deutsche Rentenversicherung pension office.