



Baden-Württemberg
LANDESAMT FÜR BESOLDUNG UND VERSORGUNG

Erklärung zum Familienzuschlag - Declaration regarding Family Benefits^{1) 2)} (for applications submitted after January 2011)

Please note:

1. The following information is necessary for the payment of your remuneration. Please visit <https://lbv.landbw.de/das-lbv/kontakt/datenschutz> for information about how we protect your privacy and the relevant legal provisions under which your data are collected. All questions are mandatory unless marked as optional.
2. **This form only applies to civil servants (and civil service candidates), judges, trainee lawyers (*Rechtsreferendare*) and pension recipients under regulations governing the civil service.**
3. If you cannot answer certain questions in this declaration due to a lack of knowledge of the facts/situation or you cannot provide the required documents, please indicate this along with the respective reasons under "additional remarks" ("Zusätzliche Anmerkungen").
4. Please also read the attached notes and explanations which are referred to in the document by numbers.

1 Personal data of the applicant

Please check ☒ or fill out as appropriate

Last name	First name	Personnel number / department
Birth name (if different from above)	Date of birth	Phone number (optional)
Address	Place of work	Position/title
Marital status <input type="checkbox"/> Not married <input type="checkbox"/> Married since _____ <input type="checkbox"/> Widowed since _____ <input type="checkbox"/> Registered partnership since _____ <input type="checkbox"/> Divorced or marriage / registered partnership annulled or declared null and void since _____		

2 Please fill out this section only if you are divorced or your marriage was annulled or declared null and void / if your registered partnership was annulled.

I am obliged to pay my former spouse or registered life partner spousal support adding up to at least the amount of the marriage-related portion of family benefits.³⁾

- ☐ No
☐ Yes, proof is attached (e.g., spousal support order, settlement by a court or a notary, contract).

3 Information on the spouse or registered life partner

Last name	First name	Birth name (if different from above)
Address (if different from applicant's address)		Date of birth
Is your spouse / registered life partner currently employed? <input type="checkbox"/> No, since (if relevant) _____ <input type="checkbox"/> Yes, since _____ at (employer) _____		

LBV 538b1 – 05/24

as	<input type="checkbox"/> civil servant / judge / career soldier / fixed-term volunteer <input type="checkbox"/> candidate (civil servant on probation during their preparatory service) / trainee lawyer <input type="checkbox"/> new public employee <input type="checkbox"/> _____
<input type="checkbox"/> and has been on parental leave since _____	
Exact professional title _____	

Is the respective occupation in the public service / does the respective occupation equal one in the public service⁴⁾ and therefore entitles your spouse or registered life partner to the marriage-related portion of family benefits or an equivalent type of benefit?⁵⁾

☐ No
☐ Yes: _____ EUR
☐ Unknown

The person is

☐ a full-time employee.
☐ a part-time employee with a _____ hour teaching load per week

Address of the payment institution	Personnel number / reference number, if relevant
------------------------------------	--

Is your spouse/registered life partner entitled to receive a pension under civil service regulations?⁶⁾

☐ No
☐ Yes, since _____

Name and address of the pension provider	Personnel number / reference number, if relevant
--	--

☐ I do not know whether my spouse / registered life partner is employed or whether they receive a civil servant's pension.

4 Information on entitlement of children

Please include the birth certificate in case of a first-time declaration.

	Last name, first name of the child, address, if different from number 1 (Please indicate the country if the child lives abroad.)	Date of birth	Marital status of the child	Legal relationship with the child ⁷⁾	Payments received for the child		
					Child benefits	Similar type of benefits ⁸⁾	Family benefits / equivalent type of benefit ⁹⁾
1					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Recipient of the payment			Name, address of third party	Payment institution, address and reference number, if relevant
	Applicant	Spouse / registered life partner	Other third party ¹⁰⁾		
For 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
For 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
For 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
For 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

If you stated your marital status under number 1 as "married since / registered partnership since", but you are permanently separated, please specify:

☐ Permanently separated since _____

5 Further information on a third party mentioned under number 4

Is the person employed?

☐ No

☐ Yes, since _____

at (employer) _____

- as ☐ civil servant / judge / career soldier / fixed-term volunteer
☐ public employee
☐ worker
☐ candidate (civil servant on probation during their preparatory service) / trainee lawyer
☐ trainee
☐ intern
☐ new public employee
☐ _____

Exact professional title _____

Is the respective occupation in the public service or does it equal one in the public service?⁴⁾

☐ No

☐ Yes

☐ Unknown

The person is

☐ a full-time employee.

☐ a part-time employee with a _____ hour teaching load per week

Address of the payment institution _____

Personnel number / reference number, if relevant _____

Is the person entitled to receive a pension under regulations governing the civil service?

☐ No

☐ Yes, since _____

Name and address of the pension provider _____

Personnel number / reference number, if relevant _____

☐ I do not know whether the person is employed or whether they receive a civil servant's pension.

6 Information on the applicant with children⁷⁾ of their own who live with one or several other third parties.

In whose household does the child / do the children live?

	Last name, first name of third party ¹¹⁾	Legal relationship of the third party/parties with the child/children ⁷⁾	First name / names of the child/children
1			
2			
3			
4			

Is/are the third party/parties married?	
For 1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
For 2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
For 3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
For 4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If the third party/parties is/are married:	
Does the spouse of the third party/parties work in the public service or is/are employed at an institution considered equal to the public service ⁴⁾ or do they receive pension benefits under regulations governing the civil service ⁶⁾ ?	
	If yes or unknown, please state the employer or pension provider (address, personnel number, reference number or similar).
For 1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
For 2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
For 3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
For 4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

7 Only needs to be filled out by unmarried or divorced applicants or applicants whose registered partnership was annulled and who take another party into their household.

(Please do not fill out if you stated "yes" in number 2.)

I apply for the marriage-related portion of family benefits according to section 41 subsection 1 no. 5 of the act on the remuneration of civil servants of the Land of Baden-Württemberg (<i>Landesbesoldungsgesetz, LBesGBW</i>) on account of taking in another person into my household. ¹²⁾
<input type="checkbox"/> No
<input type="checkbox"/> Yes, please fill out the corresponding additional form LBV 540b1 ¹³⁾ .

8 Additional remarks regarding numbers 1 to 7²⁾

Confirmation of accuracy and obligation to report changes

I confirm that the information provided above is both accurate and complete. I understand that I am required to report **any changes** in this declaration to the Landesamt **immediately and on my own initiative**, and that I will be required to repay any excess family benefits paid as a result of inaccurate information or failure to report changes. It is not possible to plead loss of enrichment in these cases.

Date, Signature

**Landesamt für Besoldung und
Versorgung Baden-Württemberg
70730 Fellbach**

Explanatory notes:

- 1) This declaration serves to collect personal information that is necessary to calculate the marriage-related or child-related portion of family benefits. It is especially important for employees and pension recipients who apply for the marriage-related or child-related portion of family benefits for the first time or who may receive a different amount of family benefits due to other reasons (divorce, marriage, start/termination of a registered partnership).
- 2) If you require more space to complete an entry, please include a separate sheet.
- 3) Since 1 January 2021, the marriage-related portion of family benefits for civil servants (and civil service candidates), judges and pension recipients amounts to EUR 154.47 and EUR 158.80 since 1 December 2022. The individual amount is adjusted when general changes in remuneration and pension occur and can then be taken from the respective family benefits chart (*Familienzuschlagstabelle*).
- 4) Public service is defined as any employment or vocational training in the service of the Bund, a Land, a local authority or other authorities, establishments and foundations under public law or organizations of such. Employment in public religious communities or their organizations is excluded. Employment (vocational training) in the service of an international or supranational institution, in which the Bund or one of the authorities mentioned above or the therein mentioned organizations are involved through payment of contributions or in any other way, is considered the same as employment in the public service.
- 5) Another type of benefit is considered equivalent to the marriage-related portion of family benefits if the benefits (in the case of pension recipients, the corresponding pensionable salary) are paid monthly and amount to at least 40 percent of the marriage-related portion of family benefits.
- 6) A pension under civil service regulations is granted if a job in the public service constitutes grounds for this according to the provisions of the civil service benefits act of the Land of Baden-Württemberg (*Landesbeamtenversorgungsgesetz, LBeamtVGBW*) or other regulations governing pensions (regulations of the Bund, other Länder, local or other authorities, bodies and foundations or organizations of such). A pension includes subsistence payments (*Unterhaltsbeitrag*, e. g. under section 53 LBeamtVGBW) and transitional allowance (*Übergangsgeld/Übergangsgebühren*, e. g. under section 64 LBeamtVGBW or section 16 of the military pensions act (*Soldatenversorgungsgesetz, SVG*)). Furthermore, a pension is considered a pension under civil service regulations if the person's employer, in particular on the grounds of a collective agreement, service regulations, seniority or individual contracts, guaranteed them a lifelong pension on the grounds of incapacity to work or regular retirement age and a survivor's pension on the basis of their remuneration and duration of their service. A pension from a supplementary pension scheme is not considered a pension under civil service regulations.
- 7) Please use the following numbers:
1 = Your own children (born in wedlock, adopted, born out of wedlock)
2 = Stepchildren (children of the spouse taken into the household of the applicant)
3 = Foster children
4 = Grandchildren taken into the household of the applicant
- 8) Payments comparable to child benefits according to the federal income tax act (*Einkommenssteuergesetz, EStG*) or the federal child benefits act (*Bundeskindergeldgesetz, BKGG*):
 - supplementary child allowance from statutory accident insurance (*Kinderzulagen*) or from statutory pension insurance (*Kinderzuschüsse*),
 - child benefits granted in another country that are comparable to German child benefits or one of the other aforementioned benefits,
 - child benefits granted by an international or supranational institution that are comparable to German child benefits
- 9) A benefit is considered equivalent to the child-related portion of family benefits if child-related payments are granted under remuneration and pension regulations or if extra pay to maintain a prior income level (*Besitzstandszulagen*) is granted according to the agreements on the transition to the collective agreement for the public service (TVöD), the collective agreement of the Länder (TV-L) or a comparable collective agreement and if these payments amount to at least 80 percent of the child-related portion of family benefits for the first child.
- 10) A third party is, for example, your former spouse or a parent of your child/children to whom you are not married.

- 11) Please list every person under a separate number.
- 12) You may receive higher payments if you have permanently taken another person (e. g. a child) into your household for whom you provide accommodation and financial support for legal or moral reasons or who require your assistance for work-related or health reasons. In case you provide accommodation and financial support for legal or moral reasons, you may only receive higher payments if the amount of money available for accommodation and financial support for a child (including granted child benefits and the child-related part of family benefits) does not exceed the marriage-related part of family benefits times six. This amount may be exceeded for two months during the calendar year. As of 1 January 2021, the allowed amount for civil servants, judges and pension recipients amounts to EUR 926.82 per month and EUR 952.80 as of 1 December 2022. The individual amount is adjusted when general changes in remuneration and pension occur and can then be taken from the respective family benefits chart (*Familienzuschlagstabelle*). If more than one pension or benefits recipient of the public service (e. g. in the case of cohabitation) (see nos. 4 and 5) have taken in one or more persons into a common household for the aforementioned reasons, the higher payments will only be granted to one recipient. If another benefits recipient receives these higher payments by mutual agreement, please check "no". If you do not know whether you are entitled to higher payments, please check "yes".
- 13) You can also download the form under <https://lbv.landbw.de/vordrucke> (in German only). Enter "540b1" in the box labeled "Vordrucknummer".

Information on the entitlement to *Beihilfe* payments in case of birth, illness, need for long-term care or death, hereinafter "*Beihilfe*" (does not apply to trainee lawyers):

- a) The amount of *Beihilfe* is calculated on the basis of a fixed percentage of the expenses covered by *Beihilfe* (*Beihilfe* calculation rate).

The calculation rate of *Beihilfe* received by the following groups of people is as follows:

- people entitled to *Beihilfe* according to section 2 subsection 1 number 1 of the act on *Beihilfe* (*Beihilferordnung*, BVO) with no children or with a child entitled to family benefits 50%
- people entitled to *Beihilfe* according to section 2 subsection 1 number 1 BVO with at least two children entitled to family benefits 70%
- spouses entitled to family benefits 70%
- spouses covered under the Act on Registered Life Partnerships (*Lebenspartnerschaftsgesetz*, LPartG) 70%
- children entitled to family benefits 80%
- recipients of pension for civil servants who are entitled to *Beihilfe* 70%
- orphans who are entitled to *Beihilfe* 80%
- university teachers who have been released from their duties 50%

Children who are entitled to receive *Beihilfe* payments are those who are included in the family benefits paid to the person entitled to *Beihilfe*.

The calculation rate of *Beihilfe* for a person entitled to *Beihilfe* with two children decreases from 70% to 50% at the end of the calendar year if one of the two children is no longer entitled to family benefits.

For people with three or more children who are entitled to family benefits, the calculation rate remains at 70%.

- b) Who is entitled to receive reimbursement for incurred costs for children if the children may be eligible for more than one person entitled to *Beihilfe* (e.g., both parents)?

- Both persons entitled to *Beihilfe* are civil servants:
Beihilfe for the children who are eligible for family benefits will be granted to the person who receives the child benefits. It is not possible to choose the recipient of *Beihilfe*.
- At least one person entitled to *Beihilfe* is an employee in the public service:
Beihilfe for incurred costs for the child will be granted to the person who receives the child-related part of family benefits. If different decisions are made, this has to be done in accordance with form LBV 332a.

- c) If the child is no longer eligible for family benefits, the following applies:

The child is eligible for *Beihilfe* until the end of the calendar year.

Please do not hesitate to contact the designated *Beihilfe* department if you have any questions.