

HINWEISE ZUM ANTRAG AUF ARBEITSLOSENGELD II -

Information on the obligations of recipients of basic social security benefits in accordance with the 2nd Book of the Social Code (SGB II) unemployment benefit II / social security benefit

Those people who have applied for, or receive, basic benefits are obliged

1. To use their income and assets, as well as their work to earn a living
 2. To provide all the facts that are relevant for the basic provision, in particular
 - information about their economic and personal circumstances
 - permission for the necessary and required obtaining of information from any relevant third parties
 - submission of the necessary supporting documentation, e.g. decisions about the receipt of pensions, unemployment benefit, housing benefit, rental agreements, which are needed in order to determine the level of benefit
 - notification of any change/s in the family (e.g. birth, marriage, death), income (including income from interest), any assets (including proceeds from sales or gifts/donations), residence conditions (e.g. housing change, hospitalisation, stay abroad), as well as any changes in the conditions or circumstances of members of the household, **in sufficient time (i.e. within seven days)**. This includes information on employment, applying for other social benefits (e.g. pensions, sickness benefits, unemployment benefits, healthcare insurance benefits, etc.). When moving, the approval of the jobcenter must be obtained prior to the signing of a contract for the new accommodation, if housing costs, security deposit, relocation or renovation costs are expected to be assumed by the jobcenter.
 - if, during the last 10 years, assets, e.g. home or property, cash, securities, etc., have been transferred to other persons by sale, gift, transfer agreement, reserved property, etc.
- In this context, we would like to point out that the jobcenter participates in social data reconciliation in accordance with § 52 Social Code – 2nd Book (SGB II).

Consequences of Violation:

Any applicants who are guilty of misrepresentation or concealing any facts which affect the extent of basic security, must repay any unentitled benefits. In addition, the elements of the offence of fraud will have been satisfied therewith (§ 263 of the Criminal Code), which means that judicial proceedings can be initiated.

Normal requirements for securing living costs (§ 20 SGB II)

The normal requirements include food, clothing, personal care, household items, the needs for everyday life, electricity (!), etc.. Additional requirements (§ 21 SGB II) may be granted to pregnant women, single parents and to beneficiaries with disabilities. The requirements for housing and heating (§ 22 SGB II) include basic rent, heating, hot water and associated costs.

Income to be taken into account (obligation to notify)

The jobcenter must be informed of any income (e.g. salary/wages, child support or similar) as it has to assess whether the benefit claim needs to be reduced accordingly.

Requirements for education and participation (§ 28 SGB II)

This pertains to benefits which are paid to children, adolescents and young adults who have not yet reached the age of 25 and who attend a general education or vocational school and who do not receive any funding for their education (pupils/students). For example, for one or multiple-day school/nursery school excursions, private tuition, lunch at the school/nursery school, leisure activities, etc.

Notification of any changes

The jobcenter must be notified of any changes in the personal living situation as this is important for job placement or for assessing the claim. With the loss or taking-up of a job, a termination or employment contract must be submitted. Notification must also be made of a change of address, change of bank account, etc., as well as of any changes within the household drawing benefits, such as birth, separation or death. If other benefits have been applied for (e.g. unemployment benefit I, Bafög/student loans or similar), or there has been a change in assets/wealth, then the jobcenter must be notified of these, too. Violations will result in sanctions (reduction of unemployment benefit II).