

99066011153000, 99066011153000

Apply to set up an attachment protection account

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/300669895/L100012>

Modul	Sachverhalt
Leistungsschlüssel	99066011153000, 99066011153000
Leistungsbezeichnung I	Apply to set up an attachment protection account
Leistungsbezeichnung II	Apply to set up an attachment protection account
Typisierung	6 - Allgemeine Hinweise, nicht spezifische für eine Leistung
Quellredaktion	Schleswig-Holstein
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Insolvenz (066)
Verrichtungskennung	Einrichtung (153)
SDG-Informationsbereich	Insolvenzverfahren und Liquidation von Unternehmen
Lagen Portalverbund	Verbraucherschutz (1150300)
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	Nein
Fachlich freigegeben am	18.09.2024
Fachlich freigegeben durch	Federal Ministry of Justice (BMJ)
Handlungsgrundlage	https://www.gesetze-im-internet.de/zpo/_850k.html https://www.gesetze-im-internet.de/zpo/_899.html https://www.gesetze-im-internet.de/sgb_1/_54.html https://www.gesetze-im-internet.de/sgb_2/_42.html
Teaser	<p>You can have your current account converted into a garnishment protection account by your bank or savings bank so that you can continue to participate in non-cash payment transactions protected against garnishment.</p>
Volltext	<p>Has your current account been seized and you cannot access your balance?</p> <p>With a garnishment protection account, you can protect your credit balance from garnishment to a certain extent and dispose of it freely. All types of income are subject to attachment protection, including income from self-employment or third-party benefits.</p> <p>You apply in writing to your bank or savings bank to set up or convert an existing account into a so-called P-account. You can also request the conversion as a precautionary measure without an existing garnishment.</p> <p>The basic allowance is adjusted on July 1 of each year. The respective amount can be found on the website of the Federal Ministry of Justice (BMJ).</p> <p>The garnishment allowance may be increased according to your life situation. This is particularly the case if you provide maintenance to one or more persons on the basis of a legal obligation. The increased garnishment allowances can also be found on the BMJ website.</p> <p>Child benefit, benefits to secure your livelihood and certain one-off special benefits cannot be seized. These</p>

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can be, for example, benefits

- for a school trip
- for the initial furnishing of the home
- for clothing
- for the birth of a child

You must prove these benefits to your bank with a corresponding certificate, which may be issued by the following bodies or persons:

- Employer
- family benefits offices
- Social benefit providers (job center, basic income support)
- Debtor and insolvency counseling centers
- Lawyer or solicitor
- Tax consultant

If you receive several of the benefits listed, you may need a certificate from several of the above-mentioned offices and persons. If not all of the protected monthly credit is used up, it can still be used in the following 3 months. Example: You have received income of 1,000.00 euros. At the end of the month, you have only used 800.00 euros. The remaining 200.00 euros can be saved for 3 months. After that, they are due to the creditor.

Erforderliche Unterlagen

- Salary or wage statements for the last 3 months

The following certificates are required if corresponding statutory maintenance obligations exist and are fulfilled, for example towards your children or your wife or registered partner:

- Marriage certificate or civil partnership certificate as proof of an existing marriage or civil partnership
- Birth certificate or registration certificate for children

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living with you in the same household

- Birth certificate or certificate of acknowledgment of paternity for children who do not live with you in the same household
- Bank statements for the last 3 months showing that maintenance is paid regularly for these children or other relevant documents, for example receipts from the child's mother

If you wish to submit the application with the help of the legal application office of the competent enforcement court:

- Identity card or passport with registration certificate
- a certificate must be submitted to the bank as proof of other dependants or child benefit or care allowance. Certificates are admissible:
 - from your employer
 - from the family benefits office
 - from your social benefits provider

Voraussetzungen

- You may only hold one garnishment protection account.
- If your current account is a joint account, it must first be divided into individual current accounts per person.

Kosten

Gebühr: Es fallen keine Kosten an
Certificates are usually issued free of charge by employers, family benefit funds and social benefit providers (job centers, basic income support), debtor and insolvency advice centers. Lawyers and tax advisors usually charge a fee for this.
Gebühr: Es fallen keine Kosten an
The application is free of charge. The usual costs apply for account management.

Verfahrensablauf

- To obtain garnishment protection, you must have your current account converted into a garnishment protection account. You do not need to cancel your current account to do this. You must inform the bank in writing, stating your IBAN, that you wish to convert your account into a seizure protection account.
- The protection applies retroactively to the first of the

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	<p>month. You should therefore apply for the account within one month of the garnishment.</p> <ul style="list-style-type: none"> • You can also request the conversion as a precautionary measure even if there is no garnishment. • You must state in the conversion letter that you do not have another garnishment protection account.
Bearbeitungsdauer	
Frist	
weiterführende Informationen	<p>https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Pfaendungsfreigrenzen_Arbeitseinkommen.html</p> <p>https://www.bmj.de/DE/themen/wirtschaft_finanzen/zwangsvollstreckung/pfaendungsschutzkonto/pfaendungsschutzkonto_node.html</p>
Hinweise	<p>The following information is available:</p> <p>You can contact your local court, for example, if</p> <ul style="list-style-type: none"> • the competent office refuses to issue a certificate, • the non-garnishable amount of earned income is above the basic amount and no sufficient certificate can be issued, • you receive a one-off top-up, for example when vacation pay or Christmas bonus is paid.
Rechtsbehelf	There is no legal remedy.
Kurztext	<ul style="list-style-type: none"> • Setting up an attachment protection account • In the event of seizure, it is possible to set up a seizure protection account • As soon as a seizure protection account is set up, it automatically protects a monthly basic allowance from seizure so that the most basic necessities of life are covered • also known as a P-account • Application to set up or convert an existing account at a bank or savings bank • Conversion can also be applied for as a precautionary measure without an existing garnishment • Basic allowance is adjusted on July 1 of each year

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- The respective amount can be found on the website of the Federal Ministry of Justice (BMJ)
- Increased amounts possible, e.g. in the case of maintenance obligations that are fulfilled or in the case of receipt of social benefits, certificates are mandatory
- all types of income are subject to garnishment protection, including income from self-employment or third-party benefits
- Only one garnishment protection account per person
- Set up free of charge, usual costs apply for account management
- Attachment protection account protects up to one month retroactively
- Responsible: Banks and savings banks

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal

Apply to set up an attachment protection account,
Einrichtung eines Pfändungsschutzkontos beantragen