

# Information on BAföG



## BAföG – The German Law on higher education grants

The German law on higher education grants (or BAföG for short) is one of the most favourable types of student financing. As a general rule half of the monthly payment is a grant, the other half is an interest free loan.

*Please note that German is the official language used during counselling as well as for all administrative procedures (e.g. in forms). If you do not speak German sufficiently you can bring a translator.*

### Who is eligible?

You are entitled to BAföG if you

- study in full time at a state university or state-approved university and
- have not yet completed an education which is eligible for BAföG and
- have not reached the age of 45 before commencing studies and
- have the German citizenship.

Under certain circumstances, international students with prospects to remain in Germany are also entitled to BAföG. Among others, this includes students who have acquired a permanent right of residence. To check your eligibility, see our information on § 8 and § 61 BAföG on page 3 and 4 of this sheet.

Since there are many exceptions, we still advise you to see your administrator if you do not belong to the group of persons mentioned under § 8 and § 61. Please note: If you hold a residence permit for study purposes (§ 16 AufenthG) you are not entitled to BAföG!

### How to Apply?

You have to submit a filled in and signed application. The application documents can be obtained at our Counselling Center for Study Financing – BeSt or under: [www.stwhh.de](http://www.stwhh.de) ~ Studienfinanzierung ~ BAföG ~ BAföGdigital.

### Time of Application

After receiving your notification of admission to the university, you can apply for BAföG. You should not submit your application later than the commencement of studies. At the earliest, you are entitled to the higher education grant with the month of your application. Therefore you need to apply in due time.

### Duration

Generally BAföG is granted for 12 months. Please remember that you should apply for further BAföG at least two months before your approval period ends. Typically you have to prove studying “according to specifications” after the 4th semester by handing in a current transcript of records. BAföG can be obtained for the regular period of study set by your university.

**Please turn the page!**

## Amount

The amount of your BAföG depends on your living conditions. You find the maximum entitlement in the following chart. Students who do not live with their parents have a higher entitlement.

Maximum entitlement of monthly BAföG grant		
	Living with your parents	Not living with your parents
Basic need	511 €	812 €
Health insurance / Nursing care insurance	122 € From the age of 30 max. 206 €	122 € From the age of 30 max. 206 €
<b>Total need</b>	<b>633 €</b>	<b>934 €</b>

If applicable, plus childcare allowance 160 € for every own child under 14 years.

The following will be subtracted from your entitlement: your income and asset, if it is beyond a set amount, as well as the amount your parents or spouse / registered partner can provide according to the law.

## Additional Income

In an approval period of 12 months, an income of € 6.240 gross from an employment does not take effect on your higher education grant. It is irrelevant whether you have an average monthly earning of € 520 or work only during the semester break for example. If you have other income, i.e. from self-employed work or an internship, there are other rules. In this case, please contact your administrator at the BAföG-Office.

## Asset

Your asset will be taken into account if it exceeds € 15,000 (before the age of 30) or € 45,000 (from the age of 30) on the date of your application. Among other things, cash and capital assets invested in your name, real estate and motor vehicles are considered asset.

## Loan Repayment

BAföG consists half of an interest free loan and half of a grant. The loan repayment starts five years after the end of the maximum period of funding in monthly instalments of € 130 at present. Further information you can find under: [www.bundesverwaltungsamt.de](http://www.bundesverwaltungsamt.de).

**At the [Counselling Center for Study Financing](#) you can get initial information.**

**For a detailed personal consultation, contact your administrator at the BAföG-Office during the office hours. You can find the name and the telephone number on our homepage: [www.stwhh.de](http://www.stwhh.de) ~ Studienfinanzierung ~ BAföG ~ Dein:e Ansprechpartner:n im Amt für Ausbildungsförderung (BAföG-Amt). Please note that the application and all communication with the BAföG office can only be done in German.**

Your

**STUDIARENDEWERK HAMBURG**  
Abteilung Studienfinanzierung

## Information on § 8 and § 61 German law on higher education grants (BAföG)

The eligibility for BAföG is among other things connected to the citizenship. Grants can be received – provided that the other requirements are complied – according to § 8 of the German law on higher education grants (BAföG).

This is not an official translation of the German law on higher education grants but only intended for information purposes. For further information, you can contact your BAföG-administrator.

**Please note that German is the official language. If you do not speak German sufficiently you can bring a translator.**

### § 8 para. 1 BAföG

The German higher education grants can be received by

1. Germans as defined by the Basic Law (Grundgesetz, GG)
2. EU citizens or citizens of a contracting state of the Agreement on the European Economic Area (EEA Agreement) who
  - a. are entitled to permanent residence within the meaning of the EU Freedom of Movement Act or
  - b. are entitled to freedom of movement as a jobholder or a self-employed person according to § 2 para. 2 of the EU Freedom of Movement Act (e.g. a jobholder should have worked inland for an monthly average of 12 hours per week for at least 10 weeks before your first BAföG application)
  - c. possess a derived right of residence as a spouse / registered partner or child
  - d. were employed inland before commencing studies and whose studies are related to their previous employment
3. Foreign nationals who possess a settlement permit or a EC permit for permanent residency according to the Residence Act
4. Foreign nationals, who have their normal residence in Germany and are recognized outside Federal territory as refugees within the meaning of the Convention relating to the Status of Refugees of July 28, 1951 (BGBl. 1953 II p. 559) and are entitled to reside in the territory of Germany on more than only a temporary basis
5. Homeless foreign nationals within the meaning of the Law on Legal Status of Homeless Foreigners in Federal Territory

For determination of the requirements please provide your passport (or substitute passport), your permanent residence card or your residence card. Your residence title (e.g. settlement permit according to § 9 AufenthG) has to emanate from your provided documents.

### § 8 para. 2 BAföG

You might have an eligibility to the higher education grant according to § 8 para. 2 BAföG, even though you do not belong to the categories mentioned above. Therefore you must have your place of residence in Germany and comply - in addition to the other BAföG-terms – with one of the following requirements:

1. You hold a residence permit according to §§ 22, 23 para. 1, 2 or 4, §§ 23a, 25 para. 1 or 2, §§ 25a, 25b, 28, 37, 38 para. 1 no. 2 or § 104a of the Residence Act.
2. You hold a residence permit according to §§ 25 para. 3, para. 4 sentence 2 or para. 5, § 31 of the Residence Act and have stayed legally, with permitted or tolerated status in Germany without interruption for at least 15 months.

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3. You hold a residence permit according to § 30 or §§ 32 to 34 of the Residence Act as a spouse / registered partner or child of a foreign national with a settlement permit.
4. You hold a residence permit according to § 30 or §§ 32 to 34 of the Residence Act as a spouse / registered partner or child of a foreign national with a residence permit and have stayed legally, with permitted or tolerated status in Germany without interruption for at least 15 months.

For examining whether you comply with the requirements, please provide your current resident title. In cases of number 3 or 4 also your spouse's / registered partners / parents residence title is needed. Furthermore, please provide in cases of number 2 or 4 a proof of your legal, permitted or tolerated stay in Germany for at least 15 months.

### **§ 8 para. 2a BAföG**

You can be eligible for the higher education grant, if you have your legal, permitted or tolerated residence in Germany for at least 15 months without interruption, when being tolerated. To examine this requirement please provide proof of your residence title as well as proof of your legal, permitted or tolerated and at least four-year stay in Germany.

### **§ 8 para. 3 BAföG**

Even though you do not comply to the requirements mentioned above, you might still be entitled to the higher education grant because of your (§ 8 para. 3 no. 1 BAföG) or your parents (§ 8 para. 3 no. 2 BAföG) condition.

#### **§ 8 para. 3 no. 1 BAföG**

You can be eligible for the higher education grant, if you have stayed and have been gainfully and legally employed for a total of five years prior to commencing studies eligible for financial assistance. As a proof please provide your residence permit or an informal statement of the Foreigners Registration Department.

A legal employment is marked by regularity, a continuing basis and the payment of taxes and social security contributions – in case you are not self-employed. Furthermore the income must be sufficient to make a living. A mini-job is not sufficient. An apprenticeship, side-line work or a holiday job do not count as gainful employment.

#### **§ 8 para. 3 no. 2 BAföG**

If at least one parent has lived and been employed legally in Germany for a total of three years in the last six years prior to commencing studies, you might also be entitled to the higher education grant. As mentioned above, a legal employment is marked by regularity, a continuing basis and the payment of taxes and social security contributions – in case you are not self-employed. Furthermore the income must be sufficient to make a living. The requirement for a parent to have been gainfully employed during the past six years may be waived if employment has not been possible for reasons beyond the parent's control (e.g. invalidity) and he or she has been gainfully employed in Germany for at least six months.

### **§ 61 BAföG**

Via § 61 BAföG, BAföG can also be obtained by foreigners with a residence permit or a corresponding fiction certificate. For this, it is important that you can prove your permanent residence in Germany and that you either have a residence permit according to § 24 Abs. 1 AufenthG or that you have applied for such a residence permit and have a corresponding so-called fiction certificate according to § 81 Abs. 5 i.V.m. Para. 3 or Para. 4 AufenthG.

**Should you have any further questions, please do not hesitate to contact us.**

Your  
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