

General information on the garnishment protection account

Entitlement to conversion

You are entitled to have your existing payment account converted into a garnishment protection account (P-Account). The conversion can also be requested by an authorised representative.

Prohibition of multiple garnishment protection accounts

You may only keep one account as a P-Account. Keeping several P-Accounts is prohibited and can even be prosecuted.

Conversion into a garnishment protection account after garnishment of the account

You can still apply for conversion into a P-Account even if garnishments have already been served on the payment account. The conversion into a P-Account must be carried out within one month after the garnishment and transfer order has been served on us, then the protective effect of the P-Account already applies from the date of service of the garnishment and transfer order - otherwise only for the future.

Automatic garnishment protection for the basic allowance

If the P-Account is garnished, you will receive automatic garnishment protection in the amount of a basic allowance of currently 1,410.00 euros per calendar month (as of 1 July 2023).

You can dispose of credit balances up to the maximum amount of the basic allowance even after garnishments have been served (e.g. by transfer, standing order and direct debit). The type of income (salary, social benefit, tax refund, etc.) and the time of receipt of payment are irrelevant; the garnishment allowance applies to the respective calendar month.

Increased allowance through certificate

In addition to the automatically existing basic allowance, the garnishment allowance for the P-Account can be increased by further allowances depending on your life situation. This is the case, for example, if you are liable to pay alimony or if you receive child support, certain social benefits and other certain non-garnishable benefits.

If you have any questions or need further advice, you can contact recognised debtor and consumer insolvency advice centres. We cannot advise you in this regard.

In order for the increased allowance to take effect for you, you have to prove the circumstances that entitle you to an increase of the basic allowance by means of a suitable certificate. Such a certificate can be issued by the social benefits agency or a recognised debtor and consumer insolvency advice centre, employer, family insurance fund, lawyer or tax advisor.

The Working Group on Debt Counselling of the Associations (*Arbeitsgemeinschaft Schuldnerberatung der Verbände*) and the German Banking Industry (*Die Deutsche Kreditwirtschaft*) have developed a nationwide standardised certificate form: <https://die-dk.de/media/files/Musterbescheinigung.pdf>

The use of the form is not mandatory, but can be helpful for the certifying body.

Individual allowance

If income is credited to the garnished P-Account that exceeds the automatically protected basic allowance or the increased allowance, you can contact the enforcement court to obtain the release of the garnished credit in the individual case. In the case of garnishments by public creditors (e.g. tax office, health insurance company, etc.), the enforcement office of the respective public creditor is responsible. You have to send us the corresponding decision. Only then may we take into account an individual allowance.

Transfer to three subsequent calendar months (savings amount)

If you have not used up your garnishment-protected credit balance by the end of the calendar month, this remaining credit balance can be carried over for a maximum of three months and is then available in addition to the protected monthly credit balance. This increases the protected allowance for the following months. The transferred credit is used first in the following month.

Garnishment protection also for self-employed persons

The garnishment protection of the P-Account also applies to self-employed persons.

Special case: Garnishment protection for joint accounts

The law only allows P-Accounts as individual accounts, i.e. a joint account cannot be kept as a P-Account.

If your joint account is garnished, we are not allowed to pay out any amounts from the account balance to the garnishee until one month after the garnishee has been served (specifically, after the transfer order has been served). Each of the joint account holders can/should use this monthly period to have the pro rata credit balance transferred per account holder. In principle, the credit balance is divided per head, i.e. in the case of two joint account holders, half each. In special cases, the joint account holders and the garnishee can also agree on a different distribution formula. To do so, however, they need the consent of all the garnishees who have garnished the joint account. The other distribution must be notified to us in text form (e.g. by letter or email) together with the consent of the garnishees.

You must keep your individual account as a P-Account in order to be able to dispose of the transferred credit balance (your share from the joint account) within the framework of your garnishment allowance. The non-garnished joint account holder does not need a P-Account. His or her transferred credit balance from the joint account is no longer subject to garnishment.

After the expiry of the monthly period, the transfer of further credits from the joint account to the individual accounts is no longer possible. The joint account holders must therefore use the monthly period and arrange in good time for credits (e.g. wages, pensions, social benefits) to be transferred to the respective individual account. However, they must also ensure that debits (e.g. rent, electricity, insurance contributions, etc.) are then made from one of the individual accounts. The joint account should be closed at the end of the monthly period. Then no more credits can be booked there and also not paid out to the garnishee.

The garnishment protection account is a credit account

A P-Account may only be kept on a credit basis. This means that a P-Account cannot be used for credit facilities or overdrafts, for example. The use of a credit card is also no longer possible.

Protection for accounts with a debit balance

Even if your account has a debit balance, you can request that it be converted into a P-Account. Since the P-Account may only be kept in credit, the outstanding amount must be booked out. We can set up a second account or a sub-account for this purpose. If you have requested the conversion into a P-Account, we are no longer allowed to offset credits in the amount of the respective allowance against the negative balance.

Conversion back to a payment account

You can request us to cancel the P-Account function of the account with four business days' notice to the end of a month. The account will then be continued unchanged at the previous conditions. The use of the credit card or an overdraft facility (if available) can then be applied for again.

Notification to credit agencies

We report the establishment and deletion of a garnishment protection account to the credit agencies (e.g. SCHUFA). This information is intended to prevent the misuse of several garnishment protection accounts by one person. The credit agencies may only process this information for this purpose.