

I) Youth and Voluntary Welfare Institutions

1. Federal Social Assistance Act (*Bundessozialhilfegesetz - BSHG*)

of 30 June 1961 (Federal Law Gazette [BGBl.] Part I p. 615 corr. p. 1815), in the version of the proclamation of 23 March 1994 (BGBl. Part I pp. 646 and 2975), last amended by Act of 14 December 2001 (BGBl. Part I p. 3728).

Part 1: General Provisions

Section 3 Social Assistance by the Particularities of the Individual Case

(...)

(3) On request, the assistance recipient shall be accommodated in an institution in which he/she can be cared for by clerics of his/her confession.

Section 10 Relationship with Independent Welfare

(1) The position of the churches and religious societies under public law, as well as the associations of independent welfare as bearers of separate social tasks and their activities to carry out these tasks, shall remain unaffected by this act.

(2) The bearers of social assistance should in implementing this act work together with the churches and religious societies under public law, as well as with the independent welfare associations, and in doing so respect their independence in goals and implementation of their tasks.

(3) Cooperation should aim to effectively complement social assistance and the activity of free welfare care for the well-being of those seeking assistance. The social assistance organisations should suitably support the independent welfare associations in their activity in the field of social assistance.

(4) If assistance in individual cases is ensured by independent welfare organisations, the bearers of social assistance are to refrain from implementing their own measures; this shall not apply to the granting of monetary payments.

(5) The bearers of social assistance may in general involve the independent welfare associations in carrying out their tasks in accordance with this act, or may assign to them the implementation of such acts if the associations on the involvement or transfer. The bearers of social assistance shall remain responsible towards those seeking assistance.

Part 7: Facilities, Working Groups

Section 93 Facilities

(1) The bearers of social assistance should not create their own facilities to grant social assistance, including services, if suitable facilities of other organisations are available, can be expanded or created. (...)

Section 93d Empowerment to Issue Orders, Framework Agreements

(...)

(2) The supra-local bearers of social assistance and the municipal central associations at Land level shall conclude with the associations of the bearers of the facilities at Land level joint and uniform framework agreements regarding performance, emolument and examination agreements in accordance with section 93 subsection (2) in the version that is valid from 1 January 1999. In respect of facilities to be classified as a church or religious community under public law or another non-profit bearer, the framework agreements may also be concluded by the church or religious community, or by the welfare association to which the facility belongs. The framework agreements should take account of the characteristics and particularities of the respective type of assistance.

(...)

2. Social Code (Sozialgesetzbuch - SGB) Eighth Book (VIII): Child and Youth Assistance
of 26 June 1990 (Federal Law Gazette [BGBl] Part I pp. 1163 and 1166), in accordance with the proclamation of the new version of 8 December 1998 (BGBl. Part I p. 3546), last amended by Act of 15 December 2001 (BGBl. Part I p. 3762)

Section 74 Promotion of Independent Youth Assistance

(1) The bearers of public youth assistance should encourage voluntary activities in the field of youth assistance; they should promote it if the respective bearer

1. meets the specialist preconditions for the planned measure,
2. offers an assurance of an expedient, economic use of the funds,
3. pursues non-profit goals,
4. provides suitable performance of its own, and
5. offers an assurance for work in accordance with the goals of the Basic Law.

Long-term promotion shall generally require recognition as an independent youth assistance bearer in accordance with section 75.

(...)

Section 75 Recognition as an Independent Youth Assistance Organisation

(...)

(3) The churches and religious communities under public law, as well as the independent welfare bearers combined at Federal level, shall be recognised bearers of independent youth assistance.

3. Federal Child Benefit Act (*Bundeskindergeldgesetz - BKGG*)

*in the version of the proclamation of 2 January 2002
(Federal Law Gazette [BGBl.] Part I p. 6)*

Section 1 Entitled Parties

(1) Child benefit in accordance with this act shall be received by those who are not unrestrictedly taxable in accordance with section 1 subsections (1) and (2) of the Income Tax Act (Einkommensteuergesetz) and also not treated as unrestrictedly taxable in accordance with section 1 subsection (3) of the Income Tax Act, and

(...)

2. who receive support payments as a development worker within the meaning of section 4 subsection (1) No. 1 of the Development Workers Act (Entwicklungshelfer-Gesetz) or as a missionary of the Missionary Societies, the members or agreement partners of Hamburg Protestant Missionary Society, the Working Group of Protestant Missions or of the German Catholic Mission Council or the Working group of Pentecost-charismatic Missionary Societies, or

(...)