

# Change employment tax deduction characteristics (tax class, religious affiliation, number of children, if applicable free and additional amounts)

Change income tax deduction characteristics

## Competent Department

- [Finanzamt Bremerhaven](#)
- [Zentrale Informations- und Annahmestelle \(ZIA\) Bremen](#)
- [Zentrale Informations- und Annahmestelle \(ZIA\) Bremerhaven](#)
- [Zentrale Informations- und Annahmestelle \(ZIA\) Bremen-Vegesack](#)
- [Finanzamt Bremen](#)
- [Dienstleistungszentrum Finanzen](#)

## Basic information

The system of providing wage tax deduction data in electronic form - the so-called ELStAM - has been in use for some time. ELStAM - has been mandatory throughout Germany since the beginning of 2014. This means that every employer is obliged to electronically retrieve the income tax deduction data of its employees from the tax authorities. The electronic wage tax deduction characteristics are made available in a database of the tax authorities for electronic retrieval by the employer. The tax authorities notify the employer of changes to the wage tax deduction data by means of change lists.

The common wage tax deduction features are generally formed automatically from the reporting data. These are regularly:

- the tax class (basis is the marital status)/
- the characteristic about the church tax deduction (denomination or non-denominational)
- possible child allowances for minor children.

This data is provided to the tax authorities by the registration authorities. Changes to the above data can only be made by the registration authorities.

If tax allowances are claimed in addition, these must be claimed using the appropriate form at the relevant tax office. The same applies if spouses/life partners wish to apply for a tax class combination other than IV/IV or if single parents wish to apply for class II instead

of tax class I. Likewise, a correction of an incorrectly formed tax class must be applied for on a form at the tax office.

The change of tax class from VI to I (change of the first employment relationship) is made by the employee notifying the employer. The tax office is not involved in this process.

## **Requirements**

The evidence to be enclosed depends on the type of application or is specified in the form. In principle, the identity card must be presented to the tax office when submitting the application in person. If the application is sent by mail, it is not necessary to present the identification document.

The end or beginning of the obligation to pay church tax is made by a corresponding declaration to the church to which the taxpayer belongs. The registration office is notified of the end/beginning of the church tax liability by the church office where the resignation or entry has been declared. The registration office notifies the tax office of the beginning / end of the church tax liability.

## **What documents do I need?**

- Identity card (for personal application to the tax office)

## **Procedure**

The change of the tax class, the entry of tax allowances, as well as the tax consideration of children of full age must always be formally applied for at the competent tax office.

The relevant forms for

Change of tax class by spouses:

- Application for change of tax class
- Declaration on permanent separation
- Declaration on resumption of marital union

Application for tax class II:

- Application for income tax reduction with annexes for children, special expenses/ extraordinary expenses and income-related expenses

Consideration of children of full age:

- Application for income tax reduction with annexes children, special expenses/ extraordinary expenses and income-related expenses

Entry of tax allowances:

- Application for income tax reduction with attachments for children, special expenses/ extraordinary burdens and income-related expenses

## Legal bases

- [Einkommensteuergesetz](#)
- [§ 32 Absatz 6 EStG](#)
- [§ 33b Einkommensteuergesetz](#)

## More information

As of 2014, only the "electronic wage tax deduction data" (ELStAM) will apply. Paper certificates for the deduction of wage tax will only be used in exceptional cases. An exception is the case in which the ELStAM provided by the tax office shows incorrect data. In this case, the taxpayer can request that the data be corrected. The tax office will then issue a paper certificate for the (remaining) duration of the calendar year for submission to the employer. Otherwise, a paper replacement certificate can only be requested if the citizen has not yet been assigned a tax identification number.

Form for this case: "Application for the issue of a certificate for the deduction of income tax 20\_\_".

## What deadlines must be paid attention to?

Amendments for the current year up to 30 November of that year at the latest.

## How long does it take to process

As a rule, the processing takes 7-10 days.

## What are the costs?

None

## Frequently asked Questions

- **Do parents (both or one) have to co-sign when applying for the replacement certificate for under 18s?**

No, the signature of the applicant is sufficient.

- **Can a replacement certificate be requested from the tax office if the employer does not yet participate in the ELStAM procedure?**

If the employer does not participate in the ELStAM procedure, the employer automatically receives the employee's ELStAM in paper form from the tax office. It is not necessary or permissible for the taxpayer to apply for a replacement certificate.

- **Is it possible to apply for a retroactive change of income tax class?**

No, wage tax class changes always apply as of the 1st of the following month from the time of application.

- **Do I always have to apply in person to the tax office for a certificate of income tax deduction?**

Application for replacement certificate only with the form " Application for issuance of a certificate for the deduction of income tax 20\_\_ ". Application by fax, e-mail is not allowed. Further documents are not necessary.

- **Is it possible to apply for a certificate for the deduction of income tax with the official form also by proxy?**

No, in principle, the official form (the application for a certificate for income tax deduction) must be signed personally by the taxpayer.

- **Do I have to apply for tax class IV/IV at the tax office when I get married?**

In case of marriage/marriage, tax class IV/IV is automatically assigned based on the notification of the registration office about the marriage . A change must only be made if the tax classes are to be changed to III/V.

- **The most frequently asked questions on the subject of "Change of income tax deduction characteristics", what should be brought or presented to the tax office for this purpose**

Leaving the church:

Notification is always made automatically by the registration office. The taxpayer does not have to make any arrangements.

Procedure for entering/leaving a church:

1. Church entries/leavings are made by means of a corresponding declaration to the respective church
2. From there, the notification is made to the respective registration authority
3. The registration office delivers the current registration data to the Federal Central Tax Office
4. The Federal Central Tax Office updates the data
5. and thus the corresponding information goes to the responsible tax office

. Registration of a child allowance for children over 18 years:

- Bring proof of education(training contract, school or matriculation certificate).
- Application for income tax reduction with attachments for children, special expenses/extraordinary burdens and income-related expenses

Birth of a child:

Notification is generally made automatically by the registration office. Nothing is to be arranged by the taxpayer.

The child allowance is automatically taken into account as an income tax deduction feature. In principle, each parent is entitled to the child allowance. The allowance is taken into account in the wage tax deduction procedure by means of the flag "child allowance 0.5". In a number of exceptional cases, one parent can apply for the transfer of the tax-free amount to which the other parent is entitled. He or she would receive the marker "child allowance 1.0". Information in individual cases can be obtained from the tax office.

Change of tax class due to marriage:

Notification is always made automatically by the registration office. The spouses are automatically assigned tax class IV. In principle, the taxpayer does not have to make any arrangements.

Exception: Change of tax class for spouses (e.g. III/V to IV/IV)

Tax class change for spouses (e.g. III/V to IV/IV):

Change of income tax class for spouses/life partners

Form to be submitted: Application for change of tax class for spouses/life partners

Spouses/life partners who are not permanently separated can choose between the following tax class combinations:

- IV / IV
- IV / IV with factor
- III / V

The change of tax class must be made jointly by both spouses/partners by signing the form.

Exception: The change from tax class III or V to tax class IV is also possible at the request of only one spouse/life partner.

The tax office responsible for the place of residence is responsible for processing the application.

Change of tax class due to permanent separation

For the year following the submission of the "Declaration of permanent separation", the spouse/life partner is automatically placed in tax class I. There is no automatic change of tax class for the year in which the declaration is submitted.

The declaration of permanent separation can be submitted retroactively.

Applying for tax class II: See "Relief amount for single parents/applying for tax class II".

- **The ELStAM taken into account by the employer are incorrect. What can I do?**

Inform the tax office in writing of the fact of the incorrect ELStAM. The applicable wage tax deduction characteristics must also be communicated to the responsible tax office.

- **What documents do I need if I want to change the tax class from II to I?**

The change must be applied for using the form "Application for income tax reduction with annexes for children, special expenses/extraordinary expenses and income-related expenses".

- **Which allowances must be reapplied for each year?**

All personal allowances that have been applied for in the context of an application for income tax reduction must be applied for again after their period of validity has expired. Applied for tax allowances are generally valid for the year of application and for the following year.

- **At what point does the requested change in the wage tax deduction characteristics take effect?**

The employer is always notified electronically of the changed (new) wage tax deduction characteristics on the 5th of the month following the change. The employer takes them into account in the next payroll run and informs the employee of them in the payroll run.

- **What should be done if the family name changes (e.g. after a divorce)?**

The citizen does not have to arrange anything for the wage tax deduction characteristics (ELStAM). Here, the notification of the name change takes place through data exchange between the registration office and the tax authorities. If the citizen is managed for tax purposes, it is advisable to inform the tax office of the place of residence of the name change informally, stating the tax number.

- **Can adult children be taken into account for tax purposes?**

Children who have reached the age of 18 are taken into account for tax purposes if

- they have not yet reached the age of 21, are not in employment and are registered as jobseekers with the employment agency, or
- they have not yet reached the age of 25 and are
  - are being trained for a profession or
  - are in a transitional period of no more than 4 months between two training phases or between a training phase and the start of a voluntary social year or other service within the meaning of the Federal Volunteer Service Act, or
  - are unable to start or continue vocational training due to a lack of training places, or
  - are doing a voluntary social year or other service within the meaning of the Federal Voluntary Service Act, or
- are unable to support themselves due to a disability. This applies regardless of the child's age. The prerequisite is that the disability occurred before the child reached the age of 25.

- **When will a requested change in the wage tax deduction characteristics take effect / be taken into account?**

As a rule, tax allowances applied for take effect on the first day of the month following the month in which the application is made.

When the allowances become effective in payroll accounting depends on the one hand on the data transfer between the tax authorities and the employer and on the organizational processes at the employer.

Fixed deadlines / dates cannot be bindingly stated.

However, it can be assumed that the tax allowance will take effect to the extent applied for, as the employer regularly calculates the compensation in payroll accounting for the month in which the tax allowance first takes effect.

Example: Allowance effective from 01.03. of the year; employer receives notification of allowance for May payroll. Wages for March and April are recalculated by the employer, and the difference is paid to the employee with the May payment."

- **If a spouse dies, the surviving partner retains his or her previous income tax class for one year. What happens after the end of the year? Does the income tax class change automatically or does the surviving spouse have to arrange this himself or herself?**

For the year following the year of death, the surviving spouse continues to receive tax class III. For the following year, the surviving spouse must be placed in the tax class for single persons (tax class I). In principle, this is done automatically; the taxpayer does not have to do anything else.

- **How does the registration office find out about a marriage?**

Marriage in Germany: through the registry office

Marriage abroad: by personal notification of the spouses, e.g. presentation of a translated marriage certificate at the Citizen Service Center (BSC)

- **At which tax bracket can I claim a full child allowance?**

In principle, every taxpayer for whom a child is to be taken into account is entitled to half the child allowance. That is, regardless of the tax class, the child allowance is to be taken into account with the numerator 0.5.

Exceptions: In the case of the tax class combination III / V of married / life partners, the one with tax class III receives the child allowance with the numerator 1.0 for joint children; the other partner with tax class V receives no child allowance. Furthermore, spouses/life partners each receive the numerator 1.0 for a child that is in a filial relationship with both partners. Half of the child allowance is taken into account for each partner as part of the wage tax deduction.



For taxpayers with tax class I or II, it is possible to apply to have the numerator 1.0 entered for a child to be taken into account.

Prerequisite for this:

- the parent making the application fulfills his or her obligation to support the child, but not the other parent
- the other parent is not liable to support the child due to lack of ability to do so.

The possibility of the transfer exists however only if no maintenance payments are paid after the maintenance advance law. This must be proven by the applicant.

- **How many times a year can spouses change their income tax bracket?**

Spouses can choose between the tax class combinations III/V, IV/IV and IV/IV with factor. The change of tax class can be applied for at the tax office. As of 01.01.2020, the change of tax class is no longer limited to a single change per calendar year, but can be made several times.

- **How does the tax office find out about the divorce of a marriage or dissolution of a civil partnership?**

Divorce takes place in Germany:

After the judgment on the divorce of the marriage or dissolution of the civil partnership has become final, the competent registry office receives corresponding information from the deciding court. This information is entered by the registration office into the citizen's registration data and taken into account accordingly when forming the income tax class.

Divorce takes place abroad:

The citizen is obliged to notify the competent registration office of the legally binding divorce by submitting the relevant documents (e.g. translated divorce decree). The latter enters the changed marital status in the registration data; the changed marital status is automatically taken into account when the tax class is formed.

- **How does the tax office find out about the permanent separation of spouses/partners?**

One of the spouses/life partners declares permanent separation by submitting the completed form "Declaration of Permanent Separation".

- **What should be done if the permanent separation is terminated?**

The reunited spouses/life partners declare the resumption of the community by submitting the completed form "Declaration on the resumption of the marital community/life partnership according to the Civil Partnership Act". Note: the form must be signed by both spouses/life partners.

- **: Can lump sums for disabled persons ("severely disabled allowance") be taken into account as an allowance?**

A lump sum for handicapped persons can be taken into account as an allowance when deducting income tax. For this purpose, a corresponding application must be submitted to the responsible tax office. The degree of disability must be proven by submitting appropriate proof (e.g. severely disabled person's ID card, assessment notice or similar).

The amount of the lump sum depends, among other things, on the degree of disability, in addition to a number of other requirements.

For details, see § 33b of the Income Tax Act.

- **What must be done in order to have a child that has not been taken into account so far taken into account in the ELStAM (as a child allowance)?**

An application for a reduction in income tax, including the children's annex, must be sent to the relevant tax office. Furthermore, the child must be registered with the relevant residents' registration office (if this has not already been done).