

## **54. Federal Law with which the General Settlement Fund Law shall be amended**

The National Council has resolved:

The Federal Law on the establishment of a General Settlement Fund for Victims of National Socialism and on Restitution Measures (General Settlement Fund Law), Federal Law Gazette I no. 12/2001, last amended by Federal Law Gazette I no. 89/2008, shall be amended as follows:

*1. In § 2 (1), the last two sentences are replaced by:*

“The Federation [Bund] shall make financial means available in the amount of the payments awarded after 1 July 2009, inclusive of the necessary costs for personnel, material and administration as well as the costs for the Claims Committee. These additional means shall be transferred to the Fund in installments in advance, in compliance with actual need.”

*2. § 5 (1) shall read:*

“(1) For losses and damages on which a first decision had been reached by the Claims Committee by 1 July 2009, one half of the available means shall be reserved for payments in the claims-based process, and one half for payments in the equity-based process.”

*3. § 5 (3) shall read:*

“(3) After 1 July 2009, the Board of Trustees shall, following consultation with the Claims Committee, calculate the total amount of funds available for payments for losses and damages on which a first decision had been reached by the Claims Committee by 1 July 2009, after deduction of the Fund’s expenditures. The Board of Trustees shall, following consultation with the Claims Committee, determine the payment quotas for the claims-based process, for the equity-based process and for insurance policies. The determination of the three payment quotas shall be carried out by calculating the ratio of the respective available means to the sum of the claimed amounts for insurance policies, to the sum of the claimed amounts for the other categories of property in the claims-based process or to the sum of recognized losses in the equity-based process of all applicants on whose applications a first decision had been reached by 1 July 2009.”

*4. After § 5 (3) the following paragraphs, 3a and 3b, shall be inserted:*

“(3a) The payment quotas calculated pursuant to paragraph (3) shall also apply for all payments determined by the Claims Committee after 1 July 2009.

(3b) More detailed regulations on paragraphs (1) and (3) shall be laid down by the Claims Committee in the rules of procedure and by-laws.”

*5. In § 16 (1), the phrase “After the expiration of the filing period according to § 8 and decision of all applications” shall be replaced by the phrase “After the expiration of the filing period according to § 8 and after the calculation of the payment quotas according to § 5 (3).”*

*In § 18 (3) the phrase “§ 5 (2)” shall be replaced by the phrase “§ 5 (2), (3) and (3a)”.*

*After § 44 the following, inclusive of title, shall be inserted:*

### **“Enactment**

**§ 45.** § 2 (1), § 5 (1), § 5 (3), (3a) and (3b), § 16 (1) and § 18 (3), each as amended by the Federal Law Gazette I no. 54/2009, shall enter into force on 1 July 2009.”

**Fischer  
Faymann**