

## CAN I SUBMIT A REQUEST?

### 1. Who will be aided?

Solo self-employed workers, who

- “are economic and therefore stable active on the market (...)”
- are headquartered in NRW
- offered their services already since December 31<sup>st</sup> 2020

Please note:

The NRW-Emergency aid is directed to self-employed workers in financial difficulties – the need won't be checked for the request, which, for instance, will be made up with the tax return 2020/21. Unauthorized claimed aid must then be repaid including interest. Who was not authorized, or who was not in need for a benefit, can also be fined.

### 2. What requirements must be fulfilled to be entitled to apply?

One of these specified requirements must be fulfilled at least:

- a. More than the half of all job orders from before March 1<sup>st</sup> 2020 must have been canceled.
- b. The monthly turnover from January - March 2020 must be less than 50% compared to the monthly turnover in 2019.<sup>1</sup>  
If no work has been done in March / April / May 2019, the previous month 2020 applies (February, March, April 2020).
- c. The turnover had been massively restricted by the official instructions in connection with COVID-19.

Due to the decree of the MAGS regarding the contact-reducing measures from March 15th. or 17.03.2020 prerequisite c) applies to sex workers.

### 3. Am I as a student or as a pensioner entitled to apply?

It depends on what your main source of income is. You are entitled to apply, when your main occupation is self-employed, that means if you are not a full-time student.

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<sup>1</sup> (a = turnover Jan-Dec 2019 divided by 12); (b = turnover Jan-March 2020 divided by 3); b = a: 2

If you are primarily a student and as a part-time job/student job sex worker, then you are not entitled to apply.

The same applies to pensioners. You are basically entitled to apply if you receive a rather small pension and you cover your living expenses through a main job, for instance prostitution.

### HOW DO I MAKE A REQUEST?

- The request can be only completed online (no transmission per email, no postal delivery).
- The request must be done and send in one go (that means without media discontinuity).
- The request does not necessarily have to be completed by yourself, it can be completed by third parties.
- Payment of the emergency aid is possible until June 30<sup>th</sup> 2020.
- The request is processed by the respective district government.
- The request must be submitted until May 31<sup>st</sup> 2020.

#### 4. What information are required for an application for solo self-employed workers?

- For identification an official identification document (identity card/passport) is required.
- Furthermore, your tax number and tax ID will be requested. At least one of the two numbers must be entered in every request.
- Requested is also the company's address. For most sex workers, this is the private address (even if this was also specified in the tax registration sheet)
- Information about your bank details (IBAN + credit institution) for the payment.
- Required is furthermore the industry, or the type of commercial activity or freelance activity. Here you can specify "service".
- The number of employees will be requested within the request. Here you can enter a "0" if you have no employees.

## TAXES; REPAYMENTS & CO

### 5. What is the total amount of the emergency aid?

The emergency aid occurs as a one-off grant.

For solo self-employed entitled to apply, it amounts to a total of € 9,000 for three months. That means 3000€ per month.

### 6. For what can the money be used for?

The grant can be used to alleviate financial constraints such as Bank loans, leasing payments, rents, etc., but also for other operating costs such as the tax consultant.

Those ones who paid their taxes via “Düsseldorfer Verfahren” have first to apply for a tax number, before they can make a request.

It is definitely not allowed to use the money of the emergency aid to finance the cost of living (for instance private rent, food, clothes...).

### 7. Do I have to pay back the emergency aid?

The emergency aid does not have to be repaid, BUT:

If at the end of the approval period you find out that this grant is higher than your loss of sales, minus any saved costs (e.g. rent reduction) and you did not (completely) needed the funds to secure your economic existence, or to compensate for your liquidity shortage, then the too much paid funds have to be paid back.

### 8. Must the emergency aid to be taxed?

Yes. The grant must be included in the tax return for the calendar year 2020.

The grant will be taxed as operating income, but is not subject to VAT. The income tax (due to the emergency aid) must continue to be paid.

## WHERE DO I GET INFORMATION?

The Ministry of Economy has a dynamically growing FAQ on its website (<https://www.wirtschaft.nrw/nrw-soforthilfe-2020>), there are already a few questions answered that other people have asked.

The Chamber of Commerce and Industry as well is available for individual advice / questions. You can also find a list of contacts in your region at <https://www.wirtschaft.nrw/nrw-soforthilfe-2020>

**Please Note!**

*The terms and conditions for the Emergency Aid Package may have changed since this flyer was created.*

**Before application please**

- *read the information on the webpage of the Ministry of Economy (<https://www.wirtschaft.nrw/nrw-soforthilfe-2020>) again.*
- *Or*
- *ask for information at Madonna e.V. (contact details below) or any other counselling center for sex workers.*

But you are also welcome to contact us.

**Madonna e.V.**  
Alleestr. 50  
44793 Bochum  
Tel: 0234-685750  
info@madonna-ev.de



**For example, we support you**

- with the requests for emergency aid, ALG II or housing allowance,
- if you do not speak German or just a little bit,
- if you do not have a tax number, internet, an email address or if you elsewhere miss any condition for the emergency aid.

Please, just contact us, we love to help you!

## Closure of places of operation and prohibition of any sexual services

### Measures

- At the 15/17<sup>th</sup> of March the Ministry of Labor, Health and Sozial Affairs in NRW (MAGS) adopted measures that apply immediately.
- Section 3 says, that the exercising of prostitution and the opening of prostitution facilities is currently prohibited.
- The prohibition includes all forms of prostitution and all places of operation.
- Not prohibited are phone sex and cam-sex.

### Justification for the measures

- Those measures are called “contact reducing measures”. Those measures are intended to make that personal contact between people will happen less frequently. When people reduce the physical contact to other people as much as possible, the risk of an infection can be reduced.
- The legal basis for those measures is § 28 clause 1 sentence 1 and 2.

### Violation of the measures: Administrative offence

- You violate the measures when you
  - a) as an operator open a prostitution facility.
  - b) work as a prostitute.
- Violation of the measures is an administrative offence under § 3 clause 1 no. 7 CoronaSchVO.
- Currently the administrative fine is 5000€.

#### **Warning:**

Luring and coaxing are also considered as violation.

### Sources

- [1] **Erlass zu weiteren kontaktreduzierenden Maßnahmen ab dem 16.03.2020 und 17.03.2020; MAGS NRW 15.03.2020**  
[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKewi5kaLn3broAhVO TRUIHeOQC2MQFjAAegQIAxAB&url=https%3A%2F%2Fwww.mags.nrw%2Fsites%2Fdefault%2Ffiles%2Fasset%2Fdocument%2Ferlass\\_kontakt\\_reduzierende\\_massnahmen.pdf&usg=AOvVaw3I-eE4I1fBaiCEU8AzLXOq](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKewi5kaLn3broAhVO TRUIHeOQC2MQFjAAegQIAxAB&url=https%3A%2F%2Fwww.mags.nrw%2Fsites%2Fdefault%2Ffiles%2Fasset%2Fdocument%2Ferlass_kontakt_reduzierende_massnahmen.pdf&usg=AOvVaw3I-eE4I1fBaiCEU8AzLXOq)
- [2] **Fortschreibung der Erlasse vom 15. und 17. März 2020 zu weiteren kontaktreduzierenden Maßnahmen ab dem 18.03.2020; MAGS NRW 17.03.2020**  
[https://www.land.nrw/sites/default/files/asset/document/200317\\_fortschreibung\\_der\\_erlasse\\_15.\\_und\\_17.03.2020\\_kontaktreduzierende\\_massnahmen.pdf](https://www.land.nrw/sites/default/files/asset/document/200317_fortschreibung_der_erlasse_15._und_17.03.2020_kontaktreduzierende_massnahmen.pdf)
- [3] **Gesetzestext Infektionsschutzgesetz**  
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- [4] **Coronaschutzverordnung und Bußgeldkatalog**  
<https://polizei.nrw/artikel/straf-und-bussgeldkatalog-zur-umsetzung-des-kontaktverbots>