



## The Social Security Insurance Scheme for Artists and Writers A Quick Overview

Since the introduction of 'Artists' Social Security' in 1983, self-employed/freelance artists and publicists (including writers, journalists, editors) have been included in the statutory social insurance system.

*Special feature:* The artists/writers need to pay only approximately half of the cost of their contributions. This puts them in the same favourable position as employees, as the second part of the contribution is financed via a levy paid by companies which utilise artistic and journalistic/written works (e.g. galleries, music schools, theatres, radio stations, advertising agencies, publishing houses) and via a Federal Government grant.

### Which preconditions do I need to fulfil in order to enjoy the benefits of the Artists' Social Security Insurance Scheme?

All members must work professionally as self-employed/freelance artists/writers with the purpose of earning a living. The definition as to what constitutes an 'artist' within the meaning of the Law governing Social Security for Artists and Writers is in accordance with the typical occupational profiles. A graphic designer, for example, is defined as an artist for this purpose, whereas a cabinet maker is considered to be a craftsman rather than an artist. The wording of the law considers a music teacher to be an artist. In boundary cases, the property of being an artist or not depends upon whether the person in question is recognised as an artist within the relevant professional circles (professional recognition indicated e. g. by membership of artistic associations or by participation in art exhibitions). The term 'publicist' mainly encompasses writers/ authors and journalists.

The artistic/writing activity must be the person's main occupation in order to be included in the

Artists' Social Security Scheme. If professional activities within the artistic/writing domain are only pursued on a part-time basis or as a side job in addition to another professional work, this social security scheme may only be used to a limited extent or is not applicable at all.

- Income from professional work (revenues minus expenses) must be above the minimum income limit for compulsory social insurance of €3,900. Exception: income may be lower during the first three years of the 'artistic' professional work. Insurance cover remains in the event of occasional failure to reach the minimum limit (twice within a 6-year period).
- No more than one member of staff may be employed in conjunction with insured artistic/writing activities. The artist/writer would otherwise take on the role of an employer to an extent where as s/he would no longer be considered 'in need of protection'.

### What insurance cover does Social Security Insurance Scheme for Artists provide?

The Artists' Social Security Insurance Scheme forms part of statutory social insurance and encompasses pension insurance, health insurance and long-term nursing care insurance. The entire statutory range of benefits applies respectively. Something that many artists/writers are not aware of: Even self-employed/freelance workers can apply for sick pay in cases of incapacity to work, either after a qualifying period of six weeks (regular case) or after a maximum qualifying period of two weeks (so-called early sick pay, which can be obtained via optional tariffs involving a payment of a supplementary contribution at any health insurance company to be chosen by the insured member. The additional premiums for this purpose are payable directly to the respective health insurance company - not to the Artists' Social Security Fund/German KSK).

## Calculation of contributions

The insurance contributions are calculated on the basis of income from professional work and 50% of the contribution rates for the various types of insurance plus statutory additional contributions. The current contribution level is approximately 20% of the income from professional work. Contributions are payable on a monthly basis.

Example: In the case of an annual (gross) income of €12,000 (the equivalent of €1,000 per month), insured persons should expect to pay around €200 in contributions per month.

### **What do I need to do in order to be accepted into the Artists' Social Security Insurance Scheme?**

Applicants can either request registration forms from the KSK or download the 'application documentation' from the Internet. When returning the questionnaire to the KSK, do not forget to enclose evidence of activities (e.g. contracts, documentation of work undertaken, critiques, newspaper clippings etc.).

### **What will the Artists' Social Security Insurance Fund (KSK) do?**

The KSK will check if the prerequisites for the artists' social security insurance scheme are fulfilled. This requires diligence and caution, as the overall scheme is funded by third parties (i. e. the tax payer and companies subject to the levy) which are required to pay their contributions.

If all prerequisites have been fulfilled, the KSK will officially stipulate that there is a mandatory legal requirement for insurance (sic: The artists' social security scheme is a mandatory insurance system!). The KSK will initiate registration with a statutory health insurance company (e. g. a general local statutory health insurance fund/AOK, a public health insurance fund or a health insurance company operated by a company or guild) and with the data processing office of the pension insurance provider, and it will arrange for payment of the overall contributions to the relevant providers.

The KSK will notify the artist/writer of the amount of contributions payable. The KSK will determine the level of contributions on the basis of information provided at initial registration and will then conduct regular annual questionnaires on 'expected income'.

### **What will happen if I fail to register with the KSK?**

As long as an artist/writer does not contact the KSK on her/his own initiative, insurance will effectively lie 'dormant', and benefits legally based on the contributions made cannot be claimed. Not registering with the KSK means losing out on advantages to which you are legally entitled.

The insurance will always begin after the initial registration with the KSK at the earliest. No retrospective insurance cover can be granted for the period preceding initial registration. The KSK will neither levy any contributions for such periods.

### **Can I take out private insurance?**

Career entrants and high-income earners may be exempted from statutory health insurance and take out private health and long-term nursing care insurance instead. In such a case, the KSK will grant an allowance.

There is, however, no possibility of exemption in respect of pension insurance, as compulsory insurance is mandatory.

### **Am I at a disadvantage to competitors because I have joined the insurance scheme?**

Companies required to pay the artists' social levy must do so regardless of whether an individual artist or writer is insured. Therefore no one needs to fear that compulsory insurance might lead to discrimination on the part of customers required to pay the artists' social levy.

Further information on the Artists' Social Security Insurance Fund, the Artists' Social Security Scheme and the Artists' social levy can be found at:

Internet: [www.kuenstlersozialkasse.de](http://www.kuenstlersozialkasse.de)