# Explanatory Notes

## Contents Page

<table>
<thead>
<tr>
<th>Explanatory Note No.</th>
<th>Concerning</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 and 11</td>
<td>Membership and Insurance</td>
<td>2</td>
</tr>
<tr>
<td>15</td>
<td>&quot;Riester support measures&quot;</td>
<td>5</td>
</tr>
<tr>
<td>20 and 21</td>
<td>Continued Insurance and Non-Contributory Insurance</td>
<td>7</td>
</tr>
<tr>
<td>22</td>
<td>Refund of Contributions and Lump-Sum Settlement</td>
<td>9</td>
</tr>
<tr>
<td>23</td>
<td>Special regulations for dancers and members of dance ensembles</td>
<td>11</td>
</tr>
<tr>
<td>24</td>
<td>Non-compulsory Medical Benefits</td>
<td>14</td>
</tr>
<tr>
<td>30</td>
<td>Pensions</td>
<td>17</td>
</tr>
<tr>
<td>31</td>
<td>Recipients of Pensions</td>
<td>20</td>
</tr>
</tbody>
</table>
1. **Membership**

All legal representatives responsible for a theatre (theatre operators) based in the Federal Republic of Germany are members of the VddB. If the theatre operator employs one or several members of the theatrical professions for its own public theatrical performances, they automatically become compulsory members of the VddB.

2. **Insurance**

2.1 **Who is insured?**

All professional stage artists who are at least 17 years of age are subject to compulsory insurance. Insurance does not depend on the duration of employment. Even guest performers employed at the theatre are insured. This is irrespective of whether

- the guest performance is only planned for a short period and takes place on set dates,
- the guest stage artist is employed based on a written contract or a verbal agreement,
- the guest has a permanent side job at a theatre, another profession or is in training.

Actors, singers and dancers employed for the duration of a production are insured with the VddB on principle as members of the theatre. If they are employed as guest performers in addition to the permanent company, they must be insured if they attend rehearsals and are engaged for more than seven performances plus rehearsals per production.

Members of the theatrical professions who have already received restitution, refunds of contributions or dancer’s compensation from a previous insurance contract are reinsured if they are engaged for a new stage activity.

Foreign artists must also be insured and have the same rights and obligations as German members of the theatrical professions.

Insurance with the Artists’ Social Security (KSK) does not affect insurance with the German Theatrical Pension Fund.

2.2 **Beginning and end of insurance period**

The period of compulsory insurance begins at the same time as employment starts and includes the rehearsal and pre-rehearsal period. It ends when the theatre professional leaves employment.
3. Contributions

3.1 General remarks

Half of the contributions are paid by the member (employer’s contribution) and half by the insured person (employee’s contribution). The member must continuously withhold the employee’s contribution; it is liable to the VddB for the whole amount. The contributions are calculated monthly on the basis of the insured party’s income subject to compulsory contributions and must be transferred to the ”Bayerische Versorgungskammer – Bühnenversorgung” (IBAN) DE40 7005 0000 0000 0247 14 and (BIC) BYLADEMXX0 not later than the tenth day of the following month.

3.2 Amount of contribution

The monthly contribution is 9% of income subject to compulsory contributions.

3.3 Income subject to compulsory contributions

Salaried income is only subject to compulsory contributions up to the currently valid monthly social security ceiling (2020: EUR 6,900). The ceiling is equivalent to the respective current monthly contribution ceiling in the statutory pension insurance.

3.4 Maternity leave

If an employee is subject to compulsory insurance at the beginning of the statutory maternity leave period, as of January 1, 2015 maternity leave is insured automatically after it has been declared by the employer. Maternity leave taken before January 1, 2015 is considered on application.

Further details are available in German on the internet at www.buehnenversorgung.de under “Downloadcenter → Mitglieder/Arbeitgeber”.

4. Supplementary contributions

Insured parties may pay a supplementary contribution for months in which their compulsory contribution is less than 16% of the monthly social security ceiling (see 3.3). In 2020 this is EUR 1104 per month (16% of EUR 6,900). Supplementary contributions must be paid directly into the VddB by the insured party by 31st March of the following year at the latest. The insured person may also authorise the VddB to continuously debit the supplementary contributions from his or her account.

5. Contribution support measures taken under the Pension Fund Law (“Riester support measures”)

The employee’s contribution is subsidised acc. to § 10a and 82ff of the Income Tax Law. This means insured persons can receive supplementary allowances for these contributions and deduct contributions from income tax as special expenditure. Further details can be found in Explanatory Note No. 15 (for the employer’s contribution see paragraph 7 below).
6. Deferred compensation

Provided that the insured person’s contribution to the VddB does not exceed 8% of the social security ceiling (2020: EUR 552 per month, EUR 6,624 per year), the insured party can pay tax-subsidised supplementary contributions up to 4% of the social security ceiling (2020: EUR 276 per month, EUR 3,312 per year) as deferred compensation. Deferred compensation arrangements are agreed between the employer and employee. The employer transfers the agreed amount from the employee’s gross salary to the VddB’s account named in para 3.1.

7. Taxes and social security

The employer’s contribution to the VddB under the first employment contract is tax-free up to a certain ceiling (2020: 8% x EUR 82,800 =) EUR 6,624 annually) and is not subject to social security to this amount.

Pensions that are based on these tax-free (subsidised) contributions must be taxed in full in future (= so-called deferred taxation). When they draw their first pension and in the event of any change in benefits (adjustment), pension recipients receive a special official notification about the taxable benefits they received in the previous year for presentation to the tax office.

8. Data protection

The data of insured persons and members are recorded, processed and used in accordance with the European Data Protection Act. You should therefore give written authorisation if you would like third parties (including spouses or children) to receive information concerning your insurance.

Employees of the Bavarian Chamber for Social Benefits and Pensions responsible for the German Theatrical Pension Fund also provide services for the members and insured persons of the German Cultural Orchestra Pension Fund.
Explanatory Note No. 15

concerning

Contribution Support Measures taken under the Pension Fund Law
("Riester Support Measures")

(shortened version)

1. General points

Since January 1, 2002, state funding has been provided for a supplementary old-age pension system. The German Theatrical Pension Fund (VddB) is classified as a pension fund under the company pension scheme. Thus, insurance with the VddB satisfies the prerequisites for state support.

2. Support for employer’s contributions

Employer’s contributions to the VddB under the first employment contract are tax-free provided that they do not exceed 8% of the statutory social security ceiling in a calendar year. In 2020 this is equivalent to (8% x EUR 82,800 =) EUR 6,624 (§ 3 para. 63 of the Income Tax Law).

Tax exemption for the employer’s contributions to the VddB is granted for the first employment contract. If several employment contracts exist in parallel (guest performances), tax exemption is only granted for contributions paid by the employer under the first employment contract. This means employment that is not subject to wage income tax according to tax bracket VI.

3. Support for employee’s contributions

The employee’s contribution to the VddB is also tax-deductible if employees are also subject to compulsory insurance under the national statutory pension insurance system in accordance with § 10a and 82ff of the Income Tax Law. The state pays supplementary allowances for these contributions and the amounts can be deducted from income tax as special expenditure (see para. 6 for more details). Entitled beneficiaries include basically all employees subject to compulsory insurance under the German statutory pension insurance system, self-employed theatrical artists who are insured under the Artists’ Social Security (KSK) and civil servants.

4. Support for non-compulsory continued contributions

Support can be granted for non-compulsory continued insurance contributions that are paid immediately following subsidised compulsory insurance and meet the general prerequisites for support (compulsory insurance in the German statutory pension insurance system or Artists’ Social Security).
5. Calculating supplementary allowances

These comprise **basic allowance** and **children’s allowance**.

The **basic allowance** amounts to EUR 175 per annum.

For each child for whom the insured person receives child benefit, the **children’s allowance** amounts to EUR 185 per annum or EUR 300 per annum for a child born after December 31, 2007.

The prerequisite for receiving the full allowance is that the insured person pays a **minimum own contribution** of 4% of the previous year’s income that is subject to contributions under the statutory pension insurance system less the allowance (max. EUR 2,100). The minimum own contribution is generally included in the employee’s contribution paid to the VddB.

A calculation formula to determine the minimum own contribution can be found at [www.buehnenversorgung.de](http://www.buehnenversorgung.de) under “Downloadcenter → Riester → Infomaterial”.

6. Deduction of special expenditures

In addition, under § 10a Income Tax Law it is possible to deduct up to EUR 2,100 per annum as **special expenditures** for income tax assessment purposes.

The allowances that have been paid are deducted from the tax saving. To receive the optimum state assistance, it is therefore necessary to apply for the allowance.

7. Procedure

The **supplementary allowance** for contributions paid to VddB may be applied for from VddB at the end of the calendar year in which the contributions were paid. Together with or after your first application you can authorize VddB to submit applications for the following years. If you do not give such an authorization you will have to file an application with VddB annually.

VddB forwards the relevant data to the central office of the Statutory German Pension Insurance, which calculates the allowance and transfers it to VddB. The allowance is then credited to you in addition to your contributions and - like the contributions - is adjusted and converted into pension entitlements.

The **deduction of special expenses** must be applied for when submitting the income tax return, annex AV. VddB forwards the pension contributions eligible for subsidies electronically via the central office to the responsible tax offices. If you do not want to apply for the deduction of special expenses please do not fill in annex AV.

The allowance and granted tax benefits must be repaid to the central office by the VddB if a case of "misuse" exists according to the provisions of the Income Tax Law (in particular refund of contributions or dancer’s compensation). It is therefore recommended that members of **corps de ballet** who already know they will have the dancers’ compensation paid to them **should not apply** for support for employee contributions to the VddB. The same applies to foreign insured persons who want to return to their home country outside the European Union.

The **application forms** for allowances and the form to grant power of attorney are available from VddB or on the internet at [www.buehnenversorgung.de](http://www.buehnenversorgung.de) under “Downloadcenter → Riester → Antragsvordrucke”.

8. Tax

Tax must be paid in full on the shares of pension benefits and supplementary allowances based on **subsidised (i.e. tax-free) contributions**. This is known as deferred taxation (§ 22 para. 5 sentence 1 Income Tax Law). When they first draw their pension and in the event of any change in benefits (adjustment), pension recipients receive a special official notification about the taxable benefits they received in the previous year for presentation to the tax office.
1. Why take out continued insurance?

If you interrupt your employment with the theatre, your compulsory or non-compulsory insurance ends and becomes non-contributory. Non-contributory periods are not considered to be part of the minimum insurance period during which contributions must be paid in order to claim any benefits. In addition, no future pension rights accrue. The following benefits are not paid during non-contributory insurance periods even if all other requirements for claims are met:

- occupational disability or invalidity pensions
- supplementary medical benefits.

Continuing your insurance on a non-compulsory basis avoids these disadvantages. It is advisable to take out continued insurance particularly in the case of unemployment, illness without entitlement to wages, during childcare leave, when working in a position that does not require insurance (including as a self-employed artist) or if you pay into compulsory insurance irregularly as a guest performer. Continued insurance can also be taken out in addition to insurance covered by the Artists' Social Security Act.

2. What are the prerequisites for continued insurance?

Continued insurance is permissible immediately after:

- a period of employment at a theatre,
- payment of an occupational disability or invalidity pension or
- the end of temporary occupational invalidity if you were insured on a compulsory basis immediately before it commenced.

It is not possible in the case of

- invalidity and
- occupational disability, as long as a pension is paid by the German Theatrical Pension Fund.

3. How do you take out continued insurance?

If you intend to continue your insurance, this must be declared in writing within a year after the end of your employment at the theatre or after other prerequisites are fulfilled. The application form for your declaration is available at www.buehnenversorgung.de under “Downloadcenter ➔ Versicherung ➔ Weiterversicherung”.

The contributions for continuing your insurance must be paid within three months after submitting the declaration.

4. How high are the contributions?

The basic contribution is EUR 12.50 per month and is due on the first day of each month or by March 31 of the following year at the latest. Any contributions paid after this date cannot be accepted. In this case, continued insurance ceases and becomes non-contributory insurance.

In addition to the basic contribution, an additional continued insurance contribution can be paid up to the maximum contribution (16% of the contribution ceiling, i.e. EUR 1104 per month in 2020 or EUR 13,248 per annum).
5. How should the amount be paid?

Contributions can be paid by standing order or transfer to “Bayerische Versorgungskammer- Bühnenversorgung” (IBAN) DE 40 7005 0000 0000 0247 14, (BIC) BYLADEMMXXX. Please always quote the insurance number - V1-502000 and the contribution period on bank transfers.

It is easier to have the contributions debited directly from a current account. This can only be done in the European standard SEPA Direct Debit Scheme.

If you wish to change the amount of your contributions or your bank account has changed, you must renew your SEPA authorisation.

A confirmation of contributions paid for the previous year will be sent out each year.

6. When does continued insurance end?

Continued insurance becomes non-contributory insurance in the following cases:

- if it is terminated to the end of the following month in writing
- retrospectively if you are in arrears with payment beyond March 31 of the following year.

Continued insurance becomes compulsory insurance if you resume employment subject to compulsory insurance.

Continued insurance also ends when you receive benefits (with the exception of supplementary medical benefits).

7. When does non-contributory insurance end?

Non-contributory insurance is transformed into compulsory insurance if you resume an occupation, which is subject to compulsory insurance.

In all other cases, non-contributory insurance ends when the insurance relationship ends, i.e. when
- a situation arises in which benefits can be claimed,
- you are exempted from compulsory insurance and have not yet fulfilled the qualifying period for benefits,
- you receive compensation or a refund of contributions.

8. Can contributions be subsidised under the Pension Fund Law (“Riester support measures”)?

To compensate for the long-term decline in the level of pensions, as of January 1, 2002 state funding has been provided for a supplementary old-age pension system. The German Theatrical Pension Fund (VddB) is classified as a pension fund under the company pension scheme. Contributions to a non-compulsory continued insurance can also be granted state support if they are paid following a subsidised compulsory insurance.

The application forms for supplementary allowances and further information on the procedure are available from the VddB or online at www.buehnenversorgung.de under “Downloadcenter → Riester”.

Tax must be paid in full on the shares of pension benefits based on subsidised (i.e. tax-free) contributions and on supplementary allowances. This is known as deferred taxation.

9. Note

Please inform us immediately of any change of address.
Explanatory Note No. 22
concerning
Refund of Contributions and Lump-Sum Settlement
(shortened version)

N.B.:
The present Explanatory Note describes the legal situation as from January 1st 1998. If your insurance subject to compulsory contributions ended before January 1st 1998 you are instead subject to guaranteed refund or reimbursement in compliance with the statutes valid prior to December 31st 1997.

1. **Prerequisites**
You are entitled to a refund of contributions or to lump-sum settlement if you have completed a minimum of **12 paid-up months** but have not yet achieved 120 paid-up months after December 31, 2000 or 36 paid-up months after December 31, 2017 and have fulfilled one of the following conditions:

   − you have been subject to non-contributory insurance during the past 24 months and have finally given up your theatrical profession within the scope of the Fund, or
   − you became permanently occupationally disabled or unable to work during a non-contributory insurance period, or
   − you are no longer subject to compulsory insurance when taking up further employment with a Member because you can no longer attain 120 paid-up months, 60 paid-up months after December 31, 2000 or 36 paid-up months after December 31, 2017 before reaching your retirement age, or
   − you are exempted from compulsory insurance with the Fund, or
   − you have withdrawn from an insurance subject to compulsory contributions (insurance through a Member or continued insurance) due to permanent occupational disability or invalidity and cannot receive a disability pension because the required qualifying period of 36 paid-up months has not been achieved. (This alternative constitutes a **special case**, please read para. 4 below)

2. **Procedure**
Contributions are refunded upon application. Applications may be made at any time, they are not subject to any deadline (by contrast with permanent professional disability c.f. para. 4). The application can be obtained on the Internet site www.buehnenversorgung.de under “Downloadcenter → Nebenleistungen → Beitragsersstattung”.

3. **Amount of refund**
All contributions you made shall be refunded, i.e. the employee’s share of the contributions paid in by the Member and the voluntary contributions.

   As far as the employee’s share of contributions and voluntary contributions paid in as from January 1st 2003 are concerned you are entitled to old-age pension. If you have not achieved 36 paid-up months you don’t have to wait until you reach the retirement age but you can claim a lump-sum settlement. The preconditions listed under para. 1 above have to be fulfilled. The lump-sum settlement also consists in the refund of all contributions you made ex interest.

4. **Special case: Occupational disability**
If you have accumulated at least 12 paid-up months and have withdrawn from insurance subject to compulsory contributions due to permanent occupational disability or invalidity before fulfilling the statutory qualifying period of 36 months required for disability pension benefits (insurance through a Member or continued insurance), you will receive all contributions paid for you by the Member, i.e. both the employer’s and the employee’s share, plus voluntary contributions).

   You must make your application for this **within two years** after the event which gave rise to the claim for benefits. If you fail to observe this period, your entitlement to a full refund will lapse; you
may then only apply for a partial entitlement (employee’s share of contributions paid by the member, voluntary contributions).

5. Paying back refunded contributions
You can pay your refunded and paid back contributions back to the Fund if you subsequently resume employment which is subject to compulsory insurance with a Member for at least 6 months and undertake in writing within one month of taking up said employment - to the Fund management to pay them into the Fund. The refunded contributions must be paid in within 6 months of resumption of an occupation subject to compulsory insurance. Interest amounting to an annual rate of 6 % of the sum refunded must be paid for the period dating from the day on which the refund of contributions was paid out and the date on which it was paid in again. The period allowed for paying in may be extended upon request for good reason. Applications may also be made to pay the contributions back in instalments.

The term of one month for the written undertaking and the six-month term for repaying are preclusive time limits. If they are allowed to lapse, it is no longer possible to pay back the refunded contributions. An exception can only be made if you are unable to meet the time-limits through no fault of your own. In this case, the Fund management can, upon application, grant you “restoration to the previous status”.

If, after submitting the written undertaking, but before the end of the 6-month term for paying back, an event occurs giving rise to the claim for pension benefits, you or your dependant survivors may pay in the remaining amount owed within a new term as defined by the Fund management. This is also a preclusive time limit.

Repayment revives the entitlement to retirement benefits previously acquired (contributions and paid-up periods).

Example:
On July 1st 2012 A gets a refund of contributions and a lump sum settlement of totaling EUR 5,000. On September 1st 2015 he resumes his insurance through a Member on the basis of a seasonal contract. If he wishes to pay back the refunded contributions and lump-sum settlement he has to undertake to do so within one month, i.e. by September 30th 2015. Having submitted the written undertaking within this term, he must pay in the refunded amount of EUR 5,000 plus 6 % interest since July 1st 2012 within 6 months of taking up the new occupation which is subject to compulsory insurance, i.e. by February 29th 2016.

If A pays back the refunded contributions in time, the previously acquired entitlement to pension benefits is revived (contributions amounting to EUR 9,000 and an insured period of 42 paid-up months).

6. Transfer and statutory equalization of pensions
Refund of contributions and lump-sum settlement are precluded if you can use the paid-up months to complete the paid-up months in another pension fund (Versorgungsanstalt der deutschen Kultorchester - VddKO -, Versorgungsanstalt des Bundes und der Länder - VBL -).

Refund of contributions and lump-sum settlement are precluded if contributions, in case of a divorce, have been taken into account during the statutory equalization of pensions. In this case the refund will be reduced accordingly.

7. Note to supported contributions under the Retirement Assets Law
Supplementary allowances granted under the Retirement Assets Law (“Riester support measures”) must be repaid if a case of “misuse” exists according to the provisions of the Income tax law (refund of contributions is considered as such a case). In this case the allowances credited have to be transferred by the VddB back to the “Central Office”. The refund can not be paid out until this procedure has been completed.
Explanatory Note No. 23
concerning
Special regulations for dancers and members of dance ensembles

1. General

Among onstage professions, dancers occupy a particular position, since they are generally able to exercise their profession for a limited time only. The indemnity paid by the “Versorgungsanstalt der deutschen Bühnen” aims to facilitate your career change and the setting up of your own business.

2. Indemnity

2.1 Scope of application

The special regulations apply to onstage dancers. The definition of “dancer” includes Solo dancers, Ensemble dancers and Musical dancers. To differentiate dancers from other onstage professions (e.g. Musical actors), the content and the duration of their onstage activity must be dominated by actual dancing, i.e. dancing must be the main part of their artistic performance. Where dancers take up another onstage profession or where dancers exercise another onstage profession at the same time, the special regulations regarding the indemnity for dancers will not apply if contributions to the Versorgungsanstalt der deutschen Bühnen for the other non-dancing onstage activity exceed 10 % of the overall amount of contributions paid.

You will qualify for the indemnity if you gave up your onstage profession (this includes all types of stage work, not only dancing) not later than at the end of the season where you reached the age of 44, and if you provide evidence of retraining, further training or that you have established your own business. You must have paid contributions for at least 60 months without claiming benefits (disability pension) and you must prove that you will no longer work as a dancer and that you will not take up any activity in the future which would require you to be insured with the Versorgungsanstalt der deutschen Bühnen.

2.2 Indemnity amount

The indemnity amount equals the total of all paid contributions, i.e. including the employer’s contribution.

Contributions paid until 2005 will be interest-bearing at 4 % p.a., while contributions paid between 2006 and 2010 will bear interest at 3.25 % and contributions paid since 2011 at 2 %. The latter will also qualify for any expectancy allowance approved by the governing board within the scope of surplus distributions.

Dancers governed by the new regulations may also claim partial indemnification and keep their insurance cover in the amount of the remaining expectancies.

2.3 Procedure

The indemnity will be paid once on request in one lump-sum amount. The application form is available from administration or online at www.buehnenversorgung.de under “Downloadcenter → Nebenleistungen → Tänzerabfindung” (Insurance and Pension forms). You must apply within two years of giving up your onstage profession.

In case the beneficiary deceases before applying for the indemnity, the entitlement will be forfeited. Surviving dependants are not entitled to indemnity payments.
3. Other particularities

3.1 Disability pension

Dancers are entitled to claim disability pension for a limited period of time, if their disability has occurred prior to reaching the age of 35 due to an accident at work, or if they have paid contributions for at least 36 months. If you claim a disability pension, you are no longer entitled to claim the indemnity for dancers, however, entitlements to old-age pension and to survivor’s dependant annuities are unaffected.

Instead of the indemnity for dancers (60 months of contributions paid), you may claim a disability pension if the other requirements are met (accident at work or at least 36 months of contribution paid, insurance covered by a theatre).

3.2 As long as you have not applied for your indemnity, the following provisions apply:

You may continue your insurance after you have given up your onstage activities. If you continue your insurance until the legal age limit, you may attain the qualifying period for old-age pension (36 months of contribution payments) and secure your entitlement to flexible old-age pension on reaching the age of 62. However, pursuant to previous regulations and unlike those who are governed by the new regulations, you would still not be entitled to a disability pension even if you continue your insurance. If you do not continue your insurance, you will be insured on the basis of paid-up insurance with a member after your employment has ended. Please read the Explanatory Note No. 20 (Continued Insurance and Non-Contributory Insurance).

If you have paid at least 36 months of contributions by 31°December°2017, 60 months of contributions by 31 December 2000 or 120 months of contribution in total, you will qualify for old-age pension on reaching the statutory age limit (67). Upon your death, your surviving dependants will be entitled to a pension (death allowance, widow(er)’s allowance, surviving dependants’ annuity for registered partners and orphan’s allowance).

Full payment of your indemnity settles all your expectancies from the Versorgungsanstalt der deutschen Bühnen. If you have attained the qualifying period, you should consider carefully whether you will still have sufficient old-age pension benefits. The amount of expectancies for a disability pension until that time will be communicated on request.

These special provisions regarding the indemnity for dancers do not apply if you are insured by a theatre after the end of the season where you have reached the age of 44. In those cases, only the general provisions of the applicable regulations shall apply.

4. Pension rights adjustments

Indemnity payments are also excluded if the relevant contributions were taken into account within the scope of the pension rights adjustment procedure following a divorce. In this case, the indemnity amount will be reduced by the capital value transferred to the former spouse.

Where a divorce procedure is still in progress, payout of the indemnity will be delayed until the pension rights adjustment has become absolute.
5. **Note on subsidized contributions pursuant to Pension Fund Law**

Allowances and tax credits claimed within the scope of the “Riester incentives” (special deductions) must be deducted from the indemnity for dancers and must be reimbursed, as this would otherwise constitute a “detrimental utilization” according to the provisions of income tax law. Pursuant to statutory procedures, we are required to first register the indemnity for dancers with the Zentrale Zulagenstelle für Altersvermögen (“ZfA”). The amount of the indemnity will be determined once the ZfA has calculated and communicated the amount due for reimbursement.

We recommend therefore that onstage dancers who are planning on claiming their indemnity should **not** apply for subsidizing their VddB contributions. This also applies to dancers if they have only applied for a partial indemnity payment. Due to the remaining expectancies, the possibility of subsidizing contributions within the scope of the “Riester incentives” does not apply to the insurance company either in such cases.

6. **Taxes**

The portion of the indemnity for members of dance ensembles and dancers which is based on contributions qualifying for tax incentives since 1 January 2002 (i.e. tax-exempt mandatory employer’s contributions relating to the first employment or within the scope of the remuneration transformation and the interest based on contributions subsidized with tax-credits) will be subject to tax and must be mentioned on page 2 of schedule R to the income tax declaration. You will then be sent a notification regarding the taxable portion of the indemnity for submission to the IRO.
Explanatory Note No. 24

concerning

Non-compulsory Medical Benefits

The German Theatrical Pension Fund (VddB) may grant supplementary medical benefits on certain treatments (c.f. No. 2) upon request* provided the cost of treatment is not reimbursed by any other body. Supplementary benefits are not offset against future benefits.

1. Who is eligible to non-compulsory medical benefits?

Non-compulsory medical benefits may only be granted to insured parties. Dependent family members are not entitled to non-compulsory medical benefits. The party insured must be either compulsorily, non-compulsorily or continuously insured at the time of treatment and must have been insured for at least 36 paid-up months prior to treatment. Persons insured on a non-contributory basis have no entitlement to non-compulsory medical benefits.

Non-compulsory medical benefits are not granted in the following cases:

- Occupational accidents and illnesses,
- you already receive old-age pension,
- if it becomes obvious upon processing of the application that an event giving rise to a claim has or will occur(red) within 2 years from completion of treatment or provision of aid or the insurance relationship will or has end(ed),
- usually in case of repeated treatments for the same reason before a period of three years has expired and
- in case the non-reimbursable cost amounts to less than 150 Euro.

A recipient of a pension for professional or occupational disability may be granted non-compulsory medical benefits before reaching his/her retirement age provided the treatment is likely to restore his/her earning capacity.

Non-compulsory medical benefits may be reclaimed if the insurance relationship ends within 6 months of granting.

2. What costs qualify for non-compulsory medical benefits?

2.1. Artificial Dentition

Non-compulsory medical benefits are granted for:

- Prostheses and implants
- Dental crowns and
- Three-dimensional dental inlays in case of performing stage artists including related general dental and surgical services.

Prophylactic, other conserving measures (dental treatment), services related to diseases of oral mucosa and paradentium, orthodontic and functional analytical and therapeutic services are not subject to non-compulsory medical benefits.

* Application forms are available on the Internet site www.buehnenversorgung.de under “Downloadcenter → Nebenleistungen → Heilkostenzuschüsse”.

Outpatient and Spa Treatments

Non-compulsory medical benefits may be granted on medical or therapeutic treatments for purposeful occupational rehabilitation. Benefits may only be granted for approved medical therapies i.e. therapies that are considered refundable by private health insurance companies, such as acupuncture, Alexander’s method, (extracorporeal) shockwave lithotripsy, hyperbaric oxygen therapy, hearing therapy or other orthopaedic therapies. Not reimbursable are general preventive measures or measures to improve health and performance.

Non-compulsory medical benefits are only granted on inpatient treatments in a facility (e.g. sanatorium) or curative centre if the intended outcome cannot be achieved by outpatient treatment.
Before treatment is started a medical certificate on its professional necessity and a cost estimate is to be submitted. The Fund is entitled to request an additional expert opinion at its own expense.

Non-compulsory medical benefits are not granted:

- In case of acute diseases
- On inpatient treatments in hospitals and infirmaries or surgical interventions including subsequent rehabilitation
- In cases where the intended treatment outcome can be achieved by a holiday
- On treatments reimbursed by other bodies (e.g. German Federal Insurance Office for Salaried Employees) subject to social security legislation less deductible.

Eligible maximum amounts include adequate costs for

- Treatment including physicians treatment honorariums up to the 3.5-fold of the billing rate subject to the German Scale of Charges for Physicians (GOÄ).
- Medicines, spa applications, health resort tax
- Accommodation or daily rates up to 75 Euro per day in case of a necessary inpatient treatment in a facility (sanatorium) or health resort and
- Certificates on the professional necessity of treatment issued by a medical examiner.

2.2. Other Aids

Eligible to non-compulsory medical benefits are contact lenses or hearing aids for performing stage artists. The aid must be expedient and appropriate in function. The professional necessity is to be proven by a medical certificate. Special glasses are subject to benefits only if the exclusive professional necessity is confirmed by a physician. The VddB is entitled to request additional medical examinations at its own expense.

Eligible maximum amounts include initial costs. In case of glasses the cost of the lenses plus a maximum amount of Euro 50 for the frame is generally reimbursable. Glasses for the computer are not reimbursable.

2.3. Cosmetic operations and laser interventions improving the visual acuity of performing stage artists

In individual cases, the cost of cosmetic operations may be eligible to non-compulsory medical benefits provided the operation is necessary for the execution of the profession.

A laser eye intervention to improve visual acuity in performing stage artists may be subject to non-compulsory medical benefits if intolerability of contact lenses is confirmed by a physician. The VddB is entitled to request additional medical examinations at its own expense.

Persons who do not perform on stage are not entitled to non-compulsory medical benefits for cosmetic operations or laser eye interventions.

3. What documents need to be submitted?

Upon completion of the treatment the itemized bills supplemented by the notice of approval or denial of the health insurance company, body or other authority are to be submitted to the Fund.

In case of curative treatments the application for non-compulsory medical benefits must be submitted prior to the curative treatment, in other cases within one year after completion of treatment or upon receipt of the notice from the statutory pension insurance system.

In case of personal and insurance-related entitlement and in cases where a particularly costly artificial dentition is required for professional reasons, the statutory pension insurance system will pay non-compulsory benefits on artificial dentitions for performing singers, members of choirs, actors and prompters. For that reason members of these professions should also file an application with the Deutsche Rentenversicherung Bund, 10704 Berlin within 6 months upon fitting of the artificial dentition. To what extent this might have an unfavourable effect on the statutory insurance has to be checked by the insured person individually. If no benefit has been claimed from the statutory pension system the VddB will evaluate the respective amount and reduce their benefit accordingly.
4. **What amounts are granted?**

In individual cases and in combination with previously granted benefits, non-compulsory medical benefits are not to exceed 10 % of contributions paid until the end of the last fiscal year prior to treatment.

In case the opportunity of receiving benefits, allowances and grants etc. from other bodies is not exploited, the benefits paid by the VddB are reduced by the same amount. This also applies in case benefits are denied by another body due to delayed application.
Explanatory Note No. 30
concerning
Pensions
(shortened version)

1. What types of pension are there and what are their prerequisites?

1.1 Old-age pensions

All insured persons who have accumulated at least 36 months of contributions since 2018, 60 months of contributions since 2001 or 120 months of contributions in total receive old-age pension as soon as they reach retirement age. The retirement age increases by the month depending on the person’s year of birth. All insured persons born after 1964 receive old-age pension from their 67th birthday.

1.2 Flexible old-age pensions

Insured persons who have accumulated at least 36 months of contributions since 2018, 60 months of contributions since 2001 or 120 months of contributions in total may be eligible for flexible old-age pension benefits as soon as they reach retirement age. Insured persons born prior to 1952 may receive flexible old-age pension when they are 60 years old. For persons born in 1952 and after, the retirement age is raised gradually to 62.

The amount of the flexible old-age pension will be reduced depending on how long it is claimed before reaching retirement age. Since 2012 there has been no limit on additional income earned while receiving a flexible old-age pension.

1.3 Occupational disability pensions

Insured persons receive an occupational disability pension if their ability to earn a living in their present profession is reduced by more than fifty percent on account of sickness or incapacity for an unforeseeable period of time. The present profession is that in which the insured person was last insured by his or her employer.

The required insurance period is 36 months of contributions. In addition, insured persons are only entitled to an occupational disability pension if they were insured through a Member or if they had continued insurance cover at the time the disability occurred. Since 2012 disability has to occur before reaching the retirement age for the flexible-old-age-pension.

For younger insured persons, occupational disability pension is paid for a limited period of time and ends after three years. If the prerequisites are still met when this time limit expires, the occupational disability pension is paid for a further three years. From the age of 58, occupational disability pension is paid indefinitely.

1.4 Invalidity pension

Insured persons receive an invalidity pension if they are unable to be gainfully employed for at least three hours a day due to sickness or incapacity for an unforeseeable period of time. Invalidity not only applies to artistic professions but to all professions, i.e. the insured person is only entitled to the pension if their earning capacity is reduced by the required degree for all jobs offered on the labour market. Insured persons who can be gainfully employed for at least three but less than six hours a day receive the pension for as long as they are unable to find a job on account of their sickness or disability. Insured persons who can be gainfully employed for at least six hours a day are not entitled to an invalidity pension.

To receive an invalidity pension, insured persons must have paid 36 months of contributions. Furthermore, they are only entitled to an invalidity pension if they are insured through a Member or are covered by continued insurance when the invalidity occurs. The invalidity pension is always awarded for an unlimited period of time. Since 2012 invalidity has to occur before reaching the retirement age for the flexible-old-age-pension.
2. How high is the pension?

The amount of the pension depends on the contributions paid for the insured person and the valid pensionable rate in effect at the time the contributions were paid. As flexible old-age pensions are claimed for longer than old-age pensions from the usual age of retirement, they are reduced.

The reduction applies to the entire period during which old-age pension and survivors’ pension are paid.

3. When does entitlement to pension benefits begin and end?

Pensions are granted on the basis of an application. The application must be submitted to the German Theatrical Pension Fund management (The application form can be found online at www.buehnenversorgung.de under “Downloadcenter → Versorgung”). An application filed to the Deutsche Rentenversicherung Bund (German Statutory Pension System) or to another institution is not a substitute for this application procedure.

Entitlement to old-age pension commences when you reach retirement age. In the case of flexible old-age pensions, this only applies if the pension application is submitted within three months. Otherwise the pension begins after the application has been submitted.

Entitlement to an occupational disability or invalidity pension begins when you become incapable of working or earning your living. If you submit your application a year after this point in time, the pension begins after the application has been made.

Entitlement to old-age pension benefits expires when a person dies. Occupational disability or invalidity pensions end when you become able to take up a profession or occupation again. In addition, an occupational disability pension expires at the end of the time limit (see 1.3 above).

4. Surviving dependants’ pensions and benefits

4.1 Death benefit

If an insured person or pensioner dies, the person who has borne the funeral expenses can apply for a death benefit of 1,200 euros.

4.2 Widow’s or widower’s pension

Widows and widowers, as well as surviving dependents of a registered same-sex partnership as of 1 January 2005, can apply for a widow’s or widower’s pension. This begins from the day the insured person died and expires when the widow/widower dies, remarries or enters a new civil union. The pension is equivalent to 60 % of the old-age pension.

4.3 Orphan’s pension

The children of an insured person or pension recipient receive an orphan’s pension until they reach the age of 18. For orphans who are still in school education or vocational training at this age, an orphan’s pension may be granted up to the age of 25 at the latest. For children who have lost one parent, the orphan’s pension is equivalent to one quarter of the pension the recipient was drawing, or a third of the pension for full orphans.

5. Are benefit payments adjusted?

If sufficient means are available, the monthly benefit payments can be increased.
6. **What information must beneficiaries provide?**

Always quote your **insurance number** in all correspondence.

**Changes to the account** to which benefit payments are transferred can be taken into account if they reach the German Theatrical Pension Fund by the 10th of the previous month at the latest. The number provided must be the IBAN (International Bank Account Number).

You are obliged to inform the Fund management immediately of

- a change of address,
- end of residence in the EU/EEC, as long as benefits were drawn as part of a “Riester support measure”,
- for beneficiaries of an occupational disability or validity pension, the resumption of gainful employment,
- for beneficiaries of a widow’s or widower’s pension, remarriage or start of a civil union,
- for beneficiaries of an orphan’s pension in school education or vocational training beyond the age of 18, the end of or interruption of education or training.

Please note that excess benefits paid must be refunded.

7. **Taxes**

The German Theatrical Pension Fund does not retain any taxes from benefits. Beneficiaries of an old-age pension must therefore declare their benefits to their local tax office themselves. The statutory notices on this will be sent to you.

8. **Note for beneficiaries of an old-age pension with Riester support measures:**

Giving up a residence in the EU/EEC represents a misuse. Please note that allowances and tax reductions based on Riester support measures must be repaid and can reduce your old-age pension.
Explanatory Note No. 31
for
Recipients of Pensions
(shortened version)

1. In order to help us to pay your pension benefits punctually and correctly, we request that you pay attention to the following:
   − always quote your insurance number in all correspondence,
   − inform us immediately of any change of address or bank account to which your benefits are to be transferred (IBAN and BIC).
   − If you give us details of any changes by the 10th of a given month we can take account of them in the payment of benefits for the following month and thus avoid any incorrect transfers.
   − An official life certificate must only be submitted upon request.

2. You are obligated to inform the Fund management immediately:
   − if you are a recipient of occupational disability or invalidity pension benefits, or flexible old-age pension benefits
     • of any resumption of a gainful occupation (not only a theatrical occupation), prior to reaching the time you may receive flexible old-age pension benefits for the first time,
     • of any change in your earned income (enclosing a certificate from your employer stating when your employment began and the pay you receive for it), prior to reaching the time you may receive flexible old-age pension benefits for the first time,
   − if you remarry and are a recipient of a widow’s or widower’s pension,
   − if you end or interrupt your education/training and are a recipient of an orphan’s pension because you are still in school education or vocational training beyond age 18.

Excess benefits paid must be refunded.

3. We also wish to draw your attention to the following:
   We do not retain any taxes from benefits. You must, therefore, declare your benefits to your local tax office yourself. Tax must be paid on the taxable proportion of the benefits (Table in § 22 Income Tax Act). The higher your age at the beginning of your entitlement to pension benefits, the lower this proportion is.

   **Tax has to be paid in full on the shares of pension benefits that are based on assisted (i.e. tax-free) contributions and on supplementary allowances.** This is known as taxation in arrears (§ 22 para. 5 sentence 1 Income tax law). Pension recipients receive a special notification about the full taxable amount when they first draw their pension and in the event of any change in benefits (adjustment).

   Pension benefits constitute a strictly personal entitlement. They can be neither assigned nor pledged.

   It is, however, permissible for benefits to be set off against contributions in arrears and other claims (e.g. excess benefits paid).

4. The **entitlement to benefits expires** at the end of the month in which the entitled person dies. The following also expire:
   − The entitlement to a occupational disability or invalidity pension expires if the person entitled is able to resume his or her occupation or profession before the age when he/she may obtain flexible old-age pension benefits for the first time.
   − The entitlement to a occupational disability pension expires when the period ends or as soon as the entitled person takes up a reasonable occupation before the age when he/she may obtain flexible old-age pension benefits for the first time.
   − The entitlement to a widow’s or widower’s pension expires at the end of the month in which the widow or widower marries (in this case compensation amounting to five times the annual amount of the widow’s or widower’s pension will be paid if an application is made).
   − The entitlement to an orphan’s pension expires at the end of the month in which the orphan or child of whom one parent has died reaches age 18, or if said child is still in school education or...
vocational training, at the end of said education or training and, at the latest, when he/she reaches age 25.

5. If an insured person or pensioner dies, a death grant of EUR 1,200 will be paid if an application is made. The death grant will be paid to the person responsible for paying for the funeral expenses. A death certificate and the vouchers for the funeral expenses, which do not have to be receipted, should be enclosed with the application for the death grant.

No death grant will be paid if a relative or surviving dependant dies who was not independently insured with the Fund.