

## Artists' Social Insurance Fund (KSVF) (2023)

### Allowance for contributions to compulsory insurance with the Social Insurance Institution for the Self-Employed (SVS)

Artists can receive **subsidies** from the Artists' Social Insurance Fund (KSVF) **for their compulsory insurance** with the Social Insurance Institution for the Self-Employed (SVS). The KSVF is also the contact point for notifications of suspension of compulsory insurance with the SVS, can provide financial support for artists in cases of hardship (**support fund**) and collects levies to finance subsidies and subsidies.

### Subsidies for contributions to compulsory insurance with the Social Insurance Institution for the Self-Employed (SVS)

#### ► *Who can receive a subsidy?*

**Five eligibility requirements** must be met in order to receive a subsidy from the Artists' Social Insurance Fund (KSVF) for social insurance contributions to the Social Insurance Institution for the Self-Employed (SVS):

#### 1. **Compulsory pension insurance with the SVS**

Compulsory insurance with the SVS results from the exercise of an artistic activity. This does not mean, however, that you may only engage in an artistic activity; other, non-artistic (self-employed and/or employed) activities are also possible at the same time. You can register several activities as a self-employed person with the SVS. What is important is that the artistic activity is (also) registered with the SVS for compulsory insurance purposes.

## 2. Artist's application

The application (German only) is to be completed in full, signed, and addressed to the KSVF. An application for a subsidy may be made up to four calendar years retroactively. This means that applications are currently (2023) possible for the years 2019, 2020, 2021 and 2022 – and of course for 2023 and beyond.

## 3. Exercise of an artistic activity

... as according to the Act on the Artists' Social Insurance Fund: An artist is a person who creates works of art as part of an artistic activity, for example in the field of the fine arts.

## 4. Minimum income from artistic activity as a self-employed person (minimum limit)

... or minimum earnings from artistic self-employment in the amount of EUR 6,010.92 (2023 value) – there are, however, various exceptions facilitating access to the subsidy. Even in the event of zero income or losses, the possibility of a subsidy will not be lost for several years. (See: Exceptions with regard to minimum income from artistic activity)

### Maximum total income (upper limits)

... in the amount of EUR 32,559.15 (2023 value). This includes all gainful occupations (artistic and non-artistic, self-employed and employed) or types of income which are added up. This amount is increased by EUR 3,005.46 (2023 value) for each child entitled to family subsidy.

All five conditions above must be met in order to be granted an allowance for compulsory insurance with the SVS.

The KSVF has to conduct an administrative procedure, which is why a procedure can take several months. However, the KSVF is invested in reducing the processing time, especially after the pandemic years.

In the event of a positive decision, the subsidy will be awarded retroactively for the period requested.

### ► *How much is the subsidy?*

Since 2018, the annual subsidy from the KSVF for compulsory insurance with the SVS has been a maximum of EUR 1,896, which corresponds to EUR 158 per month. The subsidy is not paid to the artist, but rather transferred directly to the SVS. The subsidy granted is taken into account in the account statement issued by the SVS, and only the remaining difference must be paid.

In principle, the maximum subsidy amount is available for all eligible persons. However:

If the SVS contributions for pension, health and accident insurance in the year in question are lower than a total of 1,896 euros, the KSVF subsidy is correspondingly lower. If the compulsory SVS insurance is not continuous for the entire year (e.g. in the case of a notice of suspension), the entitlement to the subsidy is only aliquot. In this case, the subsidy amounts to a maximum of 158 euros only for those months in which compulsory SVS insurance as an artist was received.

### ► *How do I apply for a subsidy?*

Applications to be granted subsidies from the KSVF can be made using the following form: Formular "Antrag auf Gewährung von Zuschüssen zu den Beiträgen zur gesetzlichen Sozialversicherung" (German only). The form must be completed in full and signed. The application form lists a number of required documents: curriculum vitae (with a focus on artistic activity), and if available also proof of grants and prizes awarded, certificates/diplomas of artistic training and education, income tax assessment notices (if the application is (also) being made for previous years) – no originals, all copies. Please note: a portfolio of artistic work is **not required** at this stage! (See next question: Proof of artistic activity: Who decides? And how?)

The new online form is intended to simplify and speed up the processing of applications. KSVF requests that no more documents and information be submitted than required (see above: **no** portfolio in the application form) – this may delay processing.

At the end of the form is an affidavit that can be signed by hand and scanned or

signed electronically. (Entering the name on the computer does not constitute a signature).

### **How can artists who cannot submit an online application apply?**

(Only) in justified exceptional cases, for example if the technical requirements are not met, the KSVF will send the form for printing or by mail upon request.

### **► *Proof of artistic activity: Who decides? And how?***

Once the application and documents have been submitted, the KSVF checks whether the eligibility requirements (described above) are met. If the artistic activity cannot be positively established beyond doubt on the basis of the documents enclosed with the application form (curriculum vitae, proof of grants and prizes, certificates/diplomas, if any), the KSVF will ask for further documents as proof of artistic activity – preferably in digital form (in well-zipped and compressed form; or via a link to download).

It is only at this point that KSVF decides whether a portfolio is required for proof of artistic activity and, if so, requests it. (See above: No portfolio is required in addition to the application form. Unsolicited documentation may delay processing).

If KSVF requires additional documentation, they will send detailed information as to what it is and what it should contain.

### **What if I perform several artistic activities in different fields?**

All artistic activities from which income is earned must be indicated in the application.

This has the advantage that each of the specified activities is relevant for reaching the income or revenue minimum limit. Even secondary artistic activities related to one of the specified divisions can be included for the purpose of reaching the minimum limit. It is therefore important to list and document all paid artistic activities and areas — also to avoid procedural delays.

*Example:* A visual artist generates income from exhibition contributions and sales of works. In addition, she publishes stories and poems and has income from royalties and fees for readings. It is therefore advisable to declare both the visual

arts and literary fields in the KSVF. After a positive report in both art fields, their income from both art fields will be used to reach the minimum limit. (Income from artistic activities for which there is no positive expert opinion cannot be taken into account by the KSVF for reaching the minimum limit).

In addition, the artist can claim her self-employed artistic sideline activities from both fields for reaching the minimum limit: For example, up to 50% of the relevant income for this purpose may come from her activities as a visual arts facilitator and from the creative writing workshops she holds. (See: [Exceptions to the minimum income](#)).

### **Expert opinion by the artist commission. And: what to do if the Curia decides negatively?**

The KSVF submits the documents to an artists' commission to obtain an expert opinion on whether the activity is artistic and whether works of art are being created.

If the opinion of the competent curia is negative, it is recommended to get in touch with the Appeal Curia: For this purpose, a written request for an expert opinion by the Appeals Curia must be submitted to the KSVF within the specified time limit (usually one month), stating the reasons for the request. The documents are then re-evaluated by other experts, and additions or revisions to the submitted documents are still possible for submission to the Appeals Curia. One can find adjustment suggestions in the reasons for rejection. It is advisable to address the arguments for rejection and to underline this with meaningful documents or work samples.

### **► *What is considered an artistic activity?***

Following the KSVF Act, an artist is someone who, in the field of visual arts for example, “creates works of art within the framework of an artistic activity.” The decisive factor is the activity during the period for which a grant is requested. The artistic activity during this period should be documented in the application in a comprehensible manner.


Since the concept of art is free and therefore not legally defined, it is up to the discretion of the experts in the curiae to assess the respective artistic activity.

- Among other things, art is distinguished from arts and crafts – the latter is not

considered an artistic activity within the meaning of the KSVF Act.

- In the case of artistic research or curatorial activity, a decision is made on a case-by-case basis.
- Art mediation does not count as an artistic activity under the KSVF Act. However, if it is related to the requested field of art, it may be considered as a secondary artistic activity.
- In the case of artistic work in a collective, it is important to explain your own artistic contribution.

### ► ***What should be done if one's artistic practice changes or expands?***

Not only changes in income or insurance situation, but also changes in artistic practice must be reported to the KSVF. This can be done informally or with a  [form](#).

Notifying the KSVF that the artistic activity has shifted or expanded to include a new area, for example, is also in your own interest. The following applies not only to the initial application, but also in the further course: The KSVF can only consider income from those areas for the minimum limit on which a positive decision has been made.

*Example:* A visual artist starts recording electronic music in addition to her previous focus on performance. Initially, she plays the music as part of exhibition openings, later she starts performing in clubs and also has income from the music via streaming services. She informs KSVF that, in addition to being a visual artist, she is also a musician. The KSVF checks whether this is an artistic activity; the procedure is identical to that for the decision on the first artistic activity. If the decision is positive, the visual artist can also claim her income from music to reach the minimum limit.

### ► ***Exceptions with regard to minimum income from artistic activity***

In the past, artists repeatedly lost their entitlement to subsidies because they failed to reach the required minimum income from artistic self-employment. However, two legislative amendments (2008 and 2014) have responded to this

problem. Since then, a number of special rules and exceptions have been in place that make it much easier to reach the minimum limit:

### **Income instead of earnings**

Reaching the minimum limit through income (instead of earnings) from self-employed artistic activity is also sufficient (as of 2014).

### **Tax-exempt grants and prizes**

... can be taken into account to reach the minimum limit.

### **Income from artistic employment**

... can be taken into account to reach the minimum limit, if no compulsory pension insurance existed on the basis of such employment(s) (marginal part-time jobs).

### **Secondary artistic activities**

Up to 50% of any income from secondary artistic activities (in the same artistic field!) can be taken into account towards the minimum limit. Specifically, this means up to EUR 3,005.46 for 2023. What counts as a secondary artistic activity? According to the legal text, this refers to “e.g. preparatory activities as well as activities which serve to carry forward, disseminate, or make accessible artistic creation” – in the field of art in which there is an entitlement to a subsidy.

### **Three-year clearing period**

The income from three consecutive years can be counted in equal parts for these years.

*Example:* 7,000 euros of income from artistic activities in 2020 (minimum limit reached!), 2,000 euros of income from artistic activities in 2021 (minimum limit not reached!), 15,000 euros of income from artistic activities in 2022 (minimum limit reached!). The income from the three years is added up: 7,000 euros + 2,000 euros + 15,000 euros = 24,000 euros. Divided by three = 8,000 euros. This amount is above the respective minimum limit in all three years (2020, 2021, 2022).

Conclusion: the minimum limit is considered to have been reached in all three years.

*To be noted:* The “3-year units” are defined individually for each artist; they depend

on the year in which the grant was first received and if any interruptions occurred.

### **“Bonus years”**

If the minimum limit is not reached, even taking into account the rules described above, there are five “bonus years.” This means that the subsidy can still be received for a total of five years in each of which the required minimum income (or minimum revenue) is not generated. Once these five “bonus years” have been exhausted, the subsidy can no longer be applied for in advance for the current year. However, it can always be applied for **retroactively** as soon as it is clear that the conditions for the grant are again met.

*Please note:* If, in the past, the KSVF waived subsidy repayments in the course of recovery procedures, the years concerned are already considered bonus years.

### ► ***Are there additional exemptions for the pandemic years?***

No. Also in pandemic years, the same regulations are in place in order to achieve minimum earnings or minimum income from artistic self-employment.

*Also note:* benefits from Corona funds can **not** be considered as artistic earnings by the KSVF. In addition, the exemption for tax-exempt scholarships or prizes is **not** applicable for Corona funds.

### ► ***How does the KSVF verify income limits?***

#### **When applying**

The application form asks for information on profit and income in the year(s) for which the subsidy is requested. Especially for past years, these amounts must match the income tax reported to the tax office (results of the income-expenditure statement). Even if no income tax return is required, the income and expenses must be documented for the KSVF.

- If the subsidy is applied for retroactively for past calendar years, the income tax assessments for these years (if available) should be attached to the



application.

- If these documents are not (yet) available and/or if the grant is requested for the current year, a plausible estimate (forecast) must be provided.

*To be noted:* KSVF must be notified of any changes.

### **Retrospective review**

The KSVF regularly carries out random checks to determine whether the subsidy requirements still exist, e.g. compliance with the minimum and maximum limits for receiving the subsidy. Checks are also carried out if there are indications that limits may not have been complied with or that other grant requirements no longer exist.

Unlike the tax office, the KSVF Act does not specify a statute of limitations, so audits can be conducted retroactively up to the start of the subsidy. It is advisable to keep documentation of income and expenses for the entire period.

#### **► *What happens if I fall below the minimum limit?***

In case of falling below the minimum limit, there are several exemptions that allow artists not to lose their subsidy if in one or even in several years the profit is not sufficient (see above: [Exemptions](#)). These are also used in a review by the KSVF.

#### **► *What happens if the maximum limit is exceeded?***

If the income in one year exceeds the maximum limit (sum of total income, possibly increased per child for whom there is entitlement to family subsidy) for the receipt of the KSVF subsidy, the KSVF will reclaim the subsidy. Unlike in the case of falling below the minimum limit, there are no exemptions in this case. However, deferment or payment in installments are possible.

Artists do not have to pay back the entire subsidy, only the amount by which the income limits were exceeded or not reached (loop-in regulation).

*Important:* If a claim for repayment would be unfair for an artist “taking into

account his/her economic circumstances,” the KSVF can waive the repayment in whole or in part.

### ► **What happens when the "bonus years" are exhausted?**

The subsidy can still be received for five years in which the required minimum income (or minimum income) is not available — even taking into account the other exemptions. If these five “bonus years” are exhausted, the subsidy can no longer be drawn in advance for the current year. However, it can always be applied for **retroactively** as soon as it has been established that the conditions for the grant are again met.

### ► **Info and amounts from past years**

One can apply for the subsidy for the current year and retroactively for up to four calendar years. The amounts from the previous years:

#### **Minimum earnings or income from artistic self-employment (minimum amount)**

2022: EUR 5,830.20

2021: EUR 5,710.32

2020: EUR 5,527.92

2019: EUR 5,361.72

#### **Maximum sum of total earnings (upper limit)**

2022: EUR 31.580,25 (+EUR 2.915,10\*)


2021: EUR 30,930.90 (+EUR 2,855.16\*)


2020: EUR 29,942.90 (+EUR 2,763.96\*)


2019: EUR 29,042.65 (+EUR 2,658.36\*)

\* per child for whom family subsidy is received

#### **Factsheets from past years**

 [2022: KSVF 2022 – IG Bildende Kunst](#)

 [2021: KSVF 2021 – IG Bildende Kunst](#)

 [2020: KSVF 2020 – IG Bildende Kunst](#)

## Support in cases of hardship and notification of suspension

### ► *Support fund: Aid in cases of hardship*

Since 2015, the KSVF has also been able to grant aid for assistance in exceptional cases of hardship. Up to EUR 500,000 are available annually for this purpose. One-off payments or, in special cases, recurring cash benefits for a maximum of twelve months are provided. In any case, a maximum of EUR 5,000 may be granted per application. If an artist simultaneously faces emergencies in different categories, they can be claimed simultaneously and up to EUR 5,000 per emergency can be requested. Within five years, a maximum total of EUR 12,500 per person will be paid out. (Exceptions are possible in individual cases). Applications can be submitted by artists whose principal residence is in Austria (for at least the past six months!). The basis for the granting of aid is laid down in guidelines. A four-member advisory board assesses whether and to what extent the conditions for granting the aid applied for are met. The board usually meets every month. There is no legal right to be granted any aid.

In particular, for the following purposes, the Support Fund may grant aid to artists in cases of special need:

- to cover necessary subsistence in case of loss of income due to serious or prolonged illness or other unforeseeable events;
- to reimburse the cost of urgent purchases or repairs due to an extraordinary event;
- to cover increased expenses in the event of illness (e.g. diabetes);
- for medically necessary stays in places specializing in health, recovery and convalescence (“Kur-, Geneseung-, Erholungsheim”).

**Record inflation and massively rising energy costs** are not an issue in the exemplary list of emergencies worthy of consideration. An increase in the cost of living expenses, resulting in hardship, is not covered as an aid purpose per se by the guidelines. But record inflation and massively rising energy costs as an unforeseeable event? An unforeseeable event that ultimately results in revenue shortfalls? In any case, if other factors come into play, the Support Fund might sometimes take action. This is always a case-by-case decision.

*Important:* A subsidy from the KSVF for social security contributions is not a prerequisite for applying to the Support Fund! A compulsory insurance as an artist is also not a prerequisite. Both self-employed and employed artists can apply to the KSVF Support Fund.

- Artists' Social Insurance Fund (KSVF): [Support fund](#) (German only)
- Kulturrat Österreich: [Leitfaden für Anträge beim Unterstützungsfonds des Künstler\\_innen-Sozialversicherungsfonds](#) (German only)

### ► ***Covid-19 Fund: Cushioning of loss of revenue - DEADLINES EXPIRED***

The Covid-19 Fund in the Artists' Social Insurance Fund is aimed at artists and cultural educators and is intended to cushion the loss of revenue due to the pandemic.

- Artists' Social Insurance Fund: [Covid-19 Fund](#) (German only)
- IG Bildende Kunst: [Corona-Info](#) (German only)

### ► ***Suspension (Ruhendmeldung) of compulsory insurance***

You can apply to the KSVF for temporary suspension of your artistic activity (form: Ruhendmeldung). As a result, the compulsory insurance (for the artistic activity) with the SVS is temporarily suspended. This is particularly necessary in order to be considered “unemployed” by the AMS or to be able to receive a family time bonus. If the only reason for suspending your insurance is to save money on social security contributions, the calculation will hardly work out, especially not for artists who receive a subsidy from the KSVF. If you have any questions, we recommend a consultation!

The KSVF registers suspension notifications from artists and transmits them to the SVS. A suspension always becomes effective at the end of the calendar month, but can be terminated at any time (form: Meldung der Wiederaufnahme). A suspension notification is not possible retroactively!

*Important:* In the case of a suspension, the activity must really be discontinued during the period in question (i.e. no work on projects, no income – not even below the marginal earnings limit!). A KSVF subsidy is only possible for those months in which you have compulsory SVS insurance as an artist.

### **Suspension in order to be considered “unemployed”**

The fact that there is no compulsory insurance in the pension insurance is a prerequisite for being able to receive unemployment benefits or unemployment assistance.

Example: The artistic activity is temporarily discontinued as of May 29, 2023, the suspension is reported to the KSVF on June 15, 2023: The suspension takes effect on June 30, 2023, the exemption from GSVG insurance starts on July 1, 2023.

### **Notification of suspension in order to be able to receive the family time bonus**

To be eligible for the family time bonus, the second parent must interrupt employment for a period of between 28 and 31 days. The KSVF registers the suspension notification from artists and sends it to the SVS. The SVS takes into account the interruption of activity on the date requested for the family time bonus, but the exemption from compulsory insurance does not take effect until the end of the calendar month. (See also: Information material on social insurance: [What benefits are available for \(expectant\) parents](#)).

Example: birth of child on 4 September, 2023, interruption of artistic activity from 6 September, 2023, notification of suspension to KSVF on 8 September, 2023: The family time bonus can be received from 8 September, 2023 to 7 October, 2023. The suspension (of compulsory insurance) takes effect on 30 September, 2023, the exception from GSVG insurance starts on 1 October, 2023 and ends on 7 October, 2023.

*Important:* Artists who do not receive a KSVF subsidy and have never received one before can report the interruption of their activity directly to the SVS (interruption report). (See: Information material Social insurance: [What benefits are there for \(expectant\) parents](#)).

- KSVF: [Notification of interruption](#)
- Kulturrat Österreich: [Unselbständig – Selbständig – Erwerbslos](#) (info brochure)

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## The most important addresses at a glance

### **SVS: Social Insurance Institution for the Self-employed**

There are regional offices in all federal provinces.

Phone: 050 808 808, Web: [www.svs.at](http://www.svs.at)

### **KSVF – Artists' Social Insurance Fund**

1010 Wien, Goethegasse 1 / Stiege 2 / 4. Stock

Phone: 01 / 586 71 85, Email: [office@ksvf.at](mailto:office@ksvf.at), Web: [www.ksvf.at](http://www.ksvf.at)

### **IG Bildende Kunst: Information and Advice for artists**


Advice on social security issues: Wednesday from 2 to 4 p.m. Please call to make an appointment.

Information compiled and updated by Jannik Franzen, translated by Sam Osborn.


Thanks to KSVF for reviewing the text, and to SVS for reviewing the section on dormancy reporting for the family time bonus.

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## Links

 [fact sheet: Social Security](#)

 [Künstler\\_innen-Sozialversicherungsfonds \(KSVF\)](#)

 [Sozialversicherung der Selbständigen \(SVS\)](#)

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