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Versicherungs- und Beitragspflicht zur Rentenversicherung von Gewerbetreibenden in Handwerksbetrieben Feststellung

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Modul	Sachverhalt
Leistungsschlüssel	99114023037000
Leistungsbezeichnung I	Versicherungs- und Beitragspflicht zur Rentenversicherung von Gewerbetreibenden in Handwerksbetrieben Feststellung
Leistungsbezeichnung II	Applying for compulsory insurance and contributions to pension insurance for tradespeople in craft businesses
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung

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Leistungsgruppierung	
Verrichtungskennung	Feststellung (37)
SDG-Informationsbereich	Rechte und Pflichten im Bereich der sozialen Sicherheit in der Union, auch im Zusammenhang mit Renten
Lagen Portalverbund	Rente (1180200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	28.08.2022
Fachlich freigegeben durch	Federal Ministry of Labor and Social Affairs (BMAS)
Handlungsgrundlage	https://www.gesetze-im-internet.de/sgb_6/_2.html https://www.gesetze-im-internet.de/sgb_6/_5.html https://www.gesetze-im-internet.de/sgb_6/_6.html https://www.gesetze-im-internet.de/sgb_6/_165.html https://www.gesetze-im-internet.de/sgb_6/_169.html https://www.gesetze-im-internet.de/sgb_6/_173.html https://www.gesetze-im-internet.de/sgb_6/_178.html https://www.gesetze-im-internet.de/rv-bzv/index.html https://www.gesetze-im-internet.de/sgb_6/_190a.html https://www.gesetze-im-internet.de/sgb_6/_196.html https://www.gesetze-im-internet.de/sgb_6/_230.html https://www.gesetze-im-internet.de/sgb_6/_231.html
Teaser	Are you self-employed as a tradesperson in a craft business? Then, under certain conditions, you are subject to compulsory insurance in the statutory pension insurance scheme.
Volltext	<p>Tradespeople who are entered in the register of tradespeople are subject to pension insurance.</p> <p>You are entered in the Register of Craftsmen if you</p> <ul style="list-style-type: none"> • are self-employed and • exercise a craft requiring a license in Annex A of the Crafts Code as a standing trade, i.e. not as a market or itinerant trade.

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The Register of Craftsmen is a directory kept by the Chamber of Crafts. It lists the owners of businesses in their district that require a license as well as their trade.

Entry in the register of skilled trades requires, among other things, a certain certificate of competence. This can be a master craftsman's examination, for example.

In principle, you can only be subject to compulsory insurance in the statutory pension insurance scheme if you

- have the certificate of qualification or
- personally fulfill the requirements for entry in the register of craftsmen.

The competent Chamber of Skilled Crafts will check and decide whether you meet the requirements for entry in the Register of Skilled Crafts. The pension insurance fund is bound by the decision of the Chamber of Skilled Crafts.

The Chamber of Skilled Crafts will immediately notify the pension insurance company of any entries, changes and deletions in the register of skilled craftsmen that are relevant for checking the insurance obligation.

Only in exceptional cases are you obliged to report directly to the pension insurance provider: This is the case if you

- as the owner of a business, you only fulfill the requirements for entry in the register of skilled craftsmen at a later date or
- continue a craft business as your main business that was previously run as a secondary business within the meaning of the Crafts Code.

Upon receipt of a corresponding notification, the

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pension insurance checks whether there is an obligation to pay insurance and contributions.

If you are marginally self-employed, you are exempt from statutory pension insurance. If your income from self-employment regularly exceeds the marginal earnings threshold, you can choose between these options:

- half the standard contribution:

The contribution assessment basis is half the reference value. This is the average earnings of all insured persons. Payment is limited in time.

- Standard contribution:

The contribution assessment basis is the reference figure.

- Income-related contribution:

The contribution assessment basis is the last income tax assessment notice that includes income from self-employment.

If you do not make an election, you must pay half the standard contribution in the first 3 calendar years after the year in which you became self-employed. After that, you must pay the standard contribution.

By paying compulsory contributions, you benefit from the full package of benefits provided by statutory pension insurance.

The insurance ends when you are deleted from the Register of Craftsmen. It also ends at your request if you have completed a certain minimum period of insurance in the statutory pension insurance scheme.

Exemption from compulsory pension insurance is possible if

- you are subject to compulsory insurance as a tradesperson in a craft business,
- you have paid compulsory contributions for at least 216 months and you submit an application.

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Please note:

If you practise a craft that does not require a license or a trade similar to a craft in accordance with Annex B of the Crafts Code, there is no pension insurance obligation for tradespeople in craft businesses. However, the pension insurance obligation may arise due to other regulations, for example as a self-employed person with clients.

Erforderliche Unterlagen

- The questionnaire will tell you which proof or documents are required.

Voraussetzungen

Compulsory insurance in the statutory pension insurance scheme is only possible for you as a tradesperson in a craft business

- as the owner of a sole proprietorship entered in the register of craftsmen, i.e. as a natural person, or
- as a partner in a partnership entered in the Register of Craftsmen. These include civil law partnerships (GbR), limited partnerships (KG) and general partnerships (OHG).

The insurance obligation as a tradesperson in a craft business exists if you

- are entered in the Register of Craftsmen for one of the trades requiring a license in Annex A of the Crafts Code,
- you have a certificate of qualification in your person, for example the title of master craftsman, and
- actually carry out the self-employed activity.

Kosten

There are no costs for you.

Verfahrensablauf

Compulsory insurance as a tradesperson in a skilled crafts business is automatic if you meet the requirements.

- If the Chamber of Skilled Crafts or you have reported the start of self-employment to the pension insurance fund, you will receive a so-called "welcome letter" from

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them.

- The "welcome letter" informs you about your options. It also contains a request to complete and sign a form and send it to your pension insurance provider.

Online:

- Please use the direct link contained in the "welcome letter" or go to the German Pension Insurance website.
- You will find detailed information on the procedure on the German Pension Insurance (DRV) website under "Online services".
- If you follow the "Submit application" link, you will be guided through the next steps and can select the desired application.
- Alternatively, you can use the online services with registration. For example, you can immediately see which insurance periods have already been recorded. You also save time and do not have to re-enter data you already know.
- Complete the application in full and upload the required documents.
- Submit your application online.
- You will receive a confirmation of submission.
- The responsible pension insurance provider will check your application.
- You will receive notification of your application.

In person:

- Compile the necessary documents for your application and make an appointment with the DRV.
- When making an appointment online, your personal details and, if possible, your insurance number will be required.
- You can select a desired advice center and your preferred date. Depending on the availability of free appointments, you will receive a proposal for a binding consultation appointment.
- During your personal consultation, your application will be recorded electronically and forwarded online to

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the relevant pension insurance provider.

- The responsible pension insurance provider will check your application.
- You will receive a decision on your application.

In writing:

- Go to the DRV website.
- Download the required application form.
- You can also collect the form in person from the information and advice centers.
- Complete the application form, sign it and attach the required documents.
- Send all documents
 - by post to your pension insurance provider or
 - hand them in at one of the local advice centers.
- The responsible pension insurance provider will check your application.
- You will receive a decision on your application.

A person you trust can also submit your application on your behalf. Please submit a power of attorney to the pension insurance fund for this purpose. As long as the power of attorney is valid, the pension insurance company will only contact the person you have authorized.

If you give your consent to electronic communication, all correspondence can take place online. You can either use the electronic mailbox under the online services with registration or De-Mail.

Bearbeitungsdauer

Processing usually takes 1 month.

Frist

3 Monat(e)

If self-employed tradespeople are obliged to notify the pension insurance institution: Within 3 months of meeting the above requirements. Application for exemption from compulsory insurance: The exemption takes effect from the date on which the conditions for exemption are met if it is applied for within 3 months.

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	Otherwise it takes effect from receipt of the application.
weiterführende Informationen	https://www.deutsche-rentenversicherung.de/DRV/DE/Rente/Arbeitnehmer-und-Selbststaendige/03_Selbststaendige/selbststaendige_node.html
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • Objection. Detailed information can be found in the notice of assessment for compulsory insurance as a tradesman in a craft business. • Appeal to the social court. Detailed information can be found in the notice of objection.
Kurztext	<ul style="list-style-type: none"> • Obligation to insure and contribute to pension insurance for tradespeople in craft enterprises Determination <ul style="list-style-type: none"> • Obligation exists for: <ul style="list-style-type: none"> • Exercise of a craft requiring a license according to Annex A of the Crafts Code • Entry in the Register of Craftsmen • Fulfillment of the personal qualification requirements necessary for entry in the register of craftsmen • Fulfillment of the requirements for entry in the Register of Craftsmen is checked by the Chamber of Crafts <ul style="list-style-type: none"> • if entered in the register of craftsmen: notification to the pension insurance fund generally by the Chamber of Crafts and only in exceptional cases via the self-employed tradesperson • No contributions are payable for marginal income from employment • if income from employment is more than marginal, there is a right to choose the amount of contributions • if a certain number of compulsory contributions is reached, exemption from compulsory insurance is possible on application • Responsible: German Pension Insurance
Ansprechpunkt	
Zuständige Stelle	

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Formulare	<p>Forms available: Yes</p> <p>Written form required: Yes</p> <p>Informal application possible: No</p> <p>Personal appearance necessary: No</p> <p>Online services available: Yes</p>
Ursprungsportal	<p>Versicherungs- und Beitragspflicht zur Rentenversicherung von Gewerbetreibenden in Handwerksbetrieben Feststellung, Versicherungs- und Beitragspflicht zur Rentenversicherung von Gewerbetreibenden in Handwerksbetrieben Feststellung</p>