

Table Comparing and Contrasting Employment Regimes and Social Benefit Systems of Artists Around the World

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Country (followed by relevant legislation)	Rights of work and "professional" status of artist	Sickness and maternity	Employment injury	Health care protection	Is social welfare coverage obligatory?	Old age, invalidity, survivors	Unemployment	Tax status and taxation
CUBA	A work permit is required to perform freely as an artist. "Professional" status of artist is not specifically required.	General protection schemes exist for sickness and maternity.	General security and health care schemes at work exist.	General health care schemes exist. A system of social security run by the State as part of the Ministry of Employment and Social Security exists. Various laws concerning social protection are applied.	Yes. Artists are not obliged to resort to complementary insurance to obtain sufficient protection.	Disabled artists are rehabilitated in specialized centres which help to integrate them into society.	In the case of labour interruption due to causes unknown to the artists, unemployment benefits are granted.	Artists are included in the general fiscal law, and thus benefit from all the deductions and bonuses that the law would grant under the general scheme relating to income tax.
Relevant legislation:	<p>Decree n° 144 of 19-11-1993 on labour conditions of musical artists recognises two types: independent music artists who do not possess any employment contract, and music artists with an employment contract not necessarily affiliated to musical creation. <i>Gaceta Oficial</i>, 19-11-1993, n° 7, pp. 18-19 (INFORM). Natlex reference: CUB-1993-L-36294.</p> <p>Law decree n° 145 of 17-11-1993 on provisions of the working conditions of the literary authors. <i>Gaceta Oficial</i>, 19-11-1993, n° 7 extraordinario, pp. 17-18 (INFORM). Natlex reference: CUB-1993-L-36293.</p> <p>Resolution n° 14 of 27-08-1993 of the Ministerial President of the State Committee of Work and Social Security approving the regulation to regulate the evaluation system of professions in the field of arts. <i>Gaceta Oficial</i>, 01-09-1993, n° 12, pp. 170-174 (INFORM). Natlex reference: CUB-1993-M-36288.</p> <p>Resolution n° 1 of 27-08-1993 of the Ministerial President of the State Committee of Work and Social Security approving measures to regulate the evaluation system of professions in the field of arts. <i>Gaceta Oficial</i>, 01-09-1993, n° 12, pp. 175-179 (INFORM). Natlex reference: CUB-1993-R-36289.</p> <p>Resolution n° 5100 of 01-04-1986 of the Ministerial President of the State Committee of Work and Social Security approving the regulation to regulate the evaluation system of professions in the field of arts. <i>Serie Legislación Laboral</i>, 1986, <i>primer semestre</i>, pp. 143-162 (INFORM). Natlex reference: CUB-1986-R-3414.</p> <p>Decree n° 132 of 28-03-1986 establishing social security provisions for certain artists, notably pension rights for service time of 15 to 30 years in certain artistic areas requiring strenuous physical and intellectual efforts. <i>Serie Legislación Laboral</i>, 1986, <i>primer semestre</i>, pp. 177-182 (INFORM). Natlex reference: CUB-1986-R-3417.</p> <p>http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=CUB&p_classification=22.09&p_origin=SUBJECT</p>							
DENMARK	No formal "professional" status for artists exists, but membership of the "Danish Actors' Association" is regarded as a guarantee (specific criteria for admission) and gives good coverage to professional artists. Probationary membership allows talented semi-professionals to move into the professional area.	General health and safety regulation include paid sickness and maternity leave. (Legal Act on compensation during leave: LBK 761 of 11-09-2002)	General health and safety rules include compensation in case of work injuries. Provisions on the work environment in general are very detailed and comprehensive. (Legal Act on compensation during leave: LBK 761 of 11-09-2002)	Salaried employees with fixed-term contracts enjoy the same social welfare provision as those with open-ended contracts. Provision depends on the scale of contributions related to pension schemes/retirement. The percentage of contributions, in relation to salary, paid by the employer is 2%, plus holiday payment 12%, and by the employee is 1%. State and local governments are responsible for paying benefits to artists. Artists not covered by any insurance scheme receive a minimum income, which will be at a lower rate than unemployment benefit.	Yes. The employer has some obligations with regard to social welfare coverage. Any employee can arrange additional insurance at his/her own cost.	There is no particular social welfare coverage for disabled artists.	A social welfare plan during periods of unemployment exists and non-salaried workers are entitled to it. There is no specific rule for intermittent workers. Any worker who has within the last 3 years been working for 1,924 hours, is entitled to them. (Legal Act on Unemployment Compensation, LBK 799, 24-09-2002).	The employer has comprehensive obligations with regard to tax deduction.

<p>Other relevant legislation:</p>	<p>Notification n° 405 of 12-06-1987 respecting private employment agencies for the placement of performers under the Placement and Unemployment Insurance Act (n° 114 of 24-03-1970) [LS 1977 - Den. 2 (cons.)]. Regulates the granting of permission to operate a private employment agency for performers (such as dancers, artists, etc.). <i>Lovtidende A</i>, 1987, No. 45, p. 1346-1347 (INFORM). <u>Natlex reference</u>: DNK-1987-L-4217.</p> <p>Notification of 12-06-1985 respecting the private placement of professional performers. <i>Lovtidende A</i>, 1985, N. 36, p. 779-780 (INFORM). <u>Natlex reference</u>: DNK-1985-M-1555.</p> <p>Notification n° 112 of 17-04-1981 respecting the private placement of professional performers. <i>Lovtidende A</i>, 1981, N. 16 (INFORM). <u>Natlex reference</u>: DNK-1981-M-10940.</p> <p>Notification n° 23 of 23-01-1974 respecting the private placement of performers. <i>Lovtidende A</i>, 1974, No. V (INFORM). <u>Natlex reference</u>: DNK-1974-M-15056.</p> <p>http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=DNK&p_classification=22.09&p_origin=SUBJECT</p>
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Country (followed by relevant legislation)	Rights of work and "professional" status of artist	Sickness and maternity	Employment injury	Health care protection	Is social welfare coverage obligatory?	Old age, invalidity, survivors	Unemployment	Tax status and taxation
ICELAND and relevant legislation:	Act n° 8 of 11-03-1996 on technical and design specialists. Act concerning educational requirements for specialists, including architects and industrial designers. Repeals Act n° 62 of 1986 notably regarding architects, landscape architects, furniture and interior designers, technicians and construction specialists. Date of entry into force: 11-03-1996. <i>Stjornartidindi</i> , 1996, Vol. A, pp. 16-17 (INFORM). <u>Natlex reference</u> : ISL-1996-L-46617. Regulation n° 94 of 02-03-1994 regarding architects. The authority of the regulation arises out of Act No. 83 of 1993 on the recognition of education and diplomas. <i>Stjornartidindi</i> , 1994, Vol. B, p. 253 (INFORM). <u>Natlex reference</u> : ISL-1994-R-46652. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=ISL&p_classification=22.09&p_origin=SUBJECT							
ISLAMIC REPUBLIC OF IRAN and relevant legislation:	Policy of 07-01-1998 for the "Protection and Direction of Creative Talent" that recognises the importance of intellectual, artistic, and technical creative arts within different levels of the education system and provides for further financial, technical, and employment opportunities. Official Gazette, 1998-07-23, n° 15552, p. 1 (INFORM). <u>Natlex reference</u> : IRN-1998-M-52036. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=IRN&p_classification=22.09&p_origin=SUBJECT							
ITALY and relevant legislation:	Law n° 379 of 11-12-1990 about provisions relative to maternity care concerning liberal professions. <i>Gazzetta Ufficiale</i> , 17-12-1990, n° 293, pp. 3-5 (INFORM). <u>Natlex reference</u> : ITA-1990-L-22088. Law n° 290 of 11-10-1990 modifying and completing the law n° 6 of 03-01-1981 governing state insurance of engineers and architects. <i>Gazzetta Ufficiale</i> , 18-10-1990, n° 244, pp. 4-7 (INFORM). <u>Natlex reference</u> : ITA-1990-L-21052. Law n° 45 of 05-03-1990 concerning the recognition of qualifying periods opening the right of liberal professions to State insurance provisions. <i>Gazzetta Ufficiale</i> , 09-03-1990, n° 57, pp. 3-5 (INFORM). <u>Natlex reference</u> : ITA-1990-L-20254. Law n° 6 of 03-01-1981 on relative provisions for State insurance covering engineers and architects. <i>Gazzetta Ufficiale</i> , 14-04-1981 (INFORM). Concerns notably old-age pensions, disability and invalidity. <u>Natlex reference</u> : ITA-1981-L-11288. Decree n° 490 of 14-05-1974 of the president of the Republic concerning the application of the international convention for the protection of artists, interpreters and performers, producers of discs, gramophones and radio-diffusing organs, signed in Rome 26-10-1961. <i>Gazzetta Ufficiale</i> , 19-10-1974 (INFORM). <u>Natlex reference</u> : ITA-1974-R-15082. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=ITA&p_classification=22.09&p_origin=COUNTRY							
JAPAN and relevant legislation:	NO LEGISLATION OR INFORMATION RELEVANT TO THE SOCIAL SECURITY OF ARTISTS FOUND ON EITHER THE OBSERVATORY WEBSITE OR NATLEX.							
LATVIA	Formal work permits and “professional” status for artists do not exist, but the project of the Law on "Professional Artists and their Organisations" is in preparation.	Employers must pay sickness benefits to employees for the first 2 weeks. Social insurances must pay as of the 15th day of sickness, and as of the 1st day of incapacity for work for maternity. The benefit is 80% of the average contribution wage for the last 6 months.	The social insurance system against work injuries and occupational diseases in general is linked to the working conditions.	A general health care system exists in the form of Sickness Funds managed by the State. Health insurance companies, which have agreements with certain medical institutions, are gradually increasing in number. There is no special health care system for artists.	Yes. Employees and self-employed persons are subject to compulsory social insurance on the basis of contributions. Artists are not obliged to resort to other insurance schemes.	A general pension insurance exists. There are three different possible schemes: the state obligatory non-funded pension; the state compulsory funded pension and; the private voluntary pension scheme.	Since 1996, unemployment benefits are paid according to the previously earned wage and are valid for a total of 9 month. Only under rare occasions may artists having lost salaried work receive the status of unemployment, not free-lance artists.	Artists, like all other participants of the social welfare system, may receive social support and unemployment insurance only if they have paid social insurance tax.

Relevant legislation:	NO LEGISLATION RELEVANT TO THE SOCIAL STATUS OF ARTISTS FOUND ON NATLEX.
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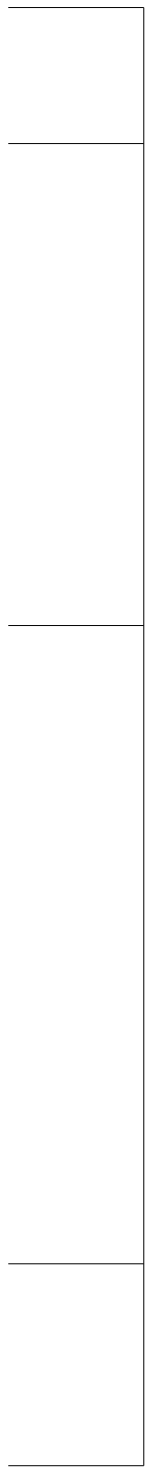
Country (followed by relevant legislation)	Rights of work and "professional" status of artist	Sickness and maternity	Employment injury	Health care protection	Is social welfare coverage obligatory?	Old age, invalidity, survivors	Unemployment	Tax status and taxation
ROMANIA and relevant legislation:	Decision n° 89 of 02-03-1993 on the integration of writers' social insurance and pension regimes into the State social insurance regime. Operates a transfer of competence between the Union of Writers of Romania and the Ministry of Work and Social Protection. Relevant legislation is henceforth applicable to members of the union. Date of entry into force: 05-03-1993. <i>Monitorul oficial</i> , 05-03-1993, n° 50, pp. 1-2 (INFORM - P60636). Natlex reference : ROM-1993-R-33590. Law-decree n° 27 of 14-01-1990 concerning the organisation and functioning, in conditions of economic autonomy, of organisations of writers, plastic artists as well as composers and creators of films and theatre. <i>Monitorul Oficial</i> , 15-01-1990, n° 10, p. 3-4 (INFORM). Natlex reference : ROM-1990-L-20872. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=ROM&p_classification=22.09&p_origin=COUNTRY							
RUSSIAN FEDERATION and relevant legislation:	Act n° 3612 of 09-10-1992 on general principles of the legislation on Culture. (text n° 2615). <i>Vedomosti Verkhovnogo Soveta</i> , 1992, n° 46, pp. 3388-3410 (INFORM). Promulgated by Decree n° 3613 of 09-10-1992 (text n° 2616). Natlex reference : RUS-1992-L-44939. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=RUS&p_classification=01&p_origin=COUNTRY							
SERBIA and MONTE-NEGRO	NO NATIONAL LEGISLATION RELEVANT TO THE SOCIAL STATUS OF ARTISTS FOUND ON THE OBSERVATORY OR NATLEX, HOWEVER, SPECIFIC LEGISLATION FOR THE CONSTITUENT REPUBLICS ARE GIVEN BELOW.							
SERBIA	The legal status of artists has only been defined for free-lance workers and those employed in the cultural sector.	Presumably artists engaged on a contractual basis will be covered by their employer.		For free-lance artists the new theatre law stipulates social security funds paid by municipalities. Collective bargaining agreements exist for theatre, archives, museums, libraries and institutes for heritage protection. A special section of the trade unions are bargaining, enforcing and monitoring these agreements.	Not stated.	For free-lance artists the new theatre law stipulates social security and retirement funds paid by municipalities.	In Serbia artists in the performing arts are fully employed. The new theatre law envisages an introduction of the new model in which the artists will be engaged on a contractual basis.	No relevant information available.
MONTE-NEGRO	Not stated. However, the status of theatrical artists must be defined to a certain extent as they are eligible for certain health insurance provisions.	No relevant information available.		Artists in irregular employment can obtain health insurance if they fulfil certain characteristics of "independent artists" over a minimum specific time period and earn at least a minimum annual income. The Montenegrin Republic will accept full or partial contributions for previous periods. It is specified that their employment must involve theatre work, and theatrical artists have to have a minimum of 4 years service to qualify for this.	Not stated.	Artists in irregular employment can obtain pension insurance if they fulfil certain characteristics of "independent artists" over a minimum specific time period and earn at least a minimum annual income.	No relevant information available.	

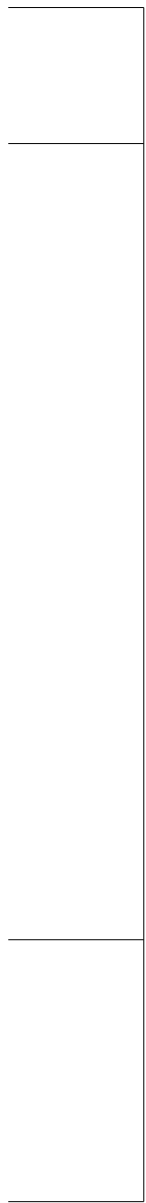
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