

Articles of Incorporation

of the *Versorgungswerk (Apothekerversorgung) der Apothekerkammer Schleswig-Holstein*

(Pharmacists' Pension Fund of the Pharmaceutical Society of Schleswig-Holstein)

dated 28. November 2016 (Amtsbl. S.-H. 2016 S. 176)

with changes

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# PUBLICATION VERSION

## I.

**Functions of the *Apothekerversorgung Schleswig-Holstein***

**and members**

## Article 1

### Legal form, name, registered office and functions

- (1) The *Apothekerversorgung* (Pharmacists' Pension Fund) is a body of the *Apothekerkammer Schleswig-Holstein, Körperschaft des öffentlichen Rechts* (Pharmaceutical Society of Schleswig-Holstein, a public corporation). Its funds and assets are designated for a specific purpose and must be managed separately. It operates under the name of "Versorgungswerk (Apothekerversorgung) der Apothekerkammer Schleswig-Holstein" and has its registered office in Kiel.
- (2) The *Apothekerversorgung* may engage in legal dealings, sue and be sued in its own name. The chairperson of the Management Committee (*Verwaltungsausschuss*) represents the *Apothekerversorgung* in and out of court. He or she is represented by the deputy chairperson. Statements or declarations that create financial obligations for the *Apothekerversorgung* must be given in writing and executed by the chairperson or deputy chairperson and another member of the Management Committee or by the Managing Director. The foregoing does not apply to matters of day-to-day management that are not of any particular financial significance for the *Apothekerversorgung*. Such matters may be handled by the Managing Director alone.
- (3) The role of the *Apothekerversorgung* is to provide members of the *Apothekerkammer Schleswig-Holstein* and their family members in accordance with section 4 (1) of the Act on Professional Societies in the Health Care Sector with pension benefits in accordance with these Articles of Incorporation.

## Article 2

### Notices

Notices of the *Apothekerversorgung* are published in the *Apothekerkammer's* newsletter and in the *Pharmazeutische Zeitung*. Recipients of benefits are notified by means of a notice sent to them individually.

### **Article 3**

#### **Duty to provide information**

Members have an obligation to provide the *Apothekerversorgung* with the information required under these Articles of Incorporation.

### **Article 4**

#### **Governing bodies**

The governing bodies of the *Apothekerversorgung* are:

- a) the Delegates Assembly (*Kammerversammlung*);
- b) the Supervisory Board (*Aufsichtsausschuss*);
- c) the Management Committee (*Verwaltungsausschuss*).

Members of the governing bodies act in an honorary capacity.

### **Article 5**

#### **Delegates Assembly**

(1) The Delegates Assembly of the *Apothekerkammer Schleswig-Holstein* adopts resolutions on:

- a) amendments to the Articles of Incorporation, subject to a majority of two thirds of all members of the Delegates Assembly;
- b) the election and removal of honorary members of the Supervisory Board and the Management Committee;
- c) adoption of the annual financial statements;
- d) formal ratification of the actions of the members of the Management Committee and the Supervisory Board;
- e) changes to pension benefits as well as the level of the annual general pension assessment basis (*Rentenbemessungsgrundlage*) referred to in article 16 (4), the

age of access multiplier (*Rentenzugangsfaktor*) based on joining age referred to in article 16 (3), the generational multiplier (*Generationenfaktor*) based on year of birth referred to in article 16 (3), the rate of discounts referred to in article 16 (5), the rate of supplements referred to in article 16 (6), any other improvement of pension benefits as referred to in article 37 (4) and the adjustment of current pensions as referred to in article 37 (5), as well as the amount of the actuarial interest rate by enacting separate rules;

f) dissolution of the *Apothekerversorgung*, subject to a majority of four-fifths of all members of the Delegates Assembly, and the measures necessary for winding up the fund. In order to adopt such a resolution, a meeting of the Delegates Assembly must be convened with at least two months' notice.

(2) Resolutions by the Delegates Assembly on the matters referred to in sub-paragraphs (1) (a), (e) and (f) require the approval of the supervisory authority.

## **Article 6**

### **Supervisory Board**

(1) The Supervisory Board consists of five members. Four members must be members of the *Apothekerkammer Schleswig-Holstein* and also members of the *Apothekerversorgung Schleswig-Holstein*. One member must have theoretical or practical experience in the field of tax consulting or auditing or be qualified to serve as a senior public servant (*höherer Verwaltungsdienst*) or judicial officer (*Richteramt*) or have experience in banking and mortgage lending.

(2) The members of the Supervisory Board, who must be members of the *Apothekerkammer* and the *Apothekerversorgung Schleswig-Holstein*, are elected by a simple majority of the Delegates Assembly for a period of five years. The member with theoretical or practical experience in the field of tax consulting or auditing or who is qualified to serve as a senior public servant or judicial officer or who has experience in banking and mortgage lending is appointed by the four other members of the Supervisory Board. The Supervisory Board may call upon other experts for professional advice where necessary. If a member elected by the Delegates Assembly leaves office, the Delegates Assembly elects a successor at its next meeting.

- (3) The Supervisory Board elects a chairperson and a deputy chairperson from among its members by resolution adopted by simple majority.
- (4) The Supervisory Board meets regularly one month prior to the presentation of the annual report and audit report, and otherwise at any time at the request of at least two members of the Supervisory Board or two members of the Management Committee. Meetings of the Supervisory Board are convened by the chairperson or, if the chairperson is unable to do so, by the deputy chairperson. In cases falling under the second half of sentence 1, the meeting is convened within two weeks.
- (5) The Supervisory Board is deemed to have quorum if at least three of its members are present. It adopts resolutions by simple majority. If voting is tied, the resolution is deemed to have been rejected. Abstention from voting is not permitted. For urgent matters, and provided the Supervisory Board is briefed in writing in advance, the Managing Director's Office (*Geschäftsführung*) may also obtain a decision from the Supervisory Board in the form of a resolution adopted over the telephone or in writing. If a unanimous decision cannot be reached in this manner, the resolution is deemed to have been rejected.
- (6) The functions of the Supervisory Board are:
- a) to draft guidelines for the administration of the *Apothekerversorgung*;
  - b) to review and approve the balance sheet and the income statement;
  - c) to draft investment guidelines for the *Apothekerversorgung*;
  - d) to decide on appeals against administrative decisions by the Management Committee.
- (7) The members of the Supervisory Board act in an honorary capacity. Expense allowances and the reimbursement of costs are determined by resolution of the Delegates Assembly.
- (8) The supervisory authority and the President of the *Apothekerkammer* are to be invited to meetings of the Supervisory Board.

**Article 7**  
**Management Committee**

- (1) The Management Committee consists of five members, three of whom must be members of the *Apothekerversorgung*. Two members must be qualified to serve as senior public servants or judicial officers or have experience in banking and mortgage lending and have special expertise in the area of pension schemes by virtue of their professional practice. The Management Committee may call upon experts for professional advice where necessary. It appoints a legal practitioner to act as Managing Director in agreement with the Management Board (*Vorstand*) of the *Apothekerkammer*.
- (2) The Delegates Assembly elects the chairperson, the deputy chairperson and a further honorary member in separate rounds of voting for a period of five years. The other members are appointed by the Supervisory Board, which must first obtain the agreement of the elected members of the Management Committee and the Managing Director's Office.
- (3) The members of the Management Committee may not concurrently serve as members of the Supervisory Board.
- (4) If a member of the Management Committee leaves office, the Delegates Assembly elects a successor at its next meeting for the remaining term of office of the elected members of the Management Committee, or the Supervisory Board appoints a new member with the agreement of the Management Committee and the Managing Director's Office.
- (5) The Management Committee heads the *Apothekerversorgung*. The Management Committee is responsible for implementing the resolutions of the Delegates Assembly and the Supervisory Board. Every year, no later than seven months after the end of the financial year, it must present an annual report showing the fund's assets and liabilities and an income and expenditure statement to the Supervisory Board for review.
- (6) The members of the Management Committee who are not contractual appointments act in an honorary capacity. Expense allowances and the reimbursement of costs are determined by resolution of the Delegates Assembly.

- (7) The Management Committee continues to manage the fund's affairs after its term of office expires until the newly appointed Management Committee takes over. The Management Committee is deemed to have quorum if at least three of its members are present, one of whom must have the qualifications referred to in article 7 (1) sentence 2. It adopts resolutions by a majority of the members of the Management Committee. If voting is tied, the resolution is deemed to have been rejected. For urgent matters, and provided the Management Committee is briefed in writing in advance, the Managing Director's Office may also obtain a decision from the Management Committee in the form of a resolution adopted over the telephone or in writing. If a unanimous decision cannot be reached in this manner, the resolution is deemed to have been rejected.
- (8) The Management Board of the *Apothekerkammer* is to be invited to meetings of the Management Committee.

## **Article 8**

### **Membership**

- (1) All persons who were already members of the *Apothekerversorgung* on 31 December 2005 are deemed members of the *Apothekerversorgung* on 1 January 2006.
- (2) From 1 January 2006, all members of the *Apothekerkammer Schleswig-Holstein* shall become members, unless they are exempt from membership under article 9.

## Article 9

### Automatic exemption from membership

- (1) Exempt from membership are members of the *Apothekerkammer Schleswig-Holstein* who:
- a) were barred from membership of an occupational pension fund prior to 1 January 2006 on account of having reached 45 years of age;
  - b) applied and were exempted from membership of an occupational pension fund prior to 1 January 2006 and, in addition, did not become a member of another occupational pension scheme on or before 31 December 2005;
  - c) had turned 45 years of age and had not become a member of an occupational pension scheme prior to 1 January 2006;
  - d) at the time of becoming a member of the *Apothekerkammer*, have reached the age of eligibility for the standard retirement pension under the general statutory pension scheme (*allgemeine Rentenversicherung*);
  - e) are employed as public servants, employees of a federal, state or municipal government body or of a public corporation, institution or foundation, provided they are assured of a future entitlement (*Anwartschaft*) to pension benefits for life in accordance with the principles of public service law;
  - f) are medical officers (permanent pharmacists in the armed forces);
  - g) are unable to practise due to ill-health/disability (*berufsunfähig*);
  - h) become members of the *Apothekerkammer Schleswig-Holstein* for only three months or less and practise as a pharmacist in Schleswig-Holstein for no longer than this period, during which they make compulsory contributions to another pension scheme.
- (2) If the reason for a member's exemption ceases to apply, the member of the *Apothekerkammer* shall become a member of the *Apothekerversorgung* from such



time, provided they have not yet reached the age of eligibility for the standard retirement pension (*Regelaltersrente*) under the general statutory pension scheme.

- (3) Decisions on membership exemptions are made by the Management Committee, or by the Supervisory Board if the Management Committee's decision is appealed.

## **Article 10**

### **Exemption from membership upon application**

- (1) Upon application, the following persons will be granted a full or partial exemption from membership:
- a) members of the *Apothekerkammer* who, under their employment contract, are entitled to a retirement pension and a surviving dependants' pension in accordance with the principles of public service law;
  - b) members of the *Apothekerkammer* who are in training or on probation for a public service role and fixed term medical officers, provided their employer is not required to pay contributions;
  - c) members of the *Apothekerkammer* who only practise as a pharmacist occasionally, particularly as a representative for a period of time that is limited to no more than two months over a calendar year;
  - d) members of the *Apothekerkammer* who do not practise as pharmacists;
  - e) self-employed pharmacists in respect of the portion of the generally applicable [compulsory] contribution ("general contribution") (*allgemeine Versorgungsabgabe*) in excess of 20% of the contribution ceiling (*Beitragsbemessungsgrenze*) to the statutory pension scheme (section 159 of the German Social Security Code, Vol. VI (*Sozialgesetzbuch VI*, "SGB VI"));
  - f) members of the *Apothekerkammer* who, when they commence practice in Schleswig-Holstein, are and remain required to be members of another pharmaceutical society and pharmacists' pension fund and make compulsory contributions to their existing pension scheme out of their total professional

income, unless their professional income in Schleswig-Holstein triggers compulsory contributions of the same or a higher amount than their professional income in the jurisdiction of their existing pension scheme;

- g) members of the *Apothekerkammer* who, when they commence practice in Schleswig-Holstein, have reached 60 years of age and make compulsory contributions to their existing occupational pension scheme out of their total professional income.
- (2) Upon application, a member of the *Apothekerversorgung* may be granted an exemption in respect of up to half of the full compulsory contribution under article 30 (1) where the member is married to another member of the *Apothekerkammer* and they have not yet applied for any other kind of exemption. This exemption is not available to members who are exempt from contributing to the general statutory pension scheme in favour of the *Apothekerversorgung*.
- (3) Upon application, a partial exemption is granted subject to article 31 (1) to members of the *Apothekerkammer* who practise exclusively under an employment relationship and who do not apply for an exemption from contributing to the general statutory pension scheme in accordance with section 6 (2) SGB VI.
- (4) Exemption applications must be in writing and lodged within six months of the criteria being met. The exemption applies from the time the criteria are met.
- (5) The six-month period does not apply to the exemption described in sub-paragraph (1) (b) if the applicant declares in writing that he or she intends, after the employment upon which the exemption is based ceases, to apply to have their membership of the *Apothekerversorgung* back-dated (*Nachversicherung*) in accordance with section 186 SGB VI in conjunction with article 13. The six-month period also does not apply to any exemption under paragraph (2).
- (6) Decisions on exemptions and partial exemptions are made by the Management Committee, or by the Supervisory Board if the Management Committee's decision is appealed.

- (7) The exemption or partial exemption applies only while the grounds for the exemption or partial exemption continue to apply.

### **Article 11**

#### **Waiver of membership exemption**

Any person who is exempted from joining the *Apothekerversorgung* under article 10 may, by giving written notice to the Management Committee, waive the exemption with effect from the beginning of the following month. Such waiver can only be accepted if a medical examination requested by the Management Committee has been conducted at the relevant member's expense. The Management Committee decides on the validity of the waiver based on the outcome of the medical examination.

### **Article 12**

#### **Compulsory membership upon application**

- (1) Members of the *Apothekerkammer Schleswig-Holstein* who are exempt from membership under article 9 (a), (b), (c), (e) or (f) may apply to be subject to compulsory membership if they have not yet reached the age of eligibility for the standard retirement pension under the general statutory pension scheme, and a medical examination requested by the Management Committee has been conducted at the relevant member's expense. The Management Committee decides on the application based on the outcome of the examination. Compulsory membership upon application must not conflict with the statutory provisions or the articles of incorporation of other pension funds established for pharmacists. In particular, it is not permitted if compulsory membership exists or arises with another occupational pension scheme.
- (2) Persons who are completing their practical pharmaceutical training in accordance with rule 1 (1) no. 3 of the Registration Rules for Pharmacists (*Approbatonsordnung für Apotheker*) dated 19 July 1989 (Federal Law Gazette I, p. 1489) may apply for membership.

### **Article 13**

**Back-dated membership based on retrospective contributions**  
**(*Nachversicherung*)**

- (1) Where a pharmacist ceases employment that is exempt from compulsory insurance (section 5 SGB VI), and if he or she or his or her eligible surviving dependants submit an application for his or her employer to pay retrospective contributions to the *Apothekerversorgung* for the purpose of back-dating his or her membership, then he or she is deemed, upon payment of the contributions, to be a member subject to compulsory membership who has made contributions equal to the amount of the employer's retrospective contributions. The retrospective contributions are allocated to the specific years of the period for which membership is back-dated, and having regard to the contribution rate and the contribution ceiling applicable in each case.
- (2) When assessing entitlements under articles 15 to 29, the supplement to be paid by the employer under section 181 (4) SGB VI is disregarded.
- (3) Back-dated membership does not affect the member's personal contributions during the period for which membership is back-dated and the benefit entitlements derived from such personal contributions. The application for back-dated membership must be lodged within one year of ceasing the employment.
- (4) If the member's additional personal contributions plus the contributions for back-dated membership exceed 200% of the maximum contribution under article 30 (1), the member's personal contributions in excess of this amount will be refunded.

**Article 14**

**Exit from the *Apothekerversorgung***

- (1) Membership of the *Apothekerversorgung* ceases when a person is no longer a member of the *Apothekerkammer Schleswig-Holstein*, unless:
  - a) they leave the jurisdiction of the *Apothekerkammer* for no more than three months and then renew their membership of the *Apothekerkammer Schleswig-Holstein*;

- b) they have turned 60 years of age and for that reason no longer join another occupational pension scheme or for that reason apply for an exemption from joining another occupational pension scheme.

Membership of the *Apothekerversorgung* also ceases if the criteria under article 9 (1) (e) or (f) are met during a person's membership.

- (2) Any person who ceases to be a member of the *Apothekerversorgung* pursuant to paragraph (1) may apply to become subject to compulsory membership, subject to the requirements of article 12 (1).

## **II.**

### **Benefits provided by the *Apothekerversorgung***

#### **Article 15**

##### **Benefits, legal entitlements**

- (1) The *Apothekerversorgung* grants the following benefits to its members and their surviving dependants once the relevant criteria are met:
  - a) retirement pension;
  - b) disability pension;
  - c) surviving dependants' pension;
  - d) death benefit;
  - e) refund and rollover of contributions;
  - f) lump-sum payment.
  
- (2) Members have a legal entitlement to the benefits under paragraph (1). The *Apothekerversorgung* is only under an obligation to provide its pension benefits within the territory subject to the Basic Law (Constitution) of the Federal Republic of Germany (*Grundgesetz für die Bundesrepublik Deutschland*). Upon application, it may transfer benefits to another location outside this territory at the risk and expense of the applicant.

- (3) [Benefits for] rehabilitation measures to restore a member's ability to practise are provided to the extent described in article 18.
- (4) Recipients of pension benefits are required to submit a proof of life certificate on request. Payment of pension benefits will be suspended if no proof of life certificate is submitted. Furthermore, pension benefits will not be paid or will be suspended if other evidence demonstrating the recipient's entitlement to benefits is not submitted.

### **Article 16**

#### **Retirement pension**

- (1) Every member of the *Apothekerversorgung* is entitled to a retirement pension for life when they reach the age of eligibility for the standard retirement pension under the general statutory pension scheme (retirement age).
- (2) The annual amount of the retirement pension is calculated for each eligible claimant individually based on the total accumulation units (*Steigerungszahlen*) acquired since 1 January 2017. By paying contributions, each member acquires an accumulation unit for each financial year. This annual accumulation unit is twice the amount that results when the contribution paid is divided by the general contribution under article 30 (1). Accumulation units are applied for the duration of any previous disability, the annual amount of which is equivalent to the average annual accumulation units acquired in the years prior to the onset of the disability.
- (3) The annual amount of an individual member's retirement pension is calculated as follows: The total of all accumulation units acquired on or after 1 January 2017 as a percentage of the general pension assessment basis is multiplied by an age of access multiplier based on age at the time of joining the *Apothekerversorgung* and a generational multiplier based on year of birth, and this is then totalled with the annual amount of the individual member's retirement pension calculated in accordance with article 42 based on the sum of contributions and voluntary additional contributions paid on or before 31 December 2016.

- (4) The Delegates Assembly sets the general pension assessment basis each year on the recommendation of the Management Committee and Supervisory Board based on the financial statements for the financial year before last.
- (5) Upon application, the retirement pension may be granted prior to reaching retirement age, however not before a member's 62nd birthday. For members whose first membership of an occupational pension fund commenced prior to 1 January 2012, the retirement pension may be granted, upon application, no earlier than the member's 60th birthday. A discount calculated in accordance with actuarial principles applies to retirement pensions paid prior to retirement age.
- (6) Upon application, the commencement of pension payments may be deferred beyond retirement age, however not beyond the member's 68th birthday. A supplement calculated in accordance with actuarial principles applies to retirement pensions paid after retirement age.
- (7) The retirement pension is paid in monthly instalments equivalent to one twelfth of the annual pension. Members become eligible to receive payments in the month following the month in which they reach a certain age (pension age). Eligibility ceases in the month in which their entitlement lapses.
- (8) If, according to a binding and truthful declaration given by the member, there are no other eligible pension recipients at the time that pension benefits commence, the eligible member will receive a supplement of 20% on top of the assessed retirement pension. For the purposes of this provision, other eligible pension recipients also include a spouse who has not fulfilled the vesting requirements under article 20. The supplement will not be granted if the disability pension was received prior to this. If the supplement is granted, all other entitlements under the Articles of Incorporation are excluded permanently, except for the death benefit. Furthermore, the supplement will not be granted if the member did not yet belong to the *Apothekerversorgung Schleswig-Holstein* on 31 December 1991.

**Article 17**  
**Disability pension**

- (1) Every member of the *Apothekerversorgung* who has paid a contribution for at least one month and who is unable to practise as a pharmacist due to a physical affliction or deterioration of physical or mental capacity and therefore ceases practising as a pharmacist entirely may apply for a disability pension, provided the disability lasts for a period of more than 90 days.
- (2) If the application is submitted within six months of ceasing practise as a pharmacist, payment of the pension commences in the month following the month in which practise as a pharmacist ceases. Payments will otherwise commence in the month following the application. An application can no longer be submitted if the disability no longer exists.
- (3) If the member is only temporarily unable to practise due to disability, the pension shall be paid for a limited term only and may be extended on the application of the member if the member can demonstrate that the reasons justifying payment of the pension continue to exist.
- (4) The member is deemed not to have ceased pharmaceutical practice while the pharmacy continues to be run by a representative or, in the case of employed pharmacists, their employer continues to pay their salary. Furthermore, the member is deemed not to have ceased pharmaceutical practice during periods in which they receive sickness benefits pursuant to section 44 SGB V, workers' compensation pursuant to section 45 SGB VII, a transition to work allowance pursuant to section 49 SGB VII or unemployment benefits pursuant to section 136 SGB III.
- (5) Disability is determined by two separate and independent medical assessors. The applicant and the *Apothekerversorgung* each appoint one assessor. If the assessments differ, the President of the *Apothekerkammer* will appoint a senior medical assessor whose assessment report will be binding on both parties. The *Apothekerversorgung* bears the costs of the assessment report commissioned by it and of the senior assessor's report. The Supervisory Board may arrange for another medical opinion in administrative appeal proceedings (*Widerspruchsverfahren*) and use it as the basis for its decision.



- (6) The *Apothekerversorgung* may require follow-up examinations. It may nominate the medical assessor. The *Apothekerversorgung* bears the costs of follow-up examinations.
- (7) The *Apothekerversorgung* may require a member who has applied for or receives a disability pension to submit to a treatment, a training course or other qualifying measure if it is anticipated that such measure may resolve the disability and it is reasonable to expect the member to participate.
- (8) The disability pension ends:
- a) in the month in which the disability ceases;
  - b) 5 years prior to the attainment of retirement age;
  - c) upon the death of the eligible recipient;
  - d) if the eligible recipient fails to submit to a follow-up examination;
  - e) if the member does not comply with a request of the type described in paragraph (7).

Paragraphs (d) and (e) only apply if the member has been notified in writing in advance of the consequences and granted a reasonable time within which to comply with their obligation. In cases falling under paragraphs (a), (d) or (e), the member of the *Apothekerversorgung* must recommence paying contributions if membership of the Pharmacists' Pension Fund continues.

- (9) The disability pension amount paid is equivalent to the amount of the retirement pension payable five years prior to the attainment of retirement age. Added to this amount are then the accumulation units that the eligible claimant would have acquired had they continued to receive the average annual accumulation units acquired since the beginning of their membership every year until five years prior to the attainment of retirement age. Accumulation units are applied for the duration of any previous disability, the annual amount of which is equivalent to the average annual accumulation units acquired in the years prior to the onset of that disability.
- (10) For the purpose of calculating the average accumulation units acquired by virtue of contributions, periods in which no contributions were paid are also taken into account. Periods of previous disability are disregarded. For the purpose of

calculating the average accumulation units acquired, the annual accumulation units for a given year will be prorated accordingly if contributions were only paid for part of that year, in other words the accumulation units will only reflect the part of the year for which contributions were paid.

- (11) In the case of persons who have become members of the *Apothekerversorgung* under article 12 (2), the periods of membership during which the person was on a work placement and the contributions paid during those periods are disregarded for the purpose of calculating the average accumulation units referred to in paragraph (10) as soon as the membership criteria under article 8 are met.
- (12) For the purpose of calculating the average accumulation units acquired by virtue of contributions, full months of maternity or home care leave as referred to in article 30 (1) sentence 3 are disregarded. In addition, periods of leave to take care of children between the date of the child's birth and 36 months of age are disregarded for the purpose of calculating the average accumulation units, provided the member devotes themselves exclusively to caring for the child and does not make any contributions of the type described in articles 30 or 31. Voluntary payments during these periods are treated as additional contributions as referred to in article 32. However, these voluntary payments are only taken into account for the purpose of calculating the average if the inclusion of these periods would increase the average amount.
- (13) If, when payment of the pension commences, a dormant member of the *Apothekerversorgung* is subject to compulsory membership of another prescribed or permitted pension institution which falls within the scope of Regulation (EEC) No 1408/71 of 14 June 1971 (OJ L 149, p. 2), the addition of calculation units in accordance with paragraph (9) sentence 2 will be prorated based on the member's period of membership of the *Apothekerversorgung* as a proportion of their period of insurance with all prescribed or permitted pension institutions in accordance with Article 46(2) of Regulation (EEC) No 1408/71 of 14 June 1971. Where paragraph (9) sentence 2 applies and a member is also entitled to benefits in the event of disability or death from other prescribed or permitted pension institutions falling within the scope of Regulation (EEC) No 1408/71 of 14 June 1971, only prorated calculation units will be added for the purpose of paragraph (9) sentence 2.

- (14) The disability pension is paid in monthly instalments equivalent to one twelfth of the annual pension. Members become eligible to receive payments in the month in which their entitlement arises, and eligibility ceases in the month in which their entitlement lapses.
- (15) Where sub-paragraph (8) (b) applies, the invalidity pension is replaced by a retirement pension of an equivalent amount.

## **Article 18**

### **Rehabilitation measures**

- (1) A member of the *Apothekerversorgung* who has a future entitlement to or receives disability pension may, upon application, be granted a one-off or recurring additional benefit to cover the costs of medical rehabilitation measures that are of necessity particularly expensive, if their ability to practise is at risk, reduced or negated due to a physical affliction or deterioration of physical or mental capacity, and it is expected that such rehabilitation measures would preserve, substantially improve or restore the member's ability to practise.
- (2) The applicant must provide a medical opinion to demonstrate the necessity of the rehabilitation measures and the prospects of their success. The *Apothekerversorgung* may require additional medical opinions. It may make its coverage of a share of the costs subject to conditions relating to the commencement, duration, location and manner of treatment. It may require follow-up examinations and determine the medical assessor for such examinations. The member bears the costs of examinations and medical opinions. The Management Committee may, by way of exception, decide that the *Apothekerversorgung* should also cover all or part of these costs, particularly in order to avoid particular hardship.
- (3) The applicant must demonstrate the reason for and amount of the necessary costs of the rehabilitation measures or provide an estimate by attaching supporting documents (quotes/invoices/receipts). Such costs will not be accepted to the extent that another agency has an obligation to reimburse them by law or under its articles of incorporation. The *Apothekerversorgung* decides on the amount it will contribute towards costs at its discretion having regard to all of the circumstances of the specific case.

- (4) Decisions on whether and how much to contribute towards costs are made by the Management Committee, or by the Supervisory Board if the Management Committee's decision is appealed.

### **Article 19**

#### **Surviving dependants' pension**

- (1) Surviving dependants' pensions are:

- a) widow's pension;
- b) widower's pension;
- c) double orphan's pension;
- d) half-orphan's pension.

For the purposes of these Articles of Incorporation, a widow or widower also includes the surviving registered civil partner of a civil partnership registered in accordance with the German Civil Partnerships Act (*Lebenspartnerschaftsgesetz*).

- (2) Surviving dependants' pensions are granted if, at the time of the member's death, the member was entitled to the retirement pension or had a future entitlement to the disability pension or was receiving the retirement pension or disability pension.
- (3) The surviving dependants' pension is not available if the eligible member has received a retirement pension supplement in accordance with article 16 (8).

### **Article 20**

#### **Widow's and widower's pension**

- (1) Following a member's death, their surviving spouse receives either a widow's or a widower's pension. No entitlement to the pension exists if the marriage was entered into after the member's 60th birthday or after the member became unable to practise due to disability and the marriage did not last for at least three years.
- (2) A former spouse of the member who divorced the member prior to 1 July 1977 will receive a pension after the death of the member if, at the time of the member's

death, the member was required under the provisions of the German Marriage Act (*Ehegesetz*) to pay maintenance to the former spouse.

- (3) If several former spouses from previous marriages are entitled to maintenance, the widow's or widower's pension will be apportioned between them so that each only receives a portion of the pension proportionate to the duration of their marriage to the deceased member relative to the marriages of the other eligible recipients.

## **Article 21**

### **Double orphan's pension**

- (1) Following a member's death, their children receive an orphan's pension until they reach 18 years of age. For children of the member who are completing schooling or vocational training, the orphan's pension will continue to be paid until, but not beyond, the child's 27th birthday, or for children who are unable to earn their own living when they turn 18 years of age due to a physical or mental condition, the orphan's pension will continue to be paid for as long as the condition persists. If the child's schooling or vocational training is delayed or deferred due to their participation in compulsory military service, civil service in lieu of military service or compulsory civil protection, the orphan's pension will be extended beyond the child's 27th birthday by the duration of the compulsory service, however by no longer than the period of compulsory service completed prior to the child's 27th birthday.
- (2) The following persons are deemed children:
- a) legitimate children;
  - b) legitimated children;
  - c) adopted children, provided they are adopted before the member turns 55 years of age;
  - d) the natural children of a member, provided the member has an established legal obligation to pay maintenance.

## **Article 22**

### **Half-orphan's pension**

- (1) Following a member's death, their children receive a half-orphan's pension until they reach 18 years of age. For children of the member who are completing schooling or vocational training, the half-orphan's pension will continue to be paid until, but not beyond, the child's 27th birthday, or for children who are unable to earn their own living when they turn 18 years of age due to a physical or mental condition, the half-orphan's pension will continue to be paid for as long as the condition persists. If the child's schooling or vocational training is delayed or deferred due to their participation in compulsory military service, civil service in lieu of military service or compulsory civil protection, the orphan's pension will be extended beyond the child's 27th birthday by the duration of the compulsory service, however by no longer than the period of compulsory service completed prior to the child's 27th birthday.
- (2) Article 21 (2) applies *mutatis mutandis*.

### **Article 23**

#### **Components and calculation of surviving dependants' pensions**

- (1) The widow's and widower's pension amounts to 60% of the pension the member was receiving at the time of their death or would have received had they become unable to practise due to disability or applied for the retirement pension.
- (2) If the widow or widower was more than 15 years younger than the deceased member and if the marriage did not produce a child, the widow's or widower's pension is reduced by 4% for each year or part thereof by which the age difference exceeds 15 years, however it will not be reduced by more than 50%. For each year or part thereof by which the marriage exceeds five years, 4% of the widow's or widower's pension is added back to the reduced amount until the pension is back to its full amount.
- (3) The orphan's pension is 10% for half-orphans and 20% for double orphans of the pension the deceased member was receiving or would have received had they become unable to practise due to disability or applied for the retirement pension.
- (4) The widow's or widower's pension and the orphan's pension may not in aggregate exceed the amount of the pension the member received or would have been entitled to receive on the date of the member's death. If the total pension entitlement of

surviving dependants is higher than the pension that the member was or would have been entitled to on the date of their death, the orphan's pensions are evenly discounted until the total pension amount corresponds with the pension that the member was or would have been entitled to on the date of their death. The widow's or widower's pension under paragraph (1) remains unchanged. When one or more pensions expire, the orphan's pension entitlements that continue to be substantiated shall be reassessed until they once again correspond with the entitlement under paragraph (3).

- (5) Surviving dependants' pensions are also granted if the member of the *Apothekerversorgung* is declared legally dead.
- (6) Surviving dependants' pensions are first paid in the month following the month in which the member dies and are discontinued in the month in which the surviving dependant dies or the month in which the surviving dependant reaches the relevant age.

## **Article 24**

### **Death benefit**

A death benefit is paid on the death of a member of the *Apothekerversorgung*. If the general contribution was paid continuously during membership, the death benefit amounts to EUR 613.55. That amount is adjusted accordingly if only partial or higher contributions were paid. The death benefit is not paid if the member did not yet belong to the *Apothekerversorgung Schleswig-Holstein* on 31 December 1991.

## **Article 25**

### **Refund of contributions**

If membership of the *Apothekerversorgung* expires, 60% of the former member's previous contributions are refunded to the former member upon application, provided 24 calendar months have elapsed since the membership expired and the former member has not become or applied to become subject to compulsory membership again. If pensions had already been paid, the refund is reduced by the pension amount already paid. Members are only entitled to apply for a refund of their contributions if they leave the *Apothekerversorgung*, move their primary residence to a location outside the territory of the European Union, the EEA or Switzerland on a not merely temporary basis and paid contributions to the *Apothekerversorgung* or another occupational pension fund for a period of less than 60 months.

## **Article 26**

### **Rollover of contributions**

(1) If a member's membership of the *Apothekerversorgung* ends because they leave the jurisdiction of the *Apothekerkammer Schleswig-Holstein* or become subject to compulsory membership of another occupational pension fund, the member may apply to have their contributions to the *Apothekerversorgung* rolled over in full or in part to the new pension fund. This is subject to the condition that the *Apothekerkammer Schleswig-Holstein* has a rollover agreement with the receiving pension fund. Applications must be lodged with the receiving pension fund within three months of the member commencing practice in the jurisdiction of the new fund. Upon rollover, all rights and obligations of the former member vis-à-vis the *Apothekerkammer Schleswig-Holstein* are extinguished.



(2) Rollover is precluded if, in particular:

- a) the member has already been a member of the *Apothekerversorgung* for more than 60 months, whereby periods of back-dated membership and periods for which contributions are rolled over recognised for the member's benefit also count towards the period of membership;
- b) the activity triggering compulsory membership of the new pension fund continues for less than three months;
- c) contributions are overdue and are not back-paid within the application period;
- d) the member's entitlements have been wholly or partially assigned, pledged or attached;
- e) at the time their membership ended, the member lodged an application for payment of the invalidity pension or was already unable to practise due to invalidity;
- f) payment of the pension has commenced; or
- g) proceedings to apportion pension entitlements as part of a divorce settlement (*Versorgungsausgleichsverfahren*) have been initiated or completed.

(3) Pharmacists who become members of the *Apothekerversorgung Schleswig-Holstein* and were already members of another occupational pension fund may apply to roll over their previous contributions to the *Apothekerversorgung*. Paragraphs (1) and (2) apply *mutatis mutandis*. The member's period of membership of the previous pension fund counts towards their period of membership of the *Apothekerversorgung*. The contributions paid to the previous pension fund are treated as contributions paid on time to the *Apothekerversorgung*.

(4) Agreements governing the rollover of contributions may be entered into by the Management Committee with the approval of the Supervisory Board. They require the approval of the supervisory authority.

### **Article 27**

#### **Future entitlements for which the contribution requirement is waived**

Where, after leaving the jurisdiction of the *Apothekerkammer Schleswig-Holstein*, a member does not apply to become subject to compulsory membership or apply to have their contributions refunded or rolled over, the member retains a future entitlement subject to articles 16 to 23 for which the contribution requirement is waived, and is deemed a dormant member. The provisions of the Articles of Incorporation continue to apply, with the exception of the obligation to pay contributions. Where valuation is based on average contributions, the period up until the date of the member's departure is deemed the period of membership.

### **Article 28**

#### **Lump-sum payment**

- (1) The widow's or widower's pension is no longer paid to widows or widowers who remarry. Entitlement to the pension is extinguished upon expiry of the month in which the widow or widower remarries.
- (2) Widows or widowers who remarry will receive, upon application, a lump sum payment:
  - a) equal to 60 times their previous monthly pension if they remarry before turning 35 years of age;
  - b) equal to 48 times their previous monthly pension if they remarry between 35 and before 45 years of age;
  - c) equal to 36 times their previous monthly pension if they remarry after turning 45 years of age.
- (3) Pensions that do not exceed a monthly amount of 1% of the monthly reference figure under section 18 SGB IV will, on the application of the eligible recipient, be paid out

as a lump sum in accordance with actuarial principles, and the entitlement to pensions is extinguished upon payment of the lump sum.

## **Article 29**

### **Apportionment of pension entitlements on divorce (*Versorgungsausgleich*)**

- (1) In the event of divorce, pension entitlements are apportioned in accordance with the German Act on the Apportionment of Pension Entitlements on Divorce (*Versorgungsausgleichsgesetz*, "VersAusglG"). Pension entitlements are halved by way of internal apportionment (*interne Teilung*), unless they are transferred to another pension fund (*externe Teilung*).
- (2) Internal apportionment establishes an entitlement to the retirement pension referred to in article 15 (1) (a) for the benefit of the person eligible to receive a share of the member's pension entitlements on divorce ("eligible recipient") (pension resulting from a divorce settlement or "divorce settlement pension"). Under an internal apportionment, the Family Court (*Familiengericht*) deducts an entitlement equal to the [divorce] settlement amount from the entitlement of the member obligated to transfer a share of their entitlements ("obligated member") and transfers that share to the eligible recipient. The obligated member's entitlement is reduced by the value of the settlement amount. The settlement amount equals half the accumulation units acquired by the obligated member during the marriage from 1 January 2017, plus half the prorated pensions calculated in accordance with article 42. Half the prorated retirement pension is calculated as follows: the pension determined in accordance with article 42 is multiplied by the number of accumulation units acquired during the marriage on or before 31 December 2016, and the result is then divided by the total number of accumulation units acquired since the beginning of membership up until 31 December 2016, divided by 2. The corresponding net present value to be disclosed to the Family Court under section 5 (3) VersAusglG is determined based on age in accordance with no. 6 of the Regulations Governing the Actuarial Bases of Calculation (*Satzung über versicherungsmathematische Rechengrößen*).
- (3) The amount of the divorce settlement pension is calculated having regard to the settlement amount and by applying article 16 (2) sentences 1 to 3 and (3), (5) and (6) analogously. The relevant age at the time of joining for the purpose of

determining the age of access multiplier is the age of the obligated member at the time of joining.

- (4) The eligible recipient does not become a member of the *Apothekerversorgung*. Apart from the divorce settlement pension, they have no entitlement to the benefits referred to in article 15 (1) (b) to (f). As compensation for the exclusion of benefits, the eligible recipient's entitlement to the divorce settlement pension increases based on age in accordance with no. 7 of the Regulations Governing the Actuarial Bases for Calculation. It is not possible for the eligible recipient to further increase their entitlement by making personal contributions.
- (5) Paragraph (2) sentence 1, paragraph (3) and paragraph (4) do not apply if both the obligated member and the eligible recipient are already members of the *Apothekerversorgung Schleswig-Holstein* and, as a result, similar entitlements are to be apportioned and transferred by the Family Court based on an internal apportionment. In such cases, the settlement amount owed to the eligible recipient will be deducted from the obligated member's entitlement and transferred to the eligible recipient without restriction as a personal entitlement.
- (6) If the obligated member is already receiving benefits at the time the marriage ends, or if benefits are received during pending proceedings to apportion pension entitlements before the Family Court's decision becomes final and binding, the assessment notice upon which the payment of benefits is based will be revoked and the benefit will be reduced having regard to the settlement amount. The reduction takes effect when the Family Court's decision becomes final and binding. The eligible recipient may claim benefits based on the entitlement transferred to them as soon as they themselves meet the criteria for receiving benefits, however not before the Family Court decision becomes final and binding.
- (7) Article 34 of the Articles of Incorporation of the *Versorgungswerk (Apothekerversorgung) der Apothekerkammer Schleswig-Holstein* dated 17 November 2005 in the version applicable until 31 August 2009 applies to legally binding decisions of the Family Court under the German Act to Resolve Hardship during the Apportionment of Pension Entitlements on Divorce (*Gesetz zur Regelung von Härten im Versorgungsausgleich*).

- (8) In cases in which pension entitlements are to be apportioned pursuant to section 20 of the German Civil Partnerships Act, paragraphs (1) to (7) apply *mutatis mutandis*.

### **III.**

#### **Contributions to the *Apothekerversorgung***

##### **Article 30**

##### **General contributions**

- (1) The general contribution is equivalent to the maximum contribution payable to the general statutory pension scheme as referred to in sections 157 to 165 SGB VI, as amended from time to time. Marginal employment (*geringfügige Beschäftigung*) as defined in section 8 SGB IV remains exempt, provided the member opts out of the statutory pension scheme. Members are exempt from paying contributions for periods during which they receive maternity benefits and for periods of parental leave under the Federal Act on Parental Payments and Parental Leave (*Bundeselternzeitgesetz*), provided they do not pursue any activities that trigger compulsory pension contributions.
- (2) In the case of members whose gross income from self-employed or salaried pharmaceutical practice is less than the contribution ceiling, the proven amount of their gross self-employment or employment income will apply for the purposes of determining their contribution instead of the contribution ceiling under section 159 SGB VI.

Proof of income is provided:

- a) in the case of employees, by submitting a pay slip from their employer;
- b) in the case of self-employed pharmacists, provisional proof is provided by submitting the tax assessment notice (income from business) for the financial year before last or by submitting a confirmation from a tax professional for the contribution year for which evidence is required, and final proof is provided by submitting the tax assessment notice for the relevant financial year. If

contributions are underpaid, a back-payment is required. Overpaid contributions will be refunded upon application.

- (3) The minimum contribution payable by self-employed pharmacists is 2/10 of the general contribution referred to in paragraph (1). Where income from self-employed and salaried pharmaceutical practice is earned concurrently, contributions are payable in respect of each type of income separately; however, the total contribution shall not exceed the general contribution referred to in paragraph (1).

### **Article 31**

#### **Contributions in specific cases**

- (1) Members who have not applied for an exemption from the statutory pension scheme in accordance with section 6 SGB VI pay a contribution amounting to 2/10 of the compulsory contribution applicable to them under sections 157 *et seq.* SGB VI.
- (2) Members who are entitled to claim payments from the Federal Employment Agency (*Bundesagentur für Arbeit*) or the agency responsible for their rehabilitation during any period of unemployment or rehabilitation pay contributions during this period equivalent to the amounts payable to them by the Federal Employment Agency or rehabilitation agency.
- (3) Members who:
- a) are exempt from contributing to the general statutory pension scheme by virtue of section 6 (2) SGB VI pay a contribution during military service equivalent to the applicable maximum compulsory contribution payable as an employee under section 157 SGB VI;
  - b) are not exempt from contributing to the general statutory pension scheme by virtue of section 6 (2) SGB VI pay a contribution equivalent to 40% of the applicable maximum contribution payable as an employee, however no more than the amounts payable to them by third parties during military service.
- (4) Recipients of sickness benefits under private health insurance pay contributions equivalent to half of the contribution rate to *Deutsche Rentenversicherung*.

Recipients of sickness benefits under public health insurance pay contributions equivalent to the (full) contribution rate that would be payable to *Deutsche Rentenversicherung* under the law governing the general statutory pension scheme. The calculation is based on the notice issued by the health fund. The foregoing does not affect the ability to lodge an application with the relevant health fund as referred to in section 47a SGB V. Sentences 2 to 3 apply *mutatis mutandis* to recipients of workers' compensation under the statutory workers' compensation scheme.

- (5) Members who are exempt from contributing to the general statutory pension scheme and act as carers for the purposes of long-term care insurance pay a contribution while they are providing care equivalent to the amounts payable to them by third parties on account of their carer's role under section 44 SGB XI.
- (6) During maternity leave, members pay contributions equivalent to the amount they receive from the federal government.
- (7) The contributions payable by members who apply to become subject to compulsory membership under article 12 (1) amount to at least 1/10 of the contribution payable under article 30 (1).

**Article 32**  
**Additional contributions**

- (1) Additional contributions can also be made. The total of additional contributions and compulsory contributions may not exceed 200% of the maximum contribution under article 30 (1).
- (2) Once a member turns 50 years of age, additional contributions in excess of the general contribution referred to in article 30 (1) are permitted only to the extent that, together with the compulsory contributions under articles 30 and 31, they do not produce an accumulation unit for any financial year that is higher than the average accumulation units acquired in the five financial years prior to the member turning 50 years of age.
- (3) The option under paragraph (1) is not available to persons who become subject to compulsory membership after turning 50 years of age. Paragraph (2) applies to persons who become subject to compulsory membership after turning 45 years of age, subject to the proviso that the full financial years prior to the member turning 50 years of age are used as the basis [for determining the extent to which additional contributions are permitted].
- (4) Additional contributions may be paid while a member is receiving sickness benefits, workers' compensation or a transition to work allowance. The total contributions paid must not produce an accumulation unit that is higher than the average accumulation units acquired over the last two full financial years. If the average accumulation unit acquired is less than two, additional contributions may be paid up to the amount of the general contribution.



**Article 33**  
**Financial year**

The financial year corresponds with the calendar year.

**Article 34**  
**Payment of contributions**

- (1) Contributions are payable monthly by the 15th of the month following the month for which they are due. The first contribution is paid for the month in which the *Apothekerkammer* member becomes a member of the *Apothekerversorgung*.
- (2) Additional contributions under article 32 must be paid during the current financial year.
- (3) Members whose contributions remain overdue for more than two weeks after the request for payment is made may be charged a late payment fee of 2% of the overdue amount. Interest of 6% p.a. may be charged on payments that remain overdue for more than three months after the request for payment. The member must also pay the costs incurred in connection with collection of the contribution.
- (4) If overdue contributions and costs are unable to be recovered, the member is only entitled to benefits corresponding to the accumulation units actually acquired.
- (5) Back-payments under article 30 (2) (b) are subject to a surcharge of 0.5% payable for each calendar month that has elapsed since the end of the financial year for which the contributions are required to be back-paid.

**Article 35**  
**Place of performance and registration**

- (1) The place of performance for contributions is Kiel.
- (2) The General Regulations of the *Apothekerkammer Schleswig-Holstein* apply to registration, changes of registration and de-registration.

**Article 36****Method of payment of contributions**

Contributions are deemed paid only if they are credited to a bank, building society or Postbank account of the *Apothekerversorgung*.

**IV.****Purpose and appropriation of funds****Article 37**

- (1) The funds of the *Apothekerversorgung* may only be used to pay the benefits prescribed in these Articles of Incorporation, meet the necessary administrative costs and recognise the requisite provisions and reserves.
- (2) Where its assets are not required to be held for the purpose of meeting current expenses as prescribed by these Articles of Incorporation, they may be invested in accordance with the Supervisory Board's investment guidelines.
- (3) The *Apothekerversorgung* must arrange for an actuary to prepare an actuarial report. If this report identifies a net income, at least 5% thereof is to be allocated to contingency reserves (*Sicherheitsrücklage*) until these reserves amount to 6% of technical provisions (*Deckungsrückstellung*), or reaches this amount again after having been used. Any additional net income is transferred to the net income reserve (*Gewinnrücklage*), from which amounts may only be withdrawn in order to improve pension benefits or cover losses. The contingency reserves may only be used to cover losses, and only if the net income reserve has been exhausted. The *Apothekerversorgung* also engages an auditing firm every year to audit the annual financial statements.
- (4) The general pension assessment basis is to be increased in accordance with article 16 (4) and any other improvement to pension benefits is to be made if the net income reserve allows such action to be taken to an appreciable extent. Improvements are

subject to a resolution by the Delegates Assembly and require the approval of the supervisory authority.

- (5) Current pensions are reviewed annually to assess whether adjustment is appropriate. Adjustments are subject to a resolution by the Delegates Assembly and require the approval of the supervisory authority.

## **V.**

### **Transitional provisions and miscellaneous**

#### **Article 38**

If a subsequent review of pension rates or accrued pension entitlements indicates that a benefit was wrongfully denied, withdrawn, discontinued or incorrectly assessed, it shall be reassessed. Fraudulently obtained benefits must be repaid.

#### **Article 39**

Pension entitlements cannot be assigned or transferred. Payments are made at the risk and expense of the eligible recipient. Section 54 (3) no. 1 SGB I remains unaffected.

#### **Article 40**

- (1) Members are not entitled to the disability pension if they intentionally cause their disability. The Supervisory Board is responsible for making a finding to this effect after review by the Management Committee.
- (2) Surviving dependants are not entitled to a pension if they intentionally brought about the death of the member of the *Apothekerversorgung*.

**Article 41**

The *Apothekerversorgung* must provide its members and pensioners with an explanation of their rights and obligations.

**Article 42**

The annual amount of an individual member's retirement pension upon reaching retirement age as referred to in article 16 (1) based on the member's contributions and voluntary contributions paid on or before 31 December 2016 is calculated in accordance with the Articles of Incorporation applicable until 31 December 2016 in conjunction with the Regulations Governing the Actuarial Bases for Calculation applicable until 31 December 2016. The actuarial supplements applicable where the pension is received after the member's 60th birthday are paid in an amount equivalent to the supplements calculated upon reaching retirement age. The multiplication by eight times the member's average annual accumulation units acquired on or before 31 December 2016 in accordance with article 15a (4) sentence 1 of the Articles of Incorporation applicable until 31 December 2005 is factored into the calculation on a pro rata basis. The result is multiplied by the factor produced when the number of months between the date of joining the *Apothekerversorgung* and 31 December 2016 is divided by the number of months between the date of joining the *Apothekerversorgung* and the member's 60th birthday. The maximum value of this factor is one. The retirement pension is reduced depending on the number of months by which payment of the retirement pension precedes retirement age. The discount applicable for the purpose of the reduction is set forth in no. 4 of the version of the Regulations Governing the Actuarial Bases for Calculation applicable as of 1 January 2018, as amended from time to time.

**Article 43**

The remuneration of the members of the Management Committee and the Supervisory Board is governed by the Remuneration Rules (*Entschädigungsordnung*) of the *Apothekerkammer Schleswig-Holstein*, as amended from time to time, subject to the proviso that a meeting fee of EUR 250.00 is paid for meetings of up to five hours, and a meeting fee of EUR 350.00 is paid for meetings of more than five hours.

**Article 44**

These Articles of Incorporation enter into force on 1 January 2017. The Articles of Incorporation of the *Versorgungswerk (Apothekerversorgung) der Apothekerkammer Schleswig-Holstein* in the revised version dated 17 November 2005 (Schleswig-Holstein Gazette 2005, p. 1073), amended by the Articles of Incorporation dated 2 December 2008 (Schleswig-Holstein Gazette 2008, p. 1113), the Articles of Association dated 6 May 2009 (Schleswig-Holstein Gazette 2009, p. 562), the Articles of Association dated 15 April 2010 (Schleswig-Holstein Gazette 2010, p. 355), the Articles of Association dated 7 December 2010 (Schleswig-Holstein Gazette 2010, p. 1111), the Articles of Association dated 26 October 2011 (Schleswig-Holstein Gazette 2011, p. 816), the Articles of Association dated 2 May 2013 (Schleswig-Holstein Gazette 2013, p. 286), the Articles of Association dated 11 September 2013 (Schleswig-Holstein Gazette 2013, p. 50) and the Articles of Association dated 15 October 2015 (Schleswig-Holstein Gazette, p. 1258) are repealed at such time.