

**Articles of Incorporation of the Pharmacists' Pension Fund of Lower Saxony**  
**(*Alterssicherungsordnung der Apothekerversorgung Niedersachsen*)**

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## I.

### **Functions, governing bodies and members of the Pharmacists' Pension Fund**

#### **Article 1**

##### **Legal form, registered office, functions**

(1) The Pharmacists' Pension Fund (*Apothekerversorgung*) is a body of the Pharmaceutical Society of Lower Saxony (*Apothekerkammer Niedersachsen*), a statutory corporation (*Körperschaft des öffentlichen Rechts*). It has its registered office in Hanover.

(2) <sup>1</sup>The Pharmacists' Pension Fund may engage in legal dealings, sue and be sued in its own name. <sup>2</sup>It manages its own assets, which are exempt from liability for the Pharmaceutical Society's liabilities. <sup>3</sup>It is represented in and out of court by the chairperson of the Management Committee (section 12 (2) and (3) of the Lower Saxony Act on Professional Societies in the Health Care Sector (*Niedersächsisches Kammergesetz für die Heilberufe*, "HKG")).

(3) The role of the Pharmacists' Pension Fund is to provide pensions as set forth in section 12 (4) HKG for members of the Pharmaceutical Society of Lower Saxony and their family members as well as members of other pharmaceutical societies affiliated with the pension fund and their family members in accordance with these Articles of Incorporation, and also to explain to its members and pensioners their rights and obligations, and provide them with information about membership matters.

## **Article 2**

### **Notices**

<sup>1</sup>Notices of the Pharmacists' Pension Fund are published in the *Pharmazeutische Zeitung*. <sup>2</sup>Recipients of benefits are notified by means of a notice sent to them individually.

## **Article 3**

### **Duty to provide information**

(1) Members of the Pharmacists' Pension Fund have an obligation to provide the Pharmacists' Pension Fund with the information required under these Articles of Incorporation, and must particularly notify the fund without undue delay of any changes that affect membership or benefits.

(2) The Pharmacists' Pension Fund may check the information and supporting documents and, if necessary, request further documents or initiate its own enquiries (section 9 of the Lower Saxony Data Protection Act (*Niedersächsisches Datenschutzgesetz*)).

## **Article 4**

### **Governing bodies**

The governing bodies of the Pharmacists' Pension Fund are:

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

## **Article 5**

### **Delegates Assembly**

(1) <sup>1</sup>The Delegates Assembly of the Pharmaceutical Society of Lower Saxony 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 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 base pension (*Rentenbemessungsbetrag*) determined annually in accordance with article 16 (2), any other improvement of pension benefits as referred to in article 34 (4) and the adjustment of current pensions as referred to in article 34 (5);
- f) dissolution of the Pharmacists' Pension Fund, subject to a majority of four fifths of all members of the Delegates Assembly, and the measures necessary for winding up the fund. <sup>2</sup>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) <sup>1</sup>The Supervisory Board consists of eight members, five of whom must be members of the Pharmaceutical Society of Lower Saxony, two of whom must be members of the Pharmaceutical Society of Hamburg, and one of whom must be a member of the Pharmaceutical Society of Saxony-Anhalt. <sup>2</sup>The members of the Supervisory Board must be members of the Pharmacists' Pension Fund.

(2) <sup>1</sup>The Delegates Assembly elects the members of the Supervisory Board by simple majority for a period of five years. <sup>2</sup>The Supervisory Board may call upon experts for professional advice where necessary. <sup>3</sup>The members from the Free and Hanseatic City of Hamburg and from Saxony-Anhalt are elected based on the recommendation of the respective Pharmaceutical Society. <sup>4</sup>If a member leaves office, the Delegates Assembly elects a successor at its next meeting.

(3) The Supervisory Board elects a chairperson from among its members by simple majority.

(4) <sup>1</sup>The Supervisory Board meets regularly three months after 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. <sup>2</sup>Meetings of the Supervisory Board are convened by the chairperson or, if the chairperson is unable to do so, by the deputy chairperson. <sup>3</sup>In cases falling under the second half of sentence 1, the meeting is convened within two weeks.

(5) <sup>1</sup>The Supervisory Board is deemed to have quorum if at least five of its members are present. <sup>2</sup>It adopts resolutions by simple majority. <sup>3</sup>If voting is tied, the resolution is deemed to have been rejected. <sup>4</sup>Abstention from voting is not permitted.

(6) The Supervisory Board:

- a) monitors the business of the Pharmacists' Pension Fund and may inspect its business records;
- b) drafts management and investment guidelines for the Pharmacists' Pension Fund;

- c) appoints the auditor;
- d) reviews the annual financial statements and the management report;
- e) performs the functions delegated to it by law and under the Articles of Incorporation.

(7) <sup>1</sup>The members of the Supervisory Board act in an honorary capacity. <sup>2</sup>Expense allowances and the reimbursement of costs are determined by resolution of the Delegates Assembly.

(8) The supervisory authority and the presidents of the pharmaceutical societies whose members are members of the Pharmacists' Pension Fund of Lower Saxony are to be invited to meetings of the Supervisory Board.

## Article 7

### Management Committee

(1) <sup>1</sup>The Management Committee consists of six members, three of whom must be members of the Pharmaceutical Society of Lower Saxony, one must be a member of the Pharmaceutical Society of Hamburg and one must be a member of the Pharmaceutical Society of Saxony-Anhalt. <sup>2</sup>These members are elected based on the recommendation of the respective pharmaceutical society. <sup>3</sup>The other member must have experience in the area of banking. <sup>4</sup>Five members must be members of the Pharmacists' Pension Fund. <sup>5</sup>The Management Committee may call upon experts for professional advice where necessary. <sup>6</sup>It appoints a Managing Director (*Geschäftsführung*) in consultation with the Management Board (*Vorstand*) of the Pharmaceutical Society.

(2) <sup>1</sup>The Delegates Assembly elects the chairperson, the deputy chairperson and three other honorary member in separate rounds of voting for a period of five years. <sup>2</sup>The Delegates Assembly also elects the other member based on the Supervisory Board's recommendation, it having previously reached agreement on the candidate of choice with the other members of the Management Committee and the Managing Director.

(3) The members of the Management Committee may not concurrently serve as members of the Supervisory Board.

(4) <sup>1</sup>If a member of the Management Committee leaves office, the Delegates Assembly elects a successor at its next meeting for the departing member's remaining term of office. <sup>2</sup>The right to recommend candidates described in article 7 (2) sentence 2 must be observed.

(5) <sup>1</sup>The Management Committee heads the Pharmacists' Pension Fund. <sup>2</sup>The Management Committee is responsible for implementing the resolutions of the Delegates Assembly and the Supervisory Board. <sup>3</sup>Every year, no later than nine 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) <sup>1</sup>The members of the Management Committee who are required to be members of the Pharmacists' Pension Fund of Lower Saxony act in an honorary capacity. <sup>2</sup>Expense allowances and the reimbursement of costs are determined by resolution of the Delegates Assembly. <sup>3</sup>The Supervisory Board decides on the amount of the other member's remuneration.

(7) <sup>1</sup>The Management Committee continues to manage the fund's affairs after its term of office expires until the newly appointed Management Committee takes over. <sup>2</sup>The Management Committee is deemed to have quorum if at least four of its members are present. <sup>3</sup>It adopts resolutions by a majority of the members of the Management Committee. <sup>4</sup>If voting is tied, the resolution is deemed to have been rejected.

(8) The managing directors of the pharmaceutical societies whose members are members of the Pharmacists' Pension Fund of Lower Saxony are to be invited to meetings of the Management Committee.

## **Article 8**

### **Membership**

(1) All members of the Pharmaceutical Society of Lower Saxony who were not yet 45 years of age when the Articles of Incorporation entered into force automatically become members of the Pharmacists' Pension Fund.

(2) Any person who becomes a member of the Pharmaceutical Society of Lower Saxony and has not yet reached the applicable standard retirement age under article 16 (1) for receiving the retirement pension automatically becomes a member of the Pharmacists' Pension Fund, unless they are unable to practise pharmacy due to a physical affliction, a deterioration of physical or mental capacity or an addiction.

(3) deleted

## **Article 9**

### **Automatic exemption (*Ausnahme*) from membership**

(1) Exempt from membership are members of the Pharmacists' Pension Fund of Lower Saxony who:

- a) are entitled as public servants to a retirement pension and a surviving dependants' pension;
- b) are medical officers (permanent pharmacists in the armed forces);
- c) have turned 45 years of age and were previously exempted from membership of the Pharmacists' Pension Fund or another occupational pension scheme;
- d) practise solely as a locum pharmacist in Lower Saxony for a period of no more than three months.

(2) If the reason for the Pharmaceutical Society member's exemption from membership of the Pharmacists' Pension Fund no longer applies, they will resume their membership of the Pharmacists' Pension Fund from that date forward, unless they are unable to practise due to ill-health/disability (*berufsunfähig*) in the sense referred to in article 8 (2).

(3) Decisions on membership exemptions are made by the Management Committee.

## **Article 10**

### **Exemption from membership upon application (*Befreiung*)**

(1) Upon application, the following persons will be granted a full or partial exemption from membership:

- a) members of the Pharmacists' Pension Fund 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 Pharmacists' Pension Fund 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 Pharmaceutical Society for any period during which they do not practise as a pharmacist;
- d) members of the Pharmaceutical Society of Lower Saxony if they are already required to be members of another occupational pension fund for pharmacists, they pay contributions based on their entire professional income to this first pension fund, and the articles of incorporation of this fund contain a corresponding exemption provision.

(2) Upon application, a partial exemption is granted subject to article 28 (1) to members of the Pharmacists' Pension Fund who practise exclusively under an employment arrangement and who do not apply for an exemption from contributing to the statutory pension scheme in accordance with section 6 (1) no. 1 of the German Social Security Code, Vol. VI (*Sozialgesetzbuch VI* ("SGB VI")).

(3) Members of the Pharmacists' Pension Fund who do not apply for an exemption pursuant to sub-paragraph (1) (c) will be exempted from paying contributions for the period during which they do not practise as a pharmacist.

(4) <sup>1</sup>Exemption applications must be in writing and lodged within six months of the criteria being met. <sup>2</sup>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 they intend, after the employment upon which the exemption is based ceases, to apply to have their membership of the Pharmacists' Pension Fund back-dated (*Nachversicherung*) in accordance with section 186 SGB VI in conjunction with article 13 of the Articles of Incorporation.

(6) Decisions on full and partial membership exemptions are made by the Management Committee.

## **Article 11**

### **Waiver of full and partial membership exemptions**

<sup>1</sup>Any person who is exempted from joining the Pharmacists' Pension Fund under article 10 may, by giving written notice to the Management Committee, waive the exemption with effect from the beginning of the following month. <sup>2</sup>Such waiver can only be accepted if a medical examination requested by the Management Committee has been conducted at the relevant member's expense and the applicant is not yet 60 years of age.

<sup>3</sup>The Management Committee decides on the validity of the waiver based on the outcome of the medical examination.

## Article 12

### Voluntary membership

(1) Members who no longer belong to the Pharmacists' Pension Fund of Lower Saxony or who are exempt from membership pursuant to article 9 (1) (a) or (1) (b) may continue their membership on a voluntary basis until they are required to become a member of and make compulsory contributions to another occupational pension fund in the Federal Republic of Germany.

(2) Members of the Pharmacists' Pension Fund whose membership becomes dormant and who are exempted from paying contributions in accordance with article 10 (3) may apply to continue their membership by paying voluntary contributions.

(3) Applications for voluntary membership as referred to in paragraphs (1) and (2) must be submitted in writing within three months of the relevant criteria being met.

(4) Members may not terminate voluntary membership.

## Article 13

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

(1) Where a pharmacist ceases employment that is exempt from mandatory insurance as referred to in section 5 (1) SGB VI, and if he or she or their eligible surviving dependants submit(s) an application within one year of ceasing that employment requesting his or her employer to pay retrospective contributions to the Pharmacists' Pension Fund for the purpose of back-dating his or her membership in accordance with section 186 SGB VI, then the Pharmacists' Pension Fund will accept the contributions.

(2) <sup>1</sup>The retrospective contributions will be treated as though they had been paid as contributions in the periods for which membership is back-dated. <sup>2</sup>This does not apply to the portion of the contributions that is attributable to increases in the wage or salary required to be used as the basis for retrospective contributions as referred to in section 181 (4) SGB VI. <sup>3</sup>This portion flows to members as a whole.

(3) <sup>1</sup>If the amount of the retrospective contributions less the portion of contributions referred to in paragraph (2) sentence 2 plus the contributions paid to the Pharmacists' Pension Fund during the period for which membership is back-dated exceed, in aggregate for the respective year, 12 times the contributions that would result from a contribution base (i.e. the earnings taken into account to calculate contributions) (*Beitragsbemessungsgrundlage*) equivalent to twice the monthly contribution ceiling (*Bemessungsgrenze*) under the statutory pension scheme, the Pharmacists' Pension Fund will refund the excess amount to the member or their surviving dependants without interest. <sup>2</sup>Upon application, the Pharmacists' Pension Fund will refund all or part of the contributions paid to the Pharmacists' Pension Fund in the period for which membership is backdated to the member or the eligible surviving dependant. <sup>3</sup>Applications must be submitted within three months of membership being back-dated.

## **Article 14**

### **Exit from the Pharmacists' Pension Fund**

(1) Members cease to be members of the Pharmacists' Pension Fund when:

- a) they cease to be members of the Pharmaceutical Society of Lower Saxony;
- b) they fulfil the criteria under article 9 (1) (a) or (b) during their membership.

(2) <sup>1</sup>Members who cease to be members of the Pharmacists' Pension Fund for a reason set out in paragraph (1) may continue their membership and all associated rights and obligations by submitting an application in accordance with article 12 (3). <sup>2</sup>Any such membership must not conflict with the statutory provisions or the articles of incorporation of other pension funds established for pharmacists.

## **II.**

### **Benefits provided by the Pharmacists' Pension Fund**

## **Article 15**

### **Types of benefits**

(1) The Pharmacists' Pension Fund grants the following benefits to its members or their surviving dependants once the relevant criteria are met:

- a) retirement pension;
- b) disability pension;
- c) surviving dependants' pension;
- d) death benefit;
- e) rollover of contributions;
- f) lump-sum payment.

(2) "<sup>1</sup>Members have a legal entitlement to these benefits. <sup>2</sup>The benefits referred to in sub-paragraphs (1) (a) to (c) are paid from the time that the applicable criteria under the Articles of Incorporation are met if the benefits are applied for within six months. <sup>3</sup>If the application period has expired, the payment of benefits will commence on the first of the month following receipt of the application. <sup>4</sup>The benefits are paid as recurring payments at the end of each month."

(3) Rehabilitation measures to restore a member's ability to practise are provided to the extent described in article 18.

## **Article 16**

### **Retirement pension**

(1) <sup>1</sup>Every member is entitled to a retirement pension for life when they reach the standard retirement age.

<sup>2</sup>Members born prior to 1 January 1953 reach standard retirement age when they turn 65. <sup>3</sup>The standard retirement age increases as follows for members born after 31 December 1952:

Year of birth	Standard retirement age
1953	65 years and 2 months
1954	65 years and 4 months
1955	65 years and 6 months
1956	65 years and 8 months
1957	65 years and 10 months
1958	66 years
1959	66 years and 2 months
1960	66 years and 4 months
1961	66 years and 6 months
1962	66 years and 8 months
1963	66 years and 10 months
1964 and later	67 years.

<sup>3</sup>Members who entered into a semi-retirement agreement under the German Semi-retirement Act (*Altersteilzeitgesetz*) on or before 31 December 2009 reach standard retirement age when they turn 65. <sup>4</sup>In the case of members who are receiving a disability pension when they reach standard retirement age, a retirement pension of an equivalent amount will be paid instead of the disability pension.

(2) <sup>1</sup>Application may be made to receive a retirement pension prior to the standard retirement age, however no earlier than 60 months prior to the applicable standard retirement age laid down in paragraph (1) (early retirement pension). <sup>2</sup>For each month by which payment of the retirement pension is brought forward, the retirement pension entitlement that accrued prior to the commencement of payments will be reduced by 0.37%. <sup>3</sup>If a person becomes a member of the Pharmacists' Pension Fund of Lower Saxony or another prescribed or statutory domestic occupational insurance or pension scheme after 31 December 2011, then by way of derogation from sentence 1, the retirement pension may be applied for no earlier than the member's 62nd birthday. <sup>4</sup>Members may also apply to receive part of their pension (30%, 50% or 70% of the standard retirement pension) early. <sup>5</sup>The annual amount of any part pension is calculated based on the contributions paid up until payment of the pension starts and in accordance with paragraphs (4) to (8) and paragraph (10). <sup>6</sup>The part pension will be discounted by 0.37% for each month earlier than the standard retirement age under paragraph (1) that the part pension is claimed. <sup>7</sup>Members who have applied for a part pension in accordance with sentence 4 may apply for another (part) pension, but only up to the amount of the full retirement pension. Members may also apply to receive other part pensions early in accordance with sentences 1 to 3.

3) <sup>1</sup>Members may apply to defer payment of the retirement pension until a point in time after the standard retirement age, but for no longer than 36 months after the applicable standard retirement age under paragraph (1). <sup>2</sup>Members may continue to pay contributions during the period of deferment. <sup>3</sup>The retirement pension entitlement accrued upon reaching standard retirement age will be supplemented as follows for each month by which payment of the retirement pension is deferred past standard retirement age: if no contributions are paid, by 0.47%, or if contributions are paid, by an additional 0.47% of the paid contribution.

(4) <sup>1</sup>The pension is calculated based on the base pension, which is determined each year on the recommendation of the Management Committee and the Supervisory Board based on the financial statements for the financial year before last. <sup>2</sup>After 31 December 2015, the base pension for members of the Pharmaceutical Societies of Lower Saxony and Hamburg is determined separately from the base pension determined for members of the Pharmaceutical Society of Saxony-Anhalt.

(5) <sup>1</sup>By paying contributions, each member acquires an accumulation unit (*Steigerungszahl*) for each financial year. <sup>2</sup>This annual accumulation unit is calculated by taking contributions paid in the financial year and dividing them by the generally applicable contribution ("general contribution") (*allgemeine Versorgungsabgabe*) under article 27 (1). <sup>3</sup>Where contributions are overdue as at 31 December 2011 or become overdue from 1 January 2012, the accumulation unit will be calculated by dividing the contribution paid for the financial year by the general contribution under article 27 (1). <sup>4</sup>The general contribution under article 27 (1) sentence 2 applies to members who are members of the Pharmaceutical Society of Saxony-Anhalt or who are voluntary members practising as pharmacists in former East Germany. <sup>5</sup> If the qualifying event (retirement) (*Rentenfall*) occurs on or before 31 December 2015, the base pension applicable for the purpose of calculating the retirement pension will be reduced in accordance with the ratio between the contribution ceilings (article 27 (1) sentences 1 and 2). <sup>6</sup>If the qualifying event occurs after 31 December 2015, the base pension determined by the Delegates Assembly for members of the Pharmaceutical Society of Saxony-Anhalt will apply.

(6) <sup>1</sup>Each eligible claimant's retirement pension is calculated based on the total accumulation units they have acquired. <sup>2</sup>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. <sup>3</sup>Where a member transitions from a disability pension to a retirement pension, periods of disability will only be applied if such periods could be taken into account for the purpose of calculating the disability pension under article 17 (5). <sup>4</sup>The amount of the monthly retirement pension is calculated by multiplying the base pension under paragraph (4) by the total accumulation units. <sup>5</sup>The average annual accumulation unit is calculated based on the total of these accumulation units. <sup>6</sup>If this annual average is lower than the average accumulation unit figure obtained when the accumulation units acquired in accordance with paragraph (5) in the first two financial years after joining the Pharmacists' Pension Fund are disregarded, the member will receive an additional accumulation unit amounting to 6.5 times the difference between the two average accumulation unit figures. <sup>7</sup>The abolition of the eight deemed "base years" (*Grundjahre*) under the previous Articles of Incorporation results in a corresponding adjustment of the base pension referred to in paragraph (4). <sup>8</sup>An adjustment multiplier (*Ausgleichsfaktor*) is determined as at 1 January 2006 for each future pension entitlement (*Anwartschaft*) existing on 31 December 2005, which is then multiplied by the retirement pension

calculated in accordance with the above principles. <sup>9</sup>The multiplier is calculated by converting the future pension entitlement under the new law as at 1 January 2006 to an entitlement under the old law as at 31 December 2005.

(7) <sup>1</sup>For the purpose of calculating total accumulation units acquired, accumulation units equivalent to 2/10 of the general contribution under article 27 (1) are imputed to members of the Pharmacists' Pension Fund who take parental leave in accordance with the Federal Act on Parental Payments and Parental Leave (*Bundeseltern- und Bundeselternzeitgesetz*, "BEEG") for each full month of parental leave, but for no longer than the period prescribed by the Act. <sup>2</sup>This applies only to parental leave taken after 1 January 1995 and births on or before 31 March 2016. <sup>3</sup>Contributions of the kind referred to in sentence 1 that coincide with contributions based on practice as a pharmacist during the period of parental leave are only imputed up to the amount of the general contribution under article 27 (1).

(8) The retirement pension amount is based solely on actually acquired accumulation units.

(9) <sup>1</sup>Members become entitled to payment of the retirement pension on the first of the month following attainment of the standard retirement age. <sup>2</sup>The entitlement ends at the end of the month in which the recipient dies.

(10) <sup>1</sup>If, according to a binding 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, provided they have not previously received a disability pension. <sup>2</sup>If the supplement is claimed, all surviving dependants' entitlements that may later arise shall lapse. <sup>3</sup>This supplement does not apply to members who first joined the Pharmacists' Pension Fund after 1 January 1992.

## **Article 17**

### **Disability pension**

(1) <sup>1</sup>Every member of the Pharmacists' Pension Fund 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 they remain unable to work for a period of more than 90 days. <sup>2</sup>Payment of the pension commences in the month in which the application is submitted. <sup>3</sup>The pension may be granted for a limited term 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 apply. <sup>4</sup>The member is deemed not to have ceased pharmaceutical practice while the pharmacy continues to be run by a locum pharmacist or the member is entitled to salary continuance payments.

(2) <sup>1</sup>The Management Committee decides on disability pension applications and on whether to extend a disability pension. <sup>2</sup>A medical report prepared by the member's treating doctor is to be submitted with the application. <sup>3</sup>Disability is determined by two separate and independent medical assessors, both of whom are appointed by the Pharmacists' Pension Fund. <sup>4</sup>The Management Committee may dispense with appointing a

second medical assessor in clear-cut cases. <sup>5</sup>In other cases it may seek additional opinions from experts in other disciplines. <sup>6</sup>The applicant bears the costs of the first medical opinion, and the Pharmacists' Pension Fund bears the costs of the second medical opinion.

(3) The disability pension ends:

- a) in the month in which the disability ceases;
- b) upon transition to the retirement pension (article 16 (1));
- c) upon the death of the eligible recipient;
- d) if the eligible recipient fails to submit to a follow-up examination.

(4) <sup>1</sup>Any member who applies for or receives the disability pension should undergo treatment at the request of the Management Committee if it is anticipated that such treatment would improve the member's health or prevent their health from deteriorating. <sup>2</sup>The Pharmacists' Pension Fund will assume the costs of any such treatment, unless another agency has an obligation to reimburse the costs by law or under its articles of incorporation.

<sup>3</sup>Forms of treatment:

- 1. where the risk of death or damage to health cannot be excluded with a high degree of certainty;
- 2. that are associated with considerable pain; or
- 3. that constitute a serious intervention affecting bodily integrity;

may be refused.

<sup>4</sup>If a member who applies for or receives the disability pension does not comply with the Management Committee's request to undergo treatment, thereby preventing any improvement in health or causing their health to deteriorate, the Management Committee may refuse or suspend payment of the disability pension without making any further enquiries until the member agrees to cooperate. <sup>5</sup>The disability pension may only be denied or suspended for failure to cooperate if the member was alerted in writing to these consequences and failed to duly cooperate within a reasonable period of grace set for doing so.

(5) <sup>1</sup>The amount of an individual member's monthly disability pension is calculated by applying article 16 (6) analogously. <sup>2</sup>The first two calendar years of membership and periods of parental leave are to be taken into account for the purpose of calculating the additional accumulation unit referred to in article 16 (6) sentences 5 and 6. <sup>3</sup>The multiplier for protecting legitimate expectations (*Vertrauensschutzzfaktor*) under article 16 (6) sentences 7 to 9 applies *mutatis mutandis*.

- a) <sup>4</sup>Where the onset of disability occurs before the applicant's 55th birthday, the accumulation units that the applicant would have acquired had they continued to receive their average previously acquired accumulation units until they reached 55 years of age will be added. <sup>5</sup>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. <sup>6</sup>The accumulation units for the first two calendar years of membership are disregarded for the purpose of calculating the average accumulation units acquired, unless those accumulation units are higher than the average accumulation units acquired up until 55 years of age.

b) <sup>7</sup>If the onset of disability occurs after the applicant's 55th birthday but before the earliest age at which they can apply for an early retirement pension under article 16 (2), the pension calculated in accordance with article 16 (6) will be reduced by 0.37% for each month after the applicant's 55th birthday and the commencement of payments, but by no more than 22.2% (60 x 0.37%).

c) <sup>8</sup>If the onset of disability occurs after the earliest age at which the applicant can apply for an early retirement pension under article 16 (2), the pension calculated in accordance with article 16 (6) will be reduced in accordance with the same actuarial principles that apply to receipt of the retirement pension before reaching standard retirement age as set forth under article 16 (1).

d) <sup>9</sup>Members who joined the Pharmacists' Pension Fund prior to 1 January 1999 will receive a disability pension that is at least the same as the pension that would have been calculated based on the Articles of Incorporation applicable on 31 December 1998 and the base pension applicable on 31 December 1998.

(6) For members who are members of the Pharmaceutical Society of Saxony-Anhalt or who are voluntary members practising as pharmacists in former East Germany, the amount of the individual member's monthly disability pension is calculated by applying article 16 (5) sentence 4 and paragraph (6) analogously.

(7) <sup>1</sup>If membership has lapsed or has not been continued by way of voluntary contributions, a disability pension will only be paid based on the accumulation units actually acquired. <sup>2</sup>The foregoing does not apply if the qualifying event (disability) occurs in periods during which a statutory ban on employment applies under sections 3 (2) and 6 (1) of the German Maternity Leave Act (*Mutterschutzgesetz*) or periods during which one parent, being a member of the Pharmacists' Pension Fund, takes parental leave in accordance with the Federal Act on Parental Payments and Parental Leave and does not pay any contributions to the Pharmacists' Pension Fund. <sup>2</sup>Article 16 (7) sentence 1 does not apply.

(8) Members become eligible to receive payments in the month in which their entitlement vests, and eligibility ceases in the month in which their entitlement lapses.

(9) Members are not entitled to the disability pension if they intentionally bring about their disability.

(10) <sup>1</sup>If, when the qualifying event occurs, a former member of the Pharmacists' Pension Fund of Lower Saxony is required to make compulsory contributions as a member of another prescribed or statutory pension institution which falls within the scope of Regulation (EC) No 883/2004 of 29 April 2004 (OJ L 166, p. 1), most recently amended on 31 October 2009 (OJ L 284, p. 43), the accumulation units added in accordance with paragraph (6) will be prorated based on the ratio between the period of membership of the Pharmacists' Pension Fund of Lower Saxony and the total period of insurance with all prescribed or statutory pension institutions in accordance with Article 52(1) to (4) of Regulation (EC) No 883/2004, provided the other pension institutions involved calculate their pension benefits in accordance with this method. <sup>2</sup>Where sentence 1 applies and a member is also entitled to benefits in the event of disability or death from other prescribed or

statutory pension institutions falling within the scope of Regulation (EC) No 883/2004, only prorated accumulation units will be added.

## **Article 18**

### **Rehabilitation measures**

(1) A member of the Pharmacists' Pension Fund who has a future entitlement to or receives the 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, partially or completely compromised 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) <sup>1</sup>The applicant must demonstrate the necessity of the rehabilitation measures and the prospects of their success by submitting a medical opinion. <sup>2</sup>The Pharmacists' Pension Fund may require an additional medical opinion. <sup>3</sup>It may make its coverage of a share of the costs subject to conditions relating to the commencement, duration, location and manner of treatment. <sup>4</sup>It may also order follow-up examinations and appoint the medical assessor for this purpose. <sup>5</sup>The member bears the costs of examinations and medical opinions. The Management Committee may, by way of exception, decide that the Pharmacists' Pension Fund should also cover all or part of these costs, particularly in order to avoid particular hardship.

(3) <sup>1</sup>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). <sup>2</sup>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. <sup>3</sup>The Pharmacists' Pension Fund 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.

(5) The Management Committee is authorised to issue, with the agreement of the Supervisory Board, guidelines for granting additional benefits for medical rehabilitation measures.

## **Article 19**

### **Surviving dependants' pension**

(1) The surviving dependants' pensions are:

- a) widow's and widower's pension;
- b) pension for surviving civil partners registered in accordance with the German Civil Partnerships Act (*Lebenspartnerschaftsgesetz*, "LPartG");

- c) double orphan's pension;
- d) half-orphan's pension.

(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) Surviving dependants are not entitled to a pension if they intentionally brought about the death of the member of the Pharmacists' Pension Fund.

## **Article 20**

### **Widow's/widower's pension and pension for surviving civil partners**

(1) <sup>1</sup>Following a member's death, their widow or widower is eligible for a widow's or widower's pension, or their surviving civil partner of a registered civil partnership is eligible for a corresponding surviving dependants' pension. <sup>2</sup>No entitlement to the pension exists if the marriage or registered civil partnership was entered into after the member's 60th birthday or after the onset of the member's disability, and the marriage or registered civil partnership 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 to pay maintenance to the former spouse in accordance with the provisions of the German Marriage Act (*Ehegesetz*).

(3) <sup>1</sup>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. <sup>2</sup>The apportionment rule under sentence 1 applies *mutatis mutandis* to the surviving civil partner of a registered civil partnership.

## **Article 21**

### **Orphan's pension**

(1) <sup>1</sup>Following a member's death, their children are eligible for a half-orphan's pension or a double orphan's pension until they turn 18 years of age. <sup>2</sup>The orphan's pension will continue to be paid after a child's 18th birthday, but not beyond their 27th birthday, if the child is at school or completing vocational education, is performing a voluntary service as described in section 32 (4) sentence 1 no. 2 (d) of the German Income Tax Act (*Einkommensteuergesetz*), or is unable to earn their own living when they turn 18 due to a physical or mental condition. <sup>3</sup>Work placements only qualify as education if they are required under the applicable education, study or examination regulations. <sup>4</sup>Interruptions to education of up to three calendar months do not cancel the entitlement to the orphan's pension.

(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 illegitimate children of a member, provided the member has an established legal obligation to pay maintenance;
- e) foster children and step children.

## **Article 22**

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

(1) The widow's or widower's pension and the pension for the surviving civil partner of a registered civil partnership amount to 60% of the pension the member was receiving at the time of their death, or would have received had they been eligible for a disability pension or retirement pension at that time.

(2) 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 been eligible for a disability pension or retirement pension at that time.

(3) Surviving dependants' pensions are also granted if the member of the Pharmacists' Pension Fund is declared legally dead.

(4) 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 23**

### **Death benefit**

<sup>1</sup>A death benefit is paid on the death of a member of the Pharmacists' Pension Fund. <sup>2</sup>The death benefit is calculated by multiplying the average accumulation unit acquired by EUR 613.55. <sup>3</sup>The person who bears all or the majority of the member's funeral expenses is eligible to claim the death benefit.

## **Article 24**

### **Rollover of contributions**

(1) <sup>1</sup>If a member's membership of the Pharmacists' Pension Fund ends because they leave the jurisdiction of the Pharmaceutical Society of Lower Saxony and of the affiliated pharmaceutical societies, the contributions

previously paid to the Pharmacists' Pension Fund may, upon application, be rolled over in part or in full to the new pension fund in the jurisdiction of the new pharmaceutical society. <sup>2</sup>This is subject to the condition that a rollover agreement exists with the new pension fund and the terms of this agreement do not preclude the rollover.

(2) <sup>1</sup>In the case of pharmacists who move into this jurisdiction from the jurisdiction of another pharmaceutical society where they were a member of an occupational pension scheme, their period of membership of and the contributions paid to their previous insurance or pension scheme will apply for the purposes of calculating their pensions. <sup>2</sup>This is subject to the Pharmacists' Pension Fund having a contractual agreement with the previous pension fund governing the rollover of entitlements.

(3) The Management Committee may enter into rollover agreements with the approval of the Supervisory Board.

## Article 25

### Apportionment of pension entitlements in the case of divorce

(1) <sup>1</sup>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"). <sup>2</sup>As a general rule, pension entitlements acquired during the marriage are apportioned by way of an "internal apportionment" (*interne Teilung*) pursuant to a decision of the Family Court (*Familiengericht*), unless, by way of exception, a share of the entitlements is to be transferred to an external fund (*externe Teilung*) in accordance with sections 14 to 17 VersAusglG. <sup>3</sup>Where the pension entitlements acquired pursuant to these Articles of Incorporation are subject to apportionment on divorce, the provisions of these Articles of Incorporation also apply. <sup>4</sup>They apply *mutatis mutandis* to registered civil partnerships if pension entitlements are to be apportioned upon annulment of the partnership in accordance with section 20 of the German Civil Partnerships Act.

(2) <sup>1</sup>Internal apportionment establishes an entitlement to the retirement pension referred to in article 15 (1) (a) (retirement pension) for the benefit of the person eligible to receive a share of the member's pension entitlements on divorce ("eligible recipient"). Under an internal apportionment, the Family Court deducts an entitlement equal to the 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. <sup>2</sup>The obligated member's entitlement is reduced by the value of the settlement amount. <sup>3</sup>The settlement amount equals half the accumulation units acquired by the obligated member during the marriage.

(3) <sup>1</sup>The eligible recipient does not become a member of the Pharmacists' Pension Fund. <sup>2</sup>Other than the retirement pension, they are not entitled to the benefits referred to in article 15 (1) (b) to (f). <sup>3</sup>The apportionment of pension benefits on divorce does not affect the entitlement to the orphan's pension under article 15 (1) (c) and article 21 on the part of children born of the marriage to the obligated member. <sup>4</sup>As compensation for the exclusion of benefits referred to in sentence 2, the eligible recipient's entitlement to the

retirement pension is increased by a supplement of 15% in accordance with actuarial principles. <sup>5</sup>The supplement amounts to 2% if, at the end of the marriage, the eligible recipient has reached the age of eligibility for an early retirement pension as referred to in article 16 (2) sentence 1 or is already receiving a retirement pension. <sup>6</sup>The eligible recipient may not increase their entitlement to the retirement pension by making personal contributions.

(4) <sup>1</sup>If both spouses are members of the Pharmacists' Pension Fund of Lower Saxony and the entitlements of both spouses with the pension fund are subject to internal apportionment, the Pharmacists' Pension Fund will offset the respective apportionments against each other. <sup>2</sup>The compensation described in article 3 sentences 2 and 4 (supplement to the retirement pension) awarded on account of limiting the eligible recipient's benefits shall not apply.

(5) <sup>1</sup>If the obligated member is receiving a benefit at the time the marriage ends, the assessment notice upon which the payment of benefits is based will be revoked when the Family Court's decision becomes final and binding, and the benefit will be reduced in accordance with actuarial principles having regard to the settlement amount. <sup>2</sup>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.

(6) <sup>1</sup>The obligated member may top up their future pension entitlements that were reduced as a result of the apportionment of pension entitlements on divorce by paying a single lump sum or by paying higher recurring contributions. <sup>2</sup>The sum total of regular contributions and higher contributions paid for the current year together with any additional contributions under article 29 may not exceed 12 times the contributions under sections 158 (1), 159, 160 and sections 228a and 275a SGB VI.

(7) Article 25 of the version of the Articles of Incorporation that applied until 31 August 2009 continues to apply to proceedings for the apportionment of pension benefits on divorce in which, by virtue of section 48 VerAusglG, the previous law applies.

## **Article 26**

### **Lump-sum payment**

(1) <sup>1</sup>The surviving dependants' pension is no longer available to widows and widowers who remarry or to surviving civil partners of a registered civil partnership who enter into another civil partnership. <sup>2</sup>Entitlement to the pension is extinguished upon expiry of the month in which the remarriage takes place or the new civil partnership is entered into.

(2) <sup>1</sup>Widows and widowers who remarry will receive, upon application, a lump sum payment as follows:

- 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.

<sup>2</sup>Sentence 1 applies *mutatis mutandis* to the surviving civil partner of a registered civil partnership.

(3) Based on section 93 (2) sentence 3 of the German Income Tax Act as amended by the German Retirement Income Act (*Alterseinkünftegesetz*), 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.

### III.

#### Contributions to the Pharmacists' Pension Fund

##### Article 27

##### General contributions

(1) <sup>1</sup>The general contribution corresponds to the respective maximum contribution under the statutory pension scheme. <sup>2</sup>The amounts specified in Schedule 2a of SGB VI ("Employee" column) apply as the contribution ceiling for members who are members of the Pharmaceutical Society of Saxony-Anhalt or who are voluntary members practising as pharmacists in the former East Germany.

(2) <sup>1</sup>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 and sections 228a and 275a SGB VI. <sup>2</sup>Proof of income is provided:

a) in the case of employees, by submitting a pay slip issued by their employer;

b) in the case of self-employed pharmacists, by submitting the tax assessment notice for the respective financial years or a confirmation from a tax professional. Proof of income must be provided up until the end of the following year.

(3) <sup>1</sup>Upon application, the contribution under paragraph (1) or (2) may be reduced to no less than 7/10 of the general contribution under paragraph (1). <sup>2</sup>The contribution reduction can no longer be revoked once the member has reached 50 years of age. <sup>3</sup>The reduction is not available to members who have applied for an exemption from the statutory pension scheme for employees in accordance with section 6 (1) no. 1 SGB VI. <sup>4</sup>The right to apply for a reduction referred to in sentence 1 ends on 31 December 2005.

(4) The minimum contribution payable by self-employed pharmacists is 2/10 of the general contribution referred to in paragraph (1).

(5) The minimum contribution payable by members who successfully apply for an exemption from membership (article 10 (1)), who are exempted from membership (article 10 (3)) and former members subject to compulsory membership (article 12) is 2/10 of the general contribution referred to in paragraph (1).

## **Article 28**

### **Contributions in specific cases**

(1) Members who have not applied for an exemption from the statutory pension scheme for employees in accordance with section 6 (1) SGB VI pay a contribution amounting to 2/10 of the compulsory contribution applicable to them under section 158 in conjunction with section 160 SGB VI and sections 228a and 275a SGB VI.

(2) Members who receive unemployment benefits, start-up grants or other benefits paid by the Federal Employment Agency (*Bundesagentur für Arbeit*) that are subject to social security contributions pay contributions equivalent to the amounts paid to them by the Federal Employment Agency.

(3) Members who receive benefits for providing informal care and members who receive benefits from third parties for the duration of any voluntary federal government service pay contributions equivalent to the amounts paid to them.

## **Article 29**

### **Additional contributions**

(1) <sup>1</sup>Additional contributions can also be made. <sup>2</sup>The sum total of additional contributions and compulsory contributions may not exceed 180% of the maximum contribution under article 27 (1).

(2) <sup>1</sup>Original fund members who were self-employed pharmacists and elected to claim a partial exemption may waive the partial exemption at any time before they reach 50 years of age. <sup>2</sup>Article 11 does not apply.

(3) Members who joined the Pharmacists' Pension Fund of Saxony-Anhalt after turning 47 years of age may not, by making additional contributions, acquire accumulation units in a particular financial year exceeding the average accumulation unit calculated for their first three years of membership.

(4) Members who move to the German state (*Land*) of Saxony-Anhalt to practise may pay additional contributions as referred to in article 27 (1) sentence 1 and article 29 (1) on top of the compulsory contributions under article 27 (1) sentence 2.

## **Article 30**

### **Financial year**

The financial year corresponds with the calendar year.

## **Article 31**

### **Payment of contributions**

(1) Contributions are payable monthly by no later than the last day of the month. The first contribution is paid in the month in which the Pharmaceutical Society member becomes a member of the Pharmacists' Pension Fund.

(2) Additional contributions under article 29 must be paid during the current financial year.

(3) <sup>1</sup>Members whose contributions remain overdue for more than two weeks after they fall due may be charged a late payment fee of 2% of the overdue amount. <sup>2</sup>Interest of 8% may be charged on payments that remain overdue for more than three months after the request for payment. <sup>3</sup>The member must also pay the costs incurred in connection with collection of the contribution.

(4) <sup>1</sup>If a member fails to pay their contributions, the Management Committee may agree to an instalment plan with the member in order to avoid any extreme hardship associated with enforcement of the payment. <sup>2</sup>Paragraph (3) sentence 2 applies *mutatis mutandis*.

(5) If it is clear that it will not be possible to collect the overdue contributions, or if the costs of debt collection are out of proportion with the value of the claim, the Management Committee may temporarily waive the contributions until such time as the member becomes solvent again.

... (6) Late payments will be applied against outstanding amounts in the following order: late payment fees, interest, contributions. In each case, payments will be applied against the oldest debt first.

(7) The entitlement to benefits is based solely on actually acquired accumulation units.

## **Article 32**

### **Place of performance and registration**

(1) The place of performance for contributions is Hanover.

(2) The General Regulations of the Pharmaceutical Society of Lower Saxony apply to registration, changes of registration and de-registration.

## **Article 33**

### **Method of payment of contributions**

Contributions are deemed paid only if they are credited to a bank account of the Pharmacists' Pension Fund.

## **IV.**

### **Purpose and appropriation of funds**

## **Article 34**

### **Purpose and appropriation of funds**

(1) The funds of the Pharmacists' Pension Fund 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, including the amounts recognised in the technical business plan for technical provisions (*Deckungsrückstellung*), the low interest rate bridging reserve (*Zinsschwankungsreserve*), the provision for adjustments of calculation inputs (*Rückstellung für Anpassung der Rechnungsgrundlagen*), the net income reserve (*Gewinnrückstellung*), contingency reserves (*Sicherheitsrücklage*).

(2) <sup>1</sup>The fund's assets are to be invested in accordance with the provisions on restricted assets (*gebundene Vermögen*) in section 54 of the German Insurance Supervision Act (*Versicherungsaufsichtsgesetz, "VAG"*) and the associated Regulation, unless they are required to be held for the purpose of meeting current expenses.

<sup>2</sup>Section 7 (2) VAG applies.

(3) <sup>1</sup>The Pharmacists' Pension Fund must arrange for an actuary to prepare an actuarial report each year. <sup>2</sup>If this report identifies net income, at least 5% thereof is to be allocated to contingency reserves until these reserves amount to at least 4% of technical provisions, or reaches this amount again after having been used.

<sup>3</sup>Any additional net income is transferred to the net income reserve, from which amounts may only be withdrawn in order to improve pension benefits, top up technical provisions due to expected interest rate fluctuations or changed calculation inputs or to cover losses. <sup>4</sup>Any withdrawal equates to the designation of a special purpose within the net income reserve. <sup>5</sup>The contingency reserves may only be used to cover losses, and only if the net income reserve has been exhausted. <sup>6</sup>If the actuarial report identifies a deficit, the necessary action must be taken in consultation with the supervisory authority.

(4) <sup>1</sup>The base pension under article 16 (4) is to be adjusted and any other improvement to pension benefits is to be made if the actuarial report allows such action to be taken to an appreciable extent. <sup>2</sup>Improvements are subject to a resolution by the Delegates Assembly and require the approval of the supervisory authority.

(5) Current pensions are adjusted annually by resolution of the Delegates Assembly, based on the actuarial report.

## V.

### Miscellaneous

#### Article 35

##### Assignment and transfer of claims

<sup>1</sup>Pension entitlements cannot be assigned or transferred. <sup>2</sup>Payments are made at the risk and expense of the eligible recipient. <sup>3</sup>Section 54 (4) SGB I remains unaffected.

#### Article 36

##### Entry into force<sup>3</sup>

These Articles of Incorporation enter into force on 1 January 2012. <sup>2</sup>At such time, the Articles of Incorporation of the Pharmacists' Pension Fund of Lower Saxony dated 19 November 1993 (*Pharmazeutische Zeitung*, 1993,

page 1559 *et seq.*), most recently amended by the Articles of Incorporation dated 10 December 2009 (*Pharmazeutische Zeitung*, 17 December 2009, page 129 *et seq.*) shall be repealed.

Hanover, 18 November 2015

signed Magdalene Linz L.S.

President of the Pharmaceutical Society of Lower Saxony

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<sup>3</sup> The most recent amendment dated 18 November 2015 entered into force on 1 January 2016.