

# Situation of Senior Artists: Summary of International Research Findings

Prepared for the  
Senior Artists' Research Project



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Released November 9, 2010

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## Introduction

Prior to conducting research on the situation and needs of Canadian artists, initial research activities for the Senior Artists' Research Project focussed on international programs, services and associations to learn more about how they support older artists, including an investigation of whether there are any programs or services that could be particularly relevant to the Canadian context.

The first step in the international research was web-based, which resulted in a brief summary of programs, services and associations that support older artists in 14 countries. This web-based research a backdrop for 33 in-person interviews that Kelly Hill conducted in March and April 2009 with artist association representatives, artist unions, researchers, program managers and older artists in 8 international locations: New York, Zurich, Bonn, Paris, Brussels, Copenhagen, Dublin and London. Many of the interviews were conducted in Europe because Europe has been a strong leader in developing programs and services for artists. Kelly wishes to thank the interview participants for their generosity with their time and their openness with their views.

This report integrates the initial web findings with the key findings from the interviews. Although care has been taken to accurately reflect the views of the interview participants, the report is a synthesis based on Kelly Hill's understanding of the situation. As such, Kelly is responsible for any errors or omissions in this report. This report was prepared in 2009 and does not integrate any more recent developments that may have taken place by the time of publication.

The goal of the interviews was to examine different types of programs, services and associations to learn more about how they support older artists. The discussions were semi-structured and revolved around five key categories of services:

- housing,
- health,
- career needs (artistic skills, business skills, legal services, archiving of works),
- social needs / isolation, and
- financial (retirement, pensions, financial planning, estate planning, insurance, etc.)

The interviews produced substantial insights into the programs and services available for older artists in these locations. For example:

- In Switzerland, Kelly met with representatives of an umbrella association of artists at a very exciting time. They were on the cusp of implementing a new, association-driven program to support independent artists as they age (as well as in cases of disability or death). This new program will be a "second pillar" of support, complementing the general state pension program.

- In Germany, Kelly received the advice of the author of a research report that led to the establishment of the German Artists' Social Fund – one of the strongest support programs in Europe – over 25 years ago.
- In Belgium, Kelly met with the director of the Kunstenloket, a contact point for Flemish artists that serves as a “best practice” model for other European countries. The Kunstenloket is a neutral point of contact that offers business and legal advice for anyone involved in an artistic profession.
- In New York, Kelly learned that the Artists' Legacy Foundation and the Joan Mitchell Foundation have joined forces to establish “Creating a Lasting Record”, a program that currently enables four older artists to document their artwork. In October 2008, in conjunction with the San Francisco Art Institute, the Artists' Legacy Foundation also offered a four-week program on estate planning for working artists.

## **Summary of findings**

### ***Financial needs / Retirement savings or pension programs***

There are two main types of retirement / pension systems:

- Very strong government support for relatively few artists, such as lifelong grants in Denmark and Aosdána in Ireland. The Danish program supports 275 artists, a similar number to the 233 artists who are honoured by Aosdána in Ireland.
- Contributions-based retirement savings programs, sometimes “topped-up” by government support. Because artists' earnings are relatively low almost everywhere, these do not necessarily lead to large retirement funds (for most artists).

Both systems have obvious advantages and disadvantages. The lifelong grant system provides a strong level of support but is limited to relatively few artists. In addition, only creators (not interpreters) are eligible for lifelong grants in the two countries in this study with these grants in place (Denmark and Ireland).

The contributions-based systems reach more artists, but the amounts that artists invest (and eventually receive as retirement savings) are typically quite limited. Artists' earnings are relatively low in all of the countries examined for this study. The German program is the prototype of a contributory pension plan, with a government “top-up” (which differentiates it from the new Swiss program). The contribution levels are quite high: social deductions represent 19% of an artist's earnings. Even at this level, given relatively low earnings, artists may not accumulate enough capital in their account to support their retirement.

## **Housing**

Housing for artists remains a challenging issue in almost all countries, let alone housing for *older* artists. However, the (US) Actors Fund has significant housing offerings and is expanding what it does in this area. Other than the Actors Fund, none of the countries visited have an organization like Performing Arts Lodges that is looking into needs and opportunities in this area.

## ***Situation of older artists, including their artistic activities, potential isolation and health***

Information on the situation of older artists, including earnings, pensions, isolation and health issues is anecdotal in most jurisdictions. Few have conducted extensive studies into these key issues.

In Germany, the input of Dr. Andreas Wiesand, the author of a report in 1973 that eventually led to the creation of the Kunstlersozialkasse (Artist Social Fund), was very important in terms of how to approach the Canadian work. Dr. Wiesand shared a copy of his report (French-language translation), which provides a blueprint for the type of Canadian research that we would want to conduct.

England's *Pensions for Artists* study found that there is low take-up of pensions among artists, in part because artists are not aware of the benefits of a pension. Other key challenges include affordability and lack of trust in financial providers. One belief expressed by many artists during focus groups sessions was that they planned to rely entirely on the state pension, with no savings, home equity or other pensions to rely on. This highlighted the fact that the need for support is a current issue, not just an issue of educating younger artists.

Other key findings of the *Pensions for Artists* study include:

- A large majority of respondents did not have a pension, and a slim majority indicated that they did not know what their retirement age would be.
- Affordability was viewed as the key reason for not having a pension.
- Understanding of the benefits of pension schemes is very low amongst the artistic community.
- Many artists continue to work until the end because of a desire to work combined with financial commitments.
- For many artists, the lifestyle choice and personal recognition was more important than financial rewards.
- Many artists have low earnings.

Many international interviewees could not say with any certainty, for example, whether many artists feel isolated when they are older. In many international locations visited, interviewees noted that Canada's vast geography would lend itself to a higher degree of isolation than in their own country. Similarly, the specific health issues of older artists have not been closely examined, with the exception of physical performers, such as dancers.

## **Findings by location**

### **New York**

Sources: Meetings with various representatives of The Actors Fund, the former Executive Director of the New York Foundation for the Arts, a researcher who conducted a study of aging visual artists in New York City, Executive Directors of the US dancer transition organization and an international performing arts association, and an artist manager

- Barbara Davis, Chief Operating Officer, The Actors Fund (telephone)
- Ellen Celnik, Director of Social Services, The Actors Fund
- Jordan Strohl, Nursing Home Administrator, The Actors Fund
- Two residents of The Aurora housing complex (run by The Actors Fund): Nat Jones (jazz musician) and Fred Baker (filmmaker, actor)
- Ted Berger, Former Executive Director, New York Foundation for the Arts (NYFA)
- Joan Jeffri, Director, Research Center for the Arts and Culture, Columbia University, Teachers College (author of a landmark report on older visual artists in NYC)
- David Baile, Executive Director, International Society for the Performing Arts
- Laura Colby, artist manager, Elsie Management, Brooklyn
- Alex Dubé, Executive Director, Career Transition for Dancers

#### ***Situation of older artists***

In the US, as in Canada, artists don't build their careers in the same way as others in the workforce. They are often self-employed, have episodic work periods, and tend to work both within and outside the arts. Few artists make a living as an artist. Many have other jobs. Social security protection is minimal for many artists.

Artists such as actors could be members of three or more unions. When someone works in multiple unions, their retirement and health plan contributions are split. With meagre retirement savings, there can be significant low-income issues as artists age, even among those who did work regularly during their careers. In the words of Laura Colby, an artist manager, "Aging or not, artist or not, we all need to think about our retirement and housing needs."

There is no such thing as a "retirement age" for many American artists, but there are harsh realities in the industry. A performer can have a wonderful career in, for instance, musical comedy in their 20s and 30s, but it is nearly impossible for them to find that kind of work in their 50s. For some artists, retirement is forced on them long before they reach retirement age. They can get shut out from the industry.

One interviewee even questioned the very concept of an "aging performing artist", believing that there are probably not very many in the US, because many artists abandon the arts in their

40s due to lack of work opportunities. This would mean that there are many “former artists” who now do something else.

### ***Isolation***

Isolation is thought to be a significant issue for older American artists. The Actors Fund has found that many artists do not have family in New York, Los Angeles, or sometimes even in the whole country. The Fund sometimes gets involved when someone is hospitalized. An Actors Fund social worker will visit the hospital and work with hospital social workers regarding a discharge plan. The Fund’s worker will ensure that home care is set up properly and will do home visits to ensure safety and other concerns are met, even simple paperwork.

The Actors Fund representatives indicated that there is a greater need for connection than The Fund can address. Other arts service organizations are also involved in “socialization”. For example, 3 or 4 years ago, Career Transition for Dancers established “The Diamond Group”, a network of older dancers. Members of the Diamond Group, some of whom still perform, put together their own career conversations videos and information. They work together and feel that they are “part of the glue” of the dance community. When the group started, many of its 12 members felt isolated and cut off from the dance community.

Like many other artists, many dancers don’t ever want to retire. They would like to be involved in something, even in a volunteer capacity. They want to take their skills elsewhere.

For visual artists, there are no social service programs like those that The Actors Fund provides for entertainment professionals. Research into older New York visual artists pointed to the importance of *informal* social networks. There are a couple of programs that help visual artists with emergency financial assistance, such as the Pollock-Krasner Foundation. The Craft Emergency Relief Fund is a coalition of about 30 organizations. Artspace Projects does assist in housing artists, but there is no assisted living or nursing home in the US for visual artists.

### ***Leveraging resources***

Interviewees stressed the importance of stretching an organization’s own contributions by opening up existing service channels to artists and, wherever possible, getting things done without creating a whole new system.

Information is key. In the US, there are many excellent service organizations, but awareness among some artists is low. There can be a lack of visibility of activities, because of problems in the dissemination of information. For performing artists, making information available in rehearsal halls, performance studios and backstage would be very important. Too often, too many artists assume that the answer is “no”. In the case of grants, many older artists don’t apply because they feel that they are (or would be) discriminated against. An “open-door” policy (and spirit) is very important.

Access to information (on pensions, for example) is important throughout an artist’s career, not just at age 60 or 65. Education, financial management skills, and periodic refreshment of

knowledge can help artists in their 40s do things now to greatly improve their situation in 25 years. However, one challenge is that artists never really see themselves as aging, because they are always creative beings, learning new things, and experimenting.

Partnerships are also critical in order to translate research results into action. In many US cities, there are municipal departments of aging, which can be key partners in implementing new initiatives. In Canada, there may be similar structures at the provincial level (e.g., the Ontario Seniors' Secretariat, the Nova Scotia Department of Seniors, Alberta Seniors and Community Supports, and the (federal) Public Health Agency of Canada's Division of Aging and Seniors).

Partnerships can also help create opportunities without an organization necessarily having to pay for them directly. Barbara Davis of The Actors Fund noted that "our ability to help people access other resources is more significant than what we fund directly... We focus our energy to get systems in line and to help people function as independently as possible." The Fund itself attempts to cover unique and unmet needs.

Barbara Davis also noted that "there is a certain specialness" about serving the arts community that appeals to some potential partners. "Find people who like artists and with whom you get along." As one example, priority or group admissions to existing retirement homes could be negotiated, instead of necessarily building new homes. Another example might be getting older artists involved in seniors' centres in a variety of ways, not just as residents.

David Baile, Executive Director of the International Society for the Performing Arts, stressed the importance of talking and partnering with key arts employers, such as PACT in Canada. Employers are at least partly responsible for pensions and the long-term health of their workers. David suggested trying to negotiate strong buy-in of employers to the Senior Artists' Research Project.

### ***Other ideas and suggestions***

In order to implement effective programs, one interviewee suggested that the SARP think about the "well seniors", people who are living longer and healthier and want to continue to be productive. Those who engage in meaningful activities have healthier and more active lives. Artists can be seen in this light.

One interviewee noted that some Japanese artists are given "master artist" status, which is a unique support for older artists. Very few other countries support their older artists in such a way. Another interviewee pointed to the Professor Emeritus system in academia. Could this type of system, which really honours older workers, be translated into the arts? "Artist emeritus"?

The Artists' Legacy Foundation and the Joan Mitchell Foundation have joined forces to establish "Creating a Lasting Record", a program that currently enables four older artists to document their artwork. In October 2008, in conjunction with the San Francisco Art Institute, the Artists' Legacy Foundation also offered a four-week program on estate planning for working artists.

ArtCart, an intergenerational course at Columbia University, assists visual artists in documenting their work. The course pairs two graduate students with an older visual artist. The students spend 2 semesters helping the artist document their work. There is work underway with the Center for Creative Aging to make this program national.

In New York, Artist Access ([www.elsiemann.org/about/healthcare.html](http://www.elsiemann.org/about/healthcare.html)) was created to help artists gain access to critical health services. At Brooklyn's Woodhull Medical Center, artists can perform in the hospital instead of paying a fee for their services.

### ***The Actors Fund***

The Actors Fund (US) is a unique national organization (offices in New York, Los Angeles, and Chicago) that offers wide-ranging services to entertainment professionals. According to their website, the Actors Fund's services include "social services, health services, supportive and affordable housing, employment and training services, and skilled nursing and assisted living care. The Fund also makes emergency grants for essential needs."

The Actors Fund serves professionals in film, theatre, television, music, opera, and dance. The Fund was founded in 1882, partly in order to ensure that actors could get burial plots in a Brooklyn cemetery, which was previously inaccessible to them. The Actors Fund's first retirement home opened in 1902 on Staten Island. In 1928, the home moved to Englewood, New Jersey.

The Actors Fund tries to get out as much information as possible out to artists and other entertainment professionals, such as guides on finding housing and health insurance in specific cities. Representatives of The Fund also conduct seminars at conferences. The Fund also provides an Artists' Health Insurance Resource Centre ([www.ahirc.org](http://www.ahirc.org)).

In terms of eligibility, every program at The Actors Fund has its own criteria. For financial assistance, recipients must have been in the entertainment industry for 5 years with documented earnings of \$6,500 for at least 3 of those 5 years. If they don't meet these criteria, some older professionals might be eligible if they have worked in the industry for at least 20 years and earned \$5,000 in 10 out of those 20 years. Conditions can be even less stringent for those who are 65 or over.

The Actors Fund runs the Aurora housing complex in Manhattan. At the Aurora, most of the units are shared-living. For most residents, rent is geared to income (typically about 30% of income). Special needs funding (e.g., HIV/AIDS) provides about 75% of the funding for operations, while the rest is raised from various sources.

The Actors Fund is partnering with Common Ground Community to create Schermerhorn House, a new "green" facility in downtown Brooklyn. The 217-unit residence for single adults is targeted to entertainment professionals as well as individuals with special needs: 100 of the studio apartments are available for individuals affiliated with the performing arts and

entertainment industry, while the remaining units house formerly homeless individuals living with HIV/AIDS or mental health needs.

The Actors Fund owns The Lillian Booth Actors' Home, an assisted living and skilled nursing care facility in Englewood, New Jersey. The not for profit home is recognized as one of the top homes in New Jersey. The home does occasionally take people from outside of the entertainment industry. On average, about 90% of residents are from the industry or family members of someone in the industry.

Most residents spent at least 20 years in the entertainment industry or made their career as an entertainer. If possible, they should have documented entertainment-related earnings of \$2,000 or more in 10 or more years of their activity. Sometimes, "soft documentation" is allowed, such as show brochures or newspaper articles.

Ongoing funding for the home comes from residents' payments (about 35% of the total), Medicare (about 15-20%), and Medicaid (about 50%).

While the home does not include independent living residences (such as the Aurora complex), the home's Administrator would recommend developments that integrate assisted living, nursing home care, and independent living.

## Switzerland

Sources: Meetings with representatives of Suisseculture

- Nicole Pfister Fetz, President of Suisseculture Sociale and General Secretary of the authors' association (Atrices et auteurs de Suisse)
- Hans Läubli, Suisseculture Secretariat
- Brigitte Zimmermann, Adjunct Secretary General of the Swiss Screenwriters and Directors Association and (formerly) representative of Suisseculture Contact (now working for the new Réseau prévoyance culture)

Other sources:

<http://www.prevoyance-culture.ch/fr>

<http://www.suisseculture.ch>

### ***Association-led retirement, disability and death benefit fund***

In Switzerland, Kelly met with representatives of an umbrella association of artists at a very exciting time. They were on the cusp of implementing a new, association-driven program to support independent artists as they age (as well as in cases of disability or death).

Suisseculture, located in Zurich, is an umbrella association whose members include 23 artists' associations and, via the associations, about 60,000 artists and creators.

The new program is called "Réseau prévoyance culture" [fairly literally translated as Cultural Foresight Network or, less literally, Cultural Social Security Program]. The program will support artists via retirement, disability and death benefits.

The program, which came into effect on May 1, 2009, is a "second pillar" of support, complementing the general state pension program (the "first pillar"). Very few artists have the resources to invest in private pension or insurance schemes (the "third pillar").

In order to implement the new program, a new federal Law was required. The government provides support for the first three years of the new program's administration (estimated at 50,000 CHF per year, about \$51,000 CDN). After three years, it is hoped that the program will be self-financing.

Brigitte Zimmermann, Adjunct Secretary General of the Swiss Screenwriters and Directors Association and (formerly) a representative of Suisseculture Contact, has been hired to administer the program.

A fact sheet about Réseau prévoyance culture indicates that the contribution rate is 12%, with 6% paid by the engagers and 6% by the artist. For example, on professional fees of 5,000 CHF,

the engager would contribute 300 CHF and deduct another 300 CHF from the fees paid to the artist. (In effect, this program would add 6% to the engager's costs of hiring an artist.)

Although information specific to the new program was not available, a member social security organization (in the film / audiovisual sector) has a similar 12% contribution rate. Of this amount, roughly 60-65% goes to the personal retirement fund of the contributor, while 25-30% is used for disability and death benefits. The remaining 5% supports the organization's administrative costs.

Because many artists receive relatively small payments from a number of different sources, many of them had previously fallen through the cracks of various support systems (especially the requirement to have minimum earnings levels). About one-half of the members of artists' associations had not contributed to "second pillar" social security programs in the past. Five social security organizations came together to create the new network: music, film / audiovisual, publishing, as well as separate French and German-language organizations in the performing arts. The beauty of the new model is its relative simplicity: it provides one place to collect all artists' social fund contributions.

At this point, the program is geared toward members of the member associations of Suisseculture. It is not entirely clear whether other, non-member artists could participate. Association membership is thought to provide some confirmation that the artist is a working professional.

### ***Does it work?***

A key challenge for Réseau prévoyance culture will be to market the program effectively, so that a sufficient number of artists sign up. Suisseculture is working with their member associations to help them convince their (individual) members to join the program. Suisseculture is developing a brochure for associations, members and cultural producers. They plan to conduct workshops and, of course, disseminate information via the Internet. In addition, member associations are planning rallies for their members. Convincing engagers of their social responsibilities is another key challenge.

Because the program has just been implemented, it is much too early to evaluate any successes or failures. However, given the relatively low earnings of artists, it is possible that artists will not accumulate sufficient funds in their account to support their retirement.

### ***Development of the program***

Suisseculture representatives indicated that they have been trying for over 10 years to get this type of program implemented.

Switzerland's political culture is quite unique, with cultural responsibilities being largely decentralized to the cantons. A few years ago, a federal law regarding culture – the first such law in Switzerland – was being debated. During the discussions surrounding this law, artists' associations became more and more engaged in the issue of the social security of artists.

### ***Effective arguments***

- Changes in the labour market made the situation of “intermittents” (employed persons on short-term contracts) more prominent and more urgent in terms of need, especially in the fine arts and literature. For “intermittents”, contributions to second pillar social security arrangements are only mandatory for contracts longer than three months. (In Switzerland, “independents” are roughly equivalent to the self-employed in Canada. Contributions to second pillar social security arrangements are optional for independents.)
- It is important to support the social situation of artists, not just cultural products and services. It is important to view artists as a valid profession. (The concept of “*prévoyance professionnelle*”, or professional foresight/professional social security, is fairly unique to Switzerland.)
- The situation of a creator is different from other workers.
- For neo-liberals, the associations could argue that they have done their work in trying to improve the social situation of artists. It is time for the state to step up.

### ***Situation of older artists***

Many older artists continue to work, whether out of choice or financial necessity. A few manage to survive from their art.

Some older artists might be isolated, especially those who are not members of an association. Some associations waive their membership fees if they know that a potential member might not have the means to pay their fees. In the screenwriters’ association, membership fees are waived once members reach retirement age.

### ***The association itself***

Suisseculture has one office, located in Zurich. They have “antennae” in different regions of Switzerland. These antennae are devoted members who work in other regions. These members organize meetings and develop contacts within their region. This helps to show Suisseculture’s interest in supporting the region. A few member associations have a regionalized structure.

Suisseculture Sociale aims to help active professional creators who are in financial difficulty or facing a difficult social situation. Applications must be addressed in writing and include the amount desired and a brief description of the situation. This program continues to exist.

Suisseculture Contact, located in Zurich, was an information centre for artists and creators. Suisseculture representatives indicated that this information centre functioned well from one location. Currently, the Suisseculture Contact program is being folded into the new Réseau *prévoyance culture*. Suisseculture Contact provided information on pensions, unemployment,

public authorities, associations, private insurance, self-employment, taxes, and many other issues related to artistic activity.

***Ensure (insure) your independence***

*(Kelly's translation of the preamble to a Swiss guide to social insurance and contracts for independent and "intermittent" cultural workers)*

"Did you know that the minimum Swiss pension through AVS [similar to CPP] for a single person is just 12,060 francs per year, while the maximum pension is 24,020 francs [roughly equivalent to Canadian dollars]? And that is only if the pensioner has contributed regularly for 41 to 44 years. The benefits from disability insurance are just as modest and, in cases of inability to work due to sickness or an accident, an independent professional risks rapidly falling into social precariousness if he or she has not had sufficient foresight. It is true that we all have the right to complementary benefits up to a vital minimum level [think of Old Age Security and the Guaranteed Income Supplement in Canada]. In case of need, it is also possible to call on public or private emergency assistance organizations. But it is a bitter pill to arrive at retirement age and have only a "vital minimum" level available to you. After a life of intense and creative labour, resorting to emergency assistance organizations is often perceived as humiliating.

With independent workers not having the right to unemployment insurance, a number of cultural sector professionals have been forced to give up their creative work in order to take a more "suitable" job. In the area of social security, the legislation does not take into account, in many ways, the needs and the situation of independent and intermittent workers in the performing arts and audiovisual sectors. There are, however, some possibilities to safeguard yourself without having to pay exorbitant amounts to private insurers. This brochure serves as a guide to how you can contribute to your own social protection. Without a minimum social safety net, independent creative work is rarely sustainable in the long term."

## Germany

Sources: Meetings with German-based researchers and arts association director

- Dr. Andreas Wiesand and Danielle Cliche from Eric Arts; Researchers and cultural policy experts; Andreas authored a report in 1973 that eventually led to the creation of the Künstlersozialkasse, or Artists' Social Fund
- Dr. Ursula Cramer, Executive Director, German Visual Artists Association

Other sources:

*The most important aspects about the social security system for artists and journalists (Künstlersozialversicherung) – in brief*, English summary of Artists' Social Fund.

[www.kuenstlersozialkasse.de](http://www.kuenstlersozialkasse.de) (information in German only)

Goethe Institute article, "Unique in Europe – The Artists' Social Security Fund (KSK)",

[www.goethe.de/ges/soz/thm/dis/en3715584.htm](http://www.goethe.de/ges/soz/thm/dis/en3715584.htm)

*Compendium of Cultural Policies and Trends in Europe*, [www.culturalpolicies.net](http://www.culturalpolicies.net)

*European Parliament Resolution on the social status of artists (Gibeault resolution)*, 2007

### ***Contributions-based, partly publicly-funded pension, health and long-term care fund Artists' Social Fund / Künstlersozialkasse (KSK)***

The artists' social fund ("Künstlersozialkasse") started operations in 1983 as a national scheme to provide income protection for artists via pensions, health insurance and long-term care insurance. The federal Künstlersozialversicherung Act (KSVG, or Artists' Social Security Act) governs the program.

The social security program for artists (KSK) allows freelance artists and publicists to join the national social security system, which covers a wide range of employed workers. Artists pay one-half of the premiums, while the federal government pays 20% and engagers pay 30% (users of artistic work, services, publicists). The government and engager contributions basically take the place of the "employer" contributions for other employed workers. Engagers include publishing houses that employ writers, broadcasters that hire musicians, galleries that show painters' works and firms that commission a commercial artist for design work.

Artists contribute roughly 19% of their earnings on a monthly basis based each year on projections of the following year's income. Of the 19% total contribution, 9.95% is contributed towards a pension fund. The remainder covers health and long-term care insurance. With the "match" by engagers and the government, the pension contribution is the equivalent of 19.9%.

To be eligible for the program, an artist's earnings must reach a minimum of 325 Euros per month or 3,900 Euros per year. There are some exceptions to this minimum earnings requirement, including the first three years of professionalism or an occasional shortfall (i.e., twice in a six-year period).

Representatives of the German Visual Artists Association noted that the KSK closely examines applications before accepting artists into the program. Artists must complete an extensive questionnaire to prove that they are a professional. Artists must support their applications with work records, such as contracts, documentation about their work, reviews, media clippings, etc.

The artist's or publicist's activity must be deemed to be professional and must have "a self-employed, artistic/journalistic character (thus serving as a breadwinning basis)... In borderline cases, the artistic character depends on whether the person concerned is acknowledged as an artist among expert groups (e.g., identifiable by membership of artistic trade associations or by participation in exhibitions)." (Quotes from *The most important aspects...*)

Some applications are rejected. KSK documentation indicates that this is because of a reluctance to impose too many costs on engagers and the state.

More than 157,000 freelance artists and publicists are members of the statutory pension, health and long-term care programs via the KSK. The average annual income of the artists insured with the KSK was about €12,600 at the beginning of 2008 (almost \$20,000 CAD), or €1,050 per month (\$1,653 CAD). In 1983, its first year, the KSK had 12,000 members.

### ***Does it work?***

The KSK is one of the oldest and probably one of the strongest programs in Europe. In terms of artists' savings, the German Visual Artists Association indicated that, if artists start to contribute early enough, they might accumulate enough capital for their retirements. This is far from guaranteed, however, since artists' earnings (as in other countries) are typically quite low.

On the positive side, the government contributes directly to the artists' social fund, unlike the new Swiss program. However, representatives of the German Visual Artists Association believe that the government share (20%) is too low.

Political support for the KSK is quite good, but there is one political party that is less supportive.

Representatives of the German Visual Artists Association indicated that many engagers are not aware that they need to contribute to the program. Other engagers have difficulties with the perceived "tax" on payments to freelancers. Various newspaper reports indicate that there was an unsuccessful attempt by some engagers to eliminate the KSK in 2008.

A shared problem across Europe is that artists who are active in more than one country face particular challenges in understanding their pension rights and accessing pensions. A 2007 European Parliament Resolution on the social status of artists called "on the Commission and the Member States to improve the protection of artists by introducing a specific Europass for artists, by improving coordination and exchange of best practices between Member States as well as to consider possible measures to ensure the transfer of the pension and welfare entitlements acquired by artists from third countries upon their return. It suggests that the

Commission elaborates, in cooperation with the sector, a practical guide informing about social security, employment and pensions.”

The standard pension age varies between countries, as do administrative rules and regulations. Artists can often prove to have difficult files for pension administrators. There is hope for the digitization of social information, which might assist in administering tricky cases.

### ***Development of the program and effective arguments at its inception***

The Law on the Artists’ Social Security Fund was adopted in 1981 and took effect on 1 January 1983. Writer Dieter Lattmann, Member of the German Bundestag between 1972 and 1980, was a driving force behind the creation of a special fund for artists.

Dr. Andreas Wiesand, one of the researchers interviewed in Bonn, authored a report in 1973 that eventually led to the creation of the Kunstlersozialkasse, or Artists’ Social Fund.

Dr. Wiesand actually completed two reports. An initial 1971 report focussed only on authors (including 1,600 interviews), funded by Der Spiegel magazine, which had substantial influence in Germany at that time. The study was discussed in the magazine, which had significant influence and could embarrass people. Hence, the government paid attention to Der Spiegel’s views.

There was a scandal about the authors’ study: the authors themselves didn’t like the results. This led to substantial discussion of the report and, eventually, a second report on all artists.

The broader 1973 study, based on 3,000 interviews and survey work, was commissioned and funded by the West German Parliament. Some Parliamentarians thought that it would be a good idea to do a study of all artists similar to the one on authors. As part of the second study, the researchers were also able to ask the public what they thought about artists. Artists’ associations were engaged regarding required follow-up actions from the study.

This solid research work led to pressure on the government to do something.

One effective argument was that the people concerned were taking responsibility for their own affairs, by making significant contributions to pension, health and long-term care funds.

### ***Situation of older artists***

The German Visual Artists Association recently conducted a survey of their member artists and found that about one-half have a pension, but most earn less than 800 Euros per month from all activities. Those in the “new Landers” (i.e., East Germany) have made larger contributions (thanks to state support).

A portion of many artists’ pensions might come from second jobs. The Visual Artists Association does not know what portion of the pensions might come from second jobs (especially in the former West Germany).

Representatives of the German Visual Artists Association believe that most artists do not stop working until they die. Association staffers also believe that member artists are not particularly isolated, since they often communicate via the association.

BILD-KUNST, a collecting society that provides copyright protection for artists, photographers, graphic designers and film creators in Germany, manages a social fund for artists in need. Their support totals about 1.1 million Euros per year. Financial support is provided to visual artists, photographers, designers and filmmakers. As part of their copyright protection activities, Bild-Kunst protects resale rights (“droit de suite”), broadcast rights, cable retransmission royalties, public lending right royalties, reprography royalties, a video rental levy as well as blank tape levy.

## France

Sources: Meetings with Paris-based union volunteer, researcher and artists' social security fund manager

- Jimmy Shulman, Syndicat français des artistes-interprètes (SFA, French Union of Interpretive Artists)
- Vincent Cardon, Researcher, École de hautes études en sciences sociales (Student-researcher conducting a project concerning retirement of non-permanent actors or “intermittents”)
- Matthieu Douxami, Association pour la gestion de la sécurité sociale des auteurs (AGESSA, Writers' Social Security Fund Manager)

Other sources:

*Compendium of Cultural Policies and Trends in Europe*, [www.culturalpolicies.net](http://www.culturalpolicies.net)

[www.ircec-berri.org](http://www.ircec-berri.org)

[www.lamaisondesartistes.fr](http://www.lamaisondesartistes.fr)

[www.agemssa.org](http://www.agemssa.org)

In France, artists are “assimilated” into the social security system via the presumption of an employment (not self-employed) relationship with their engagers, unless proof can be given that the artist is registered as an independent worker, which entails higher tax deductions and fewer social benefits. There are relatively few non-salaried artists, especially among interpretive artists. Independent status is more common among non-French artists working in France.

The presumption of an employment relationship provides artists with social coverage under essentially the same conditions as salaried workers even though they are self-employed. Social supports include unemployment insurance, health insurance, retirement contributions, continuing education and holiday days.

There has been a large increase (three or four-fold) in the number of performing artists and the number of arts employers over the past 25 years. There has been an even larger increase in the number of short-term contract workers (“intermittents”) during this timeframe.

### ***Contributions-based pension and social security insurance for artists***

France has a well-established “three pillar” approach to pensions:

- First-pillar national funds, roughly equivalent to the Canada Pension Plan (« Caisse nationale d'assurance-vieillesse » or National Old Age Insurance Fund)
- Contributions-based complementary retirement funds (which are very common, especially for salaried workers)

- Private savings or life insurance (which few artists have)

The first-pillar system was established in 1945 for regular, salaried workers. This system falls under the Social Security Administration of government, for which Parliament is responsible. Since 1977, writers (authors, composers, film and TV writers, software writers, choreographers, photographers, etc.) and visual artists (including graphic designers and some other categories) have been integrated into the “first-pillar” general social security system.

There are a number of first-pillar and second-pillar organizations for different types of artists. For writers, AGESEA plays the role of a “fictional employer” and manages the first-pillar social security regime. AGESEA ensures that appropriate contributions are made via pay deductions. In 2007, 110,000 people received copyright fees and contributed a total of 130 million Euros. However, only 11,000 people are “affiliated” with AGESEA and can therefore eventually draw a pension. Any contributions by non-affiliated writers go to the general, national social security fund, not specifically to writers. The funds are managed by a national social security fund, not by AGESEA itself. The maximum pension is 1200 Euros, if significant contributions have been made throughout a 40-year career.

The equivalent organization for visual and graphic artists is la Maison des Artistes, which is a non-profit organization recognized by the government as the body responsible for the collection and administration of “first-pillar” social security contributions.

The second-pillar, “complementary” social security funds are based on individuals’ contributions. The complementary pension scheme for visual artists is run by the Institution de Retraite Complémentaire de l'Enseignement et de la Création (IRCEC), which has been in existence since 1962. Artists may join if they work in the visual or graphic arts and earn a minimum income of €7,520 or more in 2008 (about \$12,000 CAD). Artists with lower incomes may nonetheless file a request to be included, which will be examined by the relevant professional committee.

Artists can choose what level of savings to invest in their plan in any given year. For authors and translators, half of the yearly investment is paid for by a public lending right program. Artists accumulate “points” (credits) in the plan. Essentially, each €728 invested in the plan earns 12 points. The maximum is 48 points (€2,912, or \$4,583), while the minimum is 6 points (€364, or \$573 CAD). In 2008, each point earned €7.40 in pension payment (\$11.64 CAD).

Similar complementary funds exist for other arts professions, including the RACD (Régime des auteurs et compositeurs dramatiques, for creators working in theatre, film and dance) and the RACL (Régime des auteurs et compositeurs lyriques, for writers and composers).

AUDIENS, created in 2003, is the organization responsible for the second-pillar social security contributions in the audiovisual, communications, press and performing arts sectors. The organization, which also provides social funds, is administered jointly by employers and employees. The pension fund in the organization is a points-based system, similar to the IRCEC

plan for visual artists. According to researcher Vincent Cardon, this “complementary” pension plan is probably more important than the general, state retirement plan for many performing artists.

The length of contributions is very important in order to receive a complementary pension. Artists must have a minimum of 160 quarters (or 40 years) of contributions in order to receive 50% of the “average reference salary”, which is established as the average of the 25 best years. Contributions establish points for pension amounts.

### ***Does it work?***

The first-pillar pension has a daily cap on earnings rather than an annual maximum. This limits the potential contributions of those artists who have relatively high earnings on relatively few days. Many artists, especially performers, have irregular incomes and, overall, relatively low amounts in the fund. In addition, employers are trying to decrease their contributions, and the government is increasing the number of years that it takes to get full benefits (effectively moving the retirement age towards 65).

The second-pillar pensions have specific problems for artists, especially intermittent workers (i.e., those who work on short-term contracts). On average, interpretive artists work about 50 days per year in France. For French performing artists, rehearsals are typically unpaid but are usually covered by unemployment insurance. In fact, intermittent performing artists can draw about 40% to 50% of their annual earnings from unemployment insurance. These periods of unemployment can be “assimilated” into the calculations of quarters worked for pension purposes and can, at retirement, constitute an important portion of many artists’ eligible quarters. This has an impact on retirement savings. These unemployed periods result in a substantial decrease in average earnings, used in the calculations of pension amounts. The earnings of artists can be 40% to 50% less than other workers. This results in very low retirement pensions for many artists. Unlike unemployment coverage, pension coverage is not often discussed in the French media. Given these issues, some believe that “retirement reinforces the weaknesses of the labour market for artists”.<sup>1</sup>

### ***Situation of older artists***

As in many other countries, older French artists do not necessarily retire. The union of interpretive artists negotiated the ability for its members to work beyond age 62, something that is not necessarily the case in other industries, given a high tax on work past this age.

Similar to artists in other countries, many French artists do not want to think about retirement.

A representative of the union of interpretive artists indicated that specialized housing for older artists tends to be expensive, and entry is far from automatic for artists. There are two

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<sup>1</sup> Many of the statistics and observations in this paragraph were based on the interview with Vincent Cardon, a researcher at the École de hautes études en sciences sociales who has researched the issue using data from the Caisse de congé de spectacles. His results are not yet definitive, and the exact figures should be used with caution.

retirement-type homes in the Paris area, both located east of Paris. La Maison nationale des artistes, part of the national foundation for visual and graphic artists, has 75 residents. This home used to be for visual artists only but now also accepts other types of artists. The Maison de retraite des artistes, slightly further east, has 60 beds. This retirement home for artists has been in existence for 102 years.

It was noted that Poland has more housing for older artists, through an organization that functions as an actors' association and somewhat of a union ("ZASP").

## **Belgium**

Sources: Meetings with Brussels-based employers' association, researcher, actors' union and artists' information service director

- Anita DeBaere and Liesbeth Dejonghe, PEARLE (Performing Arts Employers League Europe)
- Suzanne Capiou, Researcher, lawyer, specialist in cultural policy
- Dominick Luquer and Dearbhal Murphy, International Federation of Actors (FIA)
- Jan Timmermans, Director, Kunstenloket (Flemish Artists Legal Information Service)

Other sources:

*Belgium: A Federal State*, available at

<http://www.diplomatie.be/en/belgium/belgiumdetail.asp?TEXTID=1586>

In Belgium, the federal level of government is responsible for finances, social security, and employment / unemployment supports, while the country's three Communities (the Flemish Community, the French Community and the German-speaking Community) are responsible for culture. A Belgium Foreign Affairs site states that "the federal state is responsible for managing everything that affects the interest of all Belgians, independently of any linguistic, cultural or territorial considerations: for instance, foreign affairs, national defence, justice, finance, social security and a major share of public health and domestic affairs. It is also the federal state that assumes all the responsibilities that Belgium and its federated entities have vis-à-vis the European Union and NATO. The Communities are competent to deal with matters relating to the people composing them, such as language, culture and education."

This jurisdictional structure creates some challenges regarding pensions (federal responsibility) for artists (Communities).

In Belgium, as in France, there is the presumption of an employment situation for artists, who would have to apply for self-employed status. Still, the number of freelance workers has increased substantially in the performing arts. There is an arts decree in the Flemish Community that requires that engagers must pay the same gross amount to self-employed artists as an employed person. This is so that engagers cannot attempt to cut costs by engaging self-employed workers.

There are employment agencies that help alleviate the administrative burden of employers and make it easier for artists to manage yearly revenues.

In most collective agreements, there are higher fees stipulated for shorter-term contracts (less than 4 months).

There is an early retirement system in Belgium, where employees can retire at 58 and receive unemployment benefits. Employers pay one-half of the difference between unemployment insurance and the employee's last wage until the employee is 65. However, this early retirement system is under pressure.

Overall social charges (i.e., payroll-based charges) are about 35% in Belgium.

### ***Three-pillar pensions and a small number of lifelong grants***

Belgium, like France, has a "three pillar" approach to pensions:

- The legal pillar is comprised of social contributions, including pensions.
- The second pillar is a complementary pension fund, which is typically employer-paid but voluntary.
- The third pillar is private savings or life insurance.

In the Flemish Community, the "social agreements" between performing artists' unions and the employers' association stipulate that complementary pensions will be provided for artists covered by the labour negotiations. These are regional agreements that cover Flanders as well as Brussels (if the artist is working for a Flemish employer). The social agreements were finalized in 2005 and started in 2006 in the performing arts (except music) and in 2007 in music.

In the performing arts, complementary pension contributions commence after only one day's work in the sector. During spells of unemployment, artists do not make pension contributions. The minimum requirement to receive a pension is only 130 days of work over a whole career.

Last year, the Minister of Culture for the Flemish Community made a special investment of 500,000 Euros in pensions, which can be allotted to artists who have been subsidized by the public sector. Older artists receive more through this special funding.

The Minister of Culture for the Flemish Community also awards lifelong grants to 15 artists with low incomes (or pensions). The support amounts to about 15,000 Euros. The artists are chosen by an "expert commission", which is not perceived to be a very transparent organization.

### ***Does it work?***

Representatives of an employers' association interviewed for this study provided an interesting point of view. Their members are willing to pay the social charges required, and they are in a regular tripartite social dialogue (government, employers and employees). "When you act jointly as social partners, you are more likely to be successful in negotiating with governments."

The employer representatives believe that many older artists in Belgium do have enough money to get by. However, younger artists can sometimes have difficulties getting into artistic professions.

### ***Development of the program***

The general pension program in Belgium started in 1969 for salaried and independent workers (as long as the work was paid and profitable). Performing artists were integrated into this system in the 1970s, with all artists following only in 2003.

### ***Information centre: free legal and business advice to artists***

The Kunstenloket is a neutral point of contact for Flemish artists, offering legal and business advice for anyone involved in an artistic profession. For the Kunstenloket, anyone who declares themselves an artist is an artist.

After conducting a recent study, the Kunstenloket is attempting to educate Flemish artists, via a 9-month information campaign, about the need to contribute to pensions. This special project will include a brochure, a new section of the website, an e-flyer and workshops. In addition, every issue of the Kunstenloket newsletter in 2009 will include a section on pensions.

The organization's total budget is approximately 500,000 Euros, with some variation based on the special projects that it undertakes. Most of its funding comes from the Flemish Community government. The Kunstenloket serves as a "best practice" model for other European countries.

The Kunstenloket sees about 5,000 people per year (including in-person and telephone consultations, workshops, info-sessions and other events). The Kunstenloket staff provide a regular consultancy (2 days a week by phone and 2 days in person in three main locations in the Flemish Community), handling approximately 2,500 appointments per year.

The Kunstenloket's services are generally free. However, sometimes this leads to a lack of appreciation of the value of their activities (and their costs).

Students are a key contact group for the Kunstenloket, in order to educate them about the potential and pitfalls of artistic careers.

The Kunstenloket started with only one staff person (Jan Timmerman, the current director). Now, the service has 5.1 full-time equivalent staff, including two lawyers and a half-time reception person.

Currently, there are three other cultural contact points that are similar to (but less developed than) the Kunstenloket in Wales, Spain and the Netherlands.

French-speaking artists in Belgium may choose to belong to an organization that has some similar functions to the Kunstenloket. The SMART is an association and administrative umbrella that has been active since 1997. The organization assists in financial management and accounting activities and also conducts occasional studies.

## Denmark

Sources: Meetings with Copenhagen-based unions, granting agency managers and artists' association directors

- Henrik Petersen, General Secretary, Dansk Skuespillerforbund (Danish Actors' Union) and Nanna Klingsholm, Social advisor, Dansk Skuespillerforbund
- Vibeke Jakobsen, Head of Secretariat, Danish Arts Foundation and Jesper Martini, Lifelong grants manager, Danish Arts Foundation
- Elisabet Diedrichs, Dansk Kunstnerråd (Danish Artists Council) and European Council of Artists and Jan Thielke, Danske skønlitterære Forfattere (Danish Writers' Association)
- Dorthe Vincentzen, Dansk Artist Forbund (Danish Artists' Union)

Other sources:

[www.danisharts.info/index.php?id=1417](http://www.danisharts.info/index.php?id=1417)

*Compendium of Cultural Policies and Trends in Europe*, [www.culturalpolicies.net](http://www.culturalpolicies.net)

### ***Lifelong grants***

The Danish Arts Foundation is an arms-length organization that distributes funding to individual artists, including lifelong grants. The Foundation recommends to the Minister of Culture which artists should receive lifelong grants. These grants are awarded to creators who have achieved significant distinction through their work. Only creators (not interpreters) are eligible for lifelong grants.

There are currently 275 lifelong grants, of which 93 have gone to visual artists, 73 to authors of fiction, 12 to other authors, 4 to translators, 35 to composers, 26 to craftspeople and designers, 14 to architects and 18 to creative artists in film and theatre. There are a maximum number of recipients for each type of artist. For example, the maximum number of composers is 35. In other words, no new composer could receive a lifelong grant until a current recipient passes away (or in the unlikely event that the number of grants is expanded).

The grants are based on the artist's taxable income for the previous three years. Artists with an income (excluding the grant) of DKK 142,000 or less (approximately \$30,000 CAD) receive the maximum amount. For income exceeding DKK 142,000, the grant is reduced by 75 percent of the income above DKK 142,000. The grants and the income limit are indexed for price adjustments. Lifelong grants totaled approximately 23 million Danish Kroners (almost \$5 million CAD) in 2007.

The Danish Arts Foundation's budget is set in the national budgetary process. Three-person art expert committees play a vital role in recommending new recipients. The committee's recommendations must be approved by the Minister.

There are no specific conditions on grant recipients, many of whom continue to create important works.

Widows of holders of a lifelong artists' grant can apply for a lifelong widow's subsidy. The Ministry of Culture administers these measures based on financial circumstances.

### ***Effective arguments and development of the program***

Lifelong grants were part of the initial activities of the Danish Arts Foundation, which started in 1964. Originally, only composers, writers and painters were eligible for the lifelong grants, which were subsequently expanded to include craftspeople, architects and other creators.

In 1998, the number of lifelong grants was expanded from 225 to 275, thanks in part to research into the poverty of Danish artists.

Within the past 5 to 7 years, there was a research report that showed that even those artists receiving the lifelong grants (in theory, the “best” creative artists in Denmark) had low earnings. Despite these findings, there has been no political will to increase the number of recipients. In fact, there is occasional pressure from right-wing parties to eliminate the lifelong grants.

In 2008, there were substantial public and media discussions about the lifelong grants, which have been called the “red wine grants”. Program managers responded to the media attention by creating a fact sheet about the importance of the program and the artists it supports. Arts associations also advocated the importance of the program. The Prime Minister supported the grants as a “fair” system and an appropriate “thank you” to the artists for their great achievements.

General social supports are quite strong in Denmark, and taxation levels are high. Given the strong social supports, artists' groups such as the Danish Actors' Union and the Danish Artists' Union are often involved in trying to ensure that artists are included in other, general protections for workers rather than specific arts-oriented programs.

The Danish Artists' Council and Danish Writers' Association have advocated additional supports for artists during periods when they have no incomes. However, they have encountered difficulties defining who would be eligible (i.e., who is a professional artist without earnings, rather than another unemployed individual).

### ***Contributions-based pensions***

In Denmark, most pension schemes are shared by employers (who typically pay two-thirds) and employees (one-third). Artists do not pay pension contributions when they are unemployed.

A typical pension contribution level is 12% to 15% of earnings. There are a range of levels in the arts. The main arts unions have all negotiated specific agreements for their members. Through its collective agreement, the Danish Actors' Union was able to negotiate a pension scheme that is fully paid by employers.

Some contribution schemes are set at a fairly low level (e.g., 7% of earnings). In contrast, some Royal Theatre performers have a pension contribution that amounts to 26% of earnings.

The Danish Actors' Union indicated that many of their members (except "stars" and others who are able to work a lot) have fairly low pensions. Given that many pension supports started in the 1980s, many members only started contributing in their 40s.

The Danish Artists' Union, which represents visual artists, set up an "ArtPension" program in collaboration with a pension company about 10 years ago. This private pension has very flexible terms, suitable for the irregularity of many artists' incomes. However, the pension company indicates that it is not generally worthwhile to contribute less than 12,000 DKK (about \$2,700 CDN) to the pension program.

As in Canada, private pension contributions can be tax-deductible.

According to Aon Consulting's 2007 European Pensions Barometer, the general public pension in Denmark is rated as the top public pension program in Europe.

The self-employed in Denmark do not pay into the public pension system. However, because there are some tax advantages to being self-employed, some artists wish to be self-employed. The Danish Actors' Union counsels artists not to become self-employed.

### ***Does it work?***

It is clear that the lifelong grants provide substantial support to recipients. However, the main drawback of this type of system is that the number of artists supported is quite low. In comparison to the 275 creators supported by the lifelong grants, member organizations of the Danish Artists' Council have 24,000 member artists (which includes some double-counting of those in multiple associations, such as a composer who is also a musician).

### ***Situation of older artists***

Representatives of the Danish Actors' Union indicated that, although a number of older artists are poor, they are probably able to afford their rent and food. As in many other countries, many Danish artists are not able to purchase a house, which can provide some investment value when they are older.

Danish professional writers (of all ages) earn about 100,000 DKK from their literary activities (including royalties, library money, and grants). This is less than one-half of the average income of all Danes (about 250,000 to 300,000 DKK). Danish writers have access to "Library Money", which is similar to a Public Lending Right. This money is linked to the number of books in libraries, not the number of loans. For many writers, the Library Money is their de facto pension.

According to representatives of the Danish Artists' Council and the Danish Writers' Association, it is likely painters who are the poorest during their old age. They may receive some money from the resale right, which exists throughout EU countries, but their earnings from this are usually not very substantial.

According to the Danish Artists' Union, many visual artists continue to work beyond the age of 65. The Union provides free membership for older artists (65+) and those who are sick or disabled.

With regards to the potential isolation of older artists, the Danish Artists' Union provides opportunities for artists to participate in lounges, gallery activities and parties. However, older artists do not tend to network as much digitally. A representative of the Danish Artists' Union indicated that many older artists retain a small network of colleagues, family and friends, but some do not renew their networks as they age. Geography is not as significant a factor in Denmark as in Canada. Representatives of the Danish Actors' Union indicated that a lot of actors have lived alone for a long time, which could lead to isolation.

## Ireland

Sources: Meetings with Dublin-based granting agency manager, visual artists' resale right program manager, union volunteer, and composers' association manager

- Toby Dennett, Registrar of Aosdána (lifelong grants to artists), Arts Council Ireland
- Alex Davis, Administrator, Irish Visual Artists Rights Organisation
- Ronnie Masterson, Actor and active member of SIPTU-Actors' Equity
- Eve O'Kelly, Director, Contemporary Music Centre

Other source: <http://aosdana.artscouncil.ie>

Ireland has some programs that provide strong support for artists, including Aosdána (a publicly-funded award for a distinguished body of work) as well as an income tax exemption for artists.

In the past two years, Ireland has complied with a European Union decision to ensure visual artist resale rights. A basic resale right program was introduced, but there is no legislation yet on this issue. The resale right has not yet been implemented for artists' heirs.

### ***Aosdána: Arts Council-administered, publicly-funded award for a distinguished body of work***

Aosdána was established in 1981 to honour those artists whose work has made an outstanding contribution to the arts in Ireland and to encourage and assist members in devoting their energies fully to their art. Aosdána is funded by the State through the Arts Council, which handles all of its administrative and financial arrangements and which accounts for its operation in its annual report to the Oireachtas (the national parliament). The Head of Artists' Supports in the Arts Council (Toby Dennett) acts as the Registrar of Aosdána.

Membership in Aosdána, which is by peer nomination and election, is limited to 250 living artists who have produced a distinguished body of work. The current membership is 240.

Membership is open to creative (not interpretive) artists in visual arts, literature, music architecture and choreography.

Members of Aosdána are eligible to receive from the Arts Council a Cnuas – a renewable annuity with a five year term – to assist them in concentrating their time and energies in the full-time pursuit of their art. The value of the Cnuas in 2008 is €14,180 (\$22,333 CAD). Members are eligible to continue to receive the Cnuas as long as their income does not exceed 1.5 times the value of the Cnuas.

Although at least one-half of its members are over 60 (and membership is lifelong), Aosdána is not a pension program per se. Despite this fact, the Cnuas is often perceived as a pension-like income.

A defined contribution pension scheme, to which the Arts Council also contributes, is in place for Aosdána members but is not well used.

Members must have been born in Ireland or have been resident there for five years, and must have produced a body of work that is original and creative. Aosdána dropped its age restriction (minimum 30 years of age) in 2003, likely due to an Equality Tribunal ruling. However, since membership is based on a distinguished body of work, it is unlikely that many younger artists would be granted membership.

### ***Does it work?***

It is clear that the lifelong grants provide substantial support to recipients. However, the main drawback of this type of system is that the number of artists supported is quite low.

There have been some pressures from the arts community to extend Aosdána (or set up a similar organization) to support performing artists, not just creators.

Partly because current members nominate new members, Aosdána has been accused of elitism. There has been occasional publicity in the tabloid media about “a different kind of class system”, as well as some exposés of individual members’ personal activities. However, the Arts Council has remained strongly supportive of Aosdána and has argued that the program is a lifeline for a lot of its members, who are very significant artists in the country.

### ***Development of the program***

Aosdána was established in 1981 as a “big gesture” personal initiative by Charlie Houghy, the Taoiseach (or prime minister) of Ireland at the time (who also introduced the artists’ tax exemption). These two supports essentially resulted from the interests and actions of one powerful individual who was very supportive of artists and the arts.

Anthony Cronin (writer and member of Aosdána) was also influential in the formation of the Aosdána program.

Since its beginnings, Aosdána has been administered through the Arts Council Ireland.

Interviewees indicated that it would be very unlikely to have had this sort of strong support program implemented in the past 10 years (and even moreso in the current economic climate).

### ***Resale right for visual artists***

Although not a pension program, the resale right (or droit de suite) for visual artists provides some income for older visual artists. This recently-implemented program is managed by IVARO (Irish Visual Artists Rights Organisation), which is the result of a collaboration between Visual Artists Ireland, the Irish Copyright Licensing Agency and the Copyright Association of Ireland.

Alex Davis, manager of IVARO, indicated that of the top 10 selling Irish visual artists, 9 are deceased and many of the other top sellers are in their 60s, 70s or 80s. IVARO has distributed 1/2 million Euros since its inception in 2006.

Even with a resale right, it is difficult for visual artists, especially female artists, to make a living. Many artists work until they die.

### ***Situation of older artists***

The Irish public pension is quite basic. Irish artists have few opportunities to contribute to pensions, which are typically paid in part by employers. Over the past few years, the Irish government has encouraged more flexible ways to save, including a Personal Savings Scheme. However, many artists are not in a financial position to contribute to private savings.

As in many other countries, artists do not often think of long-term financial planning. Discussions about their financial situation are very tricky.

Visual Artists Ireland has a group insurance policy available to its members and is considering establishing a private group scheme pension.

Overall, options for support in older age are limited. Many grants tend to go to younger or mid-career artists, who may have better computer skills and better grant-writing abilities.

There is no housing specifically for artists in Ireland and few mentorship opportunities.

One Dublin interview was particularly insightful regarding the situation of older artists. Ronnie Masterson, an actor and an active member of SIPTU-Actors' Equity, indicated that she still works as an actor when possible but that there are not many roles for 83 year olds.

During the larger part of her working career, there were no pensions available to artists. She survives thanks to a state pension, her earnings, and her survivor's pension from her late husband.

She and her husband were forethoughtful enough to purchase their own home at the time of their marriage. (They put a down payment on the house instead of purchasing an engagement ring.)

She noted that the Aosdána program is just for creators, not performers, and that there are no other concerted pension supports for artists. Ronnie has known many artists who died in very

poor circumstances. SIPTU-Actors Equity itself has not negotiated a pension program. (In Ireland, the actors' equity union is affiliated with the Services, Industrial, Professional and Technical Union.)

With regards to isolation, many interviewees indicated that Irish artists are less prone to isolation than Canadian artists, given that Ireland is a much smaller country than Canada. Ronnie Masterson indicated that she keeps involved in many, many activities. For her, there are not enough hours in a day.

## England

Sources: Telephone interview with granting agency manager and meetings with London-based older dancer, dancers' association manager and social fund case worker

- Simon Zimmerman, Arts Council England (telephone interview)
- Ann Dickie, Dancer
- Linda Yates, Executive Director, Dancers' Career Development
- Miranda Connell, Case Worker, Equity Charitable Trust

Other sources:

*Pensions for Artists* report and accompanying website,

<http://www.pensionsforartists.org.uk/default.htm>

<http://hencilla-firstact.mmbox.co.uk/Equity+Pension+Scheme/Members+Pension+Scheme>

<http://www.denvillehall.org.uk/>

<http://www.eabf.org.uk/brinsworth-house>

### ***Union and sector-based pensions***

The British Actors' Equity Association introduced a pension scheme in 1997, in conjunction with First Act Insurance. The scheme offers a personal pension plan for performing artists. The plan is administered by First Act Insurance with fund management conducted by the managers of Norwich Union. Current legislation allows dancers (typically dancers in commercial shows) to take retirement benefits from a personal pension as early as age 35. Only contributions made from dance-related earnings qualify for this option. The pension scheme is open to all Equity members, not just those with an eligible contract. Performers' pensions will be based on how much they have in their fund at retirement.

In the U.K., company-based professional dancers typically have a pension plan via the Dancers' Pension Scheme, which split off from Dancers' Career Development in 1986. Dancers in small and mid-scale companies (typically project-funded organizations) may not have pension schemes. There is also a Pension Scheme for Technical and Administrative Staff in the Arts.

### ***"Pensions for artists" study***

The Arts Council England managed a now-completed three-year pilot project called "Artists' Insights", which included six distinct projects. One of these projects examined the financial well-being of artists, including a "pensions for artists" segment, which resulted in a major report.

The project was initiated because, anecdotally, it was understood that many artists were not saving for their retirement. In the words of Simon Zimmerman, formerly the Coordinator of the Artists' Insights program, "we knew something needed to happen with regards to artists, but we didn't know what".

A researcher from the pensions sector was commissioned to conduct an online survey and focus groups with artists across the country. Overall, many responses were received from independent female artists, while fewer responses were received from the theatre sector, which already has a union-related pension program.

One of the key findings of the research was that there is low take-up of pensions, in part because artists are not aware of the benefits – especially tax benefits – of a pension. In this sense, artist education is as important as the products that are available. Other challenges include affordability and lack of trust in financial providers. It was noted that, for many artists, investment ethics is an important issue.

Other key findings of the study include:

- 70% of respondents did not have a pension.
- For many the desire to work combined with financial commitments would force many to “Work ‘til I drop”.
- For many the lifestyle choice and personal recognition was more important than financial rewards.
- 60% of those surveyed earned less than £15,000 per annum, with 43% of full-time artists earning less than £15,000.
- Artists are twice as likely to earn less than £10,000 compared to the working population.
- 51% of respondents did not know what their retirement age would be.
- Affordability was viewed as the key reason for not having a pension (56%).
- Understanding of the benefits of pension schemes is very low amongst the artistic community, with 90% having Poor or No Understanding of the tax benefits.
- ISA’s and Property were the most favoured savings options.
- Research elsewhere indicates that where focus is placed on financial education there is a positive effect on pension savings.

A belief expressed by many artists during the focus groups sessions was that they planned to rely entirely on the state pension, with no savings, home equity or other pensions to rely on. This highlighted the fact that the need for support is a current issue, not just an issue of educating younger artists.

Follow-up pension education activities have focussed on the visual arts and dance, two sectors that are under-served regarding pensions. The Arts Council England has found that there is a significant interest in these sectors (especially in London) for pension-related information. Even a sector skills council, as part of its blueprint for workforce development in the visual arts, recognized that pensions are an important component of labour force development in the visual arts.

The Arts Council England had started discussions with financial and pension providers about additional services tailored to the visual arts and dance sectors. However, because of recent economic difficulties in the financial sector, these discussions may not move forward.

The Pensions for Artists website ([www.pensionsforartists.org.uk](http://www.pensionsforartists.org.uk)) continues to exist, even though the project is no longer active. The site provides case studies and information about pensions and pension planning.

### ***Other options via pension reform in the U.K.***

In England, the pension system was restructured in 2006. Some Arts Council staffers were hopeful that they government would designate artworks as pensionable property, but the government did not do so.

However, commercial properties were made pensionable assets, and individuals (not just artists) can set up a “small self-administered scheme” (SSAS). Under this scheme, up to 11 individuals can cluster together to form a company. The National Association for Studio Providers is considering a pilot initiative to assess the risks and rewards of encouraging some artists to pool resources in order to invest in studio space. The artists in the consortium would have an equal share in the asset (the studio space) and would have to pay back the credit over time. At the end of the period, they would be able to sell the property without capital gains tax.

Since it requires an important initial investment (or substantial credit), this program is not feasible for the vast majority of artists. However, it might provide an opportunity for some artists to invest in their retirement.

There are other potential risks, including typical real estate investment risk. In addition, it is far from certain that artists can repay the credit amount from their (typically meagre) earnings. Also, given the mobility of artists, if one member of the consortium moves away, what would happen to the consortium?

### ***Other supports for older artists***

There are many U.K. organizations that provide emergency support to different types of artists, including Equity Charitable Trust. The Trust is about 15 years old and supports all kinds of professional performers, not just Equity members. The Trust’s caseworker indicated that they have a significant role in providing temporary assistance to elderly artists (as well as artists who are ill and experiencing a financial emergency). The Trust also refers artists to potential sources of ongoing support.

Other organizations that provide emergency financial assistance include the Royal Ballet Benevolent Fund, the Royal Opera Benevolent Fund, the Royal Theatrical Fund, the Dance Teachers’ Benevolent Fund, the Musicians’ Benevolent Fund and the Entertainment Artistes’ Benevolent Fund. The Evelyn Norris Trust allows artists to have a short holiday for a low fee.

Like many other organizations, Dancers' Career Development and the benevolent funds attempt to make the best possible use of existing, state-provided resources. Often, artists are referred to existing resources, such as Pay Plan, which helps individuals consolidate their debts and organize a single monthly payment.

There are at least two artists' homes in the London area, including Denville Hall, which "is a charity founded by actors and run by actors for the profession. It has been funded through the kindness of actors and theatre managers since 1925. Denville Hall is available to people aged over 70 who have worked professionally as actors, from anywhere in the UK. If there is no waiting list of actors, we may be able to help those from other theatrical professions." Brinsworth House, managed by the Entertainment Artistes' Benevolent Fund, "accommodates 36 residents who are cared for by a dedicated team of highly trained nurses and care assistants.... Brinsworth House provides a dual registered nursing home capable of caring for elderly members of the entertainment profession and their dependants, who need either nursing or residential care. Set within an acre of land, Brinsworth House is a beautiful mansion that has become the home of many retired artists and entertainers from the entertainment profession."

### ***Situation of older artists***

One London interview was particularly insightful regarding the situation of older artists. Ann Dickie, a London-based dancer who is approaching 65, indicated that there are relatively few opportunities for older professional dancers. She created her own company ("From Here to Maturity") nine years ago and finally obtained charitable status a year ago. The company also does community-based work. Ann recently prepared and premiered a solo performance at a conference on dance and older people in Liverpool.

Like many artists, her ideal plan is "to work until the bitter end". However, as is the case for many artists, especially dancers, health is always the biggest question.

She makes ends meet through a small pension that she receives from a company in which she danced. She is also able to draw half of the state pension. She did not make enough contributions during her career to draw a full state pension. She will start to receive a separate German-based pension when she turns 65, thanks to a number of years that she spent dancing in a German company.

Many dancers move into arts administration work or other, unrelated fields. Ann believes, however, that more and more dancers are continuing to dance.

When asked whether, looking back, she would have done anything differently, Ann noted that there are more things personally, not professionally, that she might do differently. However, "sometimes it's the unexpected that has the real essence, and that's often what artists are after: the essence."

On the financial side, she does wonder "why the hell didn't I sort out a pension?"

She has lived in a coop residence for 15 years now (Coin Street community buildings). She was lucky in that she was living in the area with a painter and found out about the project. She knows many dancers who live in social or “council” housing.

There is some assistance available to the poor, “but you have to be pretty rock bottom” to take advantage of them. Costs for transport to hospital and prescriptions can add up. In addition, it can be nearly impossible to find a National Health Service dentist.

One way of helping older artists is to ensure that they have someone to call to find out about assistance possibilities, especially as one gets frail. For Ann, a help line would be a fantastic idea.

Another way of helping older artists would be to have them in residence at key venues. They could work with a wide variety of people: younger dancers, older members of the public, immigrants, refugees, etc.