

99158008080003

Befreiung von der Versicherungspflicht der Landwirtschaftlichen Alterskasse Gewährung aufgrund von Entgeltbezug bzw. außerlandwirtschaftlichen Einkommens

Heruntergeladen am 23.05.2025

<https://fimportal.de/xzufi-services/102786291/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99158008080003
Leistungsbezeichnung I	Befreiung von der Versicherungspflicht der Landwirtschaftlichen Alterskasse Gewährung aufgrund von Entgeltbezug bzw. außerlandwirtschaftlichen Einkommens
Leistungsbezeichnung II	Apply for exemption from compulsory insurance of the Agricultural Old Age Insurance Fund in case of income outside agriculture
Typisierung	1 - Bund: Regelung und Vollzug

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Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Gewährung (80)
SDG-Informationsbereich	Rechte und Pflichten im Bereich der sozialen Sicherheit in der Union, auch im Zusammenhang mit Renten
Lagen Portalverbund	Altersvorsorge (1180100), Rente (1180200), Mitarbeiterbezogene Meldepflichten (2030400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	30.06.2023
Fachlich freigegeben durch	Federal Ministry of Labor and Social Affairs (BMAS)
Handlungsgrundlage	https://www.gesetze-im-internet.de/alg/_3.html
Teaser	Do you receive an income outside of agriculture that is more than twelve times the mini-job limit per year? If so, you can be exempted from compulsory insurance with the agricultural pension fund under certain conditions.
Volltext	<p>If you wish to be exempted from compulsory insurance with the Agricultural Pension Fund, you must submit an application All insured persons of the Agricultural Pension Fund are eligible to apply:</p> <ul style="list-style-type: none"> • male and female farmers, • their wives and husbands and • their family members who work with them.

The prerequisite is that you regularly receive earned

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income outside of agriculture of more than twelve times the mini-job limit per year.

Earned income is defined as the regular receipt of:

- Compensation for work
- earned income
- comparable income or
- income in lieu of work that exceeds twelve times the mini-job limit per year without taking into account income from work in agriculture and forestry.

Employment income is considered regular if monthly income exceeds the mini-job limit. For self-employed persons, the taxable annual income is to be taken as the basis.

The following income is considered non-agricultural income:

****Compensation for work****

Compensation for work is all current or one-time income from an employment relationship. It is irrelevant

- whether there is a legal entitlement to the income
- under what name or
- in which form they are paid.

In the case of the employment of close relatives, the actual employment status is decisive. This applies to cooperating family members as well as spouses on the farm. If the work goes beyond mere family assistance, it is an employment relationship. In the case of exemption from compulsory insurance for the old-age insurance fund, the amount of remuneration actually received is decisive.

****Employment income****

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Employment income is the profit from a self-employed activity (determined by the tax office according to the general profit determination regulations of the income tax law). This includes, for example, income from self-employment from a trade (e.g. hotel or craft business) or as a doctor or lawyer.

****Comparable income****

Comparable income includes in particular:

- Remuneration of ministers, parliamentary state secretaries and parliamentary allowances,
- top-up amounts paid by the employer under the Partial Retirement Act,
- severance payments by the employer due to termination of the employment relationship as a one-time or ongoing benefit, or
- Early retirement benefits under the Early Retirement Act.

****Income in lieu of income****

Income in lieu of employment is a benefit that replaces income from employment (based on or in accordance with public law). A distinction must be made between short-term and long-term replacement income.

Short-term income in lieu of employment includes, for example:

- Sick pay
- sickness benefit
- Injury benefit
- transitional allowance
- Unemployment benefit
- Parental allowance
- Maintenance allowance
- comparable benefits from a social security institution

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Long-term income in lieu of employment includes, for example:

- Pensions from the statutory pension insurance
- Pensions from statutory accident insurance
- Pensions from a professional pension scheme
- Pension payments
 - according to civil service regulations or principles,
 - comparable emoluments from a public service or official relationship, or
 - Comparable remuneration from the pension scheme of members of parliament

****Income not eligible for exemption****

The following income is not eligible for exemption, regardless of its amount:

- Income from renting and leasing
- Income from capital assets (for example interest)
- Blind person's allowance
- Remuneration during the performance of compulsory military service
 - Vocational training allowance from the employment agency
 - Benefits according to the Federal Pension Act (Bundesversorgungsgesetz) with the exception of compensation for occupational injuries
 - Benefits under the Equalization of Burdens Act
 - Benefits under the Federal Compensation Act

As a rule, the exemption begins as soon as the conditions for exemption are met. To do this, you must submit the application within 3 months. If you submit the application later, the exemption applies at the earliest from the day on which you apply for it.

The Social Insurance for Agriculture, Forestry and Horticulture can also determine your insurance obligation for the past.

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	<p>The exemption ends as soon as the prerequisites no longer exist. If the conditions for exemption cease to apply or another reason for exemption applies, you must report this immediately.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Application for exemption from compulsory insurance • written proof of the reason for exemption <p>You can find out which documents are required in your case from the application form.</p> <ul style="list-style-type: none"> • in case of application by other persons: <ul style="list-style-type: none"> • Power of attorney or • order of the court
Voraussetzungen	<p>You are required to be insured with the Agricultural Pension Fund. You have received a corresponding notice.</p> <p>You can apply for exemption from compulsory insurance if you regularly receive more than twelve times the mini-job limit per year outside agriculture in the form of:</p> <ul style="list-style-type: none"> • Remuneration • earned income or • comparable income (income in lieu of income such as unemployment benefit or pension)
Kosten	<p>There are no fees for processing the application.</p>
Verfahrensablauf	<p>You can apply for the exemption in writing, in person, by telephone or online. To meet the deadline, you may initially submit the exemption request informally, for example, by telephone.</p> <p>Written application:</p> <ul style="list-style-type: none"> • Download the application form for exemption from compulsory insurance on the website of the Social Insurance for Agriculture, Forestry and Horticulture. • Fill out the form completely and gather the required documents.

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- Mail your completed and signed application with the required documents to the Social Insurance for Agriculture, Forestry and Horticulture.

Apply online:

- If necessary, register on the service portal of the Social Insurance for Agriculture, Forestry and Horticulture. When you register, you will receive your personal access data by mail.
- Go to the service portal of the Social Insurance for Agriculture, Forestry and Horticulture and log in there.
- Fill out the web form and upload the necessary evidence via the mailbox function. Once your details have been confirmed, your data will be transmitted online to the Social Insurance for Agriculture, Forestry and Horticulture.

Apply in person at the consultation meeting:

- Compile the documents required for the application.
- Make an appointment at the Agricultural Pension Fund or a Social Insurance for Agriculture, Forestry and Horticulture counseling center.

Applying by telephone:

- Call the service number of the Social Insurance for Agriculture, Forestry and Horticulture and ask to be connected to the processing department responsible for you.
- They will take your application within the deadline.
- You will receive the form necessary for the complete application by mail or electronically.

At the end of the procedure, you will receive a decision on your exemption from compulsory insurance.

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Note: Your application for exemption can also be submitted by a person you trust. To do so, submit an appropriate power of attorney to your agricultural pension fund. As long as the power of attorney is valid, your Landwirtschaftliche Alterskasse will only contact your authorized person.

Bearbeitungsdauer

Once all the required application documents have been submitted, the Agricultural Pension Fund usually makes a decision within 2 weeks.

Frist

The exemption starts as soon as the exemption requirements are met if you submit the application within 3 months. If the application is submitted later, the exemption begins at the earliest from the day on which you submit the application. In case of determination of the insurance obligation for the past, the period begins with the notification of the decision on this insurance obligation.

weiterführende Informationen

<https://www.svlfg.de/befreiung-alterskasse>

Hinweise

There are the following indications:

First of all, the application can also be informal in order to meet the deadline.

Rechtsbehelf

- An appeal against the notice of exemption can be lodged within one month (3 months abroad) of its notification.
- If the appeal is unsuccessful, there is the possibility of an action before the social court.

Kurztext

- Exemption from compulsory insurance of the agricultural old-age pension fund granted on the basis of remuneration or non-agricultural income.
- Possibility of exemption in case of regular income of more than twelve times the mini-job limit per year outside agriculture, e.g.:
 - Remuneration
 - Employment income
 - Income in lieu of income
 - or income comparable to this
- Application online, in writing or in person

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	<ul style="list-style-type: none"> • All insured persons of the Landwirtschaftliche Alterskasse are eligible to apply: <ul style="list-style-type: none"> • Farmers, • their spouses and • their family members working with them. • Exemption application no later than 3 months after the start of income receipt. Otherwise, the exemption starts from the date of receipt of the application. • responsible: Social Insurance for Agriculture, Forestry and Horticulture (SVLFG)
Ansprechpunkt	
Zuständige Stelle	
Formulare	<p>Forms available: Yes</p> <p>Written form required: Yes</p> <p>Informal application possible: No</p> <p>Personal appearance required: No</p> <p>Online services available: Yes</p>
Ursprungsportal	<p>Befreiung von der Versicherungspflicht der Landwirtschaftlichen Alterskasse Gewährung aufgrund von Entgeltbezug bzw. außerlandwirtschaftlichen Einkommens, Befreiung von der Versicherungspflicht der Landwirtschaftlichen Alterskasse Gewährung aufgrund von Entgeltbezug bzw. außerlandwirtschaftlichen Einkommens</p>