

Contribution Order

for the **Bundesarbeitgeberverband der Personaldienstleister e. V.**
(**BAP - Federal Employers Association of Staffing Services**)

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§ 1 ORDINARY MEMBERS

1a) Basic contribution

Every ordinary member as defined by § 4 of the articles of association shall owe a basic contribution to the amount of EUR 1,000 per calendar year. This shall fall due on 1 January of the year of contribution and must be transferred by 10 January.

1b) Contribution based on turnover

In addition to the basic contribution, every ordinary member shall owe a contribution per calendar year in respect of the previous year's turnover for the company group (company as defined by § 5, clause 5 of the articles of association*) with services. A turnover for the previous year of up to EUR 2 million shall be covered by the basic contribution pursuant to paragraph 1a). The contribution for turnover for the previous year of EUR 2 million to under EUR 60 million shall amount to 0.53‰ of the previous year's turnover. For previous year turnover which exceeds this amount, the member shall additionally owe a contribution of 0.1% of the previous year turnover. The maximum contribution threshold inclusive of the basic amount pursuant to paragraph 1a) shall rest at EUR 200,000.

When calculating the contribution, the turnovers from the following services must be taken into account: Temporary employment agency, private recruitment agency, human resources consulting, outsourcing, outplacement and other staffing services which compete with one another, most notably services, shall be effected by works contracts.

The contribution based on turnover shall fall due upon issuing the statement.

* § 5, clause 5 of the articles of association states that:

"The following applies under the company group:

- a) in membership of a parent company, this and all affiliated companies which are in possession of 50 percent or more of a member company;
- b) in membership of an affiliated company, this and the parent company, provided that this presents 50 percent or more member shares;
- c) two (or more) members who practice staffing services, provided that they form 50% or more of a partner or company at any one time."

1c) Sales tax

The contributions shall increase to the statutory sales tax at the respective applicable rate.

2. Company groups

Member companies of a company group as defined by § 5, clause 5 of the articles of association which have not combined to form a company group membership as defined by § 5, clause 1 of the articles of association shall pay a single contribution. In the event of this, they shall receive a reduction of 25% of the annual payable contribution upon request in accordance with paragraph 1a) and paragraph 1b). The cumulative contribution for all members of this company group calculated in this way may not be lower than it would be if it had combined to form a company group membership. Should this be the case, each company shall pay a share of the contribution that they would pay in the event of a company group membership, conforming to its percentage share of the previous year turnover for the company group. Should the cumulated single contribution for members of a company group as defined by § 5, clause 5 of the articles of association which have not combined to form a company group membership as defined by § 5, clause 1 of the articles of association, exceed the maximum contribution threshold stated in paragraph 1b), clause 1, sentence 5, each individual member shall thus pay a share of the maximum contribution, conforming to its percentage share in the company group's turnover for the previous year.

3. Notification of turnover

Every ordinary member must disclose the relevant company turnover by 30 April every year to the managing board of the association upon declaring the annual financial statement, with attestation by a tax consultant or certified accountant according to paragraph 1b). Members of a company group who have combined to form a company group membership pursuant to § 5, clause 1 of the articles of association shall announce the turnover for the previous year for individual company group members.

Should the announcement not be made on time or in full, the member shall pay double the previous year's contribution.

In the absence of a previous year contribution, the member shall owe at least three times the basic contribution amount. The managing board of the association may set the additional

contribution higher in the event that the assumption is justified that the turnovers for the company concerned warrant an increased contribution.

In the event of doubting the specified figure, the managing board of the association shall be authorised to have the proper turnover verified by a certified accountant for calculation.

Members of the association as well as the owners of association departments are obligated to keeping the resulting confidential information and business secrets which they acquire knowledge of in carrying out their operations or are specified by the members as confidential top secret and make all necessary provisions to ensure that unauthorised persons do not acquire any knowledge of this information.

4. New members

In the event of a member joining during the calendar year, a twelfth of the basic contribution according to paragraph 1a) and the revenue-related contribution according to paragraph 1b) must be paid per month or part thereof. The relevant company turnover according to paragraph 3 in conjunction with paragraph 1b) must be disclosed to the managing board of the association immediately following entry into the association.

The entire, pro rata basic contribution shall fall due upon entry into the association. The due date for the turnover-based contribution shall comply with paragraph 1b), clause 3.

5. Founders of new businesses

Founders of new businesses shall pay 50% of the basic contribution pursuant to paragraph 1a) in the first year of their membership. Turnover-based contribution shall comply with paragraph 1b).

Starting up a new business shall apply as the acceptance of an independent activity by means of founding a company.

6. Collection

Contributions which are not paid after expiration of the payment period shall be reminded of specifying a new payment period. Those liable to contributions shall be advised in the reminder that in the event of non-payment within the reminder period, recovery for the amounts owed may be started. A flat-rate compensation of costs may be imposed for the reminder which shall cover the costs accrued by the reminder. Should the contribution or a part of a contribution not be paid in due time, the outstanding contribution will accrue interest of 8 percentage points above the base rate from the due date pursuant to § 247 of the BGB (German Civil Code). In the event that the contribution has not been paid despite two reminders, the managing board may declare additional membership inactive, regardless of the ongoing liability to contribution. The right to exclusion pursuant to § 11, clause 3 of the articles of association shall remain unaffected hereof.

7. Abatement, payment by instalments and deferment

Irrevocable outstanding amounts may be settled by the managing board of the association. In justified, individual cases, payment by instalments or deferment may be granted.

§ 2 SUPPORTING MEMBERS

The contribution for supporting members pursuant to § 7 of the articles of association shall be fixed respectively in an admissions process between the supporting member and the executive committee.

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