



## Internships: BAföG, social insurance, minimum wage

What effects does an internship have on my BAföG entitlement? Do I then have to insure myself for social security? Do I get the minimum wage?

The answers to these questions depend on a number of conditions:

First, whether the internship is voluntary or compulsory and at what time (before, during or after your studies) you complete it.

In order to provide orientation and an overview, we have summarised the most important information briefly.

### Requirements for a compulsory internship:

- Compulsory internship is an integrative part of a university education/study program  
→ must be completed before or during university education/study
- Training character ⇔ a general practical professional activity (e.g. student trainee or HiWi job)  
**does not meet** the requirements for a compulsory internship
- Integrated part of university education/study ⇔ a completed education **does not meet** the requirements for a compulsory internship  
→ Weighting (= duration, share of ECTS, qualifications to be acquired, etc.), is the responsibility of the higher education institution
- Framework conditions for content must be defined in the educational regulations of the relevant course (= study regulations)
  - mandatory ⇔ a **recommendation** in the study regulations is **not sufficient**
  - duration of compulsory internship (e.g. eight weeks, three months, one semester, ...)
  - type of internship must be clear
  - functional & content-related connection with the education/study at the university  
→ e.g. learning objectives, regulations on concrete activities & qualifications to be acquired



	<u>Before studies</u>	<u>Compulsory internship while studying</u> e.g. practical semesters, block or part-time internships	<u>After studies</u> e.g. practical training (apprenticeship, lawyers, ...)
<p><b>BAföG</b> (for funding amount for students at universities: <a href="https://bit.ly/2FhKON6">https://bit.ly/2FhKON6</a>)</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> mandatory internship</li> <li><input type="checkbox"/> other BAföG requirements are met</li> <li>→ esp. form 2 (§ 9 BAföG): to be filled in and signed by the internship institution</li> <li>→ proof of necessity &amp; duration of the internship (e.g. via copy of the study regulations or certificate from the university)</li> <li>→ an internship allowance has an effect on the funding amount &amp; there are no tax allowances</li> <li>→ additional costs (e.g. travel expenses) can be claimed</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> mandatory internships</li> <li><input type="checkbox"/> other BAföG requirements are met</li> <li>→ Proof of necessity &amp; duration of the internship (e.g. via copy of the study regulations or certificate from the university)</li> <li>→ an internship allowance has an effect on the funding amount &amp; there are no tax allowances</li> <li>→ the maximum funding period is not extended by the internship, as the internship is an integral part of the study programme</li> <li>→ additional costs (e.g. travel expenses) can be claimed</li> </ul>	<p><b><u>Not an integrative part of a higher education/study programme</u></b> → no obligation to complete an internship in order to obtain a successful degree or university education</p> <p><b>"Exceptions/special cases"</b> (which in truth are not):</p> <ul style="list-style-type: none"> <li>▪ Completion of an internship for state recognition</li> <li>→ no student status <ul style="list-style-type: none"> <li>→ normal professional activity (= employee status)</li> <li>→ <u>compulsory insurance</u></li> </ul> </li> </ul>

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	<u>Before studies</u>	<u>Compulsory internship while studying</u> e.g. practical semesters, block or part-time internships	<u>After studies</u> e.g. practical training (apprenticeship, lawyers, ...)
<b>Social Security: Health &amp; Nursing, Pension and Unemployment Insurance</b>	<p><b>Health and care insurance:</b> <u>if not already insured as a family member</u></p> <p><b>Internship without merit:</b> Compulsorily insured (= fixed contribution rate for students) ↔</p> <p><b>Internship with merit:</b> Compulsorily insured as employee in professional training</p> <p><b>Pension insurance:</b> Insurance is required as an employee in professional training</p> <p><b>Unemployment insurance:</b> Compulsorily insured as an employee in professional training</p>	<p><b>Health and care insurance:</b> Family-insured or compulsory student insurance. (but: the possibility of remaining insured under the family insurance is only provided up to the earnings limit of 415€; 450€ for a mini-job) → Compulsory insurance is not provided to employees due to student status during internship</p> <p><b>Pension insurance:</b> <u>Insurance-free</u> (independent of duration, weekly working hours &amp; remuneration)</p> <p><b>Unemployment insurance:</b> <u>Insurance-free</u> (independent of duration, weekly working hours &amp; remuneration)</p>	
<b>Minimum wage</b>	Compulsory internships are excluded from the minimum wage → no legal entitlement to the minimum wage		

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	<u>Before studies</u> e.g. orientation internship	<u>Voluntary internship while studying</u>	<u>After studies</u>
<p><b>BAföG</b> (for funding amount for students at universities: <a href="https://bit.ly/2FhKON6">https://bit.ly/2FhKON6</a>)</p>	<p><b><u>no</u> entitlement for BAföG</b></p>	<ul style="list-style-type: none"> <li>▪ <b>During the semester break:</b> → Entitlement for BAföG But: There are special regulations for internships abroad as well as for internships that bridge the gap between a students' return to the start of the semester.</li> <li>▪ <b>Part-time during the semester/lecture period:</b> → entitlement for BAföG</li> <li>▪ <b>Full-time during the semester/lecture period:</b> → <u>no</u> entitlement for BAföG</li> <li>▪ <b>during a semester off:</b> → <u>no</u> entitlement for BAföG</li> </ul>	<p><b><u>no</u> entitlement for BAföG</b></p>

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	<u>Before studies</u> e.g. orientational internship	<u>Voluntary internship while studying</u>	<u>After studies</u>
<b>Social Security: Health &amp; Nursing, Pension and Unemployment Insurance</b>	<ul style="list-style-type: none"> <li>▪ <b><u>Less than 450 € earnings:</u></b> <u>Health &amp; care insurance</u> employee: exempt from insurance employer: fixed amount</li> <li>▪ <u>Pension insurance</u> employee: compulsory insurance, but request for exemption possible employer: fixed amount</li> <li>▪ <u>Unemployment insurance</u> exempt from insurance ↔</li> <li>▪ <b><u>over 450 € earnings:</u></b> <u>Health &amp; care insurance</u> employee: compulsory insurance (50%) employer: (50%)</li> <li>▪ <u>Pension insurance</u> employee: compulsory insurance (50%) employer: (50%)</li> <li>▪ <u>Unemployment insurance</u> employee: compulsory insurance (50%) employer: (50%)</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b><u>less than 450 € earnings:</u></b> <u>Health &amp; care insurance</u> employee: exempt from insurance employer: fixed amount</li> <li>▪ <u>Pension insurance</u> employee: compulsory insurance, but request for exemption possible</li> <li>▪ <u>Unemployment insurance</u> exempt from insurance ↔</li> <li>▪ <b><u>over 450 € earnings:</u></b> <u>Health &amp; care insurance</u> employee: compulsory insurance employer: fixed amount</li> <li>▪ <u>Pension insurance</u> employee: compulsory insurance (50%) employer: (50%)</li> <li>▪ <u>Unemployment insurance</u> exempt from insurance</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b><u>less than 450 € earnings:</u></b> <u>Health &amp; care insurance</u> employee: exempt from insurance employer: fixed amount</li> <li>▪ <u>Pension insurance</u> employee: compulsory insurance, but request for exemption possible employer: fixed amount</li> <li>▪ <u>Unemployment insurance</u> exempt from insurance ↔</li> <li>▪ <b><u>over 450 € earnings:</u></b> <u>Health &amp; care insurance</u> employee: compulsory insurance (50%) employer: (50%)</li> <li>▪ <u>Pension insurance</u> employee: compulsory insurance (50%) employer: (50%)</li> <li>▪ <u>Unemployment insurance</u> employee: compulsory insurance (50%) employer: (50%)</li> </ul>



<p><b>Minimum wage</b> (information on current level: <a href="https://bit.ly/33T61XU">https://bit.ly/33T61XU</a>)</p>	<p><b><u>Duration of maximum 3 months:</u></b> No entitlement to minimum wage ↔</p> <p><b><u>Duration of more than 3 months:</u></b> Entitlement of minimum wage</p>	<p><b><u>Duration of maximum 3 months:</u></b> No entitlement of minimum wage ↔</p> <p><b><u>Duration of more than 3 months:</u></b> Entitlement of minimum wage</p>	<p><b><u>Entitlement of minimum wage –</u></b> regardless of the duration of the internship</p>
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