

Issuer: Riigikogu  
Type: act  
In force from: 01.07.2016  
In force until: 31.12.2016  
Translation published: 06.06.2016

## Creative Persons and Artistic Associations Act

Passed 18.11.2004  
RT I 2004, 84, 568  
Entry into force 01.01.2005

Amended by the following acts

Passed	Published	Entry into force
12.10.2005	RT I 2005, 57, 451	18.11.2005
08.03.2006	RT I 2006, 14, 113	06.04.2006
24.01.2007	RT I 2007, 12, 66	01.01.2008
11.12.2008	RT I 2008, 60, 331	01.01.2009
28.01.2009	RT I 2009, 11, 67	01.05.2009
18.06.2009	RT I 2009, 38, 254	18.07.2009
21.10.2009	RT I 2009, 51, 349	15.11.2009
22.04.2010	RT I 2010, 22, 108	01.01.2011, entry into force on the date provided for in the Decision of the Council of the European Union regarding the abrogation of the derogation established in respect of the Republic of Estonia on the grounds provided for in Article 140 (2) of the Treaty on the Functioning of the European Union, Council Decision 2010/416/EU of 13 July 2010 (OJ L 196, 28.07.2010, p. 24 - 26).
09.06.2010	RT I 2010, 41, 240	01.09.2010
18.12.2013	RT I, 10.01.2014, 2	20.01.2014, partially 01.01.2015
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the official titles of the ministers have been replaced on the basis of subsection 107 <sup>3</sup> (4) of the Government of the Republic Act .
19.11.2014	RT I, 13.12.2014, 1	01.01.2016, time of entry into force amended 01.07.2016 [RT I, 17.12.2015, 1]
25.11.2015	RT I, 17.12.2015, 1	20.12.2015

### § 1. Purpose of Act

(1) The purpose of this Act is to support cultural creativity and the preservation and development of fine arts at professional level and to improve conditions necessary for the creative activity of creative persons through artistic associations and to create guarantees therefor.

(2) The provisions of the Administrative Procedure apply to administrative proceedings prescribed in this Act, taking account of the specifications provided for in this Act.

### § 2. Creative person

(1) For the purposes of this Act, a creative person is an author or a performer within the meaning of the Copyright Act who acts in the following artistic field:

- 1) architecture;
- 2) audiovisual arts;
- 3) design;
- 4) performing arts;
- 5) sound arts;
- 6) literature;
- 7) visual arts or
- 8) scenography.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(2) A creative person may be a member of several artistic associations at the same time.  
[RT I 2006, 14, 113 - entry into force 06.04.2006]

### **§ 3. Creative person engaged in liberal profession**

(1) A creative person engaged in a liberal profession is a creative person who is acting in an artistic field specified in subsection 2 (1) of this Act and who is not in civil service or is not employed under an employment contract or any other similar contract under the law of obligations.

(2) A self-employed creative person engaged in a liberal profession may use the attribute “creative person engaged in a liberal profession” in the business name upon entering into the commercial register thereof.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(3) Upon entry into the commercial register a creative person engaged in a liberal profession may use the attribute “a creative person engaged in a liberal profession” in its business name.  
[RT I 2009, 38, 254 - entry into force 18.07.2009]

### **§ 4. Artistic association**

(1) An artistic association is a non-profit association that is recognised pursuant to the procedure provided for in this Act the purpose of which is to promote one artistic field and support the creative activities of creative persons who are members of the artistic association.

(2) Creative persons engaged in one artistic field shall be united and represented by an artistic association. Professional creative associations may be created separately in one artistic field. Up to 40 per cent of the members of the artistic association may belong to the membership of another artistic association recognised in the same artistic field.

(3) An artistic association shall comprise at least 50 natural persons with active legal capacity who have been engaged in creative activities in the corresponding artistic field at least for the last three years and whose works have been published during the period or directed at the general public within the meaning of §§ 9 and 10 of the Copyright Act.

(4) The statutory objective of an artistic association and the profession of the persons acting therein, who are united and represented by the artistic association, may not coincide with the statutory objective and professional field of another artistic association recognised in the same field. The artistic association may not establish regional, ethnic, gender, racial or other restrictions which do not arise from the artistic or professional field.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

### **§ 5. Requirements for artistic association**

[Repealed - RT I, 10.01.2014, 2 – entry into force 20.01.2014]

### **§ 6. Statutes of artistic association**

(1) In addition to that provided for in the Non-profit Associations, the statutes of an artistic association shall set out the following:

[RT I 2006, 14, 113 - entry into force 06.04.2006]

- 1) the date of foundation of the artistic association;
- 2) the artistic field of the artistic association;
- 3) the procedure for the management of the artistic association;
- 4) the procedure according to which there is an obligation to give notification of works which a member of the artistic association has created or performed in the artistic field of the artistic association and to register the works;
- 5) the procedure for the election of members of the committee for the grant of support for creative activity and the rules of procedure of the committee;
- 6) the procedure for the maintenance of records on persons who receive support for creative activity and on support for creative activity;
- 7) the bases of and procedure for the payment of grants for creative persons and other allowances.

(2) The procedures specified in clauses (1) 4)–7) of this section may be confirmed by a separate document pursuant to the statutes.

[RT I 2009, 38, 254 - entry into force 18.07.2009]

### **§ 7. Recognition of non-profit association as artistic association**

(1) Recognition of a non-profit association as an artistic association means a procedure in the course of which the compliance of the non-profit association with the requirements set to an artistic association in this Act is assessed.

(2) The minister responsible for the field shall make by the directive the decision to recognise a non-profit organisation as an artistic association, refuse to recognise or revoke the recognition thereof.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

### **§ 8. Application for recognition**

(1) A non-profit organisation shall submit a written application to the Ministry of Culture to be recognised as an artistic association,  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(2) The application shall contain the following information:

- 1) the name and registry code of the applicant;
- 2) the seat, address and telecommunications numbers of the applicant;
- 3) the artistic field;
- 4) the date of foundation of the non-profit organisation;  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]
- 5) the number of members;  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]
- 6) the list of creative persons who are members;  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]
- 7) the name and signature of the person authorised to represent the applicant.

(3) [Repealed - RT I, 10.01.2014, 2 – entry into force 20.01.2014]

(4) The Ministry of Culture shall have the right to demand additional information on the works and performances created by its members.

### **§ 9. Decision to recognise as artistic association and refusal to recognise**

[Repealed - RT I, 10.01.2014, 2 – entry into force 20.01.2014]

(1) The minister responsible for the field shall make the decision to recognise or refuse to recognise an artistic association within thirty calendar days as of the submission of the application.

(2) The term specified in subsection (1) of this section may be extended by up to two months if additional information is needed to make a decision or the submitted information needs additional verification. The applicant shall be notified in writing about the extension of the term, the reasons therefor and the new term.

(3) The minister responsible for the field shall refuse to recognise as an artistic association if the applicant:

- 1) fails to comply with the requirements provided for in § 4 of this Act or
- 2) the statutes fail to comply with the requirements of § 6 of this Act.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

### **§ 10. Revocation of recognition**

(1) The minister responsible for the field shall revoke the decision to recognise if:

- 1) the artistic association fails to comply with the requirements provided for in § 4 of this Act;  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]
- 2) the term for the elimination of deficiencies has been granted to the artistic association in the course of exercise of administrative supervision pursuant to this Act and the deficiencies have not been eliminated within the designated term and the official conducting administrative supervision makes a proposal for revocation or  
[RT I, 13.03.2014, 4 - entry into force 01.07.2014]
- 3) the minister responsible for the field has refused to allocate support to the artistic association from the state budget for the second time due to a reason provided for in subsections 13 (1) and (1<sup>1</sup>) of this Act.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(2) The decision to revoke recognition shall be sent to the applicant electronically or by post within five working days as of making the decision.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

## **§ 11. Database of artistic associations**

[RT I, 10.01.2014, 2 - entry into force 01.01.2015]

(1) In order to keep account of and exercise supervision over artistic associations the minister responsible for the field shall establish the database of artistic associations.

(2) The statutes of the database of artistic associations shall be established by a regulation of the minister responsible for the field.

(3) The chief processor of the database of artistic associations is the Ministry of Culture. [RT I, 10.01.2014, 2 - entry into force 01.01.2015]

## **§ 12. Support for artistic association**

(1) On the basis of a written application of an artistic association, support shall be allocated to the artistic association from the state budget. The amount of the support per one creative person who is a member of an artistic association shall be per year 21.5 per cent of the average wages per month, which, according to Statistics Estonia, was paid in Estonia during the year preceding the year of submission of the application. The minister responsible for the field shall decide allocation of the support by the directive which sets out the amount of support and the intended purpose of the use.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(1<sup>1</sup>) If one creative person belongs to several artistic associations and he or she has not determined by application to which artistic association the support calculated for him or her is to be paid, the amount of support shall be divided equally between the artistic associations. The creative person shall submit the application determining the artistic association receiving the support to the artistic association that he or she wants to designate as the receiver of the support calculated for him or her. The designated artistic association shall forward the application to the Ministry of Culture together with the application specified in subsection 12 (2) of this Act.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(2) In order to receive support, an artistic association shall submit a written application together with the list of creative persons who are members of the artistic association to the minister responsible for the field by 1 February of the budgetary year preceding the receipt of the support, marking separately on the list the creative persons who are in compliance with the requirements specified in subsection 4 (3) of this Act.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(3) An artistic association shall use support for:

1) the payment of support to creative persons engaged in a liberal profession for creative activity provided for in this Act;  
2) the payment of grants for the creative activities of creative persons and in-service training related thereto;  
3) covering the expenses related to organisation of the performance of obligations specified in clauses 1) and 2) of this subsection but not more than fifteen per cent of the amount of the support allocated from the state budget.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(4) Upon allocation of the support an artistic association and the minister responsible for the field shall enter into a grant agreement for arranging payment and keeping account of the support. The following shall be set out in the grant agreement:

1) the bases and the scope of the financing of the allocated support;  
2) the procedure and the term for the submission of a report on the use of the support allocated.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(4<sup>1</sup>) If there are creative persons among the members of the artistic association who belong to several artistic associations, a list of creative persons belonging to several artistic associations shall be appended to the grant agreement, noting the percentage of the amount calculated for a creative person, which is allocated to a concrete artistic association.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(5) An artistic association may use the support for the payment of grants for the creative activities of creative persons and in-service training related thereto in the year following the year of allocating the support if the support has not been used to the full extent for the payment of support for the creative activities to the creative persons engaged in liberal profession.

(6) An artistic association shall maintain separate records on the use of the support received. A report on the use of support allocated shall be submitted by the term provided for in the grant agreement.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(7) The minister responsible for the field shall have the right to assign five per cent of the amount allocated to artistic associations from the state budget to the reserve for the performance of obligations provided for in subsections 19 (4) and (5) of this Act.

[RT I 2006, 14, 113 - entry into force 06.04.2006]

(8) The format of the application specified in subsection (2) and of the report specified in subsection (6) of this section shall be established by a directive of the minister responsible for the field.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

### **§ 13. Refusal to allocate support**

(1) The minister responsible for the field refuses to allocate support to an artistic association if at least one of the following cases specified occurs:

- 1) the artistic association has not used the previous support for the intended purpose;
  - 2) a liquidation or bankruptcy proceeding has been initiated with regard to the artistic association.
- [RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(1<sup>1</sup>) The minister responsible for the field may refuse to allocate support to an artistic association if at least one of the following cases occurs:

- 1) the artistic association has failed to submit the report specified in subsection 12 (6) of this Act at the prescribed time;  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]
- 2) an artistic association has not submitted the annual report to the commercial register by the term in the year preceding the application;  
[RT I, 10.01.2014, 2 - entry into force 01.01.2015]
- 3) an artistic association has tax arrears as at 15 January of the year of allocating the support, except in the case if the payment of tax arrears is postponed and the payment has been carried out according to the schedule.  
[RT I, 10.01.2014, 2 - entry into force 01.01.2015]

(2) The amount which is not used for its intended purpose by an artistic association shall be returned to the state budget.

(3) If the minister responsible for the field has refused to allocate support due to a reason specified in subsection (1) and (1<sup>1</sup>) of this section, an artistic association shall have the right to apply for the support one year after the refusal.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

### **§ 14. Rights of artistic association**

(1) An artistic association has the right to demand information on created works and performances from creative persons who are members of the artistic association pursuant to the procedure provided for in the statutes or on the basis thereof.

[RT I 2009, 38, 254 - entry into force 18.07.2009]

(2) According to the Copyright Act and the statutes of an artistic association, the artistic association may be a collective management organisation which represents the proprietary and personal copyrights or related rights of its members.

(2) In order to grant support for creative activity, an artistic association has the right to receive information from the Ministry of Culture regarding creative persons engaged in a liberal profession who apply for or receive support for creative activity from other artistic associations.

### **§ 15. Obligations of artistic association**

(1) [Repealed - RT I, 10.01.2014, 2 - entry into force 01.01.2015]

(2) [Repealed - RT I, 10.01.2014, 2 - entry into force 01.01.2015]

(3) [Repealed - RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(4) [Repealed - RT I, 10.01.2014, 2 - entry into force 01.01.2015]

(5) If the decision to recognise an artistic association is revoked pursuant to subsection 10 (1) of this Act or the minister responsible for the field refuses to allocate support to the artistic association due to a reason provided for in subsections 13 (1) and (1<sup>1</sup>) of this Act, the artistic association is required to promptly submit to the Ministry of Culture information about persons who apply for and receive support for creative activity together with copies of the decisions to grant support for creative activity and information regarding support paid by that moment and the copies of other documents which were the basis for the grant of the support.

[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

## **§ 16. Conditions for application of support for creative activity**

(1) A creative person engaged in a liberal profession who does not receive income from his or her creative activity has the right to receive support for creative activity for creative persons engaged in a liberal profession through the artistic association.

(2) A creative person engaged in a liberal profession has the right to receive support for creative activity for creative persons engaged in a liberal profession if he or she meets the following requirements:

- 1) is between the age of sixteen and pensionable age;
- 2) [Repealed – RT I 2009, 38, 254 - entry into force 18.07.2009]
- 3) has not received income under a contract under the law of obligations at least during the month preceding application for the support for creative activity;
- 4) is not enrolled in daytime or full-time study at an educational institution;  
[RT I 2010, 41, 240 - entry into force 01.09.2010]
- 5) does not serve in the Defence Forces or alternative service;
- 6) does not receive a state pension or a pension paid by a foreign state;  
[RT I, 13.12.2014, 1 - entry into force 01.07.2016 (entry into force amended - RT I, 17.12.2015, 1)]
- 7) [Repealed – RT I 2009, 38, 254 - entry into force 18.07.2009]
- 8) does not receive a parental benefit pursuant to the Parental Benefit Act;
- 9) does not receive a work ability allowance in the amount exceeding one half of the support for creative activity specified in subsection 18 (5) of this Act.  
[RT I, 13.12.2014, 1 - entry into force 01.07.2016 (entry into force amended - RT I, 17.12.2015, 1)]

(3) The income received from creative activities does not include the income received from creative activities the amount of which does not exceed one half of the support for creative activities per month specified in subsection 18 (5) of this Act and the non-taxable income specified in subsection 19 (3) of the Income Tax Act.  
[RT I 2009, 38, 254 - entry into force 18.07.2009]

(4) [Repealed - RT I, 10.01.2014, 2 – entry into force 20.01.2014]

## **§ 17. Committee to grant support for creative activity**

(1) An artistic association may form a committee to grant support for creative activity for creative persons, which consists of at least three members of the artistic association who are elected in the general meeting.

(2) A committee specified in subsection (1) of this section shall comprise an official of the Ministry of Culture who is appointed by the minister responsible for the field and represents the state.

(3) If an artistic association has not formed a committee specified in subsection (1) of this section, the functions of the committee shall be performed by the management board of the artistic association which shall involve the official appointed by the minister responsible for the field as a representative of the state.

## **§ 18. Payment of support for creative activity**

(1) In order to receive support for creative activity, a creative person engaged in a liberal profession shall submit a written application to the management board of the artistic association, specifying in the application other artistic associations where he or she is a member. If the person belongs to several artistic associations, he or she shall submit the corresponding application to each artistic association separately. A creative person engaged in a liberal profession may apply for the support only at the artistic associations where the support has been calculated for him or her.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(2) A creative person engaged in a liberal profession who belongs to several artistic associations at the same time and the support calculated for him or her has been divided between several artistic associations on the basis of a reason specified in subsection 13 (1<sup>1</sup>) of this Act, shall be paid support for creative activity in equal parts by these artistic associations.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(3) An artistic association shall decide on the grant of support within forty-five working days as of submission of the application.  
[RT I 2009, 38, 254 - entry into force 18.07.2009]

(4) If support for creative activity is granted, the support shall be paid to a creative person engaged in a liberal profession as of the date of submission of the application.

(5) The amount of support for creative activity paid to a creative person engaged in a liberal profession monthly shall be the minimum wage per month established by the Government of the Republic.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(6) Support for creative activity shall be paid once a month.

(7) A creative person engaged in a liberal profession has the right to receive support for creative activity specified in this section for six months. Upon repeated application for support, at least two years must have passed after the period during which the previous support was paid. The provisions of this subsection also apply if the creative person applies for support from another artistic association and is a member of the artistic association at the same time.

(7<sup>1</sup>) On the basis of the application of a creative person engaged in a liberal profession an artistic association may decide to extend by six months the period for receiving the support for creative activity specified in subsection (7) if at the time of submission of the application a creative person engaged in a liberal profession still complies with the requirements specified in subsection 16 (2) of this Act. The application for the extension of the period for the payment of the support for creative activity shall be submitted at least 30 days before the period of payment of the support for creative activity period ends.  
[RT I 2009, 38, 254 - entry into force 18.07.2009]

(8) [Repealed – RT I 2009, 38, 254 - entry into force 18.07.2009]

(9) If circumstances arise due to which a creative person engaged in a liberal profession to whom support for creative activity is paid does not meet the requirements provided for in § 16 of this Act, the creative person is required to promptly notify the artistic association thereof.

### **§ 19. Specifications for payment of support for creative activity**

(1) A creative person engaged in a liberal profession who does not belong to any artistic association but meets the requirements specified in subsection 16 (2) of this Act and wishes to apply for support for creative activity shall submit a written application to the Ministry of Culture.

(2) The Ministry of Culture shall submit an application for prompt decision-making to an artistic association representing the corresponding artistic field, which shall assess whether a creative person complies with the requirements of this Act and shall grant the support. The artistic association shall make a decision on payment of the support for creative activity within fifteen working days. If there is no artistic association representing the corresponding artistic field, the Ministry of Culture shall designate an artistic association to process the application.

(3) An artistic association shall refuse to pay support if the applicant does not meet the requirements specified in § 3 of this Act or has not been active in the corresponding artistic field for the last three years or his or her works have not been published or directed to the general public within the meaning of §§ 9 and 10 of the Copyright Act during that period.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(4) Support for creative activity which an artistic association has granted pursuant to this section shall be paid by the artistic association out of the funds allocated therefor for specific purposes by the Ministry of Culture. Support for creative activity shall be paid pursuant to the procedure provided for in § 18 of this Act.

(5) If the Ministry of Culture refuses to allocate support to an artistic association due to a reason specified in subsection 13 (1) and (1<sup>1</sup>) of this Act or if the decision to recognise an artistic association is revoked pursuant to § 10 of this Act, the Ministry of Culture shall ensure the payment of support to the creative person engaged in a liberal profession to whom payment of support for creative activity has been commenced by the artistic association or to whom the artistic association has made a decision to grant support.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(6) In the case specified in subsection (5) of this section, the Ministry of Culture shall pay support for creative activity pursuant to the procedure provided for in subsections 18 (3)-(7) of this Act.

(7) The Ministry of Culture has the right to refuse to satisfy the application specified in subsection (1) of this section or satisfy it partially if the funds assigned to the reserve from the support allocated from the state budget to the artistic associations pursuant to this Act have run out for the current financial year or are insufficient to satisfy the application to the full.  
[RT I 2009, 38, 254 - entry into force 18.07.2009]

(8) In the case specified in subsection (7) of this section a creative person engaged in a liberal profession whose application was refused to be satisfied partially or wholly has the right to submit a new application upon allocation of the support from the state budget for the next year if at the time of the submission of the new application he or she complies with the requirements specified in § 16 of this Act.  
[RT I 2009, 38, 254 - entry into force 18.07.2009]

## **§ 20. Termination of payment of support for creative activity**

(1) Payment of support for creative activity shall be terminated if a creative person engaged in a liberal profession has, upon application for the support for creative activity, knowingly submitted false information to an artistic association or the creative person engaged in a liberal profession no longer meets the requirements provided for in § 16 of this Act.

(2) If termination of payment of support for creative activity is based on the knowing submission of false information, the creative person engaged in a liberal profession shall lose the right to apply for support for creative activity for three years.

(3) A creative person engaged in a liberal profession is required to return support for creative activity received as a result of submission of false information.

(4) An artistic association has the right to cancel the payment of the support for creative activity specified in § 18 of this Act if the funds allocated pursuant to subsection 12 (1) of this Act have run out and to refuse to satisfy the new applications.

[RT I 2009, 38, 254 - entry into force 18.07.2009]

(5) In the case specified in subsection (4) of this section a creative person engaged in a liberal profession to whom the payment of support for creative activity has been cancelled or whose application was refused, has the right to submit a new application upon allocation of the support from the state budget for the next year if at the time of submission of the new application he or she complies with the requirements specified in § 16 of this Act.

[RT I 2009, 38, 254 - entry into force 18.07.2009]

## **§ 21. State supervision**

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

(1) The Ministry of Culture shall exercise administrative supervision over the compliance with the requirements provided for in this Act. The minister responsible for the field shall designate an official conducting administrative supervision.

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

(2) Officials conducting administrative supervision have the right to:

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

- 1) demand information and documents from an artistic association regarding works and performances created by creative persons who are members of the artistic association;
- 2) examine documents submitted by a creative person engaged in a liberal profession in order to receive support for creative activity;
- 3) demand the documents which are the basis for preparation of a report submitted on the basis of a contract specified in subsection 12 (4) of this Act.

## **§ 22. Precepts**

(1) In case of a failure to comply with the requirements established by this Act an official conducting administrative supervision may issue a precept to an artistic association.

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

(2) A precept shall contain the following information:

- 1) the name of the artistic association to which the precept is issued;
- 2) information concerning the violation with a reference to the sections of this Act and the requirement to bring the situation into conformity with this Act;
- 3) the reason for issue of the precept;
- 4) the term for compliance with the precept;
- 5) the name and position of the official who prepared the precept, the date of issue of the precept and the signature of the official;
- 6) a notation concerning the possibilities, terms and procedure for the contestation of the precept.

(3) If an artistic association fails to comply with a precept, an official conducting administrative supervision may impose penalty payment pursuant to the Substitutive Enforcement and Penalty Payment Act or make a proposal to the minister responsible for the field for revocation of the recognition of the artistic association pursuant to clause 10 (1) 2) of this Act. The upper limit for a penalty payment is 640 euros. Imposition of the penalty payment does not preclude making of a proposal for revocation of the recognition of the artistic association.

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

## **§ 23. Implementation of Act**

(1) The term for the submission of applications for support for artistic associations provided for in subsection 12 (2) does not apply during the year when this Act enters into force. The term for submission of the specified



applications shall be established by the Ministry of Culture within one month after the entry into force of the Act and the term shall be published on the website of the Ministry of Culture.  
[RT I 2008, 60, 331 - entry into force 01.01.2009]

(2) During the year 2009 a creative person engaged in a liberal profession and registered in the register of taxable persons shall be applied the provisions of § 168<sup>1</sup> of the Taxation Act and § 511<sup>4</sup> of the Commercial Code.  
[RT I 2008, 60, 331 - entry into force 01.01.2009]

(3) The term for submission of the application specified in subsection 12 (1<sup>1</sup>) of this Act for payment of the support for the year 2014 is 1 February 2014.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(4) The term for submission of the application specified in subsection 12 (2) of this Act for receiving the support for the year 2015 is 15 February, 2014.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(5) After introduction of the database specified in § 11 of this Act the data to be added to the application specified in subsection 12 (2) of this Act shall be deemed to have been submitted by making the corresponding entries in the database specified in § 11 of this Act.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

(6) The artistic associations shall bring their activities into compliance with the requirements provided for in § 4 of this Act by 1 July 2014.  
[RT I, 10.01.2014, 2 - entry into force 20.01.2014]

### **§ 23<sup>1</sup>. Partially incapacitated for work**

The pension for incapacity for work paid in the case of partial loss of capacity for work shall not be considered the pension provided for in clause 16 (2) 6) of this Act if its amount does not exceed one half of the support for creative activity specified in subsection 18 (5) of this Act.  
[RT I, 13.12.2014, 1 - entry into force 01.07.2016 (entry into force amended - RT I, 17.12.2015, 1)]

**§ 24.–§ 26.**[Omitted from this text.]

### **§ 27. Entry into force of Act**

This Act enters into force on 1 January 2005.