



Baden-Württemberg

MINISTERIUM FÜR SOZIALES UND INTEGRATION

Information sheet Prostitutes' Protection Law

On 1st July the law regarding the regulation of the prostitution industry and the protection of prostitutes (Prostituiertenschutzgesetz - ProstSchG) came into effect. From now on, it will be mandatory for prostitutes to always carry with them their registration certificate and proof of health consultation when exercising prostitution. Prostitutes also receive many new rights under this law. Those prostitutes who wish to work in the prostitution industry (including brothels, organized prostitution events, vehicles where prostitution is taking place, agencies where prostitution is intermediated etc.) can request from operators their operational concept because from now on, operators in the prostitution industry need to get their business concept officially approved by the authorities. This allows prostitutes to find out whether the business complies with the minimum legal requirements.

This includes, for example, that every room used for sexual services has an emergency call system. In the event of breaches, operators risk being sanctioned, which may also lead to the loss of their business license and severe penalties. Additional information can be found here: <http://sozialministerium.baden-wuerttemberg.de/de/soziales/gegen-gewalt-an-frauen/prostituiertenschutzgesetz/>

The Prostitution Law and the new Prostitution Protection Law applies throughout Germany to all prostitutes, their customers and operators of prostitution businesses. More information about both laws is available at <https://www.bmfsfj.de/bmfsfj/prostitutionsgesetz--prostg-/80770> and <https://www.bmfsfj.de/bmfsfj/prostituiertenschutzgesetz----prostschg-/113880>

Social protection of self-employed and employed prostitutes

Prostitutes can be self-employed or work as an employee. If prostitutes are employed, they have the same rights and obligations as other employees. They are also subject to general labour and occupational health laws (e.g. continuation of payment in case of illness, maternity leave, working times and holiday regulations, notice period, etc.), to which employers must comply. They are also covered by social insurance, which means they are registered for social insurance and they pay health, unemployment, pension, care and accident insurance contribution. Employers are obliged to register their employees with the state social insurance and are also responsible for ensuring that the employee and employer social insurance contributions are paid. Self-employed persons can become a voluntary member in various branches of the social insurance.

Special rules apply, for example, to workers in minor employment (e.g. so called mini jobs or -450 Euro jobs)

Other information concerning social security obligations can be found on the German Pension Insurance website: www.deutsche-rentenversicherung.de. The service telephone is **0800 1000 4800**.

Health insurance

In Germany general health insurance is mandatory.

The head associations of the state and private health insurance funds have issued a leaflet that specifically addresses health insurance for prostitutes in Germany. This information is also available in several languages. The information sheet can be found at:

www.bmfsfj.de/merkblatt-krankenversicherung

Unemployment Insurance

The unemployment insurance system ensures that nobody who loses their job sud-

denly has to cope with having no money.. All employees and apprentices, who are not in minor employment, are compulsorily insured in Germany. Further information can be obtained from the local job centres and from the Federal Agency for Employment at www.arbeitsagentur.de.

Basic insurance for job seekers

Persons seeking work who are not entitled to unemployment benefits and cannot support themselves without help, or employed per-

sons who do not earn enough to support themselves and their dependents may be entitled to claim basic security benefits (also called "Hartz IV") under certain conditions. The local job centers are responsible for this. For more information, please visit the website:

<https://www3.arbeitsagentur.de/web/content/DE/BuergerinnenUndBuerger/Arbeitslosigkeit/Arbeitslosengeld/Detail/index.htm?dfContentId=L6019022DSTBAI485758>

Prostitutes' tax obligations

Prostitutes must pay taxes - regardless of whether they are self-employed or employed. Income from sexual services is subject to income tax (for self-employed persons) or wage tax (for employees). There are several other types of taxes that apply to the prosti-

tutes. For example, self-employed persons pay commercial tax. detailedFor more information, please visit the website of the relevant revenue office

<http://www.fa-baden-wuerttemberg.de/pb/,Lde/Startseite>

Help and support

The prostitute **counselling centres in Baden-Württemberg** are available to anyone in the prostitution industry. All advice provided is free of charge and anonymous. The counselling centres offer comprehensive social counselling for the various life-related issues and provide direct crisis intervention. In addition, they provide other special services and assist in dealing with the public authorities. In Baden-Württemberg there are counselling centres in Stuttgart, Mannheim, Karlsruhe, Freiburg, Kehl, Heilbronn and Ulm.

There are also **counselling centres specializing in the protection and counselling of those affected by human trafficking, exploitation or forced prostitution.**

The homepage against human trafficking in Baden-Württemberg is www.aktiv-gegen-frauenhandel.de . This joint homepage of the specialized counselling centre provides information for potential trafficking victims in 18 different languages and draws attention to the services provided by the counselling centres.

In Baden-Württemberg, there are a large number of regional programs for victims of sexual and domestic violence. Women's Emergency Hotlines and **specialized counselling centres for sexual or domestic violence** provide to women psychosocial and

therapeutic assistance after a violent incident, empowering them to exercise their victims' rights and to overcome current and past (sexualized) violence experiences. The counselling centres services are complemented by a total of **42 women and children protection centres** in Baden-Württemberg.

The homepage of the Ministry of Social Affairs and Integration contains an overview of assistance available to women affected by violence in the Baden-Württemberg region:

<https://sozialministerium.baden-wuerttemberg.de/de/soziales/gegen-gewalt-an-frauen/hilfe-und-unterstuetzung/>.

The **telephone help line 'Violence against Women'** also offers free of charge anonymous consultation throughout Germany in 17 languages on the number **08000 116 016**. <http://www.hilfetelefon.de/>

Counselling and assistance, especially for pregnant women in emergency situations, is provided by the **help line "Pregnant women in need"** on **0800 40 40 020** - also 24/7 and in 17 languages.

<http://www.bafza.de/aufgaben/hilfetelefon-schwangere-in-not.html>