

EQUITY PENSION SCHEME

PROCEDURES IN THEATRE



Administered by

first act
a trading name of **hencilla canworth**



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An Independent Financial Intermediary authorised and regulated by the Financial Conduct Authority (FCA).

We were appointed as Equity's preferred suppliers of insurance and financial services after a rigorous tendering and selection process, which was completed in 1995.

Our design for the [EPS](#) was presented to Equity, along with others and following a further tendering process and independent audit process we were appointed Administrators of the [EPS](#) upon launch in October 1997.



Is the product provider and manages the [EPS](#) investments.

Equity Pension Scheme (EPS)

The EPS is a **Qualifying Workplace Pension Scheme**

Established in October 1997, the EPS is the only pension scheme approved by Equity and is the only arrangement that permits **artists, stage managers and stunt coordinators / performers** to benefit from contract related **manager** contributions.

Type:

A Personal Pension approved under Chapter IV Part XIV Income & Corporation Taxes Act 1988 under the reference SF87/068/1A.

Ownership:

The **member** is the plan holder.

Eligibility for Membership:

All members of Equity are eligible to join as well as, in respect of contract related contributions, **non-members of Equity**.

This applies whether engaged on a **self-employed basis** or via a **limited company**.

Level of Contract Related Contributions

Society of London Theatre – West End @ 06.04.20

Provided that the **member** has notified the **manager** that they are a **member** of the EPS, the **manager** shall contribute an amount equal to 5% of the member's weekly rehearsal or performance wage, up to a maximum of 5% of 1.75 times the minimum weekly performance wage (this is the figure in brackets).

Depending on the Theatre Category the maximum weekly **manager** contribution of:

Category A (1100 + seats)

ASM/Performer	(£728.41)	-	£63.74
e.g. £728.41 x 1.75 = £1274.72 x 5%		=	£63.74
DSM	(£793.41)	-	£69.42
SM/CSM	(£858.41)	-	£75.11

Category B (800 – 1099 seats)

ASM/Performer	(£662.60)	-	£57.98
DSM	(£727.60)	-	£63.67
SM/CSM	(£792.60)	-	£69.35

Category C (up to 799 seats)

ASM/Performer	(£596.21)	-	£52.17
DSM	(£661.21)	-	£57.86
SM/CSM	(£726.21)	-	£63.54

To obtain the **manager** contribution, the **member's** commitment is to contribute 3% of their weekly rehearsal or performance wage, again subject to the above maximum fee.

Continual employment with the same **manager** (not necessarily the same production) increases the **manager** contribution to 7.5% on the 2nd anniversary and 10.0% from the 5th anniversary onwards.

The **member** contribution also increases to 3.75% and 5.0% respectively.

Increases are mandatory for the **manager** but can be treated as discretionary if the **member** chooses not to take the increase.

Level of Contract Related Contributions

UK Theatre – Commercial Sector @ 06.04.20

Provided that the member has notified the manager that they are a member of the EPS, the manager shall contribute an amount equal to 5% of the member's weekly rehearsal or performance wage, up to a maximum of 5% of 1.5 times the relevant basic minimum weekly rehearsal or performance wage (this is the figure in brackets).

TIER A* (1,500 seats +)

Rehearsal

ASM/Performer	(£473.89)	-	£35.54
e.g. £473.89 x 1.5 = £710.84 x 5%		=	£35.54
DSM	(£540.34)	-	£40.53
SM	(£601.64)	-	£45.12
CSM	(£649.03)	-	£48.68

Performance

ASM/Performer	(£507.20)	-	£38.04
DSM	(£634.12)	-	£47.56
SM	(£710.07)	-	£53.26
CSM	(£761.05)	-	£57.08

TIER A (500 – 1,499 seats)

Rehearsal

ASM/Performer	(£468.74)	-	£35.16
DSM	(£534.67)	-	£40.01
SM	(£595.46)	-	£44.66
CSM	(£642.33)	-	£48.17

Performance

ASM/Performer	(£488.99)	-	£36.67
DSM	(£611.24)	-	£45.84
SM	(£684.58)	-	£51.34
CSM	(£733.48)	-	£55.01

Level of Contract Related Contributions (cont)

UK Theatre – Commercial Sector @ 06.04.20

TIER B (250 – 499 seats)

Rehearsal

ASM/Performer	(£442.99)	-	£33.22
DSM	(£504.80)	-	£37.86
SM	(£562.49)	-	£42.19
CSM	(£606.79)	-	£45.51

Performance

ASM/Performer	(£468.18)	-	£35.11
DSM	(£585.23)	-	£43.89
SM	(£655.45)	-	£49.16
CSM	(£702.27)	-	£52.67

TIER C (0 - 249 seats)

Rehearsal

ASM/Performer	(£370.87)	-	£27.82
DSM	(£422.90)	-	£31.72
SM	(£470.80)	-	£35.31
CSM	(£507.89)	-	£38.09

Performance

ASM/Performer	(£374.54)	-	£28.09
DSM	(£468.18)	-	£35.11
SM	(£524.36)	-	£39.33
CSM	(£561.82)	-	£42.14

To obtain the **manager** contribution, the **member's** commitment is to contribute at least 2.5% of their weekly rehearsal or performance wage, again subject to the above maximum.

NOTES

- To qualify for Tier A*, 60% of a tour must be performing in theatres of more than 1,500 seats
- Capacity relates to tickets on sale, not seating capacity of theatre
- 60% relates to the number of performing weeks, not the number of venues in the tour
- Overseas touring venues do not change capacities

Level of Contract Related Contributions

UK Theatre – Subsidised Sector @ 06.04.20

PLEASE NOTE THAT WITH EFFECT FROM 01.10.2018 THE PERCENTAGES PAYABLE INCREASED TO:

MEMBER - 3%
MANAGER - 5%

Provided that the **member** has notified the **manager** that they are a **member** of the EPS, the **manager** shall contribute an amount equal to 5% of the member's weekly rehearsal or performance wage, up to a maximum of 5% of 1.5 times the appropriate Middle-Range Salary Levels.

Current MRSLs are

- £555.50 for Grade 1 theatres
- £489.85 for Grade 2 theatres
- £450.00 for Grade 3 theatres

Grade 1 Max

$£555.50 \times 1.5 = £833.25 \times 5\% = £41.66$

Grade 2 Max

$£489.85 \times 1.5 = £734.78 \times 5\% = £36.74$

Grade 3 Max

$£454.50 \times 1.5 = £681.75 \times 5\% = £34.09$

To obtain the **manager** contribution, the **member's** commitment is to contribute 3% of their weekly rehearsal or performance wage, again subject to the above maximum.

Level of Contract Related Contributions

Independent Theatre Council @ 06.04.20

Ethical Managers

Provided that the **member** has notified the **manager** that they are a **member** of the **EPS**, the **manager** shall contribute an amount equal to 5% of the member's weekly rehearsal or performance wage.

To obtain the **manager** contribution, the **member's** commitment is to contribute 3% of their weekly rehearsal or performance wage.

non-Ethical Managers

Provided that the **member** has notified the **manager** that they are a **member** of the **EPS**, the **manager** shall contribute an amount equal to 3% of the member's weekly rehearsal or performance wage.

To obtain the **manager** contribution, the **member's** commitment is to contribute 5% of their weekly rehearsal or performance wage.

Important Note

The 'pensionable' wage for calculating the above percentages is based on banded earnings as laid down in the current auto-enrolment legislation. This is the wage from £120.00 per week to £962.00 per week. Earnings under and over these amounts can be ignored.

Level of Contract Related Contributions (cont)

The following are to be excluded for the purpose of pension contribution calculation if they are not automatically included in the basic weekly rehearsal or performance wage:

- Understudy responsibilities and performance payments
- Push and Pull
- Overtime
- Bank Holiday Pay
- Swing Payments
- Dance Captain and Assistant Dance Captain responsibilities
- EPK (Electronic Press Kit) payments
- Click Track payments
- Cast Recording payments
- Ad-hoc Television payments

The following are to be **included** for the purpose of pension contribution calculation if they are not automatically included in the basic weekly rehearsal or performance wage but must be treated as a separate entity so as not to breach the weekly cap:

- Holiday Pay

List of West End Theatres by Category

(for guidance only)

Category A Theatres (1100 + seats)	
Adelphi	1500
Aldwych	1198
Apollo Victoria	1832
Barbican	1162
Cambridge	1253
Dominion	2137
Drury Lane	2188
Her Majesty's	1161
London Palladium	2291
Lyceum	2107
Palace	1390
Piccadilly	1200
Price Edward	1625
Prince of Wales	1131
Savoy	1157
Shaftesbury	1405
Victoria Palace	1575

Category B Theatres (800 – 1099 + seats)	
Gielgud	889
Lyric	916
New London	920
Noel Coward	877
Novello	1052
Old Vic	1067
Peacock	1000
Phoenix	1020
Playhouse	800
Queen's	990
TR Haymarket	894

Category C Theatres (799 seats and below)	
Apollo	775
Comedy	795
Criterion	591
Duchess	476
Duke of York's	586
Fortune	432
Garrick	724
New Ambassador's	410
Royal Court	400
St James	312
St Martin's	546
Trafalgar Studio 1	381
Vaudeville	686
Wyndham's	759

Taxation

Producer:

As the **member's** are, in the main, Schedule D for tax purposes, the **manager** pension contribution is effectively treated as an addition to the weekly performance wage.

Therefore, the **manager** pension contribution will be treated as an allowable business expense.

In all cases the **manager** pension contribution must be added to the weekly salary of the **member** before being deducted.

The above also applies to those engaged via a **limited company**.

Member:

The effect is neutral as the **manager** contribution is directed into a Personal Pension, which benefits from tax relief being granted at source.

The claiming of any additional tax relief due to the **member** being a higher rate tax-payer is the responsibility of the **member**.

VAT

As the **manager** contribution forms part of the overall wage for the **member** it is also subject to VAT where a **member** is VAT Registered.

If the **manager** is VAT Registered, the additional VAT might be recovered in the manager's VAT Return.

National Insurance

This changed on 06.04.2014

The HMRC Summary of Responses can be found [HERE](#)

However, the recommendation from First Act is as follows.

Producer:

Producer to interpret or seek independent advice

Member:

Member to interpret or seek independent advice

Joining Procedure

The [member](#) or their representative contacts First Act to request a Membership Pack and unique [EPS Membership Number](#).

The [EPS Membership Number](#) will always be in the format:

P5*****A

The [member's](#) Address, Date of Birth, NI Number and contact telephone number are also noted at this time.

There is no requirement for a [member](#) to make contributions other than when appropriate via the appropriate Contract, however, if they wish to make separate personal contributions unrelated to contracts, they are able to do so.

Non-EPS Members can register [HERE](#)

Form of Engagement – Contract or Addendum

It is the responsibility of the [member](#) to notify the manager that they are a [member](#) of the [EPS](#) and to provide their [EPS Membership Number](#) in the space provided in the contract or addendum (a sample of the addendum follows for reference).

Contracts issued from 1st April 2005 should now have the relevant [EPS](#) clause present. If not, the Addendum to Contract should be used.

Addendum

Equity Pension Scheme - Addendum to standard contract for Theatre Performers / Stage Management – SOLT

Are you already a member of the EPS? YES/NO

If **YES** and you want contributions to be made in respect of your Contract and benefit from the 5% **Manager** sponsored contribution insert **your EPS Membership Number** here: P5.....A.

Your personal contribution of 3% will be added to the **Manager** contribution and remitted to First Act; the Scheme Administrators; for investment in your **EPS**.

The actual amount deducted will depend on your agreed weekly wage.

I authorise the **Manager** to deduct the relevant personal contribution from my wage and remit this to First Act for investment in my **EPS**.

Signed

Name

If **NO**, but you would like to join the **EPS**, or receive more information, please contact **First Act** on 020 8686 5050, e-mail eps@firstact.co.uk or write to us at:

Hencilla Canworth Ltd (First Act),
Simpson House, 6 Cherry Orchard Road, East Croydon. CR9 6AZ

Alternatively you can register online at www.firstact.co.uk

Processing Payments

It is important that the **member's** weekly wage is increased by the **manager** contribution and then this should be shown as a deduction. A further deduction of the **member's** contribution should also be made.

Payment of Premiums Procedure

Contributions should be remitted to First Act on a **monthly basis** commencing as soon as practicable after the deductions have been made from the **member's** salary.

Current, legislation dictates that pension deductions made in one month must be paid across by the **manager** to the **member's** pension provider no later than the 22nd of the month following the deduction.

Any late payments will be monitored and may be reported to the industry regulator, the Financial Conduct Authority (FCA), which has the power to impose fines. In the event of a late payment being received, First Act is duty bound to investigate whether an EPS Member has been disadvantaged in any way by the delay.

This could either be in the form of loss of investment growth or allocation into the wrong tax year.

If it is found to be so, the Production Company will be sent reasons, details and calculations of the compensation due and an invoice for full settlement within seven days of receipt by the Production Company.

Payment of Premiums Procedure (cont)

A schedule, similar to the following, is to accompany the remittance to First Act.

Members Name	Membership Number	Artist Contribution	Contract Contribution	Total Contribution	Period Covered	Production
A B Sample	P5232154A	25.00	50.00	75.00	01.01.00 31.01.00	ABC
C D Sample	P5232155A	20.00	40.00	60.00	01.01.00 31.01.00	ABC
Cheque Total				135.00		

An excel spreadsheet to aid you in the calculation of these figures is available from First Act and can also be found on our website. www.firstact.co.uk

To receive **BACS** details, please e-mail andrew.barker@firstact.co.uk for details and a production company specific payment reference.

Cheques are no longer accepted.

Please also note that we are required by our regulators to conduct a Companies House search on all contributors.

Backdating of Payments - Avoiding Problems

Whilst backdated payments can be accepted into the [EPS](#), we fully understand the problems that can be incurred with regard to their calculation and from when to backdate to.

We therefore recommend that as soon as a full cast and stage management listing is available for a production, it is either faxed or e-mailed to First Act.

Fax [020 8686 5559](tel:02086865559)
E-mail eps@firstact.co.uk

We shall then check the list against our [member](#) records and report our findings back to you if existing [EPS](#) members are found.

The result of this exercise will mean that you can identify and contact all those in the [EPS](#) at outset and remove the possibility of having to consider or authorise back-payments at a later date.

We shall not use the cast lists you send us to encourage joining of the [EPS](#).

CONTACT US

If you have any queries please contact:

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