

RULES GOVERNING THE ADDITIONAL (VOLUNTARY) PENSION SCHEME

(adopted by the Bureau on 12 June 1990,
as amended on 8 July 1993, 12 December 1994, 13 September 1995,
13 November 1995, 17 September 1996, 17 November 1997, 10 March 1999,
20 September 2000, 2 July 2001, 13 May 2002, 5 September 2005, 30 November 2005,
20 November 2008 and 1 April 2009)

PENSION RIGHTS

Article 1 (as amended by Bureau decision of 30 November 2005)

1. Pending the adoption of a single Statute for Members, and irrespective of the pension rights referred to in Annexes I and II, after ceasing to hold office, Members of the European Parliament who have paid voluntary contributions to the pension scheme for at least two years shall be entitled to a pension for life payable from the first day of the calendar month following the date when they reach the age of 63 years⁶⁴.
- 1a. By way of derogation from paragraph 1, Members who leave Parliament at the end of the sixth parliamentary term and who have reached the age of 60 years and former Members who have reached the age of 60 years and who are entitled to a pension may claim their pension rights within three months from the first day of the parliamentary term of the European Parliament beginning in 2009.
2. Members' contributions to the pension scheme are fixed at one third. This contribution shall be 15%⁶⁵ of 40% of the basic salary of a Judge at the Court of Justice of the European Communities.
3. All contributions shall be invested in a pension fund set up by the Quaestors.
4. Members must submit their application to join the additional pension scheme within six months following their election or re-election.

Once that deadline has passed, the date on which membership of the scheme takes effect shall be the first day of the month in which the application is received⁶⁶.
5. The contributions of any Member who leaves office without having paid contributions for at least two years shall be reimbursed plus compound interest at the rate of 3.5% per annum.

⁶⁴ At its meeting of 1 April 2009 the Bureau decided that with effect from the first day of the parliamentary term of the European Parliament beginning in 2009 Members will become eligible for an old-age pension at the age of 63 years, rather than 60 years.

⁶⁵ At its meeting of 30 November 2005 the Bureau decided to increase the overall contribution rate (Members and European Parliament) from 39% to 45% and to set 1 January 2006 as the date for the entry into force of the new provision. The split in contributions between the Member (1/3) and the institution (2/3) remains unchanged.

⁶⁶ Bureau decision of 2 July 2001, which came into force on the same date; see also Article 8 – Transitional provision.

The share paid on Members' behalf by Parliament shall be retained by the fund.

If such Members are re-elected to Parliament, they may apply for the total period of their term of office as Members of Parliament to be taken into account for the calculation of their pension rights, provided that they pay the capital which was reimbursed to them by Parliament, plus compound interest at the rate of 7% per annum.

6. Members who join the voluntary pension scheme and subsequently leave it during their term of office shall be entitled to reimbursement of their contributions paid in during either: (i) their period of office during the current parliamentary term, or (ii) their total period of membership of the scheme. The share paid on their behalf by Parliament shall be retained by the fund.

Former Members of Parliament may at any time prior to receipt of their first pension payment claim reimbursement of their contributions paid in during either: (i) their period of office during the preceding parliamentary term, or (ii) their total period of membership of the scheme.

The share paid on their behalf by Parliament shall be retained by the fund.

7. Payment of the pension shall be suspended in the case of recipients of a pension who are re-elected to Parliament. The pensionable service they acquire by virtue of their further period of office shall be added to the pension rights acquired before re-election. Payment of the pension shall resume as soon as such Members end their term of office at the European Parliament.

CALCULATION OF THE PENSION

Article 2

1. The amount of the pension shall be 3.5% of 40% of the basic salary of a Judge at the Court of Justice of the European Communities for each full year in office plus one-twelfth of that sum for each complete month.
2. The maximum pension shall be 70% (and the minimum pension 10.5%) of 40% of the basic salary of a Judge at the Court of Justice of the European Communities.
3. The pension shall be calculated and paid in euros.

PENSIONS FOR BENEFICIARIES

Article 3 (Where a former Member dies having paid at least two years' contributions) (amended by Bureau decision of 5 September 2005)

1. In the event of the death of a former Member who is in receipt of the pension referred to in Article 1(1) or who has accrued pension rights under this scheme, his or her surviving spouse or surviving stable non-marital partner as defined in Article 1(2)(c) of Annex VII to the Staff Regulations of officials of the European Communities shall receive a survivor's pension equal to 60% of the retirement pension calculated in accordance with Article 2(1).

Each child of a former Member who is dependent within the meaning of Article 2 of Annex VII to the Staff Regulations of officials of the European Communities⁶⁷ shall be entitled to an orphan's pension amounting to 12% of the retirement pension calculated in accordance with Article 2(1).

Where a former Member dies leaving no spouse⁶⁸ entitled to a survivor's pension, the dependent children⁶⁹ within the meaning of Article 2 of Annex VII to the Staff Regulations of officials of the European Communities shall be entitled to an orphan's pension, which shall be twice the amount referred to in the preceding subparagraph.

2. The total amount of these survivor's and orphan's pensions shall not exceed the amount of the pension of the former Member as calculated in accordance with Article 2(1). The maximum total survivor's pensions payable shall be divided, where applicable, between the beneficiaries in accordance with the above percentages.
3. Survivor's and orphan's pensions shall be granted from the first day of the calendar month following the date of death.
4. Entitlement to a survivor's pension shall cease at the end of the calendar month in which the person entitled dies. Moreover, entitlement to an orphan's pension shall cease at the end of the month in which the orphan reaches the age of 18 years. However, entitlement shall be extended while the orphan is receiving educational or vocational training, although not beyond the end of the month in which the orphan reaches the age of 26 years.

The pension shall remain payable to an orphan who is prevented through illness or disability from earning a livelihood.

5. Where a former Member marries and, at the date of marriage, has pension rights accruing to him under these Rules, no entitlement to a survivor's pension⁷⁰ shall arise, save where the marriage⁷¹ precedes the death of the former Member by at least two years⁷² or where there are children⁷³ of the marriage.
6. A widow's⁷⁴ or widower's⁷⁵ entitlement to a survivor's pension shall cease on remarriage⁷⁶. Such a survivor shall then be entitled to immediate payment of a lump sum equal to twice the annual amount of the survivor's pension.

Article 4 (Where a Member dies during his or her term of office at Parliament)

1. Where a Member who has paid contributions for at least two years dies during his/her term of office at Parliament, the spouse⁷⁷ and dependent children⁷⁸ shall receive survivor's and orphan's pensions under the conditions set out in Article 3.

⁶⁷ See the corresponding footnote to Article 21(1) of these Rules.

⁶⁸ See the corresponding footnote to Article 21(1) of these Rules.

⁶⁹ See the corresponding footnote to Article 21(1) of these Rules.

⁷⁰ See the corresponding footnote to Article 21(1) of these Rules.

⁷¹ See the corresponding footnote to Article 21(1) of these Rules.

⁷² See the corresponding footnote to Article 21(1) of these Rules.

⁷³ See the corresponding footnote to Article 21(1) of these Rules.

⁷⁴ See the corresponding footnote to Article 21(1) of these Rules.

⁷⁵ See the corresponding footnote to Article 21(1) of these Rules.

⁷⁶ See the corresponding footnote to Article 21(1) of these Rules.

Where a Member is under 63 years of age⁷⁹ at the time of death, entitlement to the survivor's and orphan's pensions shall be deferred until the first day of the calendar month following that in which the deceased Member would have reached the age of 63⁸⁰.

2. Where a Member who has paid contributions for less than two years dies during his/her term of office at Parliament, the voluntary contributions, plus compound interest at the rate of 3.5% per annum, shall be reimbursed to their spouse⁸¹, children⁸² or successors in title, in accordance with the provisions of the law of succession applicable to the Member.

Article 5 (Transitional provisions)

1. Members or former Members elected prior to the date of entry into force of this decision⁸³ and who have paid contributions for at least three years shall have the option, at the end of their term of office, of paying additional voluntary contributions in order to achieve a maximum of five years' contributions.
2. The rate at which these additional contributions are paid shall be three times the rate laid down in Article 1(2).

The amount of the contributions shall be calculated on the basis of the scale in force when the payment is made.

3. However, Members may not claim payment of the pension until a period of five years has elapsed from the date on which they joined the scheme.
4. In order to qualify for these provisions, Members or former Members must have informed the appropriate service by 29 October 1999 that they wish to pay voluntary contributions in order to reach the former minimum five-year period.

Members or former Members may ask for the amount of the contributions still to be paid to be deducted automatically from their pension pursuant to the former Article 1(5)⁸⁴.

5. Former Article 4⁸⁵ (where a former Member dies having paid less than five years' contributions) shall remain applicable for Members who continue to pay voluntary contributions.

⁷⁷ See the corresponding footnote to Article 21(1) of these Rules.

⁷⁸ See the corresponding footnote to Article 21(1) of these Rules.

⁷⁹ Given that, with effect from the first day of the parliamentary term of the European Parliament beginning in 2009, Members will be entitled to an old-age pension from the age of 63 years, rather than 60 years (see Article 1(1) of this annex), the same change should be made in respect of the survivor's and orphan's pensions.

⁸⁰ See previous footnote.

⁸¹ See the corresponding footnote to Article 21(1) of these Rules.

⁸² See the corresponding footnote to Article 21(1) of these Rules.

⁸³ 10 March 1999.

⁸⁴ I.e. the former Article 1(5) as contained in the 8th edition of these Rules; see PE 133.116/QUAEST./rev.VIII/7-97.

⁸⁵ I.e. the former Article 4 as contained in the 8th edition of these Rules; see PE 133.116/QUAEST./rev.VIII/7-97..

Article 6 (Transitional provision)⁸⁶

By way of derogation from the stipulation laid down in the second paragraph of Article 1(4), Members who submit their application to join the additional pension scheme after the expiry of the six-month deadline following their election or re-election, but before 1 November 2001, shall be entitled to membership backdated to 1 July 2001.

Article 7 (Transitional provision)⁸⁷

1. By way of derogation from the provisions of the second subparagraph of Article 1(4), Members who were in office between 1 January and 14 July 2007 may, before 15 February 2009, submit an application to join the additional (voluntary) pension scheme.
2. The Members referred to in paragraph 1 shall be granted membership backdated to 1 January 2007 or to the date on which their term of office started, whichever is the later.
3. Within one month from the date of notification by Parliament's competent services of the final statement of contributions to be paid, Members shall transfer from their own funds, in a single payment, the amount corresponding to the contributions due. Once that deadline has passed, the application to join the additional (voluntary) pension scheme shall lapse.
4. This article shall also apply to Members whose contributions were reimbursed, pursuant to the first subparagraph of Article 1(5), after 1 January 2007.

⁸⁶ Bureau Decision of 2 July 2001.

⁸⁷ Transitional provision inserted following the Bureau decision of 20 October 2008.