



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 27 November 2013

16941/13

**Interinstitutional File:
2012/0349 (NLE)**

**STAT 46
FIN 846**

NOTE

from: Working Party on the Staff Regulations
to: COREPER (Part 1)

No. Cion prop.: 17360/12 - COM(2012) 755 final

Subject: Proposal for a Council Regulation adjusting, from 1 July 2012, the rate of contribution to the pension scheme of officials and other servants of the European Union
- Outcome of the examination

Delegations will find in Annex the text agreed at the Working Party on the Staff Regulations.

Draft COUNCIL REGULATION
adjusting, from 1 July 2012, the rate of contribution to the pension scheme of officials and
other servants of the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other servants of the European Union laid down by Regulation (EEC, Euratom, ECSC) No 259/68¹, and in particular Article 83a thereof and Annex XII thereto,

¹ OJ L 56, 4.3.1968, p. 1.

Having regard to the proposal from the European Commission,

- 1) In accordance with Article 13 of Annex XII to the Staff Regulations, Eurostat submitted a report on the 2012 actuarial assessment of the pension scheme updating the parameters referred to in that Annex. According to this assessment, the rate of contribution required to maintain actuarial balance of the pension scheme would be 9,9% of basic salary.
- 2) Under Article 2(1) of Annex XII, the adjustment cannot lead to a contribution that is more than one percentage point above or below the valid rate of the previous year (11,6%).
- 3) In the interests of actuarial balance of the pension scheme of officials and other servants of the European Union and taking into account the 2011 and 2012 actuarial assessments, the Council considers that the rate of contribution should be adjusted to 10,6 % of the basic salary.
- 4) However, in the light of recent and future judgments in the cases on the 2011 and 2012 adjustment of salaries and pensions and the case on the 2011 adjustment of the rate of contribution to the pension scheme, the result of this adjustment may be subject to change. The implementation of these judgments may have an impact on the calculation of the rate of contribution for the years 2012 and 2013 and thus require the Council to re-adjust the said rate of contribution with retroactive effect. Where applicable, this may lead to a recovery of sums overpaid from staff,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 2012, the rate of the contribution referred to in Article 83(2) of the Staff Regulations shall be 10,6 %.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President
