# Supplementary pension rights: safeguard for employed and self-employed persons moving within the Union

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OBJECTIVE: to eliminate certain obstacles to the cross-border mobility of workers in the field of supplementary pension schemes. CONTENT: the objective of the proposed Directive is to ensure that there is adequate protection of the individual rights, whether acquired or in the process of being acquired, of persons who are members of both voluntary and compulsory supplementary pension schemes and who are moving from one Member State to another within the European Union, with the exception of schemes already covered by Regulation 1408/71/EEC. As far as the individual is concerned, the Directive includes all members of supplementary pension schemes who have acquired rights, or who are in the process of acquiring rights, in one or more Member States, as well as family members and survivors. The proposal defines what is to be understood by supplementary pension scheme : any occupational pension scheme or other collective system having the same objective, such as a group insurance agreement, a dividend scheme, a capitalisation scheme or a pension commitment guaranteed by reserves held by the company concerned and intended to serve as a supplementary pension for employed or self-employed workers. The main measures put in place by the proposed Directive are as follows: 1) retention of vested pension rights : any worker who ceases to pay the affiliation to a supplementary pension scheme when transferring to an employer who is established in a different Member State shall not lose rights which have already been acquired under this scheme provided that these rights would have been protected if the worker concerned had transferred to an employer who is established in the same Member State; 2) guaranteed cross-border payments : the Member States shall ensure that agencies, enterprises etc. in charge of supplementary pension schemes make full payment to members of such schemes, and other beneficiaries, residing in other Member States, of all benefits due to them under such schemes; 3) posted workers: workers who are posted to another country will be able to continue making contributions to a supplementary pension scheme established in the Member State of origin, under conditions similar to those which apply to the social security and pension schemes for posted workers (Regulation 1408/71/EEC). In addition, the host country shall reserve for these contributions the same financial treatment as that granted to contributions paid to supplementary schemes approved in its own territory; 4) information : managers of supplementary pension schemes shall provide information to scheme members on pension rights and choices available to them when they move abroad.