

Bulletin

Information bulletin for members of the Association

December 2018 / January 2019

SEPS secretariat can be reached

by telephone: +32 475 472 470

Please leave a message if you have no answer

or by internet: info@sfpe-seps.be

Version française au verso

10.01.2019
NM/49/1821 EN

SEPS Administrative Board

President	Serge Crutzen
Vice-president	Brigitte Pretzenbacher (active staff)
Vice-president	Hendrik Smets (legal affairs)
Vice-president	Philippe Bioul (health)
Luxemburg section	Jean-Louis Cougnon
Treasurer and Members management	Marc Maes
Secretary	Nicole Caby
Members:	Pierre-Philippe Bacri ; Monique Breton; Giustina Canu; Jean-Marie Cousin; Patrizia De Palma; GinaDricot; Helen James; Annie Lovinfosse; Antonio Pinto Ferreira; Rosalyn Tanguy.

Bulletin editorial team

Nicole Caby; Serge Crutzen; Annie Lovinfosse; Brigitte Pretzenbacher; Hendrik Smets; Yasmin Soezen; Rosalyn Tanguy

***Most of the articles of the Bulletin were written in French.
Translations are mainly from Yasmin Sözen***

Membership fees : in 2019, they will have to be paid in January

and not anymore at the anniversary date of your registration to SEPS/SFPE

See next page !

Annual fees : €30

IBAN: BE 37 3630 5079 7728

BIC: BBRUBEBB

Changes of address

Many members forget to inform us of their change of postal address.
A telephone call to +32 (0)2 475 472 470, or e-mail or note to our secretariat
would avoid several weeks' gap in receiving news.

SEPS/SFPE, 175 rue de la Loi, bureau JL 02 40 CG39, BE-1048 Bruxelles
105, avenue des Nerviens, bureau N105 00/010, BE-1049 Bruxelles
Tel : **+32 475 472470** ASBL N°: 806 839 565
Email : info@sfpe-seps.be Web : www.sfpe-seps.be

Membership fees : €30

Decision of the Administrative Board is to request membership fees be paid in January, taking account of the following:

- The membership fee for who-ever joins between 1 January and 30 June of any year will be valid for that year only¹.
- The membership fee for who-ever joins SEPS-SFPE after 1 July of any year is valid for the remainder of that year **and** for the following 12 months.²

The Administrative Board has fixed the dates of 30 June and 1 July as pivotal days.

Example:

- ✓ Who registered who registered in September 2018 has no fee to pay until January 2020.
- ✓ Who registered in May 2018 has to pay the membership fee in January 2019.

The request for payment of membership fees is sent as a separate letter together with the present December / January Bulletin.

This letter, in the envelope of the Bulletin, is printed on coloured paper so that it does not disappear unnoticed in the envelope.

**Transfer of the membership fee should be made on the SEPS/SFPE account:
30 € IBAN: BE 37 3630 5079 7728 BIC: BBRUBEBB**

¹ The membership fee for who-ever joins before 30 June of year "X" will be valid for that year only. He has to pay for the second membership fee in January of year "X+1"

² The membership fee for who-ever joins SEPS-SFPE after 30 June of year "X" is valid for the remainder of that year and for the following 12 months. He will be asked for the second membership fee in January of year "X+2".

General Data Protection Regulations (GDPR).

Dear Member

We take the protection of personal information very seriously and we commit ourselves to respect the General Regulation on the Protection of Data (GRPD).

Our contact information is used exclusively to ensure our responsibility towards you, as a member, for frank and transparent information on the activities of the Association and the decisions taken by the Administrative Board.

The information you have confided to us is used entirely for internal purposes; it is not made available to third parties (PMO, DG HR, ...) without your express permission.

The Association commits itself to protect this information against any form of dissemination and not to make it available to anyone, except where obliged to under the law or when undertaking an act at your request, within the limits of the social objectives of the Association.

Of course, you can access, rectify or delete this information at any time. You may object to the use of your information and have the right to withdraw your consent at any time by sending us an e-mail or a request by post.

Serge Crutzen
For the SEPS/SFPE Management

Information Meeting

*Location :Au Repos des Chasseurs***

Avenue Charle-Albert, 11 1170 Bruxelles (Boitsfort) +32(0)26604672

Tuesday 7 March 2019 2018 10:30 a.m. to 4:30 p.m.

On the basis of the traditional programme, from 10h30 to 16h30

- ✓ Information about SEPS/SFPE
- ✓ Congenial lunch
- ✓ Health Insurance – Pensions – Participation of PMO
- ✓ Problems encountered by members
- ✓ Questions

Do not forget to contact the Secretariat

- ✓ **To make a reservation for lunch and choose your lunch**
- ✓ **To indicate the number of persons who are accompanying you**

Financial contribution: €35 per person

Payment should ideally be made to the ING account of SEPS

IBAN: BE37 3630 5079 7728 BIC: BBRUBEBB

(Participants can also pay on the spot, well before 10h30, please)

Table of Contents

	Page
I. Letter of the editor	4
II. Salary adjustments end December 2018	6
III. General Assembly of 6 December 2018	9
IV. JSIS – revision of the General Implementation Provisions	13
V. Evolution of the pension scheme	15
VI. Election of the Commission’s Staff Committee in Brussels	16
VII. Negative ruling by the European Court of Justice on the salary adaptations of 2011 and 2012	17
VIII. Did you contribute more than 70% or did you transfer your pension rights without increasing your pension ?	18
IX. In Memoriam – Ludwig Schubert	19
X. Important Information (Reminders)	
1. How to contact PMO services	20
2. Travel assistance insurance	21
3. New form for dental care	21
XI. Annexes	
1. Preventive health programmes	21
2. In memoriam	21
3. Available documents	23
4. Membership form and payment form for membership fees	25

I. Letter from the Editor

The SEPS/SFPE Administrative Board sends you all best wishes for the New Year. The dearest wish we can expreef, beyond that of continued good health, is the preservation and even the improvement of our social security: pensions and health insurance systems.

Our Pensions scheme (PSEO) has been preserved in its principles and for the most part in its application modalities since the creation of the Staff Regulations, despite modifications imposed by the 2004 and 2014 revisions to the Staff Regulations. Whoever can obtain a full pension leaves with a pension representing 70% of his/her last salary. This amount is adjusted each year thanks to the Method, which is now automatic: the Method adjusts pensions to take account of changes in the purchasing power of the civil servants of the Member States, as well as of local inflation. Pensions are not subject to the crisis levy.

Unfortunately, for several years now, the staff union Generation 2004, is challenging this system. The pension scheme is now not only envied from the outside, but is now also heavily criticised from the inside.

However, this pension system is well established and has until now benefited from the respect of the Court of Justice relative to acquired rights and the principle of legitimate expectations.

These fundamental principles have protected the pensions of existing staff from the potential desire of the Member States for brutal and unilateral re-evaluation.

The pensions system of the staff and other agents of the European Institutions is an actuarial scheme, which by definition is balanced. It is financed by the salary contributions (10% of salaries) and by employer contributions (both 'taken up' by the Community budget) which feeds the notional pension fund³, in other words virtual, but guaranteed by Article 83 of the Staff Regulations: debt of the Member States, moreover recognised by the United Kingdom during the BREXIT negotiations. These contributions are adjusted every year.

We are therefore dealing with a system based on a pension fund and not a system of redistribution. Pensions are a deferred salary. The PSEO forms part of the budgetary heading 'Administration' within the Multi-annual Financial Framework (MFF-CFP). It is therefore wrong to say that the new Member States are paying the pensions of the retirees of the initial Member States, where the young staff members are paying for the retired staff members. The new colleagues begin to finance their future retirement benefits from their salaries. Retirees receive their pensions on the basis of the sums accumulated by them during their working life.

The Community budget has thus benefited from major budgetary savings since 1962 (several tens of billion Euros) even as the annual weight of pensions is steadily increasing; it will reach €2.4 billion by 2040.

In its draft proposal for the Financial Framework for 2021-2027 (MFF – Chapter VII – Note n° 18) the Commission proposes to reflect on the feasibility of a real pension fund, an approach that she has so far rejected. The traditional staff unions and the pensioners associations are opposed to this as the staff would need to fear the fluctuations of financial markets⁴. This is a very real fear, as numerous other pension funds of this type have in the last decades seen their value melt away in financial crises and investment blunders.

II. Salary adjustments end December 2018⁵

As reported in the October SEPS Bulletin, the October meeting of the TGR (Technical Group on Remunerations) considered and discussed the information submitted by Eurostat to the Commission concerning:

- End of year salary adjustment in accordance with the automatic method
- The correction coefficients
- The contribution of active staff members to the pension scheme

Results of the application of the automatic method

The salary index resulting from the declarations of the Member States, the GSI⁶, is 99.6 (thus, - 0.4%).

³ This fund exists since the entry into force of the EEC Staff Regulations on 01/01/1962

⁴ Cf Chapter V below, page 16

⁵ Re: Eurostat Remuneration Report 2018 v8F. Commission staff working paper 31.12.2018.

⁶ Global Salary Index, resulting from the average of the Salary Indexes of the Member States
SEPS/SFPE

Inflation in Brussels and Luxemburg, JBLI⁷, is 102.1 (+2.1%)

The salary adaptation is therefore +1.7% to maintain the equivalence between the evolution of European salaries and that of the Member States.

$$(99.6 \times 102.1/100) - 100 = 1.6996, \text{ namely } 1.7\%$$

For places other than Brussels or Luxemburg, it is necessary to take account of the correction coefficients and the monetary parity for countries outside of the Euro zone.

Since the global specific indicator is less than 2% (-0.4%), the moderation clause⁸ does not apply.

The evolution of GDP is not negative. Therefore, the exception clause⁹ does not apply.

The adjustment of 1.7% has therefore been applied to salaries and pensions in December 2018 with retroactive effect from 1 July 2018.

Remarks

1. This 1.7% is not a gift but a simple catching up with what we have lost since July 2018!
2. The data provided by the Member States is not always complete, but Eurostat is satisfied with what it has received. One of the difficulties is to understand the definition of civil servant in each Member State. The staff concerned is therefore not entirely homogeneous from one Member State to another. The differences in the evolution of national salaries from -0.39 (France) to +0.32% (Italy) provide the average of -0.4.

New correction coefficients

The detailed calculation of the correction coefficients (CC) is given in the report under reference 1 (available on request). This report also gives the correction coefficients for countries outside the EU. Hereunder the CC for the countries of the EU (CC of 2018/2019 to be compared to those of 2017/2018) (Cf following page)

A few arguments have a significant importance:

- Rental rates: average increase in the Member States: +0.6% (from -0.9 to +2.8%)
- Education: average increase in the MS: +0.9% (from -0.2 to +3.7%)
- Health: average increase in the MS: +0.5% (from -0.3 to +1.3%)

For the coefficients pertaining to pensioners, the statistic relative to rents is important because these are no longer the rents of the capital cities.

Question:

What will happen to the correction coefficients after BREXIT? It is too early to say, but it is likely that what is given above reflects the reality.

Since the United Kingdom will leave Article 65, it will no longer form part of the sample of MS retained for calculating the salary adjustments.

⁷ Joint Brussels-Luxemburg Index – cost of living, based on 20% for Luxemburg, 80% for Brussels

⁸ Delay in the application of a part of the adjustment until April 2019 – this does not apply here.

⁹ Delay in the the application or no application if the GDP is negative.

The Correction Coefficient of the United Kingdom will become a coefficient for an outside-EU country and its calculation will differ. It will no longer take account of rents and it is likely to diminish.

Correction coefficients for salaries and pensions.							
Correction coefficient			Correction coefficient			Exchange rate	
Country / Town	SALARIES		Country/Town	PENSIONS/Transferts		2017/2018	2018/2019
	2017/2018	2018/2019		2017/2018	2018/2019		
BG Sofia	53,4	55,2	Bulgaria	51,7(100)	53,4(100)	1,956	1,956
CZ Prague	78,3	83,0	Czech Rep.	71,9(100)	72,2(100)	26,300	26,000
DK Copenhagen	133,9	131,9	Denmark	136,2	134,7	7,437	7,451
DE Berlin	97,5	99,3	Germany	100(100)	100,4(100)	1,000	1,000
Bonn	93,9	95,6				1,000	1,000
Karlsruhe	94,6	96,7				1,000	1,000
Munich	107,5	110,0				1,000	1,000
EE Tallinn	80,3	82,2	Estonia	82,4(100)	84,1(100)	1,000	1,000
IE Dublin	119,8	117,7	Ireland	124	119,4	1,000	1,000
EL Athens	79,9	81,8	Greece	79,6(100)	79,4(100)	1,000	1,000
ES Madrid	88,7	91,7	Spain	89,4(100)	90,6(100)	1,000	1,000
FR Paris	114,8	116,7	France	108,6	108,9	1,000	1,000
HR Zagreb	74,9	76,4	Croatia	67,5(100)	68,0(100)	7,451	7,382
IT Rome	97,3	96,5	Italy	99,1(100)	95,4(100)	1,000	1,000
Varese	90,9	90,9				1,000	1,000
CY Nicosia	74,4	77,9	Cyprus	79,4(100)	82,0(100)	1,000	1,000
LV Riga	74,9	77,6	Latvia	69,8(100)	70,4(100)	1,000	1,000
LT Vilnius	74,3	73,6	Lithuania	68,3(100)	66,3(100)	1,000	1,000
HU Budapest	74,5	71,9	Hungary	63,1(100)	60,7(100)	310,100	328,100
MT Valletta	86,5	90,2	Malta	89,1(100)	92,7(100)	1,000	1,000
NL The Hague	108,3	109,9	Netherlands	109,6	108,7	1,000	1,000
AT Vienna	106,3	106,3	Austria	108,7	107,7	1,000	1,000
PL Warsaw	70,6	68,6	Poland	60,7(100)	58,2(100)	4,249	4,363
PT Lisbon	82,4	85,7	Portugal	82,9(100)	85,5(100)	1,000	1,000
RO Bucharest	63,9	64,0	Romania	56,6(100)	54,8(100)	4,574	4,658
SI Ljubljana	81,5	84,6	Slovenia	78,7(100)	81,9(100)	1,000	1,000
SK Bratislava	77,3	78,5	Slovakia	69,0(100)	68,3(100)	1,000	1,000
FI Helsinki	119,9	118,5	Finland	120,6	118,3	1,000	1,000
SE Stockholm	127,9	122,0	Sweden	119	110,9	9,722	10,419
UK London	133,5	134,7	UK	120,3	122,3	0,880	0.8852
Culham	100,5	102,6				0,880	0.8852

For pensioners, the correction coefficient will no longer be applied. (It will become 100 instead of 122!)

If these hypotheses become reality, it is impossible to say when they may become applicable.

Note:

A study undertaken by DG HR on the attractiveness of the European Civil Service should be published soon.

It will serve as counter attack to demonstrate that the employment conditions/pensions/... have already been pared down a maximum through the 2004 and 2014 reforms and that the geographic imbalance will become untenable if it were to be decided to continue reducing the material benefits...

Contribution of active staff to the pension fund

The contribution which active staff will have to make to the pension fund will rise from 9.8% to 10.00% with effect from 1 July 2018¹⁰. Some details were provided in the October 2018 Bulletin.

Changes to the interest rates for the actuarial calculations of the PSEO

The rate has gone from 3.1 to 2.9%.

It is difficult to understand in which fashion this change may influence the transfer of pension rights!

Five-year report on the application of the automatic method

A report on the application of the automatic method for the years 2014, 15, 16, 17 and 18 will be undertaken soon.

The TGR has asked to review it before it is passed on to the Council.

III. Summary of the General Assembly of 6 December 2018

1. Proposed budget for 2019

On 27 November 2018 the final account was positive: more than €8,000 (Brussels + Luxemburg accounts) (without taking account of the reserve of €50,000)

The financial situation will only be established on 31 December 2018 and will be examined by the account auditors and by the Administrative Board in February or March 2019 to be presented to the General Assembly of May/June 2019.

Budget 2019: By analogy with the ordinary budget of 2018 and considering the expenditure of 2018, the ordinary budget proposed for 2019 is as follows:

¹⁰ Report on the 2018 actuarial assessment of the Pension Scheme for European Officials (PSEO) – Doc 20180626 Art83_07 available on request

a. Ordinary Budget

Income (€)	2018 Budget 28.06.2018	Budget 2019 proposition
Total income	32,730.00	33,000.00
Expenses (€)	2018 Budget	2019 Budget
Administration	7.400,00	6.700,00
Equipment	4.000,00	5.000,00
Actions SEPS-SFPE	18.950,00	20.150,00
Total Expenses	30.350,00	31.850,00
Balance / Reserve	2.380,00	1.150,00

b. Extraordinary Budget

Legal expenses		5.000 €
----------------	--	---------

To be taken from the reserve.

The Assembly approved the proposed budget for 2019.

2. Membership fees: Decision for payment to occur in January

The proposal adopted by the Administrative Board of 28 February 2018 is to request membership fees be paid in January, taking account of the following:

- The membership fee for who-ever joins between 1 January and 30 June of any year will be valid for that year only.
- The membership fee for who-ever joins SEPS-SFPE after 1 July of any year is valid for the remainder of that year **and** for the following 12 months (i.e. up to 18 months total)

The Administrative Board has fixed the dates of 30 June and 1 July as pivotal days.

The request for payment of membership fees will be sent as a separate letter together with the January 2019 Bulletin. This letter, in the envelope of the Bulletin, will be printed on coloured paper so that it does not disappear unnoticed in the envelope.

The Administrative Board has approved this new regulation concerning membership fee payments.

3. Death and nomination of new effective members

Several effective members have died since June 2017.

The Administrative Board considers that a minimum of 40 effective members is necessary to govern the Association. A call for volunteers, launched in 2017 for this purpose, is herewith repeated:

Effective members decide on the guiding principles for the running of SEPS. They are the official electors for everything that concerns the statutory and budgetary affairs of the Association.

Article 7 – Category of Members

Effective members are founding members, honorary members, members of the Administrative Board, and members nominated as effective members by the General Assembly on proposal from the Administrative Board.

Effective members commit themselves to participate at General Assemblies (or to provide a proxy vote) and in written procedures.

They declare an interest in the management of the Association....

In order to better represent the diversity of our membership, a greater number of effective members would be desirable. Currently, there remain only 35 effective members. Whoever is willing and able to devote a few hours a year to the General Assemblies is invited to contact the secretariat.

The commitment of effective members is therefore simple and limited: monitoring the life of SEPS so as to be able to vote knowing the issues; participation at the general assemblies or provide a proxy vote to another effective member attending these meetings.

During the meeting the following members were nominated to become effective members: Jean-Pierre Sabsoub, Nadine Forment, Jacques Delincé, Jean-Marie Cousin, Jean-Louis Collin, Pinuccia Cordia, Fernando Fatti, and Zelinda Santos-Fonseca.

Note: Jean-Marie Cousin was invited by Gina Dricot, during the meeting, to become a member of the Administrative Board. He is welcome and co-opted. His nomination will become official at the next Administrative Board meeting, but is confirmed by the present General Assembly.

4. Obligatory declarations to the Ministry of Finance

Resulting from the UBO – Ultimate Beneficial Owner – law of 18 September 2017, designed to prevent money laundering and the financing of terrorism and limiting the use of cash, all the members of the Administrative Board are obliged to provide general information about themselves for the new register of effective beneficiaries.

The information which is necessary for each member of the Administrative Board is as follows:

Name, first name; date of birth; nationality(ies); complete residential address; date of nomination, national registration number, category of effective beneficiary (administrator).

Any modification to the Administrative Board needs to be communicated within the month.

In principle, the secretariat has all this information but it needs to be up-to-dated whenever there is a change.

The information needs to be provided via an electronic website of the Ministry by an administrator nominated and registered as manager.

SEPS/SFPE hopes to be able to confer this often fastidious task to a service provider in the same way as for the declaration of incomes. Agreement of the Administrative Board and the General Assembly obtained.

5. SEPS/SFPE antenna in Luxemburg

A call for candidates was launched (Annex 1) to create a support/management group “SEPS/SFPE Luxemburg”.

Reminder: We have an office and a bank account in Luxemburg.

6. Agreement with the unions for close collaboration and a “joint-affiliation”

A collaboration agreement has been secured with FFPE CE, the FFPE EU Council, and Save Europe. An in principle agreement with R&D has been obtained, but discussions need to continue (after the elections for the Local Staff Committee at the Commission) for signature with R&D global or EC only and for the participation of SEPS/SFPE in the Alliance. Depending on the type of participation in the Alliance, discussions will need to be undertaken with the staff unions in Luxemburg.

SEPS/SFPE will retain its total autonomy and is as independent of the staff unions as of the Institutions.

On the basis of this collaboration, SEPS/SFPE is regularly invited to the social dialogue meetings.

Following these discussions, it appears that the moment has come to renew contact with Commissioner Oettinger to ask him to give effective consideration to the population of 25,000 pensioners.

7. Relations with Afiliatys

As from 1 January 2019 SEPS/SFPE will no longer lead Afiliatys’ insurance group.

Serge Crutzen terminates his ‘insurance’ activities within the ASBL Afiliatys. This activity has become a veritable insurance broker’s function. It will probably be assured by a new help desk offered by Allianz Care¹¹ from early 2019, in connection with the new framework contract ‘Hospi Safe’ in the process of being finalised between Afiliatys and Allianz Care.

The President of SEPS/SFPE remains nonetheless an administrator of Afiliatys.

Collaboration with Afiliatys has thus become a little “lighter”. Contact continues for specific and limited activities, such as advice or expertise in certain areas and support for certain charitable activities such as St Nicholas.

8. Duty stations

¹¹ Allianz Care is the ‘Health’ branch of Allianz Partners
SEPS/SFPE

Duty stations are assured by 7 persons and cover Tuesdays and Thursdays.

Tuesday: Patrizia De Palma, Giustina Canu

Thursday: Helen James, Nadine Froment

Where necessary: Filomena Paolone, Anna Giovanelli, Nicoletta Flessati

Telephonic assistance (7 days/week) assured by 4 persons:

Serge Crutzen, Nadine Froment, Helen James, Brigitte Pretzenbacher

It would be desirable to find a few more volunteers to strengthen these services and enable them to be available also during the holiday periods.

A new call was made during the meeting producing an immediate response from Pinuccia Corda, for help on the telephone.

The call for volunteers remains open.

9. Seminars to prepare for retirement

Pre-retirement seminars and midday conferences for 2019 will require:

- 24 presentations on SEPS/SFPE (12 in FR, 12 in EN)
- 30 presentations on complementary health insurances in general (FR, EN, Brux, Lux, Ispra) and replies to questions (which implies continuous up-dating of knowledge)

DG HR would like this activity to be “neutral” and not carry the label “SEPS/SFPE”. It is however necessary to share this task between several members of SEPS/SFPE. A call for volunteers did not achieve much (2 persons) and training is difficult to organise and maintain. More volunteers are needed.

A new call for volunteers was launched on 6 December and an afternoon of intensive training will be organised at N105 for these two subjects: SEPS and the insurances in general. This call again focuses on effective members. The proposed dates are 24 January and 7 February at 14h00 at Nerviens 105.

Discussions on the insurances Hospi Safe (Afilatys) and Gros Risques (AIACE) have demonstrated how ‘complicated’ the subject of these complementary health insurances is to explain.

IV. JSIS – Revision of the General Implementation Provisions (GIP) of 2007

The June 2018 Bulletin noted that during its last plenary meeting the CGAM had decided, in principle, to revise certain provisions of the GIP.

A working group was set up¹² to set the priorities and the timetable; the CGAM should set up the sub-groups to examine the various chapters fairly soon.

Preventive Health Care

Reminder:

A letter from a member of SEPS (November 2016) concerning the current programmes deplored the weakness of these programmes:

“...the programme has eliminated medical examinations which, for the most part, are vital, especially when one is a pensioner, therefore older, more fragile and susceptible to increased needs. The screening for the three most frequent types of cancer has been completely eliminated.”

Discussions within CGAM have led to a proposal from PMO, which is summarised below, on the basis of a note from Bruno Fetelian, Head of Unit PMO3:

Population concerned

It is essential to offer to the non-active population, which no longer has access to the annual preventive medical examination, a screening programme which is adapted to their situation.

The screening is intended for all beneficiaries of the JSIS (Joint Sickness Insurance Scheme). It is intended, as its name indicates, for the early and systematic identification of certain illnesses through a standardised programme, 100% reimbursable.

Objective:

The objective is to identify at an early stage the following illnesses:

- Breast cancer, cancer of the uterus, the colon and the prostate
- Heart diseases
- Diabetes
- Chronic Hepatitis B and C and sexually transmitted diseases
- Glaucoma

The various tiers of the programme, detailed in Annex, are proposed as a function of the beneficiary's age and sex. They are based on the most recent studies pertaining to screening¹³, which enable a choice to be made about examinations that are recommended or not:

The importance of the family doctor¹⁴

¹² The working group consists of:

Sybre Sigelsma and Antonio Lacerda (President and Vice-President of the CGAM)

From the administration:

M. Fddersen (EMA), Massimo Babich (Commission), Mrs Tajedor (Court of Auditors)

From the unions:

Kim Slama (Commission-U4U), Lukasz Wardyn (Commission-LSC Brux), Monique Breton (LSC Court of Justice Lux)

¹³ European study- Report on the screening for cancer in Europe (May 2018)

American study-Preventive Services US Preventive Task Force (updated on 01/10/2017) – American Academy of Family Physicians: Summary of Recommendations for Clinical Preventive Services (updated July 2017)

¹⁴ Or doctor designated by the patient

The main novelty relative to present practices is to place the family doctor at the heart of the process. In fact, despite attempts to standardise the approach to screening, reference to the patient's medical history is indispensable in the initial stages to identify certain risk factors and to define which examinations are indispensable and which need to be avoided. A full debriefing at the end of the process is also necessary to explain the final test results and to advise the patient on potential follow-up to be undertaken.

The composition of the programmes can be modified especially in the event of new medical techniques, or of public health constraints or dependent on the availability of specialised structures which can provide the necessary service.

Agreement with recognised health centres

Case by case negotiations take place with health centres that are interested, on the basis of a grid of maximum prices for every type of service agreed to, but subject to the application of the excessiveness clause. The negotiations are led by the Payment offices on the basis of fixed geographic rates.

Free choice

In the meanwhile, whilst waiting for the establishment of an efficient network of agreed centres, it remains possible to undertake one of the programmes, on the basis of 100% reimbursement (within the limits of the ceilings set by the GIP) for screening by entering the corresponding code on the JSIS on-line website. The website could easily be adapted, without significant IT investment. A special code will be created for initial and debriefing visits to the family doctor. These visits should be more complete and substantial than routine visits to the GP: it is hereby proposed that the ceiling for such visits be the double of a 'standard' visit.

Free choice is therefore possible: Your choice of service provider and 100% reimbursement of the programme you have chosen.

Notes

Attention! Reimbursement is subject to the limits of excessiveness and ceilings.

In addition to the JSIS on-line procedure, the "paper" process remains accepted.

V. Evolution of the pensions system:

Follow-up and declarations from our Commissioner

The Bulletins of June and October 2018 explained that Chapter VII (European Public Administration) of the MFF (Multi-annual Financial Framework) was presented with a footnote (note 18), which has generated multiple discussions.

"In the framework of the mid-term evaluation of the Multiannual Financial Framework in 2023, the Commission will reflect on the feasibility of creating a capitalised pension scheme for the staff of the EU"

Article 83 of the Staff Regulations and Annex XII define the notion of a notional pension fund which is guaranteed by a debt of the Member States. Converting to a real capital based pension fund would imply that the €73 billion of the virtual pension fund would become material. Such a sum is likely better guaranteed by a debt of the Member States than by the financial markets.

The representatives of both the active and retired staff are in agreement about the need to maintain the current system of a “virtual fund guaranteed by Article 83: debt of the Member States”.

During meetings between the staff unions and Commissioner Oettinger on 10 July, 27 September and 22 November 2018, this subject was discussed at the margins of the discussions foreseen on the agenda :

- √ It appears that the Commission considers that there is need to respond to the demands of the Member States: propose savings on pensions
- √ The possibility of creating a real, capitalised pension fund would be considered in the future, without modifying the notional pension fund which covers present pensions and the pensions of current active staff members. This fund would be fed by Chapter VII of the MFF.
- √ The Commission has no intention of touching “acquired rights”, as the law has always respected acquired rights.
- √ Pensions form part of the attractiveness (already diminished) of the European Civil Service.

It is necessary to fight against the proposal for an additional real pension fund, which, if the idea were to materialise, would lead to the opening of the Staff Regulations and a change to our pensions system. The reforms of 2004 and 2014 have demonstrated that opening up the Staff Regulations to modify one chapter has each time led to additional reforms, which have not been favourable to us, of other regulations.

VI. Elections of the Staff Committee of the Commission in Brussels

The elections for the new Staff Committee of the Commission in Brussels (local Staff Committee) took place between 24 October and 13 November 2018.

The Staff Committee is a statutory organism. Unfortunately, pensioners are not represented on it. The Staff Regulations do not mention pensioners!!!

It sends delegates to the various committees foreseen by the Staff Regulations, who often discuss operational regulations which are applied to us.

The Staff Committee is meant to inform the staff.

The results of the elections were published on the evening of 13 November and are as follows:

OSP	List votes		Preferential votes		Total Seats
	%	Seats	%	Seats	
TAO-AFI	8.38	1	8.40	1	2
U4U	13.24	2	11.61	1	3
SAVE-EUROPE Bxl	4.43	1	6.25	1	1
GENERATION 2004	30.23	5	23.76	2	7
R & D	17.40	3	20.38	2	5
FFPE CE	7.37	1	10.25	1	2
CONF-SFE	3.40	1	6.53	1	2
UNION SYNDICALE	15.55	3	12.82	1	4
TOTAL	100.00	17	100.00	10	27

The results favour the colleagues who joined the Commission after 2004, represented essentially by “Generation 2004”. In addition, many of the elected in other unions are colleagues who joined the Commission after 2004! Given the majority which emerges from these elections, it is unlikely that SEPS/SFPE’s views on pensions will receive much support from this local Staff Committee. The local Staff Committee of the Commission Brussels has however elected Raul Trujillo Herrera of the Union Syndicale to be president.

Bitter discussions are likely between the various staff factions: the pre-2004 and the post-2004! In fact, just a reminder of some phrases quoted in the October 2018 Bulletin¹⁵, taken from the election leaflets of Generation 2004, suffice to understand this:

- √ Generation 2004 welcomes the proposal of the Commission to reflect on the feasibility of the creation of a capital-based pension fund for EU staff
- √ The product of the tax on very high pensions could be used to establish the capital-based pension fund

VII. Negative ruling of the European Court of Justice on the adaptation of salaries for 2011 and 2012

The Bulletins of December 2017 and June 2018 have mentioned the situation concerning this court case: SFPE/SEPS (plaintiff: Serge Crutzen) joined the staff unions of the Institutions and

¹⁵ SEPS/SFPE October 2018 Bulletin, pp 15 and 16

AIACE (plaintiffs: Ludwig Schubert, Pierre Blanchard) for the appeal against the decisions of the EU Council concerning the adaptation of salaries for 2011 and 2012, which were limited to 0% for 2011 and 0.8% for 2012, instead of 1.7% for each year, as given by the “method” officially defined in the Staff Regulations!

This appeal was delayed by the fusion of the European Civil Service Tribunal with the EU Tribunal and subsequently suspended due to a similar appeal submitted by one of the staff unions.

The case was resumed end 2017 and this appeal has now reached its conclusion. The audience of 26 February 2018 marked a turning point in the way the judges viewed this case. “The Tribunal has invited one of the plaintiffs, Mr Ludwig Schubert, former deputy director general of the Directorate General ECFIN –“Economic and Financial Affairs of the Commission, to present the arguments on certain aspects of the appeal, in the presence and under the control of Messrs Flandin and Bernard-Glanz, in accordance with Article 110, §4 of the procedural regulation”.

The economic arguments of the time, given by Ludwig, demonstrated that the Council did not have the right to speak of degradation to justify this non-application of the method.

As the minutes state, Ludwig Schubert was able to convince the judges on several essential aspects of the case.

On 13 December, the Court issued its ruling: Negative for the staff! The Court accepts the Council’s decision not to apply the method, even though the latter is an integral part of the Staff Regulations.

The lawyers are examining the reasons for this decision by the judges, especially to determine whether they can be countered and potentially give rise to a new appeal. It is important to understand the reasons behind these conclusions to the dossier; what might happen in the future if the Member States feel they have the support of the Court of Justice when taking decisions which appear to contradict the accepted rules?

VIII. Did you contribute more than 70% or did you transfer your pension rights without increasing your pension ?

Four contractual agents at the European Union Court of Justice (EUCJ) discovered that after 10 years of service their pensions would remain unchanged despite transferring their rights acquired elsewhere to the EU pension scheme. In fact Article 77 of the Staff Regulations foresees that “the amount of the retirement pension cannot be less than 4% of the minimum living wage for each year of service”. This minimum is reached after 25 years of service. Having

made this discovery they asked for their rights to be returned to the national pension schemes or for the amounts in question to be reimbursed to them directly.

The Luxemburg pension office refused to make the transfers requested by the Director General of the EUCJ no doubt because Article 11 of Annex VIII of the Staff Regulations states that "the official can make use only once (...) of an effective transfer".

The agents then went to the European Union Civil Service Tribunal, which rejected their request on 26 July 2016. They went subsequently to the European Union Tribunal (Court of Appeals) which also rejected their appeal¹⁶.

In fact, the Tribunal considered that at the time of the ruling the loss to the agents could not be certain; it considered that as long as the career of these agents had not ended it was possible that the pension they would finally receive would exceed the minimum living wage. For the Tribunal, it is therefore only at the time of final retirement that the agent would be in a position to demonstrate that the transfer of his pension rights had not increased his pension.

In its Considering 106 the ruling states that the national pension belongs to the agent by virtue of jurisprudence and the reimbursement of his transferred rights could result in an unwarranted enrichment of the European Institution. One needs to add to this that the jurisprudence of the EUCJ forbids the payment at a loss of workers (Cf Ruling Adrien of 06.10.2016, points 27 and 30 and the jurisprudence stated therein)

Consequently, if an agent or an official has transferred some pension rights and discovers at the time of his definitive retirement that these rights have been neutralized by the minimum living wage rule, he could ask for the reimbursement of those rights needlessly transferred.

One could question whether this ruling might lead to the reimbursement of contributions paid by officials and agents who accumulated rights exceeding 70% because they remained in active employment for 35, 37 or 38 years, accumulating benefits at 2%, 1,9% or 1,8% per year.

If ever such a reimbursement were to become possible, the following conditions need to be borne in mind

- The statute of limitations of 5 years for obtaining reimbursement
- The impossibility of again transferring capital sums to a retirement institution as long as Article 12 of Annex VIII of the Staff Regulations has not been modified to re-open the right to a national pension.

Hendrik Smets
Vice President in charge of legal matters

IX. In Memoriam – Ludwig Schubert

¹⁶ Ruling Barroso / Truta e.a : CJUE ,T-702/16 P(5) of 18 September 2018

Ludwig passed away on 28 December 2018.

During the last meeting of the TGR (Technical Group on Remunerations) on 30 October, he was still present and attentive at the Eurostat presentation concerning the 2018 salary adaptation.

He will remain in our memories essentially as the father of the method for the adaptation of remunerations: this method which ensures that our purchasing power has remained more or less constant for the past 40+ years (Annex XI of the Staff Regulations).

It is also as a fierce defender of our pensions system that he took part in so many social dialogue and joint meetings. He has described this system, the subject of Annex XII of the Staff Regulations, he has explained it in detail countless times and defended it each time.

It was also Ludwig who guided the last court case, introduced by the staff unions and the pensioners associations concerning the application of the method for the adaptation of salaries and pensions for 2011 and 2012.

We called on him again when, a year ago, the President of the Commission presented the draft Multi-annual Financial Framework in which appeared the notion of a capital based pension fund in place of the notional fund, pillar of our system, and which we need to defend.

Ludwig had a very strong sense of public service. He should serve as an example for the generation which follows us... His devotion to the cause of retired staff, following a career at the highest level at the Commission is a remarkable example of volunteer work.

X. Important information

The majority of the information under this heading of the Bulletin is established on the basis of the experience of members of SEPS/SFPE who ensure the telephone assistance duties.

The requests for assistance justify the transcription into the Bulletin and the Vade-Mecum of several texts taken from My IntraComm, since a good number of members do not or no longer access My IntraComm¹⁷.

This information has been adapted by SEPS/SFPE to the case of members of the association who prefer to receive a document in the post, rather than have to search for the information on the internet.

This information may also duplicate the information given in the Information Bulletin of DG HR D1 "Info SENIOR" as also information provided in earlier Bulletins of SEPS/SFPE. **It is very important to insist on certain rules and to recall them: the services of PMO ask us to do this.**

1. How to contact PMO services

➤ **Welcome area (MERO Building – 41 avenue de Tervueren 1049 Bruxelles)**

On presentation of your pensioner's laissez-passer at the building's reception, at the following hours:

¹⁷ It is necessary to have an EUlogin
SEPS/SFPE

From Monday to Thursday: from 09h30 to 12h30 (and from 14h00 to 16h00)

Friday: morning only, from 09h30 to 12h00

➤ **PMO Contact online** (no need for EUlogin)

<https://ec.europa.eu/pmo/contact/en>

Tel: +32 2 29 97777 + cf Vade-Mecum Part 3

Request assistance from SEPS/SFPE (Ambassadors PMO 3) +32 475472470

Info@sfpe-seps.be

➤ **Contact with PMO 4 (pensions) REMINDER**

In view of continuing to improve the services it offers, the Pensions Unit of PMO (PMO 4) has created two functional e-mail boxes (which replace the personal e-mails of the administrators identified in the pensions slips:

PMO-PENSIONS@ec.europa.eu for old-age and invalidity pensions

PMO-SURVIVAL@ec.europa.eu for beneficiaries of a survivor's/orphan's pension

A single new telephone number (+32 (0)2-297 88 00) is available during weekdays, Monday to Friday from 09h30 to 12h30.

2. Travel assistance insurance

PMO insists: if you need to travel, subscribe to assistance insurance. This insurance will cover the costs that are not covered by JSIS (transport costs or repatriation to domicile) and such urgencies as would be difficult to cover within a limited period of time with PMO.

In certain cases repatriation can become very expensive; PMO 3 gives us examples of €100,000, €200,000 and more, which cannot be adequately reimbursed by JSIS.

3. New form for dental care – Reminder

PMO has prepared a single new form for estimates and dental fees.

This form (in several languages) is available on My IntraComm and at the secretariat of SEPS/SFPE on request.

XI. Annexes

Annex 1

Preventive medicine tests

See annex 1 of the French version

Annex 2

In memoriam

On 01.01.2019

Names	Birthdate	Death	Instit	Names	Birthdate	Death	Instit
KOZINSKI Charlotte	09-02-28	02-06-18	COM	ZUSCHKE Ulrich	02-05-30	02-11-18	COM
GOETZKE SMITH-HALD Freya	20-07-24	06-07-18	COM	AMADUCCI Enrica	15-07-34	02-11-18	COM
BANCROFT Anthony	27-11-43	14-07-18	COM	KIENTZ Yvonne	09-04-24	03-11-18	COM
STRASSER Birgit	04-07-42	25-08-18	COM	VAN WESEMAEL Anne	28-12-39	06-11-18	COM
ELIOPOULOS Geroges	12-12-56	08-09-18	COM	DELIZEE Roberte	28-12-31	07-11-18	COM
ROVIGLIONI Maria Cristina	11-11-39	13-09-18	COM	HUDSON Raymond	04-11-46	07-11-18	COM
FRISING Fernand	28-10-31	22-09-18	COM	KRUEGER Gotfried	25-07-29	08-11-18	COM
CONNOR Eric	22-11-51	23-09-18	PE	CAPPONI Davide	14-11-35	08-11-18	PE
COLLETTI-FOSSATI Anna	27-03-36	26-09-18	COM	FORTUNATI Elena	16-11-40	09-11-18	COM
PIGNATELLI Angelo	25-01-29	27-09-18	COM	LUDWIG Armance	13-06-27	09-11-18	COM
CADELLI Nicolo	06-09-29	30-09-18	COM	ANTONIOLI Renzi	11-06-42	13-11-18	COM
BECKER Sylvie	28-04-52	30-09-18	CJ	FREMEZ Françoise	06-04-39	15-11-18	COM
BULLOUGH Neil	24-08-42	01-10-18	COM	SCHUBERT Ralf Jochen	29-02-56	16-11-18	COM
LINDA Remo	22-06-29	03-10-18	COM	VERSCHA EVE Nelly	14-07-30	20-11-18	COM
DEPUYDT Achille	26-11-36	03-10-18	COM	SCHOULLER Marcel	06-12-45	21-11-18	CJ
MARTINEZ BERZAL Rosario	16-01-50	03-10-18	COM	BUEHLER Theodor	13-11-28	21-11-18	COM
BIANCHI Lodovico	27-09-26	04-10-18	COM	SPINNATO Corrado	23-06-32	21-11-18	COM
HODY Martine	18-09-49	05-10-18	PE	FISCHER-LAHNSTEIN Gerda	27-04-37	22-11-18	COM
BESI Andrea	28-09-33	06-10-18	COM	LUYKX Félix	12-11-28	23-11-18	COM
BOVY Madeleine	21-08-35	07-10-18	CJ	NIJENHUIS Johan	13-09-34	24-11-18	COM
SEGOVIA PEREZ Rogelio	25-09-49	07-10-18	COM	STURM Boris	05-08-30	24-11-18	COM
KAROLI Jens	02-07-39	08-10-18	PE	ODINI Jean-Pierre	13-04-42	25-11-18	CJ
DIEHL Christel	22-04-54	10-10-18	COM	WILHELM Ingrid	01-08-44	25-11-18	PE
BOLOGNESE Fabio	18-03-42	10-10-18	CM	MARCHELLI Luisa	17-12-41	12-08-18	COM
VUORI Lea	01-12-70	11-10-18	COM	MUES Arlette	13-01-45	17-09-18	COM
GIORDANI Bruno	10-03-29	12-10-18	COM	MONTANI Maria	29-01-33	19-09-18	COM
DE CARLI Palma	21-03-37	16-10-18	COM	VIS Pieter	21-08-27	26-09-18	COM
JORDENS André	30-09-28	16-10-18	COM	DA NOVI Paolo	29-09-28	31-10-18	COM
WOELL Renee	19-12-32	16-10-18	CM	VECILE Mizi	28-09-32	23-11-18	COM
SCHUBERT Wolfgang	13-06-39	16-10-18	COM	POLO Antonio	01-11-31	27-11-18	COM
STAS Andre	24-05-34	19-10-18	COM	FATTORI Giovannino	28-04-33	28-11-18	COM
PREZOR Richard	12-03-48	19-10-18	COM	MALOTAUX Georges	15-11-28	28-11-18	COM
ALBONI Ester	05-10-27	19-10-18	COM	BRUNO Demetrio	10-11-32	29-11-18	PE
PAU Gracia	08-10-56	19-10-18	PE	SCHUMACHER Guillaume	12-04-25	29-11-18	COM
FRANCESCHELLI Costantino	25-07-37	20-10-18	PE	NANGNIOT NOEL	22-12-59	29-11-18	COM
CECCARELLI Michele	21-10-45	21-10-18	COM	SAMSON Claude	02-01-37	29-11-18	COM
HEBRANT Janne	20-09-35	21-10-18	COM	FERRARA-LECA Francette	26-06-35	30-11-18	COM
ZAMARON Bernard	15-05-28	24-10-18	COM	LUTZ Sandrine	26-05-66	30-11-18	COM
EVERAERT Micheline	01-12-33	25-10-18	COM	DAHNSERS Erika	04-03-43	01-12-18	COM
ROSSI Catherine	30-05-53	03-09-18	PE	WYNINCX Georges	31-03-28	01-12-18	COM
FRANK Walter	18-04-27	27-09-18	COM	MULLER Daniela	29-08-45	01-12-18	CJ
OP DE BEECK Andree	13-05-23	03-10-18	COM	LUTTGENS Marcel	12-06-29	02-12-18	COM
HARTKOPF ERIKA	17-10-25	19-10-18	COM	HINTZ-LAKDAR Maria	04-11-38	03-12-18	COM
ROSSETTI Egeo	16-08-31	23-10-18	COM	PRATLEY Alan	25-11-33	05-12-18	COM
DE HERDER Angele	11-01-21	23-10-18	COM	TEKES Claudine	28-08-39	05-12-18	COM
EVERAERT Micheline	01-12-33	25-10-18	COM	CORNADO Salvatore	11-08-32	06-12-18	COM
SQUARA Antoinette	21-05-24	26-10-18	CM	LE DUGOU Yves	24-11-31	07-12-18	COM
LEHMANN Rita	17-07-59	26-10-18	EAS	GRAGLIA-ZANCHI Luigia	21-06-24	08-12-18	COM
CASINI Giampaolo	06-07-33	27-10-18	COM	EISENBERG Reinhart	28-06-31	08-12-18	CM
LUYTEN Ferdinand	15-05-32	30-10-18	COM	DESPIC Brigitte	23-05-29	09-12-18	COM
LENS Jean	20-12-26	30-10-18	CJ	ROCHE Bernard Marie	18-04-25	11-12-18	COM
CONRAD Rainer	14-04-40	01-11-18	COM	SUSCA-CONSIGLIO Vincenza	24-04-41	17-12-18	PE

**Files and documents available.
Order form**

Please send this reply slip to the secretariat

I should like to receive the English edition of the following documents
by Post / Email

SEPS Vade-mecum

- Part 1 (Procedures – edition august 2015 FR only) /
- Part 2 (forms /pers. data) /
- Part 3 (addresses PMO – ADMIN. ...)** Ed. December 2018 /
- Part 4 (reimbursement forms – RCAM/JSIS) (January 2019) /

- Supplementary health insurances** Edition May 2017 /
- Invalidity allowance and survival pension (Hendrik Smets)** /
- Orphan survivor’s pensions (Hendrik Smets)** /
- EU Officials and taxation (Me. J Buekenhoudt)** /
- Inheritance (Me. J Buekenhoudt)** (May 2018) /
- JSIS Guide (was sent by poste to all pensioners)** /

Please send these documents (by Post or by Email) to :

Surname.....

First name

Address :
.....
.....

Email address:

Date : Signature :

To be sent to

SFPE – SEPS
175 rue de la Loi,
Bureau JL 02 40 CG39,
BE-1048 Bruxelles

GSM: +32 (0)475 472470

Email:

info@sfpe-seps.be

APPLICATION FORM

I, THE UNDERSIGNED (1)

Maiden name for married women (1).....

PERSONNEL / PENSION N°:DATE OF BIRTH (dd/mm/yy):

NATIONALITY: Language desired for documents (2): **FR/EN**

HOME ADDRESS (1).....

.....

HOME Tel: GSM*:

E-mail:

FORMER STAFF MEMBER OF (Institution + DG or Dept.):

If still active: number of years' service:

HEREBY DECLARE MEMBERSHIP OF THE "ASSOCIATION OF SENIORS OF THE EUROPEAN PUBLIC SERVICE " (SEPS), by sending this completed form to SEPS and paying the membership fee..

HEREBY DECLARE THAT I AGREE TO SEPS REGISTERING AND STORING MY ABOVE PERSONAL DATA and to it being kept for the length of my membership.

The Association undertakes to protect your data and will prevent it being distributed, apart from when obliged to by law or in response to a request to do so by you, within the limits of the social purpose of the Association.

DONE AT:.....

DATE: SIGNATURE:

The annual subscription of **€30** is payable on 1 January. New members joining after 30 June will not be required to pay their second subscription until the second January following their enrolment.

SEPS Bank account N°:

ING bank, Brussels IBAN BE37 3630 5079 7728 BIC: BBRUBEBBCommunication: **Annual subscription + names and pension Nr.**

Please return this application form to:

SEPS/SFPE Office 02 40 CG39 175, rue de la Loi, B-1048 BRUSSELS

Or info@sfpe-seps.be

(1) Capital letters please (2) Please cross out where appropriate (*) optional

*If you choose to pay by standing order (see below), please send the slip **YOURSELF direct to your bank.***

To be sent to

SFPE – SEPS
175 rue de la Loi,
Bureau JL 02 40 CG39,
BE-1048 Bruxelles

GSM: +32 (0)475 472470

Email: info@sfpe-seps.be

STANDING ORDER

(Please send direct to your bank)

I, the undersigned,

HEREBY INSTRUCT (Name of bank)

to pay on(date) and on the same date each year, until further notice, the sum of : € 30

by debit of account N°

to: **SEPS - SFPE**
JL Office 02 40 CG39
175 rue de la Loi 175
B 1048 Brussels

Account N° **IBAN BE37 3630 5079 7728** **BIC BBRUBEBB**

ING Bank Brussels

Reference: Annual subscription + Names and personnel/pension number

DATE: SIGNATURE:

To be sent to your bank