



Seniors of the European Public Service

Seniors de la Fonction Publique Européenne

Bulletin

Information Bulletin

Addressed to the members of the association

December 2021 January 2022

SEPS is at the disposal of all its members.

The secretariat can be reached

by telephone: +32 475 472 470

Please leave a message in case of no answer

or by internet: info@sfpe-seps.be www.sfpe-seps.be

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SEPS Administrative Board 2020 – 2022*

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* Elected on 13.02.2020 but to be confirmed by the General Meeting in early June

Bulletin editorial team (FR & EN) October 2020

Nicole Caby; Serge Crutzen; Anna D'Amico;
Helen James; Hendrik Smets; Yasmin Sözen; Milvia van Rij Brizzi

Membership fee: 30 €

It is requested in January and no longer on the anniversary date of SEPS / SFPE membership

However, new members who register after 30 June 2020 by paying the membership fee, will not need to pay for the 2021 fee. The next payment will only be needed in January 2022.

**Bank account: IBAN: BE 37 3630 5079 7728
BIC: BBRUBEBB**

Changes of e-mail address

Many members forget to inform us of their change of e-mail address.

During the COVID period : SEPS-SFPE postal mail address

2A, rue Emile PIRSON, 5140 SOMBREFFE Belgium

Let us have your views

Some of the subjects dealt with in this Bulletin are important for many pensioners. Regardless of the subjects evoked, members are invited to make comments and suggestions or ask questions

Comments, suggestions, questions and requests should be sent to the secretariat of SEPS-SFPE:

- Either by email: info@sfpe-seps.be
- Either by post : address hereunder.
- Either by telephone¹ : **+32 475 472 470** (7J/7 & 24h/24)

Call for volunteers

The “COVID” period dispersed the volunteers.

The Daily Management Group would like to reconstitute the action groups that respond to the demands of the members.

SEPS has identified around fifty action groups that must be active to fulfil the tasks of supporting members, defending members' interests, managing the association and complying with the rules imposed by our non-profit association status (ASBL).

A new appeal is therefore launched to those who feel able to dedicate part of their time to colleagues. Whether they are in Brussels or elsewhere : SEPS operates by applying the rules of teleworking.

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¹You could call to ask for a call.

General Data Protection Regulations (GDPR).

Dear Member

We take the protection of personal data very seriously and we are committed 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 trusted us with 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

General meeting and Information Meeting

Au Repos des Chasseurs

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

Maybe² on 17 March 2022

In keeping with the usual proceedings, from 10:30 to 16:30

- News from SEPS/SFPE
- Activities of the AB
- Budget for 2022
- Subjets for discussion
- Convivial Lunch
- Commission Report on the Staff Regulations and pensions
- Evolution of the GIP of JSIS
- Problems encountered by members
- Questions from members

² As a function of the evolution of the COVID-19 pandemic – Decision on 07.03.2022

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I. Letter from the Editor

The SEPS-SFPE administrative board wishes you all the best for 2022.

The Daily management group hopes to be able to continue to defend the acquired social rights of pensioned or handicapped colleagues, to inform them regularly and to help them in all ways possible. This period, made difficult by the COVID epidemic, has highlighted the difficulty in maintaining contact with members. The offices of the Association have been closed and remain so for 4 days of the week. Contact is possible, but only by formal appointment. Information and assistance to members has only been possible by telephone (+32 474 472 470, 24/7), by email with those

members who have an internet address and through the Bulletin, though only 4 times a year.

Though it is easy to send ad hoc messages via internet, it is impossible to do so systematically by post. However, Directorate D (Health & Wellbeing - Working Conditions) has informed pensioners several times by letter so that they receive the most essential information concerning those Commission services that concern them. We would like to insist therefore once again with members who possess an e-mail address to please let us have them. Please note that with each message sent out to members by e-mail, some 50 addresses come back to us refused! Please ensure therefore that you communicate to us your latest email address.

Please also note that our own website is regularly up-dated by the General Secretary. All important information can be found there.

Since 2007, SEPS-SFPE organises 4 information meetings per year: a full day is devoted to information, partly to the management of the association (General Assembly), with priority to questions from members and to social contact during a convivial lunch. The few attempts made during 2020 and 2021 were cancelled as a precaution. We hope to renew this tradition during 2022.

The General Assembly of June 2021, necessary to satisfy the administrative constraints imposed on charities, took place by video-conference involving only effective members. However, no decisions which would require open discussion with all members were taken. The Budget remains very similar each year since 2020 and can be compared to that of functioning by provisional one 12^{ths}. The Administrative Board has functioned either by video-conference or by written procedure. The Daily management group has met at the residence of one or the other but never concerned more than 5 persons.

The absence of human contact and the closure of the offices have together reduced contact with volunteers. Several activity groups are on hold. However, we can no longer wait, and we will have to live with this virus: several of these groups will be reactivated from the beginning of this year, either physically, or by video-conference, in the same way as the seminars for preparation for retirement are currently being organised.

Defending the interests of pensioners is our first priority and COVID or not, it will be necessary to do so. On 4 August 2021 the Commission published a report for the Parliament and the Council evaluating the results of the 2014 reform of the Staff Regulations and the Regime applicable to other agents. The final report will be

officially presented in March 2022, opening the possibility for discussion with the Member States of our pension system and the method for the adaptation of salaries. It will be necessary to be present at all the social dialogue and joint committee meetings.

II. Some quotes from the End of Year messages from our authorities

The Commissioner Johannes Hahn

... ... Today I convey my year's end message to all of you together, and surrounded by our medical team in Brussels who, like all of you, did a great job this year – helped us 'literally' to survive. They provided more than 60,000 injections during the year - not only for the colleagues in the European Commission, but also from other EU institutions. And I think this is exemplary of all you have done during this year.

I'm really proud to be your Commissioner. You did a great job all of you and I think we all deserve a few days of rest. But our medical team, under the leadership of Octavian [Dr. Purcarea] and all the other colleagues, is ready to help assist you also in the next months. Because unfortunately the pandemic is still there, and we need certainly additional boosters - and for this everything is ready, everything is prepared.

... ...

The President of the Commission, Ursula van der Leyen

We knew that beating this pandemic would be a marathon, not a sprint. For a second year, our lives feel like out of sync. Either our days are quiet, because we are separated from family and friends. Or they are loud because everyone is at home.

Like in a marathon, and most things that matter in life, it is stamina and courage to continue that count most.

And what gives me courage, is how very far we have come. It is thanks to you, all of you, that we have come this far together. In just one year, Europe has delivered over one billion vaccines to our Member States. And another billion and a half to help save lives around the world.

One year ago, we had just approved the first vaccines. Today, we manufacture over 300 million doses a month in Europe. And we are getting our boosters, for an even higher level of protection. So it helped, that from day one on, we followed the motto: "Hope for the best, prepare for the worst".

Thanks to each and every one of you, Europe is on track to emerge even stronger from this pandemic. With NextGenerationEU, we are investing massively in Europe's sustainable recovery. This is how we leave this crisis behind.

In 2021, Europe walked the talk on climate action too. Again, this is thanks to you: everyone who contributes to the European Green Deal. Now we need to rapidly implement the promises.

The Director general DG HR, Gertrud Ingestat,

Today, Tuesday 14 December, we received official approval from the College for our next HR reorganisation.

These changes will mean we improve our already great customer service but is not the end of our HR evolution. We are also planning some additional major changes in 2023.

Many of you are still working hard on building the teams and mapping the processes and responsibilities and there is still plenty of opportunity to get involved in shaping HR. I know that this is no small task, but I am confident that when Next HR becomes a reality – on 16 February 2022 – we will be ready.

III. The Commission proposals for own resources for the EU

“NextGenerationEU”

The European Union would like to make Europe healthier, more ‘green’, more digital, more just.

“Next Generation EU” is the name given to a European reinvestment plan of €750 billion approved by the 27 Heads of government on 21 July 2021.

“Renewal and resilience” the core concept of “NextGenerationEU” represents €672.5 billion of the total, to be distributed among the Member States in the form of loans and grants. The remainder will serve to strengthen European programmes already in place.

However, these finances need to be available.

Future own resources of the EU

On 21 December 2021 the Commission made a proposal to establish the next generation of own resources for the EU by presenting three new sources of revenue:

- Revenue derived from the system of exchange of quotas for CO2 emissions (ETS³ Emissions Trading System)
- Revenue generated by the projected mechanism for the adjustment of CO2 at the borders of the EU (Carbon border adjustments mechanism)⁴
- A portion of the residual profits of multinationals which will be re-distributed to Member States of the EU within the framework of the recent OECD/G20 agreement on the redistribution of taxation rights (“Pillar 1”).

In due course, between 2026 and 2030 these new revenue sources should generate an average of €17 billion per year for the EU budget.

The new own resources, proposed today, will contribute to repay the funds levied by the EU to finance the “grants” component of NextGenerationEU.

These new own resources should also finance the Social Fund for climate. This element is an essential cog of the new system of exchange of emissions quotas (new evolution of the ETS). It covers buildings and road transport and will contribute to guaranteeing that the transition towards a carbon-free economy will not leave anyone behind.

On this subject, Johannes Hahn, Commissioner responsible for Budget and Administration, declared *“With the package of measures presented today, we are establishing the foundations for the reimbursement of “NextGenerationEU”, and we bring an essential element of support to the “Adjustment to objective 55” by putting into place the finances for the Social Fund for climate. As a result of this package of own resources, we are ensuring that the next generation will really benefit from NextGenerationEU.”*

³ ETS : A ceiling is fixed for the total quantity of certain greenhouse gases which can be emitted by installations covered by this system. This ceiling is reduced with the passage of time
The installations purchase or receive emission quotas. These can be traded with another installation which needs more quotas.

⁴ CBAs (carbon border adjustments) encourage producers in countries that are not members of the EU to make their production methods more climate friendly. It fixes a price for carbon on importations, corresponding to what would have been paid if the merchandise had been produced in the EU. A portion of the receipts is transferred to developing countries.

IV. Commission report on the implementation of our Staff Regulations

A summary of this report was presented in the October 2021 Bulletin⁵. Let us recall the essential elements:

Article 113 of the Staff Regulations of 2012 (SR) and article 142bis of the Regime applicable to other agents (RAA) foresees that the Commission will present a report on the results of the implementation of the 2014 SR and RAA to the European Parliament and to the Council. The final report will be presented to the EP and the Council in March 2022. On the basis of this report, of which an initial version was issued on 4 August 2021:

- √ **The Commission will present, if need be, proposals for new regulations to modify the existing SR measures relating to the execution of the pensions scheme.**
- √ **The Commission, will present, if need be, proposals for new regulations to modify the existing SR measures relating to the method for adapting remunerations.**

However, the majority of staff unions are opposed to a new reform. In their view, given the current context, this would represent a significant reduction in the rights of European civil servants and other agents; it would increase disparities, injustices and create precariousness.

This, in turn, would once again enfeeble the European Civil Service.

The reforms of 2004 and 2014 have resulted in a significant reduction of direct and indirect salaries, in addition to savings on pensions.

The 2019 report of the Court of Auditors has pointed out the negative effects on the attractiveness of the European civil service generated by the two SR reforms and highlighted the increasing difficulty for the Institutions to recruit adequately qualified staff, especially for certain professional profiles and for certain nationalities.

The SEPS Administrative Board of 5 December 2021 approved the creation of a group to defend our acquired rights (cf VIII – 6, hereafter). We will defend our pensions system as well as the method for the adaptation of our pensions and salaries, which guarantees the maintenance of purchasing power.

⁵ October 21 Bulletin, p 11

V. CGAM – JSIS

How do we avoid overbilling?

Monique Breton, CGAM Vice-chair,
SEPS/SFPE Administration Board

Let us remember that the Joint Sickness Insurance Scheme (JSIS) was established by joint agreement among the Institutions of the European Union on the basis of Article 72 of the Staff Regulations, covering the staff of these institutions and its agencies with the exception of the staff of the EIB, the CBE and Members of the EP.

The discriminatory treatment of beneficiaries of JSIS by certain Member States

It is the duty of the Commission to establish the necessary means, administrative and/or political, to ensure that affiliates do not experience discriminatory behaviour with regard to health costs, going as far, if necessary, as legal proceedings for default. The European Parliament has already pressured the Commission to act on this subject.

The case of Luxemburg is a significant example:

In Luxemburg, since 2011 there are no longer any tariff schedules for hospital services. As a result the prices are fixed each year by the Luxemburg Hospital Federation (LHF) and can no longer be checked by the management of JSIS. The tariffs are fixed each year unilaterally (and arbitrarily) by the LHF.

The patients insured by the National Luxemburg Health Insurance office (CNS) do not pay or only very little for their health care, since the major part of the costs are covered at the national level. The CNS is financed by annual fees (60%) or by government grants (40%).

Out of hospital services are charged on the basis of a price list published in the nomenclatures. There are several nomenclatures: the best known concerns doctors, dentists, physiotherapists, analytical laboratories, mid-wives and nurses.

Since 1 October 2018, the European Commission has rescinded the agreement with the Luxemburg Association of doctors and medical dentists which authorises these doctors to hike their fees by 15%.

However, too often these doctors charge for unjustified supplements. Dentists often charge entirely arbitrarily for personal reasons without informing the patient or seeking his/her prior agreement.

The 18 November 1996 agreement, modified on 26 October 1999 defined the calculation of the costs by units of service. Calculations concerning the cost prices after deduction of state grants should have been undertaken each year by a technical committee, but PMO failed to request the establishment of this committee until 2017. LHF refused to collaborate in order to maintain total opaqueness on the cost prices and to prevent the calculation of fair prices. The Agreement was rescinded on 1 January 2020 because the EU Tribunal had judged it to be illegal in its Wattiau/European Parliament ruling. However, PMO did not try to force the LHF to provide the necessary data for the calculation of prices. The hospitals continue to fix their prices for hospital services unilaterally. There is thus clear discrimination between the nationally insured and the staff of the European Institutions and the EIB.

In reality, the mind-set of the Luxemburg Hospitals is essentially that of a market right to compete. How can discrimination be avoided?

Equally, the staff and pensioners of the EU Institutions and of the EIB should be able to benefit from all the social advantages financed by the Luxemburg state (articles 12 and 13 of the Protocol on privileges and immunities).

For example, Italy grants active EU staff and pensioners access to the National health services (NHS)⁶ given that the NHS is financed by taxes.

The Commission has already obtained the application of equal tariffs in the Netherlands, put in practice by an agreement concluded with the insurance provider CS.

The directive on discriminatory commercial practices has not yet been invoked by the affiliates of JSIS in defence against discriminatory practices in the field of health care, leading them to accept higher fees; maybe out of fear of otherwise not obtaining the health care they need.

The definitive means to resolve discrimination would be “Billing according to pathology”. This approach would be similar to that already employed in a growing number of countries. But it means that the net cost prices are well established.

After that the PMO should negotiate with the national authorities to be able to offer the same operational grant as that attributed to the CNS, i.e. 40% of the expenditure of JSIS in Luxemburg.

⁶ Agreement reached recently which will be illustrated later.

This solution would be a durable and coherent approach to the economic reality and would eliminate discriminations. The operational grants of 40% would, over 5 years, represent a cost to PMO of €80 million. A substantial improvement in our coverage with an improved coverage for assisted care and handicap is only possible if we obtain the respect of our rights.

Revision of the GIP

Beyond the recent modifications introduced on the screening programmes and the up-dating of the notion of serious illness in line with established practice, the CGAM believes, that in order to achieve a rate of reimbursement in line with the Staff Regulations further amendments need to be considered.

The current version of the GIP is more than 14 years old. The reimbursement ceilings are no longer realistic. The real rate of reimbursement of medical expenses continues to erode. It is currently in the region of 64% for those treatments with a ceiling. In order to reach 80, 85 or 100%, these ceilings need to be raised. However, as long as the costs of medical care are not controlled or contained, any ceiling increases will immediately be confiscated by the service providers who simply increase their fees. This phenomenon is particularly noticeable among dentists.

As a result, the raising of the ceilings can only be achieved with a vigorous defence of our rights by the establishment of a solid verification of the prices charged.

VI. Recuperation of gratuitously transferred pension rights, or those acquired beyond 70%

1. Introduction

Following an initial analysis of the jurisprudence of the European Court of Justice our association had concluded that there was a possibility of recouping those pension rights uselessly transferred or obtained through contributions beyond the 70% ceiling.

However, before initiating any action with the Court of Justice, the Association decided to obtain the opinion of a lawyer. This lawyer submitted a negative response, giving few justifications, so the Association sought a second opinion.

In a document of 21 pages, having reviewed more than 100 rulings, the second lawyer attempted to create a legal or jurisprudential opening to permit a positive legal

outcome, but finally, he also had to conclude with a negative opinion on the theoretical case put forward by this Association.

However, for the future, this second lawyer nonetheless suggested a way in which capital losses incurred by uselessly transferred pension rights might be avoided.

2. Partial refutation of the theory of our Association

a) the nature of the EU pension scheme

Before examining the thesis of the Association, it is useful to define the nature of the EU's pension scheme

In the Fieberger/Vallin c/Commission ruling of 2 March 2016 (F-3/15), point 56 explains that this regime is based on the concept of solidarity/interdependence. This observation is based on the following reasoning:

“the civil servants contribute one third of the financing of the EU's pension scheme and not to the financing of their individual pensions.”

In addition it emerges from Articles 2 and 3 of Annex VIII of the Staff Regulations, that the pension rights are based not on the basis of the contributions effectively made to the pension scheme, but on consideration of the number of years of effective service.

These dispositions, taken together with Article 83, §1 of the Staff Regulations, according to which the payment of sums foreseen under the pension scheme constitute a charge to the budget, establish that the said scheme is based on the principle of solidarity (...) and that it is **not** conceived as a pension obtained (...) as an exact counterpart of the contributions made, and consequently that the civil servant might have the right to the reimbursement of part of his contributions”

The principle of solidarity was confirmed by the Villa e.a. c/EP ruling of 14.11.2006 (point 50).

It should be pointed out that the transfer of rights from a national pension scheme has the effect of transforming these rights, which the civil servant has created through the payment of his social contributions to the national scheme, into years of service by the EU pension scheme. Additionally, the transferred capital contributes to the financing of the pensions already in the process of being disbursed.

Through this transfer, **the civil servant loses the rights to a national pension and obtains simply a right that is in the process of being acquired** (cf ruling Freiberger, cited above, point 77). Pension rights are not acquired until the legal age of retirement is reached, when the calculation of the pension to be effectively paid is

made and limited to 70% maximum of the last basic salary obtained (Art 77 of the Staff Regulations).

b) Analysis of the theory of the Association

i. Pension rights are the property of the agents

This is true, as long as the rights are not transferred and transformed into years of service within the EU pension scheme.

This is how, in the case *Tuerck/Commission* of 5 December 2017 – T 728/16, the Commission had integrated the totality of the capital transferred, of which a part exceeded the value of the years of service granted and the Tribunal decided that this supplement should be reimbursed to the owner.

In effect, the excess that cannot be transformed into annuities remains the property of the individual agent.

The case *Truta c/CJUE* – ruling of 18 September 2018 – T702/16 was a little particular. The Staff Regulations foresee in Article 77 that “the amount of the old age pension cannot be inferior to 4% of the minimum living wage for each year of service”. However, the plaintiffs had asked for the reimbursement of a part of their contributions to the common pension scheme. The Tribunal refused as these agents were not yet of pensionable age and were therefore still capable of pursuing a career during which their acquired pension rights obtained through their contributions to the common pension scheme could eventually be taken into account.

ii. Opposition of jurisprudence to payments without counterpart

In the ruling *Adien e.a/c France* of 6 October 2016 – C5466/15, the Court condemned France because she wanted to suppress the French pension rights to which the plaintiffs were continuing to contribute, even as they were working for European Institutions where they were contributing also to the EU pension scheme.

The Court condemned France by invoking the prohibition of transfers without counterpart. But there too, France could have pleaded on the basis of the interdependent nature of her own pension scheme, but she did not.

One can therefore ask the following question: When the Commission refuses, on the basis of the interdependent nature of its pension scheme, to reimburse ‘superfluous’ transfers, depriving the individuals concerned of a national pension, is she not doing the same thing as did France relative to its agents? Even when the jurisprudence of the Court of Justice opposes transfers without counterpart when it concerns a Member State?

iii. The transfer without counterpart constitutes an unearned enrichment for the benefit of the EU

If the principle of solidarity is used to justify the non-reimbursement of 'superfluous' or refused to reimburse the counter-value of rights acquired beyond the 70% limit, the reimbursement of these 'useless' funds is only possible when a pension is based on the minimal living allowance defined by the Staff Regulations (cf ruling Truta, cited above, point 106).

iv. Transfers without counterpart should be reimbursed

As mentioned under iii) above, the only case for a possible reimbursement is when the individual's pension is based on the minimum living allowance.

3. Proposal from our lawyer

In order to avoid the loss of a national pension and in consequence a part of the transfers beyond the 70% limit, in future, our lawyer proposes another approach:

I quote the lawyer:

"(...) one could actually envisage raising an exception of illegality of the regulatory delay of 10 years (and 6 months) in the sense that it is of a nature to prevent a civil servant from making an informed choice and that the choice of transferring national pension rights should be possible until the age of retirement, the only moment at which the civil servant will possess all the factual and legal elements to make a fully informed choice.

This exception should be invoked following a request to transfer a national pension to the Common Pension scheme of the EU (Article 90 §1 of the Staff Regulations), undertaken after the end of 10 years (but before retirement)

The request will be refused and an exception of illegality of Article 11 §2 of Annex VIII of the Staff Regulations would be raised within the framework of a complaint followed subsequently by a legal appeal.

In this context, the necessary legal means should be sought to counter the limitation of choice in time and allow the civil servant to make his choice until the age of retirement (non-respect of the principle of legal security or of the principle of legal confidence or even of the non-application of the principle of proportionality)"

And I would add "**Article 4§3 of the European Union Treaty** which foresees that "by virtue of the principle of loyal cooperation, the Union and its Member States respect each other and assist each other in the accomplishment of the tasks that devolve from these treaties."

In this way, the EU would facilitate the access of Member States nationals to the function of European civil servant by ensuring they do not lose their national pensions.

4. Conclusions

a) The only possibility at present for recouping the counter-value of the pension rights, resulting from useless transfers, is when the beneficiary agent receives a pension equivalent in part or entirely to the minimum living allowance.

The members of our Association who are beneficiaries of this minimum living allowance should request the recuperation of their rights within three months of being notified of their official pension rights, or of receiving their first pension pay slip.

b) The only way to avoid these useless transfers, save for the case under iii) above, is to obtain a extension to the 10 years and 6 months rule until PMO4 can calculate the level of the pension they will obtain (consequently a little while before retirement)

In the event of the transfer of pension rights to the common health system, which has not yet occurred, might prove useful to increase the pension rights already acquired in order to reach the 70%, members should request this transfer, within the three months following the notification of the amount of their actual pension or following receipt of the first pension slip. This request, if (probably) refused, would allow members of SEPS to introduce a complaint under Article 90§2 and probably an appeal⁷ to the European Court of Justice

Hendrik Smets

Vice President, in charge of legal matters

VII. 2021 Salary adjustments explanations **Expectations for December 2022**

The October 2021 Bulletin explained what the perspectives for the adjustment of salaries and pensions might be over the next three years: 2021, 22, 23.

The expected adaptation of 1.9% was indeed agreed with retroactive effect from 1 July 2021.

⁷ This action at the CJEU will be financed, if necessary, by the SEPS-SFPE

1. In summary:

The salary adjustment consists of two parts:

- Inflation (Joint Brussels-Luxemburg Index **JBLI**)
- The evolution of the salaries of national civil servants in 10 Member States of the EU (**GIS**)

By end 2020 the salary adaptation should have been 3.2%: 0.7% for inflation and 2.5% for parallelism with national salaries. We only received the 0.7% as a result of the exception clause: fall of GDP by 5.9%

2. In 2021, for inflation (JBLI)

The inflation of 0.7% was granted in 2020.

For 2021, if we rely on the figures provided by the Belgian statistical office Statbel, inflation progressed in September to 2.86%, although it was only 1.63% in June.

For our salary adjustment, the reference date is 01.07.2021. Inflation for Brussels and Luxemburg was evaluated by Eurostat at 2.1% (JBLI = 1.021)

3. In 2021, for the evolution of national civil servant salaries (GIS)

Given the fall in GDP (-5.9%) the portion of the adjustment for 2020 attributable to the comparison with EU national civil servant salaries (2.5%) was blocked until GDP returns to its 2019 level: this is the effect of the exception clause. In 2021 GDP had not yet reached its value of 2019. The forecast of ECFIN is +4.8%. There still remains a gap of 1.1%. The 2.5% increase for 2020 is therefore postponed to 2022! Since GDP for 2021 is positive, the effect of national salaries (GIS) was applied on 1 July 2021 in combination with the adaptation for inflation. However, national salaries have on average changed very little: -0.2% (GIS = 0,998)

4. Annual adjustment for 2021

The adjustment to be applied retroactively from 1 July 2021 will be 1.9%

Calculated as: $1.021 \times 0.998 = 1.019$

This was officialised in a December 2021 Official Journal.

5. Moderation clause

This will be triggered if the increase in GIS (cumulated) is above 2%.

This may be the case in 2022 if one adds the increases of 2020 and 2022. The progressivity of the moderation clause could mean the adjustment of 2% occurs in July 2022 and the remainder at Easter 2023. All this presupposes that GDP for 2022 will again have reached its value of 2019 and that nothing else has changed until then!

6. Correction coefficients : annex 1

VIII. Summary of the Administrative Board meeting of 5 December 2021

Luigia Dricot-Daniele, Secretary General

Given the health situation and the complexity of having 18 persons in the same space in total safety for one day, this meeting of the AB was turned into a written procedure.

The members of the AB approved the following proposals

1. Cancellation of the GA of 9 December 2021

It was prudent to cancel this information and General Assembly meeting planned for 9 December at the “Repos des Chasseurs”. It will probably be necessary to wait until spring 2022 before we can all meet again!

2. Nomination of three administrators

Evelyne De Houwer, Cristiano Sebastiani and Barbara Félix have been co-opted to the AB by written procedure

3. Working Programme for 2022 (Doc AG/SC.LDD/21.41)

The programme was approved by the AB. It will need to be approved by the GA. It is available on request from the secretariat.

4. Budget 2022 (Doc.AG/MM/SC/21.42)

The budget is essentially a repeat of the 2021 budget. It will need to be approved by the GA. It is available on request from the secretariat.

In summary:

Ordinary budget 2022

Total receipts	30,000.00
Administration	6,500.00
Equipment	3,500.00
Activities SEPS-SFPE	17,000.00
Total Expenditure	27,000.00
Estimated reserve available end 2022	70,000.00

Extraordinary budget 2022

Legal fees 2022 (and 2023 ?) (very uncertain)	
Recuperation of pension rights	6,000.00
Resumption of work after invalidity	12,000.00
Total extraordinary budget	18,000.00

Budget to be taken from the reserve

5. Modifications to the Staff Regulations of the European civil service

The Commission report of 4 August 2021 concerns the period from 1 January 2014 to 31 December 2019. The start of this period corresponds to the entry into force of the last reform of the Staff Regulations.

A final report will be presented to the EP and the Council in March 2022 on the basis of which the Commission will, if necessary, present a formal proposal to modify the modalities of the implementation of the pension scheme and of the method (cf Chapter IV above).

6. SEPS-SFPE Group for the defence of the Staff Regulations

Preparations for the discussions have been on-going since November 2021: Milvia van Rij-Brizzi, Gina Dricot and Serge Crutzen have examined the archives of the 2014 reform (200 Mo!) in order to be ready for the first meetings of dialogue with AIACE and the staff unions. The social dialogue for joint meetings will probably begin in March 2022. The 'Pensions' group of SEPS will be involved and will be regularly consulted in order to feed into the discussions.

The AB will be specifically kept up-to-date in the hope that its members can contribute to the studies and the discussions.

7. Return to work after a long period of absence due to invalidity

Among its members SEPS has

- Pensioners from the Institutions
- Colleagues on invalidity
- Colleagues close to retirement who would like to defend the interests of pensioners

The attitude of the Commission's Medical Service is not correct regarding one of our colleagues on invalidity since a long time, but who is in a position to return to work.

Despite all the initiatives organised by Hendrik Smets, our Vice-President responsible for legal matters, this affiliate has been forbidden from returning to work in the correct conditions.

Given that this dossier compiled by Hendrik and the opinion of our lawyer, Mr Mourato, SEPS has decided to launch an appeal to the European Court of Justice.

Such an action, which will involve lawyer's fees, needs to be authorised by the AB. (We have a comfortable reserve to draw on)

The AB approved this action with a majority: 12 votes for and 6 failures to respond (abstentions?) out of 18.

8. SEPS-Italia

Colleagues in Ispra have created a SEPS antenna in Italy. The inaugural meeting for this "section" was held on 9 June 2021.

With the agreement of the AB, SEPS Brussels will specifically inform those SEPS members who reside in Italy, who may wish to transfer their affiliation and membership fees to SEPS-Italia.

A discussion will be held during 2022 regarding the definition of "section" of SEPS. Should we speak of an international section, a Brussels section, a Luxemburg section, an Italian section?

9. Promotional activities

In agreement with DG HR D – assistance to pensioners, several activities will be undertaken from end 2021 into 2022:

- Creation of a flyer which describes the objectives of SEPS and invites to join
- An annual e-mail to all the staff
- A letter to DG HR D1 to all active staff who have decided to take retirement
- Provision of our Bulletin (and of the flyer) at the "welcome/departure office" (PLB 3)
- An article about SEPS in every edition of Info Senior

This type of promotional activity will also be discussed with the General Secretariat of the Council and with the staff committees of the Parliament and the Court of Justice.

IX. Information and reminders

Much of the information offered to you under this chapter of the Bulletin does not concern all members but may interest a good number of them. It is being sent to you on the basis of experiences made by members of SEPS who man the permanent telephone line or at the request of PMO.

Some of this information may also duplicate information provided in the form of the information bulletin of DG HR D1 "Info Senior" and earlier SEPS-SFPE Bulletins. However, it is essential to insist on certain rules and repeat them: the PMO services ask us to do so.

1. Opening of the offices of SEPS and of Afiliatys

Given the current health situation, meetings between members and responsible members of the Association can only take place by appointment, either at 105 Avenue des Nerviens in Brussels (Thursday pm) or at the Council of the EU, office JL 02 CG 39 (for those who are authorised). Moreover, these appointments need to be accompanied by a written document.

The addresses hereafter allows us to function during this period where all offices of the Commission are closed. These are the addresses to be used by whoever wishes to send us documents or requests by post:

SEPS-SFPE
JL 02 CG39
175 rue de la Loi
BE 1048 Brussels

or

SEPS-SFPE
2A rue Emile Pirson
BE 5140 Sombreffe
Belgium

However, the majority of contacts, meetings of SEPS-SFPE and meetings with Commission services take place by videoconference or at the private residence of one of the members of the Daily Management group

It is again possible to meet the experts of Allianz Care for the complementary health insurances to JSIS offered by Afiliatys. However these meetings need to be organised in advance and a formal appointment is necessary (info@sfpe-seps.be or Jeremy Vedel Allianz Care: Jeremy.vedel@allianz.com). These meetings take place at 105 avenue des Nerviens, 1040 Brussels.

2. Welcome offices of JSIS (Brussels, Luxembourg & Ispra) are open again. Reminder⁸

The colleagues of PMO are again at your disposal in the offices of JSIS to respond to all your questions concerning the health and accident insurance. They will receive you in Brussels, Luxembourg and Ispra to give you explanations and whatever advice you need.

However:

For the security of all, these meetings will take place only by appointment
To fix an appointment with your JSIS office, please send an e-mail or give them a call:

For Brussels:

PMO-JSIS-BRU-RDV@ec.europa.eu

+32 2 299 7777

For Luxembourg:

PMO-JSIS-LUX-RDV@ec.europa.eu

+352 4301 36100

For Ispra:

PMO6-JRC-HD@ec.europa.eu

+39 0332 78 57 57

To prepare these meetings, please communicate the following information either by email or phone:

- 1) your personnel or pensioner number
- 2) the reason for your appointment in a few words (no medical details) and indicate who is the beneficiary
- 3) the number of the account or of the dossier, if applicable
- 4) a telephone number at which an administrator can reach you if necessary to better prepare a meeting or to inform you of a potential last-minute cancellation.

⁸ Reminder of what was said in the October 2021 Bulletin and in the letter of Christian Roques of 10.12.2021, Director DG HR.D – Health & Well-being – working conditions

NB: By requesting an appointment you accept that the personal details mentioned above will be handled to organise your meeting.

The addresses of the welcome offices are as follows.

- Brussels: MERO – Avenue de Tervuren 41 – 1049 Brussels
- Luxemburg: DRB B2/085 – Rue Guillaume Kroll 12 – 1882 Luxemburg
- Ispra: at the liquidator’s office of PMO6 – Building 73, Via Enrico Fermi 2749, 21027 Ispra. For pensioners: at the Clubhouse – Via Esperia 329, 21027 Ispra

For pensioners who do not yet possess an EU Login account: This can be created on the spot by the PMO teams, thus giving access to a number of on-line facilities which can save time and reduce the administrative workload. You will need an e-mail address and the telephone number of a mobile phone in order to access your account.

If you are not able to travel and you would like to obtain an EU login account, we invite you to contact the EU LOGIN team of PMO:

- Brussels and Luxemburg via the functional mailbox PMO-EULOGIN@ec.europa.eu or by telephone +32 (0) 2 297 6888 from 09:30 to 12:30
- Ispra by telephone at +39 0332 78 30 30 from 9:30 to 12:30

If you still need information, do not hesitate to contact the Social Support and Relations with Pensioners team at PMO at +32 (0) 2 295 9098 from 9:00 to 12:30 and from 13:30 to 17:00 Monday to Friday. You can also send them an e-mail via HR-BXL-AIDE-PENSIONNES@ec.europa.eu

Please note the new address of their offices: Rue Philippe le Bon 3, office 01/P165, 1000 Brussels.

If you feel the need to speak with someone because you feel alone and/or isolated, you can always call one of our colleagues on our help line HR-TELE-CARE +32 (0)2 295 4000 open Monday to Friday from 9:00 to 17:00. Those who would like this can also be put in contact with a “Buddy” – a volunteer colleague from the European Commission – with whom you can exchange and receive calls on a more regular basis.

3. Catering in the Brussels office buildings

The OIB, now in charge of the management of the restaurants and cafeterias, hopes soon to be able to welcome colleagues to one of the opened sites. They “appear to be the same” but they have changed a lot, we are told by the person responsible!

The cafeterias that are open:

BERL	Ground floor	8.30 a.m to 11.30 a.m & 12.00 p.m to 3.30 p.m.
BERL	Floor 11	8.30 a.m to 4.00 p.m.
BRE2	Ground floor	8.30 a.m to 11.30 a.m & 12.00 p.m to 3.30 p.m.
L-41	Ground floor	8.30 a.m to 11.30 a.m & 12.00 p.m to 3.30 p.m.
L107	Floor 22	8.30 a.m to 11.30 a.m & 12.00 p.m to 3.30 p.m.
MO15	Ground floor	8.30 a.m to 11.30 a.m & 12.00 p.m to 3.30 p.m.

Service will be progressively adapted as a function of the gradual return of colleagues to the offices.

The objective of OIB is to distribute the catering opportunities geographically over the range of sites of our office buildings. During 2022 OIB expects to offer 5 canteens and some twenty operational cafeterias, of which 5 will be “Cafeteria+”. In addition to the traditional coffee shop range of sandwiches and salads, there will also be small meals.

If colleagues would like to test one of the “Cafeteria+”, the OIB invites them to come to the cafeteria of L107 where they can also experience an exceptional view over Brussels.

4. Legal advice – Assistance of a lawyer – reminder

If you need legal advice for problems with regard to your relations with the Commission services (application of the Staff Regulations) or in connection with your private affairs (inheritance or fiscal problems) Hendrik Smets, Doctor in Law and licensed notary, Vice-President of SEPS/SFPE in charge of legal matters, is at your disposal, to give you an opinion in all discretion and respecting his probity as a former European civil servant.

You can contact Hendrik Smets by e-mail: hendriksmets@yahoo.fr or by telephone: +33.563.67.88.83

Hendrik Smets will make an initial analysis of your question and will propose either a solution or a consultation with a lawyer, free of charge for all members who have paid their membership fees.

5. Accumulation of a Community pension with a national pension – reminder

Hendrik Smets would like to draw the attention of members to his article on this subject, which appeared in earlier editions of our Bulletin.

European civil servants who have not transferred their national pension rights to the Community system and who benefit from a Community pension can now introduce a request for a pension for the years of service with a national employer.

This is also valid for those who have already introduced such a request and have had it rejected.

Hendrik Smets is at their disposal to guide them through their (new) request.

Hendrik Smets,
Vice-President in charge of legal matters

X. Annexes

Proposal for a Membership card

Several members of our association have requested membership cards.

In order to satisfy this request, we have elaborated a card which was approved by our Administrative Board by a majority of votes obtained by the deadline of 23 April 2021.

We are now in a position to offer this membership card and would like to insist that **this is not in any fashion an insurance card**. Its usefulness resides above all in the useful information it contains in case of need. It can be drawn up in EN, FR or DE according to request.

As you can see it will take the format of a credit card and will contain:

√ On the face:

Other than the information relative to SEPS/SFPE, your name and surname, **the personal details that you like or not to communicate to us:**

- Your photo, to be sent to us if you wish
- Your pension number, if you wish

√ On the reverse:

Some essential information concerning JSIS, PMO 4 and Assistance to pensioners (Unit D1)

√ Procedure to be followed to receive this card:

To receive this membership card with the requested options, just place a X in the appropriate box and send us the document:

- Preferably to our e-mail address: info@sfpe-seps.be
- Or by letter to our current address (given the current impossibility to access our offices): SEPS/SFPE, 2A rue Emile Pirson – 5140 Sombreffe, BE

Photo

I would like to have my photo, annexed hereto or which I will send you by post, on the card

YES NO

Pensioner number

I would like to see my pension number indicated on the card, which I give you herewith or will send it to you

YES NO

Copy of a membership card :

 ASBL (BE) N°806 839 565	Association de Seniors de la Fonction Publique Européenne Association of Seniors of the European Public Service 175 rue de la Loi, Bur. JL 02 40 CG39,BE-1048 Bruxelles 105, avenue des Nerviens, Bureau 00.010, BE-1049 Bruxelles Tél. +32 475 472470 Email info@sfpe-seps.be Web www.sfpe-seps.be
	Luigia DRICOT-DANIELE MEMBRE N° N° Pension :

REGIME COMMUN D'ASSURANCE MALADIE	
*Ceci n'est pas une carte d'assurance santé.	
Bureau liquidateur Bruxelles Prise en charge	+32 2 29 97777 +32 2 29.59856
Bureau liquidateur Ispra Prise en charge	+39 0332.785245 +39 0332.789966
Bureau liquidateur Luxembourg Prise en charge	+352 4301.36100 +352 4301 36103
Aide pensionnés HR-BXL-AIDE-PENSIONNES@ec.europa.eu	+32 2 29.59098
PMO – Pensions: PMO- PENSIONS@ec.europa.eu	+32 2 29.78800

Annex 2

Correction coefficients

See the French version overleaf

Annex 3

In memoriam

Information given from 1 November 2021 to 1 January 2022

Name	Birth	Death	Institution
LEBEAU Alice	06-04-22	16-09-21	COM
MALM Kari	05-12-53	23-09-21	COM
DECOOMAN Arlette	14-04-35	25-09-21	COM

Name	Birth	Death	Institution
MONTASTRUC Pierre	17-01-32	25-09-21	COM
KLEIN Jacqueline	20-08-38	26-09-21	COM
SCHIRMER Rickleff	11-10-39	26-09-21	CES
WESSELINK ERICK	13-05-55	26-09-21	PE
HEDEMAN Johannes	02-08-23	02-10-21	COM
TIEDKE Ruth	18-08-26	02-10-21	COM
MIGONI Angelo	31-12-35	03-10-21	COM
STATHAKOPOULOU Evanthia	10-02-57	04-10-21	COM
BRODERSEN Sven	04-06-50	06-10-21	PE
BRANDERS Claude	27-06-35	07-10-21	COM
KARRENBAUER Franz	12-11-32	07-10-21	COM
LUND Barbro	17-12-51	07-10-21	COM
ZORBAS Gerassimos	01-01-51	07-10-21	COM
DE SMEDT Veerle	02-07-70	09-10-21	CM
MICHEL Bernard	03-05-45	09-10-21	COM
HOBBING Peter	01-01-48	11-10-21	COM
ZEHNER Werner	04-03-25	11-10-21	COM
VAN DER SPREE Daniel	22-01-47	12-10-21	COM
RYE Eva	19-01-44	18-10-21	COM
SAKALIS Athanassios	27-10-50	18-10-21	COM
BERNARD Monique	06-02-48	19-10-21	COM
CAPOGROSSI Roberto	24-11-42	22-10-21	COM
KLEIN Cecile	24-05-54	23-10-21	COM
MATHYS Andre	21-05-42	25-10-21	COM
DE LUCA Rita	14-06-41	15-09-21	COM
DI GIOIA-BERNASSOLA Rosa	23-11-33	24-10-21	COM
MOAT-DOBSON Margaret	09-05-33	26-10-21	COM
ALVAREZ-GORTARI Juan Ignacio	27-01-50	30-10-21	COM
VALCKE Bernadette	19-01-33	30-10-21	COM
FONTAINE Suzanne	22-04-29	01-11-21	COM
STANLEY Pauline	07-09-42	04-11-21	CM
WIJNMAALEN-ANEMA Alida	08-12-37	04-11-21	COM
BOISNON-BERNARDEAU Annick	16-02-55	10-11-21	COM
LAMPRECHT Margarete	13-01-18	10-11-21	COM
BISDORFF-PELTIER Marie-Thérèse	12-07-29	11-11-21	COM
SUSCA Domenico	08-09-39	12-11-21	PE

Name	Birth	Death	Institution
HUYGHE Leon	09-04-50	13-11-21	PE
SANTARELLI Marie-Francoise	18-03-40	18-11-21	PE
SCHMUTZER-BROUWERS Johanna	08-11-26	18-11-21	PE
STEIN Paula	27-08-34	18-11-21	COM
FRANK Helga	10-07-28	20-11-21	COM
FARRE Divina	01-05-21	23-11-21	CC
BADER Aya	03-10-39	25-10-21	COM
KIRCHBERGER Kristin	08-02-37	26-10-21	COM
SOMERS Jean	22-04-35	26-10-21	COM
COUCK Marie-Louise	23-04-31	25-05-20	COM
FERRY Monique	14-05-38	16-11-21	PE
PERUGINI Ruggero	02-09-46	16-11-21	COM
LAZAR Sorin Petru	03-11-50	22-11-21	PE
PHILLIPS Ingrid	16-09-48	23-11-21	COM
PILLET Patrice	23-06-48	25-11-21	COM
SOSA MORALES Froilan	14-01-42	26-11-21	COM
MARQUES Marilia	10-05-50	27-11-21	COM
MOMMAERTS Albert	14-01-43	27-11-21	PE
LOHNER Ingeborg	12-05-39	28-11-21	COM
BROUWER Jantina	22-10-26	01-12-21	COM
WHITE Valerie	16-01-29	01-12-21	COM
DELLA PIETRA Hilaire	20-05-40	02-12-21	COM
LERMEN Guenter	01-08-29	03-12-21	COM
ERHOLM Sirkku	20-02-62	03-12-21	COM
MUELLER Hans-Georg	01-02-45	04-12-21	COM
LUCIDI Francesco	10-09-33	05-12-21	COM
ROYER Marcel	02-07-38	05-12-21	COM
LAESCH Romain	12-12-48	07-12-21	COM
VINCENT Daniel	29-01-32	09-12-21	COM
FORLANI Mario	27-07-32	12-12-21	COM
LIVI Giovanni	06-08-31	13-12-21	COM
KOUTSAKOU Maria	21-09-57	15-12-21	PE
SINGER Philippe	20-02-47	18-12-21	CJ
ARRIGHI Maria Angela	21-02-42	20-12-21	COM

**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 2 (forms /pers. data) O / O

Part 3 (addresses PMO – ADMIN. ...) Ed. October 2021 O / O

Part 4 (reimbursement forms – RCAM/JSIS) (June 2020) O

Supplementary health insurances Edition (November 2021) O / O

Invalidity allowance and survival pension (Hendrik Smets) O / O

Orphan survivor's pensions (Hendrik Smets) O / O

EU Officials and taxation (Me. J Buekenhoudt) O / O

Inheritance (Me. J Buekenhoudt) (May 2020) O / O

JSIS Guide (was sent by post to all pensioners) O / O
(Replacing part 1 of the Vade-mecum)

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

Surname.....

First name

Address:

.....//.....

Emailaddress:

Date: Signature:

To be sent to

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

Or

By 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.):

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 of January following their enrolment.

SEPS ING Bank account: **IBAN BE37 3630 5079 7728 BIC: BBRUBEBB**
Communication: **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

To be sent to

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

Or

Email: info@sfpe-seps.be

STANDING ORDER

(Please send direct to your bank)

I, the undersigned,
HEREBY INSTRUCT (Name of bank)
to pay the sum of € 30 and on 15 January each year, until further notice,
the same 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