

# IGP Country Profile 2022



# The Netherlands

Prepared by:  
a.s.r.



## Preface

This Country Profile has been prepared by **a.s.r.** for the International Group Program (IGP).

The International Group Program (IGP) is a network of major life insurance companies (Network Partners) operating throughout the world, who work together to meet the group insurance and pension needs of international corporations and their affiliates, branches, and subsidiaries.

Since 1967, the International Group Program has been an industry leader in the field of international benefits management, serving more multinational companies than any other network. IGP is represented in around 70 countries throughout the world and is known for the flexibility and quality of service we provide to our clients.

Working closely with our headquarters' staff in Boston, our regional offices in Brussels and Singapore, IGP Network Partners offer corporate clients the advantages of experienced local insurance management coupled with the resources of a professionally trained staff that specializes in international employee benefits.

IGP is managed by John Hancock Life Insurance Company (U.S.A.), the U.S. operation of Manulife Financial Corporation, a leading financial services group based in Toronto, Canada. Manulife offers its clients a diverse range of financial protection products and wealth management services. Both Manulife Financial and John Hancock are internationally recognized brands that have stood for financial strength and integrity for more than a century.

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## Your Local Link to IGP in the Netherlands: a.s.r.

**a.s.r.**

### The IGP Network Partner in the Netherlands

The rich history of **ASR Nederland** (hereafter called a.s.r.) begins in 1720 with the start of the Maatschappij van Assurantie der Stad Rotterdam. But the foundation of our current organization was laid in 2000 with the merger of Fortis AMEV and ASR Group (consisting of De Amersfoortse, Stad Rotterdam Verzekeringen and Woudsend Verzekeringen).

a.s.r. is a large, full-service, listed company with a multi-label strategy. Via the a.s.r., Ditzo, Europeesche Verzekeringen, Ardanta, a.s.r. asset management and Loyalis brands, a.s.r. offers a wide range of financial products covering non-life, life and income protection insurance, group and individual pensions, health insurance, and travel and leisure, and funeral insurance. Besides insurance products, the a.s.r. product range includes savings and investment products and mortgage products. In addition, a.s.r. invests in developing and operating real estate.

Financially strong – with a solvency ratio of 196% at the end of 2021, a.s.r. is one of the leading insurance companies for financial strength in The Netherlands. a.s.r. ranks among the top 3 insurers in the Netherlands.

a.s.r. wants to play a leading role in the field of sustainable business in the financial sector. In everything we do, we think about whether it is sustainable for the future. Our business operations enable us to contribute to solving social issues that relate to our core activities, such as insurance and asset management. We set great store by playing an important role in making society more sustainable. a.s.r. integrates sustainability into its entire organization and has the greatest social impact on three core themes: Climate change and energy transition, Vitality and sustainable employability and Financial self-reliance and inclusiveness.

Socially desirable insurer a.s.r. is increasingly recognized as a sustainable company. We are pleased that a.s.r. is included in the Dow Jones Sustainability World Index, making us one of the 10% best performing insurers worldwide in terms of sustainability.

In Employee Benefits, a.s.r. offers employers a complete line of insurance and pension products designed to complement the benefits provided by the Dutch Social Security System.

a.s.r. sets the stage for further enhancements in a.s.r.'s pension product offering and is expected to yield increasing economies of scale. Moreover, employee benefits such as Group Disability are offered by a.s.r. (formerly: De Amersfoortse) who became the exclusive Dutch IGP Network Partner for income protection and health insurance as of January 1, 2011.

a.s.r. has been an IGP Network Partner since 1991.

### Life

- Life
- Accidental Death and Disability
- Life Cover for Retirees
- Optional Supplemental Life (ANW-gap)
- Survivors' Pensions

## Your Local Link to IGP in the Netherlands: a.s.r.

### Sickness and Disability

- Sick Pay Benefits
- Disability Protection (WIA / WGA coverages)
- WGA Own Risk policies (for employers)
- Reintegration programs
- Waiver of Premium (in case of (partial) disability)

### Medical

- Medical Insurances

### Pensions

- Defined Contribution Plans
- Defined Benefit Plans (Existing Business Only)
- General Pension Fund Plans (APF)
- Premium Pension Institution (PPI) solution through Brand New Day

### Other

- Group Personal Accident
- Travel insurances
- Funeral insurances
- All types of non-life insurances

## Social Security Benefits and Customary Private Employee Benefits

### Introduction Social Security:

The Dutch Social Security system was originally designed based on solidarity between all people insured, along with the husband's role as traditional family income provider. Due to social and demographic developments during the last decades, the system came under pressure and needed to be revised.

Consequently, in the mid 1990's a process was started in order to get to a more dynamic Social Security system, focusing on reintegration of the disabled and unemployed people. Moreover, due to the emergence of the European Union, the Dutch also needed to take care of their own competitiveness compared to other EU member states. The generous and expensive Social Security system needed to be reformed. Step by step, substantial parts of Dutch Social Security have been privatized, a process which is still continuing today. It is up to employers and employees to take out supplemental insurance contracts to fill the gaps, either through group plans or individual policies.

### Netherlands Employees Insurance Agency (Uitvoeringsinstituut Werknemers Verzekeringen or UWV)

Sickness, disability and unemployment related issues such as claim handling and medical examination are taken care of by the UWV.

As mentioned above, although the WIA (Work and Income according to Labor Capacity Act) is basically a Social Security benefit, an employer may, under certain conditions, bear his own risks during the first ten years of sickness. Medical examinations and benefit level determination, however, remain the responsibility of UWV.

### Glossary of Terms:

#### National Insurance Schemes

(if applicable, contributions remitted to the tax authorities)

AOW:	General Old Age Pensions Act
ANW:	General Surviving Relatives Act
Participation Act:	In this act the Work and Social Assistance Act (WWB) and Invalidation Insurance (Young Disabled Persons Act (Wajong) are combined
WLZ:	Long-Term Care Act
AKW:	General Child Benefit Act (Child benefit is financed from tax revenues)
TW:	Supplementary Benefits Act

#### Employee Insurance Schemes

(if applicable, contributions also remitted to the tax authorities)

WIA:	Work and Income according to Labor Capacity Act
ZVW:	Health Insurance Act
WW:	Unemployment Benefits Act
ZW:	Sickness Benefits Act

## Social Security Benefits and Customary Private Employee Benefits

**Partners:** In all Social Security Acts two unmarried persons living together are ranked on par with married couples. This rule also applies to two brothers or sisters who live together and to a grandparent and a grandchild who live together (second degree relatives). However, a parent living together with his or her children (first degree relatives) is considered to be single. This will also be the case for the grandparent/grandchild relationship when the new pension system will be implemented (See for more information about the new pension system; Important developments on p. 21).

Married persons who are living on separated addresses (under new legislation: with the exception of elderly who live apart due to healthcare related reasons) are also regarded as single persons, unless of course they live together with someone else. A single parent is a person who has a child under the age of 18 as part of his or her household and for whom he or she receives child benefits (AKW).

### Registered Partnership:

Couples wishing to formalize their relationship have three options: civil marriage, registered partnership, or a cohabitation agreement. All three options are open to couples of the same and opposite sex. People can of course also choose to live together without making any formal arrangements.

Many pension schemes cover pensions for dependents. The surviving partner of a married couple or couple with a registered partnership is eligible for a dependent's pension after the partner's death.

Many pension schemes also provide for the surviving partner of unmarried and unregistered couples. Those who wish to benefit from these schemes must often make appropriate provisions in a cohabitation agreement or must have been living at the same address for a certain period. Many schemes pay out only to those who have had a cohabitation agreement drawn up by a notary.

### International Employment:

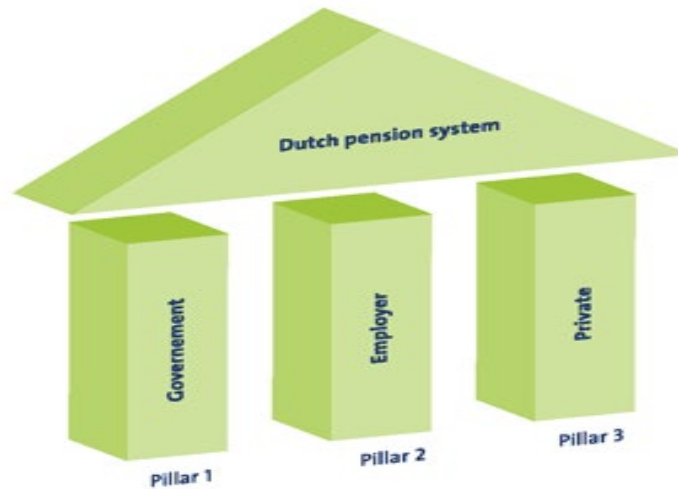
If your employee starts working outside the Netherlands permanently, he or she will no longer be covered by the Dutch social insurance schemes for e.g. old age pension (AOW), survivor benefits (Anw) or incapacity benefit (WIA). Instead, your employee will be insured in the country of work. But if your employee starts working for you outside the Netherlands temporarily, he or she will often continue to be insured in the Netherlands. We refer to this as 'secondment'. Your employee can be seconded for a maximum of five years. Your employee will need an A1/(E)101 statement to remain insured in the Netherlands.

An A1/(E)101 statement is a form stating the country in which a worker is covered by social insurance. This statement is valid in the countries of the European Economic Area (EEA)<sup>1</sup> and in countries with which the Netherlands has a social security agreement. In many countries, a labour inspectorate checks whether you or your employee have an A1/(E)101 statement. You or your employee can apply for the statement from the social insurance institution of the country where your company is based. The Dutch Social Insurance Bank (Sociale Verzekeringsbank (SVB)) is the social insurance institution in the Netherlands.

For more information about international secondment and employment, please visit the website of the Dutch Social Insurance Bank [www.svb.nl](http://www.svb.nl) and the Dutch Tax Administration [www.belastingdienst.nl](http://www.belastingdienst.nl).

<sup>1</sup> Member countries of the European Economic Area (EEA) are listed at: <https://www.netherlandsworldwide.nl/eu-eea-efta-schengen-countries>

## Overview of Customary Private Employee Benefits:



Occupational Pension Benefits are widespread among Dutch companies. Nearly all employees (approximately 95%) participate in a pension plan (a.k.a. second pillar pension). The Pension Act dictates that if an occupational benefit is in place, the pension accrual starts at the latest from the employee's 21<sup>st</sup> birthday. Both civil and fiscal legal rules apply to these plans. A pension plan will only be considered 'qualified' if it is a plan qualified in terms of the Dutch Pension Act and if it is qualified by the tax authorities.

Due to the fiscal treatment, nearly all schemes provide the beneficiary with annuities. Funding takes place through insurance of deferred annuities or a capital to be used to the purchase of annuities upon the expiry date. Group insurance may be financed by level premiums or single premiums, of which the latter is most common. They generally include a waiver of premium in the event of disability. The contract term is usually five years or shorter. Nowadays more and more contracts have an unlimited duration with the right to termination.

## Social Security Contributions:

Benefits	Employer	Employee	Paid on a Maximum Income of
AOW	-	17.90%	€ 35,472 (annual)
ANW	-	0.10%	€ 35,472 (annual)
WLZ	-	9.65%	€ 35,472 (annual)
WIA high	7.05%	-	€ 229.63 (daily)
WIA low	5.49%	-	€ 229.63 (daily)
ZVW	6.75%	-	€ 229.63 (daily)
WW high	7.70%	-	€ 229.63 (daily)
WW low	2.70%	-	€ 229.63 (daily)

National Insurance contributions are levied in a lump sum together with income tax on salaries.



<b>DEATH BENEFITS</b>																	
<b>Social Security Benefits</b>	<b>Customary Private Employee Benefits</b>																
<p><b>General Surviving Dependents Act (ANW)</b> The ANW provides a benefit for widows, widowers, partners, and dependent children who have lost both parents. The deceased spouse, partner, or parent must have been insured under the ANW on the date of his or her death.</p> <p>The following amounts are applicable as of January 1, 2022:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Category</u></th> <th style="text-align: right;"><u>Gross per Month</u></th> <th style="text-align: right;"><u>Holiday Allowance</u></th> </tr> </thead> <tbody> <tr> <td>Survivors' benefit</td> <td style="text-align: right;">€ 1,282</td> <td style="text-align: right;">€ 87</td> </tr> <tr> <td>Full orphans up to age 10</td> <td style="text-align: right;">€ 422</td> <td style="text-align: right;">€ 28</td> </tr> <tr> <td>Full orphans between ages 10 and 16</td> <td style="text-align: right;">€ 624</td> <td style="text-align: right;">€ 42</td> </tr> <tr> <td>Full orphans between ages 16 and 18/21</td> <td style="text-align: right;">€ 827</td> <td style="text-align: right;">€ 55</td> </tr> </tbody> </table> <p>The surviving relative is entitled to an ANW survivors' benefit if (s)he:</p> <ol style="list-style-type: none"> <li>a) has an unmarried child under the age of 18, or</li> <li>b) is incapacitated for work at least for 45%, or</li> <li>c) was born before January 1, 1950.</li> </ol> <p>Instead of the allowance a child budget will be awarded. Children who have lost both parents are entitled to an orphans' benefit up to the age of 16 (18 in case of disability, 21 if student).</p> <p>The ANW survivors' benefit is income-tested, but not all income is fully considered. The survivor may earn up to 50% of the minimum wage (€ 862 gross per month) before it has an effect on the level of benefit (€ 1,282). When the earnings are € 2,758 or more, no benefit will be paid.</p> <p>Whereas income from actual employment (remuneration and incentives like salary and shares in company profits) is partially taken into account, income related to former employment (disability or unemployment benefits) is fully taken into account. If the recipient of ANW survivors' benefit and/or ANW dependent child allowance passes away, the survivors are entitled to a death grant.</p>	<u>Category</u>	<u>Gross per Month</u>	<u>Holiday Allowance</u>	Survivors' benefit	€ 1,282	€ 87	Full orphans up to age 10	€ 422	€ 28	Full orphans between ages 10 and 16	€ 624	€ 42	Full orphans between ages 16 and 18/21	€ 827	€ 55	<p>Death benefits are mostly integrated in the pension (Retirement) plan. Lump-sum death benefits are very unusual because of unfavorable taxation, payment in annuities are therefore most common. Members of a pension plan have the legal right to exchange survivors' pension (reserves build up after 2002) for a higher old age pension.</p> <p>An important exemption was made for plans featuring survivors' benefits on a pure risk basis. Under these plans, no reserves are accrued and premium is based on actual claims experience. This type is normally only provided in connection with capital insurance. The survivors' pension on a pure risk basis has gained a lot of interest, because it excludes any adverse impact in case of a service-exit or divorce.</p> <p><b>Accidental Death and Disability (AD&amp;D)</b> Although covered under Social Security as well, some employers appreciate additional coverage by taking out a special group insurance contract for AD&amp;D. In some industries (such as transport) this coverage is even mandatory. It is then common to cover one time annual salary in case of death due to an accident and three times annual salary in case of total and permanent disability due to an accident. In case of death, a benefit up to three months' salary is tax-free.</p>	
<u>Category</u>	<u>Gross per Month</u>	<u>Holiday Allowance</u>															
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<b>SICKNESS AND DISABILITY BENEFITS</b>	
<b>Social Security Benefits</b>	<b>Customary Private Employee Benefits</b>
<p><i>For a schematic overview – please see Appendix</i></p> <p><b>Sickness Benefits Act (ZW)</b> The Dutch Civil Code stipulates that employers must continue to pay out the salary of sick employees for the first two years of sickness (with a minimum of 70%). The first two days of sick leave may be at the expense of the employee. This must have been laid down in the employee’s contract of employment or in the collective labor agreement.</p> <p>After 104 weeks of sick leave, a review takes place to determine whether the employee qualifies for a disability benefit. Under certain conditions sickness benefits can be topped up with an allowance payable under the Supplementary Benefits Act. After 104 weeks of sick leave, the employee’s Remaining Earning Capacity (REC) will be determined by the UWV and the employee will further be covered under the WIA, if disabled for at least 35%.</p> <p>The Sickness Benefits Act (ZW), although privatized, has continued to exist as a “safety net” for temp workers or employees who do not, or no longer, have an employer. Sick pay is also possible in the event of sickness resulting from pregnancy and childbirth, bankruptcy of the employer and a few other specific circumstances.</p> <p>Social Security sick pay is 70% of the daily pay (maximum daily pay is € 228.76) and is paid out as long as sickness continues, but for a maximum of 104 consecutive weeks.</p> <p>Female employees are entitled to a sick pay benefit of 100% of the salary (up to the maximum daily pay) when sickness or absence is in connection with childbirth. This benefit is payable over a period of at least 16 weeks.</p> <p>The employer can choose to take out private insurance (with or without stop loss coverage or waiting period) with an insurance company to cover his liabilities, he can opt for a public sector or he can bear his own risk.</p> <p>Employers employing less than 10 to 30 people typically take out a conventional sickness coverage; employers with over 30 to 100 employees normally take out a stop-loss coverage. For companies with more than 250 employees self-insurance is most appropriate.</p> <p><b>Occupational Health &amp; Safety Service (ARBO-dienst)</b> The Occupational Health &amp; Safety Service supports an employer and provides counseling services in an effort to reduce the amount of sick leave and disability. In all branches of industry the use of a professional Occupational Health &amp; Safety servicing company is mandatory. The employer is obliged to pay the costs.</p>	<p>Additional disability pension benefits can be arranged for employees earning in excess of the Social Security ceiling (€ 59,706) and for employees with a WGA-gap.</p> <p><b>WGA-Gap Insurance</b> If the employee is working and earning at least 50% of what (s)he could be earning, e.g. (s)he does make use of his or her Remaining Earning Capacity (REC), the benefit amounts up to 70% of the difference between the last-earned salary and the REC-salary with a maximum of € 59,706.</p> <p>If the employee is not working at all or earning less than 50% of what (s)he could be earning, the follow-up benefit will amount to no more than a percentage of the minimum wages. The percentage will be related to the inability to earn due to medical limitations. If the income of the employee and partner stays under the social minimum (€ 22,356 per year) a supplementary benefit (TW) can be awarded.</p> <p>The cause of not working or earning less than 50% of what could be earned, could very well be a result of the fact that there are no (or not enough) jobs available. Also one’s private situation (taking care of the children, or nursing a sick relative) can play a role in this matter. However, the cause has no effect on the follow-up benefit.</p> <p>Insurance companies can offer several WGA-gap solutions (group plans, individual policies, voluntary or non-voluntary schemes, stand-alone plans or plans in conjunction with the pension plan, etc.), and several benefit levels (e.g. including or excluding the REC fulfillment).</p> <p><b>Extended WGA-Gap Insurance</b> This insurance entitles partially employable/disabled employees, who do not use or who do use less than 50% of their Remaining Earnings Capacity, to an appropriate income protection. The extended WGA-gap insurance tops up the State’s follow-up benefit up to a maximum of 70% of maximized final pay.</p> <p>Further, if the Remaining Labor Capacity is fulfilled this insurance entitles the partially employable/disabled employee to an extra 5% benefit. The extra 5% already becomes payable immediately when there is a right on a loss-of-income WGA allowance. This extended WGA-gap insurance benefit is payable until age 66 and 4 months.</p> <p>A Social Security WGA-wage ceiling (€ 59,706) applies when calculating the absolute levels of both the Social Security benefit and the extended WGA-gap insurance.</p> <p>For employees exceeding this ceiling WIA-excess insurance is provided.</p>

<b>SICKNESS AND DISABILITY BENEFITS</b>	
<b>Social Security Benefits</b>	<b>Customary Private Employee Benefits</b>
<p><b>The Work and Income According to Labor Capacity Act (WIA)</b> The Work and Income according to Labor Capacity Act (WIA) emphasizes a partially disabled worker's capabilities rather than what (s)he is incapable of doing.</p> <p>The WIA provides a benefit to disabled employees under the age of 66 and 7 months, if they have a loss of salary of at least 35% for (all kinds of) acceptable employment after 104 weeks of disability.</p> <p>The WIA consists of two legal provisions: IVA and WGA. The WIA does not compensate loss of income up to 35%. As a result disability will no longer be compensated. Loss of income from 35% up to 80% will be compensated up to a maximum of 70% of lost income for those who keep working based on their ability. Others will receive far less compensation. Only employees who are permanently disabled for more than 80% receive an income-related benefit of 75% of the income up to the age of 66 and 7 months. Maximum annual income covered under the WIA is € 59,706.</p> <p>All companies may opt out and take out a private insurance contract for a duration of 10 years.</p> <p><b>IVA (The regulation governing income protection for people with a complete or permanent occupational disability)</b> A benefit for employees who are fully and permanently disabled (due to serious accidents, incurable and terminal diseases, paralysis etc).</p> <p>The benefit amounts to 75% of the last-earned salary up to the Social Security ceiling, until the age of 66 and 7 months, plus 8% holiday-allowance.</p> <p>The benefit is income-tested. 75% of the (eventual) income up to the Social Security ceiling of (2022) € 59,706 per year will be taken into account. If the total income of the disabled employee and his/her partner is less than the social minimum (€ 22,356 per year), a supplementary benefit (TW) can be awarded.</p> <p><b>WGA (The regulation governing the (re)employment of partially employable people)</b> Partial worker's capability is identified as "Remaining Earning Capacity" or REC.</p> <p>WGA entitles partially employable/disabled employees to an allowance based on last salary. This WGA allowance becomes payable after 104 weeks of disability, provided the degree of disability is at least 35%.</p> <p>All employees who have sufficient employment history (at least 26 weeks employment in the last 36 weeks before sickness) are entitled to a temporary income-related benefit of 70% of the loss of income (75% during the first two months). A Social Security WIA-ceiling of € 59,706 applies.</p>	<p><b>WIA-Excess Insurance</b> For employees with an annual salary exceeding the Social Security WIA-ceiling of € 59,706 the WIA excess insurance can be offered.</p> <p>This benefit will become payable after two years of sickness provided the insured is still disabled for at least 35%. The WIA excess insurance provides a supplemental income equal to 70% of the difference between the annual salary and the WIA ceiling.</p> <p>Many employers take out an individual or group insurance for wages that exceed € 59,706. Employees can also take out an individual insurance to cover this risk.</p> <p>All companies may opt out from Social Security and bear their own risk for the first 10 years of the WGA (not for the IVA).</p> <p>The level of contribution for the WGA depends on the number of employees who have become disabled and the amount of benefits they receive.</p> <p><b>WGA-Own Risk Coverage for Employers</b> Employers may opt-out from Social Security and voluntarily insure the loss-of-income WGA allowance and the follow-up WGA allowance with a private insurer. This insurance product is called WGA-own risk insurance for employers.</p> <p>It covers all employees with a degree of disability between 35% and 80%, or above if not permanent and the benefit becomes payable after 2 years (104 weeks) from the first day of absence.</p> <p>The insured benefits include Loss-of-income WGA allowance amounting up to 70% of the difference between the last salary and the REC-salary and its duration depends on a person's historical employment record, with a maximum of 24 months. In addition, the insured benefits include follow-up WGA allowance annuity at 70% of the legal minimum wage times the individual's disability grade.</p> <p>The benefit will be payable until age 66 and 7 months, earlier revalidation or decease, with a maximum of 10 years.</p>

SICKNESS AND DISABILITY BENEFITS													
Social Security Benefits	Customary Private Employee Benefits												
<p>The duration of this benefit depends on the workers past service. Since 2019 the maximum period is 24 months, according to the following overview:</p> <table border="0" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: left;"><u>Past Service in Years</u></th> <th style="text-align: left;"><u>Duration in Months</u></th> </tr> </thead> <tbody> <tr> <td>Up to 3 years</td> <td>3</td> </tr> <tr> <td>4</td> <td>4</td> </tr> <tr> <td>5</td> <td>5</td> </tr> <tr> <td>6, etc.</td> <td>6, etc.</td> </tr> <tr> <td>24 or more</td> <td>24</td> </tr> </tbody> </table> <p>For all years of service beginning January 1, 2016, one year entitles the employee to a half-month benefit.</p> <p>After this period (or immediately if the employee does not have sufficient employment history), a partially employable person is further entitled to a follow-up WGA benefit until the age of 66 and 7 months.</p> <p>The amount of the follow-up benefit depends on whether the employee earns at least 50% of what (s)he should be able to earn with any kind of labour (taking into account his/her medical limitations).</p> <p>The difference between the loss of income WGA allowance and the follow-up WGA allowance is called the WGA-gap.</p> <p><b>Reintegration Benefits for Employers</b></p> <p>The Dutch Government wants to encourage employers to recruit WIA claimants who are still capable to work (for instance handicapped people).</p> <p>An incentive for employers is given by rewarding them with certain allowances, bonuses, and reimbursements of additional costs, for example:</p> <ul style="list-style-type: none"> <li>• Education, training, coaching, adapting the work place.</li> <li>• Allowances up to € 2,000 or € 6,000 during the first three years of employment.</li> <li>• Full sick pay up to 100% of the salary.</li> <li>• No WIA related risk-charges or premium increase.</li> </ul> <p>Contact the UWV (Institute for Employee Benefits Schemes; Uitvoeringsinstantie Werknemersverzekeringen) for more information in which case you receive an allowance.</p>	<u>Past Service in Years</u>	<u>Duration in Months</u>	Up to 3 years	3	4	4	5	5	6, etc.	6, etc.	24 or more	24	
<u>Past Service in Years</u>	<u>Duration in Months</u>												
Up to 3 years	3												
4	4												
5	5												
6, etc.	6, etc.												
24 or more	24												

<b>MEDICAL BENEFITS</b>	
<b>Social Security Benefits</b>	<b>Customary Private Employee Benefits</b>
<p><b>The Health Insurance Act (ZVW)</b> On January 1, 2006, the Health Insurance Act (ZVW) has become effective.</p> <p>All legal Dutch residents are obliged to take out a basic private health insurance (PHI) (annual premium per insured is about € 1,537, no contribution is required for children under the age of 18), plus an income-related contribution of 6,75% over a maximum income of € 59,706 to be paid by the employer. Basic PHI premiums are not necessarily fixed at € 1,537 but are commercial and can therefore vary from insurer to insurer.</p> <p>In addition to the income-related contribution, all participants of 18 years and older have to pay a nominal contribution to their health insurance company. Those who cannot afford this contribution can apply for a healthcare allowance to pay towards the cost of the insurance. The allowance will be paid monthly by the Dutch Tax Administration.</p> <p>The basic insurance covers the most basic treatments, medication and provisions. Children under 18 are free of charge (for the basic insurance).</p> <p>Besides the basic health insurance all residents can take out supplementary insurance for additional coverage, like dental care, extra physiotherapy, homeopathy, etc.</p> <p>Therefore it is not common for employers to cover health care for their employees.</p> <p><b>Long-Term Care Act (WLZ)</b> As of January 1, 2015 the Long-Term Care Act (WLZ) replaced the Exceptional Medical Expenses Act (AWBZ). In doing so, parts of the AWBZ shifted to the Health Care Insurance Act (ZVW) and the renewed Social Support Act (WMO 2015), the latter is carried out by municipalities. This is a significant change: whereas the AWBZ provided a right to care, the WMO commands delivery of tailor-made support. Care that falls under the WMO is only awarded if the capacity of persons seeking care, among others their financial resources and social network are insufficient.</p>	<p>It is not common for employers to cover health care for their employees. For more information, please see the information under 'Social Security Benefits'.</p>

RETIREMENT BENEFITS													
Social Security Benefits	Customary Private Employee Benefits												
<p><b>General Old Age Pensions Act (AOW)</b> The AOW provides an old age pension for people who are aged 66 and 7 months and over.</p> <p>Insured: All residents aged 16 and 7 months to 66 and 7 months.</p> <p>Benefits: Old Age Pension.</p> <p>Payable: From the day you reach the age of 66 (birthday) and 7 months until death.</p> <p>Benefit Level: The following amounts are applicable as of January 1, 2022:</p> <table border="1"> <thead> <tr> <th><u>Category</u></th> <th><u>Gross per Month</u></th> <th><u>Holiday Allowance</u></th> </tr> </thead> <tbody> <tr> <td>Single Persons</td> <td>€ 1,290</td> <td>€ 71</td> </tr> <tr> <td>Married couples or couples living together (both 66 and 7 months or over), per person</td> <td>€ 875</td> <td>€ 51</td> </tr> <tr> <td>Couples (married or living together) with full AOW supplementary allowance (partner &lt; 66 and 7 months)</td> <td>€ 1,750</td> <td>€ 102</td> </tr> </tbody> </table> <p>Single parents with children of age 18 or younger will be awarded a child budget.</p> <p>Full benefit amounts are payable after 50 years of insurance. For each year of non-insurance, a reduction of 2% is made to the full pension. Domestic partners, regardless of whether they belong to the same or opposite sex are considered to be married, with the exception of those related by first degree (parent/child).</p> <p>As of January 1, 2015 elderly, living in the Netherlands, will receive an income support on top of their AOW that is dependent on the number of years that they have lived in the Netherlands.</p>	<u>Category</u>	<u>Gross per Month</u>	<u>Holiday Allowance</u>	Single Persons	€ 1,290	€ 71	Married couples or couples living together (both 66 and 7 months or over), per person	€ 875	€ 51	Couples (married or living together) with full AOW supplementary allowance (partner < 66 and 7 months)	€ 1,750	€ 102	<p><b>Retirement</b> Some 15 years ago, the social norm was still that every employee, after 40 years of pensionable service, should be entitled to a full retirement pension which, including State benefits, amounted to 70% of his/her (limited) final pay, and would be indexed once payment had begun. Nowadays final pay plans rarely exist anymore, while average and average indexed career plans are most common. And there is also a visible trend in the increase of defined contribution (DC) plans. This mainly has to do with the rules of financial reporting (IFRS) on employee benefits and the growing cost of guaranteed products because of the continuous low market interest.</p> <p><b>Net pension</b> The pensionable income over which pension can be accrued is capped at €114,866 (2022). For incomes higher than €114,866 there is a voluntary net savings facility in the form of a net pension or net annuity. The deposits are not tax-deductible and the distributions are untaxed. If all conditions are satisfied, an income tax box 3 exemption will apply for either form. The employer has to facilitate this savings facility.</p>
<u>Category</u>	<u>Gross per Month</u>	<u>Holiday Allowance</u>											
Single Persons	€ 1,290	€ 71											
Married couples or couples living together (both 66 and 7 months or over), per person	€ 875	€ 51											
Couples (married or living together) with full AOW supplementary allowance (partner < 66 and 7 months)	€ 1,750	€ 102											

### Customary Private Retirement Benefits – Additional Information

#### Ways to Fund a Pension Promise:

Pension plan funding is subject to a statutory framework of rules and requirements as laid down in the Pension Act and the Industry-Wide Pensions Fund Act 2000 (the Act BPF 2000).

Authorized funding institutions (also called: pension providers) are:

- a) Industry-Wide pension funds (mandatory and non-mandatory)
- b) Company pension funds (non-mandatory)
- c) Insurance companies
- d) PPI (Premium Pension Institution)
- e) APF (General Pension Fund)

If you are an employer in the Netherlands, make sure that you first find out whether your company activities are covered by a collective labour agreement including a pension arrangement and/or any mandatory industry-wide arrangement. Use an independent financial pension advisor to do this research.

#### Industry-Wide Pension Funds (mandatory):

Multi-employer schemes that mainly result(ed) from collective bargaining. Most Industry-wide Pension Funds (BPF) are self-administered, while some are fully or partially reinsured.

Currently (early 2022), there are 43 BPFs in the Netherlands, covering approximately 60 percent (2018) of the Dutch working population. The employers and employees in the respective industry-wide sectors mostly are mandated to join a pension arrangement. The BPFs cover basic employee benefits, mostly in the traditional DB form, though there is a trend toward other forms especially with in mind the new developments in legislation. Industry-wide pension fund participation is very much based on solidarity between participating employers and employees. See below: 'Important developments' for the latest update on the expected new plans on the future of our pensions.

Disability is often part of the arrangement. At the time Social Security Disability benefits started to being reduced, in the early 1990s, more than 50% of Dutch employees were covered under their industry-wide pension funds, which developed a kind of compulsory umbrella contract with one or a few insurance companies for the disability gap. The excess disability coverage can be insured through an industry-wide pension fund as well, but there is no obligation to do so. Direct insurance is also possible.

Most BPF schemes are average pay with conditional indexation.

#### Opting-Out

A BPF may grant an individual employer exemption of the participation in the BPF under the conditions as set forth by the BPF.

However, a BPF is legally obliged to grant exemption in certain situations.

These exemptions are subject to severe rules and need to be interpreted on a case-by-case basis. One should contact an independent financial pension advisor or the BPF involved for further details.

New companies, if active in a sector where a BPF exists, are in most cases obliged to join this pension fund.

## Social Security Benefits and Customary Private Employee Benefits

### Company Pension Funds (non-mandatory):

There are approximately 129 Company Pension Funds in the Netherlands in early 2022, mostly founded by large companies. An employer sets up a Company Pension Fund. These funds operate for one company or for a group of related companies. Under certain conditions, it is permitted that company pension funds bear their own risks. Another possibility is to have an insurance company administer and insure the pension plan for the pension fund by means of full insurance or reinsurance (risk-reinsurance).

Concerns about funding levels, together with the fact that company pension funds are facing more and more rules, resulted in a decrease of the number of company pension funds by approximately 50% in 5 years. The majority of the company pension funds that have disappeared transferred their assets to insurance companies.

Alternatives for a company pension fund are pension buy-out, pension buy-in, or APF.

#### Pension Buy-Out

One of the possibilities is a pension buy-out. The value of the pensions will be transferred to an insurance company, a premium pension institution (PPI) or to another pension fund. Consequently, the pension fund can be dismantled.

Since the financial crisis, pension buy-outs are more common in the Netherlands. The Pensions Act requires that pension funds have a minimum funding level. In case of a lower funding level than required, pension funds only have a few possibilities to get to a higher funding level. One possibility is increasing the pension premiums employers have to pay. In times of crisis, this is not appropriate for employers who are facing difficulties already. Another possibility is diminishing the pension rights of the beneficiaries. Several pension funds have diminished the pension rights of their beneficiaries. Insurance companies are not allowed to do this. This is a good reason for a pension fund to overthink a pension buy-out and transfer the value of the pensions to an insurance company.

Furthermore, the board of a pension fund has to comply with legal requirements. The number of requirements has risen steadily in recent years. It takes professionalization of the board and thus additional costs. Some pension funds are taking this into account when they decide to transfer the value of the pensions to an insurance company or to another pension fund and to dismantle the pension fund.

The timing of a pension fund buy-out is important. Some variables can change in time, for example the difference in costs and in life expectancy tables that are applied by the pension fund and those that are applied by the insurance company. The portfolio of securities can change in time as well.

For a pension buy-out, approval of DNB (De Nederlandsche Bank) is required.

DNB will consider pension buy-outs on a case-by-case basis and has developed expertise in this area.

#### Pension Buy-In

Another possibility is a pension buy-in. Even if the price for a pension buy-out is fair, it makes sense for some schemes to retain some risk.

With a pension buy-in, just as with a pension buy-out, liability risks (interest rate, inflation, longevity risk) can be transferred to an insurance company. A buy-in can increase the coverage ratio of the company pension fund. All pension liabilities and participants remain with the company pension fund. The company pension fund retains full control over communication to the participants, benefit payments and returns distribution.

Another reason for a pension buy-in can be timing. When it is not the right time for a pension buy-out, for example because the coverage ratio of a company pension fund is not high enough, a pension buy-in can offer a solution.



## Social Security Benefits and Customary Private Employee Benefits

For a pension buy-in, approval of DNB is not required.

### Insurance Companies:

Directly insured plans have to be executed by Dutch insurance companies. Most insurance companies nowadays also offer unbundled services for company pension funds. Insurance companies may also execute administration services for pension funds.

### Premium Pension Institution (PPI):

The Premium Pension Institution (Premiepensioeninstelling or PPI) may operate across borders, but it may only act as a provider for defined contribution agreements and only during the accrual phase. It may not pay annuities to pensioners or offer guarantees on returns or otherwise. Consequently, a contract will have to be concluded by the PPI with an insurer for the pay-out phase of a life-long pension and the insurance of risks (such as life and disability) during the accrual phase.

As a result, the PPI does not qualify as an insurer and does not have to meet the associated solvency requirements. The PPI is, therefore, a pension administrator (alongside pension funds and pension insurers) with limited costs and cross-border opportunities.

The PPI focuses on administering defined contribution schemes, in which the contribution is set and the amount of the final pension is not. The PPI has similarities with a collective investment scheme, including the inherent distinction between manager and custodian that is known in PPI practice as PPI and pension custodian.

The premium pension claim is a financial product as defined in the Financial Supervision Act (Wet op het financieel toezicht / Wft). No party may conduct the business of a premium pension institution without a license granted by DNB. Pension funds and pension institutions from another member state are exempt from this prohibition.

The IORP (Institutions for Occupational Retirement Provision) Directive (a.k.a. Pensionfund Directive), which took effect at the end of 2005, was an initial step towards a European internal market for pension schemes by allowing pension institutions to operate across borders.

Pursuant to the IORP directive and the amended legislation, a premium pension institution is permitted to operate in other member states of the European Economic Area on the basis of its license in the Netherlands. This is also known as a 'European passport'.

Due to a renewed IORP directive (IORP II), as of January 13, 2019 PPI's had to enhance their governance structure.

Since 2011 several premium pension institutions have been licensed by DNB. According to the Register of premium pension Institutions 7 licensed PPI's are active on the market. These are (in 2022):

ASR Premiepensioeninstelling N.V. (Doenpensioen), BeFrank PPI N.V., Aegon Cappital PPI B.V., Zwitterleven PPI N.V., ABN AMRO PPI N.V., Allianz Premie Pensioen Instelling B.V. and Stichting LifeSight.

### General Pension Fund (APF):

On January 1<sup>st</sup>, 2016, the APF Act entered into force. Social partners and insurance companies can bundle their execution of pension schemes in an APF. This will lower the execution costs, enhance execution of pension schemes to become more standard and professionalizing the execution, whilst keeping intact the own identity and solidarity of the pension schemes.

But also the APF offers possibilities from European perspective. Above all, an APF can be founded by anyone, e.g. by employers, insurance companies, pension funds and asset managers.

The APF is meant for pension schemes which are executed by company pension

## Social Security Benefits and Customary Private Employee Benefits

funds, non-mandatory Industry wide pension funds and obligatory occupational pension schemes.

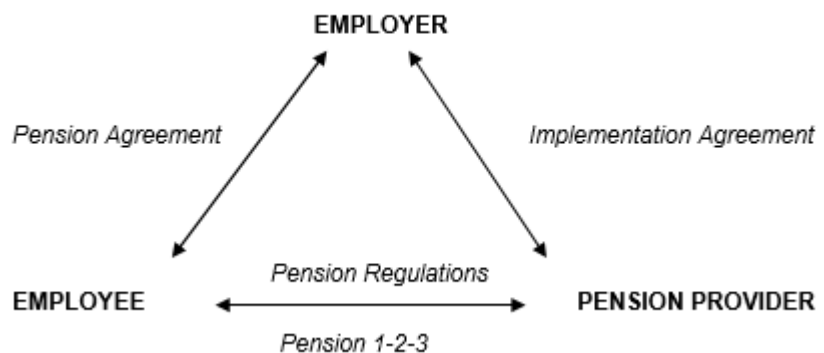
In the first quarter of 2021 there are 5 licensed APF's operating or starting up in the Netherlands. These are: Stichting APF Stap (Aegon/TKP), Stichting Achmea APF(Achmea), Stichting De Nationale APF (Nationale-Nederlanden), Stichting APF Unilever Nederland, and Stichting het nederlandse pensioenfonds (a.s.r..

### Pension Act:

The purpose of the Pension Act is to safeguard the pension savings outside of the company of the employer.

All pension promises linked to employer/employee relations are covered under the Pension Act. If an employee reaches an agreement on a pension promise with his/her employer, the pension promise can only be funded by a pension provider listed on p. 15 'Ways to fund a pension promise'.

In this way a trilateral relationship will be created between employer – employee – pension provider (pension fund/insurance company) which is described in the below matrix:



Since under the Pension Act pensioners are granted a legal right to reliable and clear information about their pensions, it also stipulates which documents have to be issued, which information must be included in a particular document, who is responsible for its delivery and within which timeframe.

As stated in the above matrix, it concerns the following four documents:

- a) Pension Agreement
- b) Pension Regulations
- c) Pension 1-2-3
- d) Implementation Agreement

### Pension agreement

This is an agreement between the employer and employees. Its content has been set in detail in the Pension Act.

Within one month from the date in service, the employer must inform the employee in writing or by electronic communication about whether he may expect a proposal of the pension agreement or not. If the employer fails, the employee may assume to be eligible to a pension entitlement.

Under the Pension Act, pension plans currently must be covered by one of the following three types of pension agreements:

- 1) Defined Benefit (DB). Benefits agreement that provides a periodic annuity payment. The level of the payment is guaranteed and might be indexed annually. Under the Pension Act current defined benefits plans (e.g. final pay and average pay pension plans) are covered by the benefits agreement.

## Social Security Benefits and Customary Private Employee Benefits

- 2) Capital agreement. This agreement provides a guaranteed pure endowment capital on the retirement date that must be applied for the purchase of a retirement pension annuity (if stipulated including survivor's pension). The level of the retirement pension annuity depends on the rates valid at the moment of purchase of the pension.
- 3) Defined Contribution (DC): Contribution (premium) agreement that refers to a guaranteed level of premium only. This agreement also specifies whether the employee or the pension provider takes the responsibility for the involved risks. It concerns typical defined contribution (unit-linked) pension plans. A new added option is for the employee to choose between a fixed or a variable annuity (See below 'Important developments': Wet verbeterde premieregeling).

A combination of 2) and 3) is possible.

Due to the new pension system employers and employees will soon be able to choose only between 3 types of pension DC contracts within a new fiscal framework. For more information, see p. 21.

### Pension Regulations

The pension provider is responsible for content of the pension regulations. In addition to the content of the Pension Agreement, the Pension Regulations also have to be in line with the content of the Pension Agreement.

### Implementation Agreement (also called Administration Agreement)

Implementation of the pension plan as well as rights and obligations of the pension provider and employer have to be laid down in the implementation agreement.

Contents such as the employer's information obligations, procedures for contributions in arrears and for changing the pension scheme, the indexation policy as well as the way of fixing and payment of the contribution are in any case obligatory items in an implementation agreement between the employer and pension provider.

### Communication

An important aspect of the Pension Act is stringent measurements on communication to the (former) participants and all other persons entitled to a pension.

The Pension Act describes in detail:

- Who (pension fund, insurance company, employer) is responsible to inform the persons concerned (participants, former participants and persons entitled to a pension);
- Which information must be provided and the frequency of delivering this information (event-driven and periodically).
- In addition to the Pension 1-2-3 as mentioned below another important communication derived from the Pension Act is the Uniform Pension Overview (UPO). This is a periodic overview of the current build up pensions and risk-coverage.

To enhance the awareness, the Pension Communication Act (implementation date as of July 1, 2015 and continuing) forces to be more transparent about uncertainties, offers more possibilities for digital information, offers layered information. Regulations about uniform communication concerning purchasing power and risks are implemented since September 2019.

### Pension 1-2-3

The Pension 1-2-3 is a layered digital overview of the Pension Regulations that is placed on the website of the pension provider. Layer 1 provides general information about the Pension Regulations that will take about 5 minutes of your time. In the second Layer you will find more detailed information of the information shown in Layer 1. Layer 3 contains documents like the Pension Regulations, the Implementation Agreement and the annual report of the pension provider.

## Social Security Benefits and Customary Private Employee Benefits

The Pension Act requires the pension provider to issue the Pension 1-2-3 (Layer 1) within three months from the start of the pension accrual.

The content and format of the Pension 1-2-3 are stipulated by the industry (by the Dutch Association of Insurers and The Pension Federation).

### Pension Register

The pension providers have set up a register of pensions ([www.Mijnpensioenoverzicht.nl](http://www.Mijnpensioenoverzicht.nl)).

Everyone can log on with his or her DigiD (Digital ID; a standard security code issued by the Dutch government to businesses and private citizens for interacting electronically with the government). In this register, all (former) plan members will be able to check their entitlements. An overview is given of all accrued pensions with (former) employers and the AOW. Since September 2019 there is the possibility of an overview of the expected pension(s) on the actual pension date that is shown in 3 different scenario's (pessimistic, expected and optimistic) taking into account the development in purchasing power and the future possibility of indexation of the accrued pensions. It also shows what will happen to the amounts when certain life events occur.

A bigger role for the employer in informing the employees about the pension scheme is also foreseen. Employers can use the 'Werkgeverschecklist' (employers' checklist) that is available on the website of the pension provider.

### DC-Pension Plans with Individual Freedom to Invest

Pension providers have a duty of care (zorgplicht) concerning DC-pension plans that offer individual freedom to invest the pension contribution. The pension administrator bears the responsibility for the investment mix, but if the pension scheme offers this possibility, the participant can take on that responsibility. In that case the participant has to fill in a risk indicator. If the participant takes on the responsibility, the pension administrator has the obligation to inform the participant yearly about the relationship between the investment mix and the participants risk indicator and put out a warning if the mix and risk indicator are out of balance. If the pension administrator is responsible for the investment mix, it must invest 'prudently'.

### Important Developments:

#### Wet verbeterde premieregeling (variable pension Act)

This act, which entered into force in September 2016 makes it possible for employees with a DC pension scheme or a capital based pension scheme to choose for a (partially) variable pension. The reason for this act is that in the current economic environment a very low interest rate has to be used to purchase a lifelong guaranteed pension. A variable pension, so that the pension can continue to render, was not possible under existing legislation. If an employee chooses a variable pension, his accrued pension capital at the retirement date will not be used to purchase a lifelong guaranteed pension, but will (partly) continue to be invested which results in a pension that will vary after the date of retirement. Expectations are that with the current low interest rates thus a higher pension can be achieved compared to a guaranteed life long pension purchased at the retirement date. Because the pension capital will be invested after retirement date, there is also a risk that the pension could get lower than a (fixed) lifelong pension.

The product of a variable pension that came forth from this act is now also one of the options of a new contract that is part of the new pension system.

## Social Security Benefits and Customary Private Employee Benefits

### *New plans on the future of our pensions; a new pension system*

Due to rapid ageing of our population, rising life expectancies, financial and macro-economic changes and changing community relations, the conclusion is that our pension system needs to be revised. There is an ongoing discussion about the controllability and affordability of our pension system. In 2019, the Dutch government, employers and trade unions agreed to the renewal of the pension system on broad outlines (“Het Pensioenakkoord”):

### *New early retirement options for heavy professions*

For some professions, working until the state (AOW) eligible retirement age is too heavy. Until 2026 employers and employees will have the opportunity to make early retirement agreements.

To discourage early retirement, tax reforms eliminated the use of former early retirement plans. But some for some people working until the state (AOW) eligible retirement age is not easy. The discussion on ‘what is a heavy profession’ is not settled. Therefore the Dutch government decided to introduce something else. As of January 1, 2021 a new act allows employers to give employees the possibility to retire up to three years before the state (AOW) eligible retirement age. The employer can give a benefit which will not be taxed with a tax penalty if the benefit is limited to EUR 22,488 per year, with a maximum of 3 years.

### *More Flexible Solvency Rules (‘FTK’) for Pension Funds*

Whether pension funds can meet their financial obligations, is measured by their coverage ratio. The coverage ratio expresses the ratio between the available equities and the value of all pensions. The coverage ratio of pension funds should be 105%. If the coverage ratio is lower than 105%, the pension fund should take measures to increase the coverage ratio.

Measures can be:

- To increase the premium
- To not increase the pensions with indexations
- To lower the pensions (most unpopular measurement)

In the renewed pension system, the coverage ratio will be reduced to 100% allowing pension funds more flexibility to respond to fluctuations in the economy (increase pensions earlier in economic times but decrease pensions earlier in case of an economic downturn).

Currently the coverage ratio is temporarily lowered to 90% at the end of 2021 due to the COVID-19 Crisis.

The proposed legislation will introduce a different financial assessment framework for the period during the transition to the new pension system (2023-2027).

### *Pension is moving one on one with the economy*

Pension funds may adjust the pension benefit for economically good or worse times. The pension benefits can be increased in good times. The pension fund can reduce the benefits in economically worse times in the event of disappointing returns (income from investments, for example).

### *Include amount upon retirement*

Expected legislation to be in force per January 1<sup>st</sup>, 2023 will give employee’s the possibility to admit part of the accrued pension on the commencement date of the accrued old age pension or accrued DC capital. On this date, pensioners will be able to admit a maximum of 10% of their accrued pension. For example, to pay off the mortgage, make a trip or home renovations. People who are not a participant in a pension fund, but who save for their own pension, are also given the option to take out a maximum of 10% pension.

### *Ways to build up pension; 3 new contract types*

Due to the new pension system employers and employees will soon be able to choose between 3 types of pension DC contracts within a new fiscal framework.

## Social Security Benefits and Customary Private Employee Benefits

All Dutch pension schemes will be Contribution (Premium) Agreements based on a flat rate (no matter the age). This means that DC pension schemes will have a flat premium percentage for all employees while a majority of current DC schemes is still based on a DC table which is age-related.

Building up pension in a DB pension scheme will no longer be possible after 2027.

### *Survivor's Pension*

New rules will apply for Survivor's Pension, especially for Survivor's Pension in case of death before the retirement age.

The Survivor's Pension (providing for income to a surviving partner and orphans in case of death) and it includes the following death coverages:

- Partner's Pension in case of death before the retirement date
- Partner's Pension in case of death after the retirement date
- Orphans' Pension

### *Partner's Pension in case of death before the retirement date*

In the future we will have only one type of the Partner's Pension based on the death risk insurance. The partner will be eligible for the Partner's Pension if the employee still participated in the pension scheme. The maximum Partner's Pension that can be insured amounts to 50% of the Annual Salary.

Consequently, the Partner's Pension is no longer impacted by the number of years in service. Number of years in service is no longer important for the Partner's Pension.

### *Partner's Pension in case of death after the retirement date*

In case of death after the retirement date the Old Age Pension payment will be terminated. Instead the Partner's Pension will often come in place.

The Partner's Pension in case of death after the retirement date doesn't change.

### *Orphans' Pension*

There will be adjustments in order to improve the financial position of Orphans.

- The end age of the Orphans' Pension payment will be set at the age of 25 and all pension schemes will have to be adjusted. Nowadays the end age differs per pension scheme and it varies from the age of 21 to 30.
- The maximum Orphan's Pension that can be insured will amount to 20% of the Annual Salary (of the employee). At the moment it amounts to 7% of the annual salary.

### *Transition period*

The first new plans will become effective as of 2023. All current plans will have to be adapted to the new system. The transition into this new pension system should be completed by January 2027. Employers and social partners will need this transition period to make new arrangements including compensational arrangements.

As mentioned the DB pension scheme will become a thing of the past. As of 2027 all employees will accrue pension in a DC scheme with a flat contribution rate (premium). However employers can choose to maintain a DC scheme with an age-related contribution rate (premium) for the current employees population. It is important for employers to make a start with orientation on the new plans. It is advised to contact a pension advisor on this matter.

The Dutch government wishes to complete this new legislation in 2022. At the time of this writing the adjusted (draft) legislation has been sent to the Second Chamber of Parliament. The new pension rules are expected to come into effect per January 1, 2023. The final effective date obviously depends on the formal approval of the new legislation.

## Social Security Benefits and Customary Private Employee Benefits

### Group Plans:

#### Introduction:

Design and level of Retirement and Life benefits pension plans vary widely and run from defined contribution (DC) plans to defined benefit (DB) plans, on an earnings-related basis.

The majority of all plans are still DB plans, but it's not a vast majority anymore. For financial reasons final pay plans and average (indexed) pay plans have lost popularity. Although pension funds still mainly administrate average (indexed) pay plans, newly direct insured pension plans are mostly DC plans.

DC plans are getting more and more popular among Dutch companies because the costs continue to be easily identifiable and manageable.

Most of the following information is about the current situation. A new pension system is currently being developed and a lot of the system of the pension plans is going to change. Eg. a DB plan is not going to be a possibility for a pension plan in the future. Employers should consider these changes in any current salary planning, pension plan redesign or pension contract renewal. Please contact your pension advisor on the possibilities. You can read more on the coming changes under Important Developments on p. 21 and further

#### Acceptance Rules:

In the Netherlands, medical examinations related to labor agreements and pension plans, in principle, are forbidden. This is outlined in the Medical Examination Act (WMK, de Wet Medische Keuringen).

However, there are some exceptions, particularly for professions that have special requirements. For instance, an eye examination for an airplane pilot is allowed. Moreover, hiring someone may not endanger other people's health and safety.

Additionally, there are some exceptions for insurers. One is made for managing directors owning over 10% of their company's shares (manager-major shareholder). Furthermore, when there is either a second-choice moment in voluntary pension schemes, or a right for the individual to change coverage anytime, the carrier is allowed to ask medical questions.

The ban on medical examinations only applies to arrangements covered under the Pension Act, irrespective of whether they are on a group or on an individual basis.

Because of the prohibition of medical examination related to pension plans by the Medical Examination Act, disabled employees form a risk that cannot be calculated by insurers. That is why insurers use exception clauses to prevent employees to receive a payment from the disability insurance very soon after they became covered by the insurance. However, these exception clauses formed a threshold for access to payable labor and mobility on the labor market for people with a health disability. That is why the Dutch Association of Insurers (Verbond van Verzekeraars) together with some patient interest organizations introduced the 'Covenant van Leeuwen' (Covenant van Leeuwen), which regulates access to labor related insurances:

- Waiting periods are no longer being used in relation to labor agreements;
- The employee who is disabled at the beginning of the labor agreement because of sickness or because of an accident will be covered by the disability coverage after he recovered from his disability for 4 weeks;
- The belated claim risk of disability insurances that do not fall under the regime of the Pension Act (including WGA gap coverage) is fully covered until the insured expiration date. This also counts for changes in the extent of the occupational disability.

Now the Dutch Association of Insurers together with the Federation of the Dutch Pension Funds (Pensioenfederatie) have made regulations in accordance with the above mentioned Covenant for insurances that fall under the Pension Act.

## Social Security Benefits and Customary Private Employee Benefits

### Typical Pension Plans:

In the Netherlands, there are three kinds of pension plans: defined benefits plans (including final pay and average plans), defined contribution plans and a capital pension plan.

The majority of employees covered by an occupational pension plan are in defined benefit (DB) plans.

#### A Typical Defined Benefits Plan Contains:

- As from January 2015 a retirement benefit (including AOW) is based on a maximum of 40 years of service. In a final pay scheme, the annual accrual will thus be 1.657% and the minimum AOW Offset is € 16,749 (2022). In an average pay scheme, the annual accrual is set at a maximum of 1.875% (which will lead to a retirement benefit of 75% after 40 years of service) and the minimum AOW Offset is € 14,802 (2022). In general, these are mostly average-pay schemes with indexation, like the pension plan for insurance companies.
- A widow's or widower's pension of 70% of the (projected) retirement pension. In addition, unmarried partners living together, if not related in the first degree, are also eligible for a survivors' pension.
- An orphan's pension of 14% (28% for full orphans) of the (projected) retirement pension.

While defined benefits plans (also called benefits agreement) provide for a pension promise in a periodic annuity payment, defined contribution plans (also known under premium agreement) refer only to a guaranteed level of pension contribution (premium).

#### A Typical Defined Contribution Plan:

- This plan provides employees, upon age 68 and if alive, with either a pure endowment capital (DC-insured), the actual value of units (DC- investments), or a combination of both. It is up to the employer to decide which option(s) the employees will have as to the allocation of savings contribution. The minimum AOW Offset is € 14,802 (2022).
- The capital and/or units value available at age 68 must be applied to the purchase of a retirement pension (if desired including a survivor's pension). Not only the amount of capital or units value at the pensionable age will decide the amount of retirement pension an employee will receive, but also the used interest rate, mortality table and purchase rates at the pensionable age play a crucial part.
- The defined contribution is expressed as a percentage of pensionable salary and is subject to the employee's age.
- Survivors' pensions are usually expressed as a percentage of the pensionable salary. A widow's or widower's pension amounts to 1.160% (final pay) or 1.313% (average pay) of the pensionable salary over the number of years of service while an orphan's pension is usually 20% of the survivors' (or partners') pension.

#### A Typical Capital Pension Plan:

This type of pension plan is not common. In the agreement the capital is set in advance. The capital available at age 68 must be applied to the purchase of a retirement pension (if desired including a survivor's pension). The amount of retirement pension an employee will receive will depend on the used interest rate, mortality table and purchase rate at the pensionable age.

It is common to have the employees contribute to the pension plan.

The employee contribution normally varies from 3% to 7% of the pensionable salary.

For the upcoming changes in the annual accrual and pension age in both defined benefit as defined contribution see 'plan descriptions'.



## Social Security Benefits and Customary Private Employee Benefits

### State Supervision:

The supervision of the Dutch financial sector is divided between 'prudential supervision' (monitoring the health of financial institutions in the financial sector) and 'conduct of business supervision' (assessing the actions of players in the financial markets). Prudential supervision is a duty of DNB (The Dutch National Bank). Conduct of business supervision is a duty of the AFM (Authority for Financial Markets).

### DNB

DNB (De Nederlandsche Bank), the prudential supervisor of the financial sector, pursues a two-pronged policy. While on the one hand it applies existing supervisory legislation, it can issue its own instruments on the other hand, including Regulations, Policy rules and Recommendations.

The institutions under DNB's supervision are notified of policy instruments by a circular letter and are also published. If the issue concerns an individual institution, this institution will be notified by letter in each case.

Regulations are the most binding instruments. Institutions are obliged to comply with regulations, which always relate directly to statutory or ministerial provisions. When provisions are not respected, it might result in sanctions being imposed.

Policy rules incorporate DNB's own interpretation of statutory provisions and indicate its approach to a particular issue. The principal feature of a policy rule is that it is binding on DNB itself. However, if an institution acts in contravention of DNB's interpretation, DNB may impose a sanction or decline to issue a requested provision.

DNB also issues recommendations, which are not binding.

Non-insured plans, such as company pension funds, need to be approved and are also supervised by the DNB with regard to actuarial assumptions, investment policy and other related matters for securing the outcome of the plan. The DNB also plays its role in supervising insurance companies that carry out fully insured plans.

### Extra Focus

Technological innovation and the impact of climate change are key themes that supervisory authority De Nederlandsche Bank (DNB) intends to prioritize in its supervision of the Dutch financial sector in the coming years. It will also take a hard stance against combating financial and economic crime. The three key points of the Supervisory Strategy of 2018-2022 are: responding to technological innovation, fostering a forward looking & sustainable sector and taking a hard stance on financial and economic crime.

The insurance sector continues to face serious challenges. In 2019, DNB challenged insurers on their strategies for the future, their ability to adjust to a rapidly changing environment, and the state of their risk management. This was done by devoting specific attention to scenario thinking, to InsurTech, and to risks in the underwriting channel. DNB will address any actions following up on the results of the EIOPA stress tests in their 2019 supervision plans for individual insurance companies. And last, but not least, the implementation of the Act on the recovery and resolution of insurers (Wet herstel en afwikkeling van verzekeraars) is high on their agenda. This act enhances the protection of policykeepers when an insurer faces financial difficulties.

Pension funds are facing some of the same developments as banks and insurers, but there are also specific developments at play for pension funds, including the new regulatory and legislative requirements for the pensions sector. Having sufficient capacity for change also remains a relevant theme for pension funds, due to the constantly changing sector environment.

### AFM

The AFM (The Authority for Financial Markets) performs a conduct of business supervision for the savings, lending, investment and insurance markets, which focuses on fairness and transparency within financial markets. It does not only cover institutions' actions on the financial markets and exchanges, but also for example, their communication with customers. Their aim is to improve consumers' and the business sector's confidence in the financial market, both in the Netherlands and abroad.

## Social Security Benefits and Customary Private Employee Benefits

Every year, the AFM identifies the most important trends and related risks that will have an impact on the financial markets, in order to then further develop its supervision agenda. The AFM has set six key activities and priorities for 2022:

- Transition to an sustainable society: integration of sustainability aspects into financial products and services
- Transition to new pension systems: The new Pensions Act is expected to come into effect in 2023. The AFM supervises clear communication with realistic expectations with regard to scheme members
- Protection of retail investors: Given the growing popularity of retail investing, which is partly a consequence of the low interest rates, greater attention is required in this area as well. The AFM's objective is to provide reasonable protection for investors against taking excessive risks.
- Continued development of duty of care: If social and statutory standards change, the view on the duty of care also needs to be re-evaluated.
- Preventing market abuse: The AFM will focus on improved quality of the Suspicious Transaction and Order Reports (STORs), which relay suspicions of market abuse.
- Expanding supervision of audit firms: As of 1 January 2022, the AFM itself will be carrying out the full supervision of non-PIE audit firms. In addition, preparations are under way for an intensification of the supervision of PIE audit firms.

### *Policy rules concerning the duty of DNB and AFM*

The Minister of Social Affairs and Employment has the possibility to give directions when DNB (the Dutch National Bank) or AFM (The Authority for Financial Markets) fails in the performance of his duties or to hold back responsibilities when the supervising authority neglects its duties. Use of these measures can only be thinkable in the most extreme circumstances. But also to intervene in less extraordinary circumstances, it is possible for the Minister of Social Affairs to set policy rules.

### **ESMA**

ESMA is an independent EU Authority that contributes to safeguarding the stability of the European Union's financial system by ensuring the integrity, transparency, efficiency and orderly functioning of securities markets, as well as enhancing investor protection.

In particular, ESMA fosters supervisory convergence both amongst securities regulators, and across financial sectors by working closely with the other European Supervisory Authorities competent in the field of banking (EBA), and insurance and occupational pensions (EIOPA).

ESMA's work on securities legislation contributes to the development of a single rule book in Europe. This serves two purposes; it ensures the consistent treatment of investors across the EU, enabling an adequate level of protection of investors through effective regulation and supervision and furthermore it promotes equal conditions of competition for financial service providers.

The local Dutch supervisory authority AFM is charged with complying to ESMA guidelines.

## Social Security Benefits and Customary Private Employee Benefits

### Financial Supervision Act (Wet op het financieel toezicht, Wft)

The Financial Supervision Act clarifies and strengthens the framework for financial sector supervision and sets out the requirements that financial services providers must meet.

The Act contains a clear distinction between the tasks of the Netherlands Central Bank (DNB) – in the area of prudential supervision – and the tasks of the Authority for Financial Markets (AFM) – related to market conduct or conduct of business supervision.

In accordance with the authority given to DNB based on the Wft, DNB e.g. released the Regulation on sound remuneration policies 2017 (Regeling beheerst beloningsbeleid Wft 2017).

Financial service providers need a license 'WFT Pensioenen' to advise/mediate on occupational pensions (so called second pillar pensions).

### Tax Consequences

An employer may treat the costs arising from employee benefits plans as business expenses. An employee contribution may be deducted from the salary. For employees, this means a reduction of wage tax and Social Security contributions, as these levies are calculated on the salary after deduction of the employee's contribution to the pension plan.

The actual accrual of rights is exempted from taxation as well. Therefore, pension in payment is taxed as wage or income. In other words, EET (tax-exempt contributions, tax-exempt investment returns, and taxable pension benefits) is applicable.

### Early Retirement:

To discourage early retirement, tax reforms eliminated the favorable tax treatment of Unfunded Voluntary Early Retirement plans (VUT) and funded pre-pension arrangements as of January 1, 2006.

Pre-pension rights vested as of December 31, 2005 remain intact, with the participant retaining the option of receiving an actuarially enhanced pre-pension later. Surrendering of the pre-pension is possible if the insurer agrees.

If an earlier retirement date option is integrated in the pension plan, the normal retirement date (NRD) will be brought forward and the originally projected retirement pension will be reduced through actuarial reduction. Membership and contributions will stop as of the early retirement date.

If a member wanted to enjoy an early retirement it was mandatory to reduce the employment as to the level of early retirement. This means that if a member wanted to retire early e.g. for 50%, it was mandatory to stop working for 50%. If a member wants an early retirement starting 5 years before the AOW it is not necessary to stop the employment.

### Accounting Standards:

#### Directive Number 271 (amended 2017, to be applied for annual periods beginning on or after 31 March 2017)

Directive no. 271 relates to how employee benefits should be included in annual financial statements. The directive is issued by the Council for Annual Reporting (Raad voor de Jaarverslaggeving).

In terms of Directive 271, benefits of all forms given to employees during and after employment are included under Employee Benefits.

An entity is allowed to apply the applicable standards of US GAAP, IFRS or IFRS as endorsed by the European Union ('EU-IFRS') related to pensions and other 'post retirement benefits' instead of Directive 271 paragraph 3 Pensions (RJ 271.3) if, and only if, those standards are applied in a comprehensive and consistent way.

## Social Security Benefits and Customary Private Employee Benefits

### General

The basic agreement is either a defined benefit (DB) plan, an agreement for the payment of a capital sum, or a defined contribution (DC) plan. In DB plans, benefits are based on a formula linked to income before retirement (final pay plan) or on average earnings over the accrual period (career average plan) and length of employment. A DC plan is a pension scheme by which benefits are based solely on the amount contributed to the plan by an employer or by the employee and any return on that investment. By reaching the pensionable age the total amount accrued will be converted into benefits or an annuity.

There are also hybrid schemes in addition to the DB and DC schemes discussed above, these are the so-called Collective Defined Contribution (CDC) pension schemes. In these schemes the amount of pension is based on salary and the number of years a person participates in a scheme, as if it were a DB scheme. However, the contributions are fixed for many years. If it transpires that the contributions are insufficient, then the pension benefits will be lower than originally envisaged. CDC schemes combine a limited risk for fluctuating pension commitments for the employer with the advantages of a collective pension scheme.

### 271.3 Pensions

The main provisions are:

- Under a DC plan, the annual pension expense in the profit and loss account will be equal to the contributions payable. However, reporting a net liability or asset may be required in a limited number of cases;
- A net liability could be reported if, for example, there are outstanding contributions payable; an agreed deficit recovery plan; future benefits that have been awarded but are not yet funded; additional liabilities due to incoming transfers in insured contracts; or intended future plan changes or improvements;
- A net asset could be reported if, for example, advance payments are made ahead of the contribution schedule; there is a reimbursement of surpluses in the fund; surplus interest, profit distribution or a surplus resulting from incoming value transfers for insured contracts.

Summarized, under a 'pure' DC plan, only the annual pension expense is presented in the profit and loss account. In a DB pension scheme, annual pension expenses consist of current service costs, past service costs and net interest costs on the net defined benefit liability.

The most fundamental requirement between a DC (or CDC) plan and a DB plan is to report the positive or negative balance of pension liabilities and the pension assets as a liability or as an asset of the company in case of pension schemes based on salaries or length of service.

In a DB plan, the amount of the pension liabilities and the pension assets must be calculated in accordance with the rules stated in Directive 271. Directive 271 also contains rules on attributing profits and losses to future years.

### Interest Profit-Sharing on Insured Plans:

Because of the low interest rate the past couple of years, it's not common anymore to have interest profit-sharing on insured plans.

Profit sharing through IGP pooling or local technical profit sharing are still possible.

### Fiscal Treatment of Employee Benefits:

#### Defined Benefits Plans

As of January 2015 in theory, a full retirement benefit (including AOW) can amount to about 70% of final earnings after 40 years of service. In a final pay scheme, the annual accrual will thus be 1,657%. In an average pay scheme, the annual accrual may be at most 1.875%. The minimum AOW Offset for a final pay scheme is € 16,749 and for an average pay scheme € 14,802.

The pension base is the pensionable salary minus the AOW Offset.

#### Maximum

Full retirement benefit, together with the State's pension may not exceed the pensionable salary. For survivors' pension 70%, respectively 14% of the pensionable salary for the orphans' pension forms the limit.

In 2015 a new maximum pensionable salary has been introduced. This maximum can be adjusted every year. The maximum for the last five years is:

- 2017 is € 103,317
- 2018 is € 105,075
- 2019 is € 107,593
- 2020 is € 110,111
- 2021 is € 112,189
- 2022 is € 114,866

#### Defined Contribution Plans

Defined Contribution plans must be based on a steady accrual of rights. It is possible to choose a system in which service years' premiums are being increased periodically on an age-related basis.

To simplify this, it was ruled to allocate members to age categories, whereby each category contributes its own percentage of the pensionable salary. These categories (or age-brackets) may run from zero to five years at the highest. In practice, nearly all plans include five-year age brackets.

On determination of the defined contribution percentages, it is permitted to anticipate future increases in salary. However, this must be done according to a legally ruled scheme. Future inflation (-assumptions) may not be taken into account. Furthermore, the decrease of the maximum percentages of the DB-plans will also have an effect on the maximum premiums that can be used in a premium agreement.

## Social Security Benefits and Customary Private Employee Benefits

### Summary of Most Significant Fiscal Rules

- Pensionable salary may consist of all salary components, except for the present value of the use of a company car. The pensionable income is capped at € 114,866 (2022).
- For incomes above € 114,866 a net savings facility has been introduced in the form of a net pension or net annuity.
- Social Security Offset (AOW Offset): this offset or reduction replaces the part of the salary that is already covered by the General Old Age Act (AOW). This reduction is necessary to determine the pension base. Sometimes the offset is a flat amount not related to the AOW. The offset used may not be lower than the fiscal minimum.  
The fiscal minimum AOW Offset for 2022 is:
  - Final pay schemes: € 16,749.
  - Average pay schemes: € 14,802.
- Years of service taken into account may also include parental leave, sabbatical leave, study and care leave, and a certain period of involuntary unemployment. Years having worked abroad are only taken into account when related to the company, and as long as the employee did not join any foreign company pension plan.
- Final pay schemes may not include salary components provided on a non-regular basis. In a final pay scheme, Survivors' benefits may not exceed 1.16% of pensionable earnings per year of (past and future) service. In an average pay scheme, the maximum applicable percentage is 1.313%.
- At least the AOW for a married resident, without supplement and including holiday allowance, must be taken into account.
- The normal retirement date is part of the pension rules. However, members may have the right to either delay or to advance this date. The Act does not rule a minimum retirement date, but the maximum age to retire is the date the Old Age Pension starts plus 5 years.
- A plan's normal retirement date may not be prior to age 68. When a plan's normal retirement date is either advanced or delayed, the new pension will be based on new actuarial accountings.
- Retirement benefits, once they have become payable, may be higher during the first years after retirement than the payments at a later stage. The smallest payment, however, may not amount to less than 75% of the largest one.

### Government plans

Dutch government has plans to introduce a new pension fiscal framework. Under the new fiscal rules, tax-favored total annual contributions to a member's pension account, would be capped at a government-specified percentage of the member's pensionable earnings, which will be set at 30%. The rate would be derived based on the targeting of a retirement income replacement ratio of 75% after 40 years (reflecting various assumptions); it would generally be subject to change every five years. For stability purposes the initial rate will be fixed through 2035 (unless the derived rate moves by at least five percentage points). The new rules would apply from 2023.

For a period of 10 years after moving to the new pension accrual basis, a tax-favored additional contribution of 3% of pensionable pay will be allowed as part of the compensation to employees whose premiums under current law are over 30% on an age-related basis.

### Other Social Security Benefits

#### Unemployment Benefits Act (WW):

The WW insures employees against the financial consequences of unemployment. The Social Security agency refuses payment of WW benefit if the applicant is intentionally unemployed or refuses to accept suitable employment.

In order to qualify for an unemployment benefit, the employee needs to have sufficient employment history (a minimum of 26 weeks of employment during the last 36 weeks before unemployment). Each year of employment history provides 1 month of unemployment benefits. For all years of service beginning January 1, 2016, one year entitles the employee to a half-month benefit.

Unemployment benefits can vary from (a minimum of) three months with a benefit level of 75% of the last-earned income (during the first two months of unemployment) up to a maximum of 24 months with a benefit level of 70% of the last-earned income.

The Dutch Government wants to encourage employers to recruit people, 56 years and older, who are unemployed or have a disability. An incentive is given by rewarding employers with a maximum allowance of € 6,000 when the employee works at least 36 hours a week.

This incentive ([loonkostenvoordeel](#)) is given when an employer:

- recruits people over 56 years of age who received a state benefit before recruitment;
- recruits someone with a disability;
- recruits someone with a disability of learning (scholingsbelemmerden) or someone from a group of people listed in an agreement with the government (doelgroep banenafpraak);
- recruits someone with a disability who is replaced. In this case the allowance is just for one year.

For each above mentioned target group different terms count. As an employer you need a target group certificate (doelgroepverklaring) to be eligible for this incentive. The employee has to request this target group certificate himself within 3 months after recruitment of replacement.

A bill passed on June 10, 2014 by the Dutch Upper Chamber in which the Unemployment Benefits Act was changed. The duration of the earnings-related benefit is reduced to a new maximum of 2 years as of January 1, 2016.

The duration depends on the number of years worked before unemployment.

- during the first 10 years each year of employment history provides 1 month of unemployment benefits.
- after 10 years each year of employment will provide half a month of unemployment benefits.

In case of unemployment a redundancy payment can be given to the employee. In 2022 this payment will be maximized to € 86,000 or one year salary when the employee is earning € 86,000 or more in one year.

The way in which the redundancy payment is calculated also changed. The amount of redundancy payment is calculated by the number of years of service with a factor. The factor is 1/3 of a month salary.

The Work and Security Act, which was adopted in 2015, includes a number of changes as regards unemployment benefit. The changes regarding the unemployment benefit became effective as of January 1, 2016 and include:

- As of 2020 the maximum period is 24 months.
- People who receive an unemployment benefit for more than six months have to accept every available job.
- If the salary of a new job is lower than the unemployment benefit, the salary will be complemented to the level of the unemployment benefit. In that way it always pays off to find a job.

### Unemployment benefit bridge

On January 1, 2015 the introduction of the new 'bridge of unemployment benefit' took place. This measure supports employers in their facilitation of the 'from work to work' process. The employees concerned will retain their unemployment benefit during their (re)training and will also receive salary for the hours worked. This will lead to a reduction in transition costs for the new employer.

### Supplementary Benefits Act (TW):

The TW tops up other state benefits to the social minimum, a guaranteed income level, if the total income of the beneficiary and any partner is below this level.

### Participation Act (former WWB and Wajong):

The Participation Act provides a minimum income for all persons residing legally in the Netherlands with inadequate financial resources to meet their essential living costs.

People are required to do everything they possibly can to support themselves. The claimant is obliged to accept any kind of work. This also applies for the unemployed person's partner. If it proves impossible to find work, a person may apply for support from the social services department. In co-operation with the CWI (the Centre for Work and Income) or a reintegration organization, they will help the applicant to find a job or training. If a claimant refuses to co-operate in efforts to find employment, the social services department will reduce their benefit or stop payment entirely.

This Act is of a complementary nature. If a person is receiving any kind of income the Act provides a top-up to bring their income up to a minimum level. Private assets up to € 6,505 per person are not taken into consideration.



Type of Insurance	Contributions	Benefits
Retirement benefits 1st pillar (AOW)	<b>Employer:</b> does not apply	taxable
	<b>Employee:</b> not tax-deductible	
Retirement benefits 2nd pillar	<b>Employer:</b> fully deductible  Employer contributions are not considered as additional employee income for wage tax.	taxable
	<b>Employee:</b> Employee contributions are fully tax-deductible for wage tax	
Retirement benefits 3rd pillar	<b>Employer:</b> does not apply	taxable
	<b>Employee:</b> employee contributions for an annuity are deductible for income tax but limited	
Disability benefits	<b>Employer:</b> fully deductible  Employer contributions are not considered as additional employee income for wage tax	taxable as replacement income
	<b>Employee:</b> does not apply	

### A Defined Contribution Scheme (Premium Agreement)

Eligibility:	21 years
Pensionable Salary:	The pensionable salary consists of the following components: <ul style="list-style-type: none"> <li>• Agreed upon fixed gross salary with holiday pay</li> <li>• The maximum pensionable salary is € 114,866</li> </ul>
Offset :	The offset is determined once a year and is at the start € 14,802.
Retirement age:	68 years
Benefit:	<p>Defined Contribution (DC) scheme for the entitlement to old age pension (OP) and survivor's pension (SP) at retirement age.</p> <p>For the accrual of the old age and survivor's pension, the participant has the choice between investment and insurance.</p> <p>Investment:</p> <ul style="list-style-type: none"> <li>• Lifecycle investment through a mixed fund and a long-term bond fund</li> <li>• The participant must buy a lifelong monthly annuity and insure a survivor's pension with his/her units</li> </ul> <p>Insurance:</p> <p>Direct monthly purchase of an old age pension and survivor's pension at retirement age.</p> <ul style="list-style-type: none"> <li>• At market value</li> <li>• At nominal value</li> </ul>

The defined contribution is expressed as a percentage of pensionable salary and is subjected to the employee's age, according to the following table:

Based on 3% Interest Rate	
Age	Percentage of pensionable salary
21 - 24	7.7 %
25 - 29	9.0 %
30 - 34	10.4 %
35 - 39	12.1 %
40 - 44	14.0 %
45 - 49	16.3 %
50 - 54	19.1 %
55 - 59	22.4 %
60 - 64	26.5 %
65 - 67	30.7 %

Waiver of premium coverage, partners' and orphans' pension premiums will be charged additionally and separately.

Partners' Pension:	<p>Mandatory coverage; partner's pension is insured for each participant (indeterminate system).</p> <ul style="list-style-type: none"> <li>• 1.16% of pensionable salary per year of service</li> <li>• Insured on a risk basis</li> </ul>
Orphan's Pension:	<p>Mandatory coverage; orphan's pension is insured for each participant (indeterminate system).</p> <ul style="list-style-type: none"> <li>• 0.232% of pensionable salary per year of service</li> <li>• Final age 27 years</li> <li>• Insured on a risk basis</li> </ul>
Optional ANW Gap Pension (excluded from Pooling):	<p>Optional coverage; the employee can decide to insure a flat annual pension amounting to € 15,985. In case of death during the employment period, the surviving partner receives a monthly payment until his/her retirement age or earlier decease.</p>

## Sample Employee Benefits

### Waiver of Premium:

Waiver of premium will be granted in case of disability in accordance with the below table:

Residual earning capacity	Disability%	Waiver of premium%
65 - 100%	0 - 35%	0%
55 - 65%	35 - 45%	40%
45 - 55%	45 - 55%	50%
35 - 45%	55 - 65%	60%
20 - 35%	65 - 80%	72.5%
0 - 20%	80 - 100%	100%

### WGA-Gap Pension – Basic

#### Contractual term:

The first contractual term covers the period of 3 years. Thereafter the agreement shall be automatically renewed for additional periods of one year. After the 3 years contractual term it can be terminated on a daily basis with one month's notice.

#### Coverage:

If the employee is still partially sick after two years, he will receive a state benefit, the WGA-income. If the employee earns less than 50% of the remaining earning capacity, he will receive a follow-up income.

The WGA Gap Basic insurance provides the employee a supplement to the follow-up income. The amount of the supplement depends on the degree of disability of the employee:

Degree of disability	Supplement percentage
0-35%	No supplement
35-45%	28% of the (maximum) wage
45-55%	35% of the (maximum) wage
55-65%	42% of the (maximum) wage
65-80%	50,75% of the (maximum) wage

The supplement is calculated as follows: above percentages times the difference between the (maximum) Social Security WIA-wage ceiling and the follow-up income.

#### Benefit End Date:

The State Retirement Age (also known as the AOW Age)

#### Indexation:

The supplement of the employee can be increased every year with a certain % or every half year with the WIA-index or there is no indexation depending on the decision made by the employer.

### WGA-Gap Pension – Extended

**Contractual term:**

The first contractual term covers the period of 3 years. Thereafter the agreement shall be automatically renewed for additional periods of one year. After the 3 years contractual term it can be terminated on a daily basis with one month's notice.

**Coverage:**

If the employee is still (partially or fully but not permanent) disabled after two years he or she will receive a WGA benefit. Your employee than will face a decline in income: the WGA-gap. With the WGA Gap Extended insurance you insure your employee for this gap. The supplement is as follows:

<b>Type of WGA benefit:</b>	<b>Supplement</b>
WGA follow-up benefit	A supplement up to 70% of the difference between: <ul style="list-style-type: none"> <li>- The gross annual salary and</li> <li>- the WGA benefit, WW-benefit and 70% of the income the employee still earns</li> </ul>
WGA supplement benefit	A supplement up to 75% of the difference between: <ul style="list-style-type: none"> <li>- The gross annual salary and</li> <li>- The WGA- and WW-benefit and 75% of the salary the employee still earns</li> </ul>
WGA wage related benefit and utilize the remaining earning capacity for more than 50%	A supplement up to 75% of the difference between: <ul style="list-style-type: none"> <li>- The gross annual salary and</li> <li>- The WGA- and WW-benefit and 75% of the salary the employee still earns</li> </ul>
WGA-related benefit and utilize the remaining earning capacity for less than 50%	No supplement. Your employee will only receive a wage-related benefit of the UWV.

**Indexation:**

The supplement of the employee can be increased every year with a certain % or every half year with the WIA-index or there is no indexation depending on the decision made by the employer.

### WIA Excess Plan

**Contractual term:** The first contractual term covers the period of 3 years. Thereafter the agreement shall be automatically renewed for additional periods of one year. After the 3 years contractual term it can be terminated on a daily basis with one month's notice.

**Eligibility:** All employees with an annual salary exceeding the Social Security WIA-wage ceiling (2022: EUR 59,706) and with a degree of disability of at least 35%.

**Coverage:** If the employee is disabled for two years and receives a WIA benefit, the employee will receive a supplement to this benefit. This supplement is calculated by multiplying the pay-out percentage with the insured amount.

The insured amount is x% of difference between the gross annual salary and the Social Security WIA-wage ceiling.

The maximum insured is expressed in the gross annual salary and differs per client.

The pay-out percentage depends on the degree of occupational disability of your employee.

<b>Degree of disability</b>	<b>Pay-out percentage</b>
0-35%	0%
35-45%	40%
45-55%	50%
55-65%	60%
65-80%	72,5%
80-100%	100%

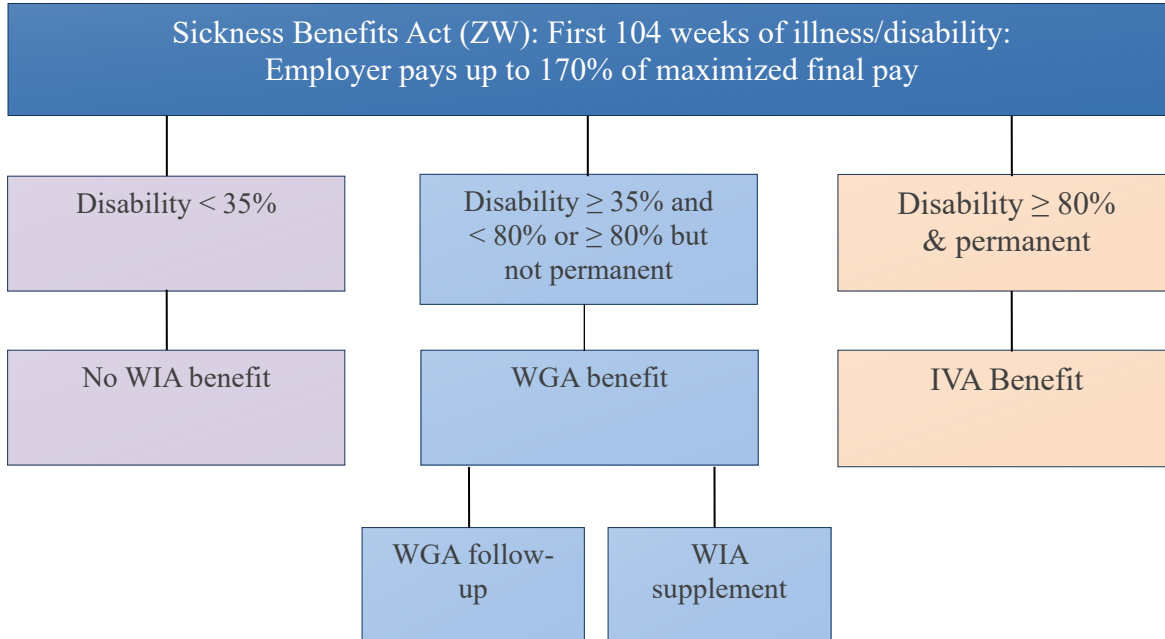
**Benefit End Date:** The State Retirement Age (known as the AOW Age).

**Indexation:** The supplement of the employee can be increased every year with a certain % or every half year with the WIA-index or there is no indexation depending on the decision made by the employer.

## Useful Links

Demographic information:	<a href="#">CIA World Factbook</a> (please select the country to review)
Macro-Economic indicators:	<a href="#">CIA World Factbook</a> (please select the country to review)
National demographic and economic indicators:	<a href="#">CBS (Central Bureau of statistics)</a>
National Bank general information:	<a href="#">DNB (De Nederlandse Bank)</a>
National Bank supervision on financial institutions:	<a href="#">DNB Supervision</a>
National Bank overview of pension funds:	<a href="#">Pension funds (supervision) (dnb.nl)</a>
Dutch Authority for the Financial Markets:	<a href="#">AFM (Autoriteit Financiële Markten)</a>
Dutch Internal Revenue Services:	<a href="#">De Belastingdienst (businesses)</a>
Dutch Internal Revenue Services:	<a href="#">De Belastingdienst (individuals)</a>
Institute for Employee Benefit Schemes: (Uitvoeringsinstituut Werknemers Verzekeringen or UWV	<a href="#">UWV</a>
Social Security Bank:	<a href="#">SVB</a>
Dutch government :	<a href="#">Dutch Government</a>
More information on the IGP Network Partner:	<a href="#">IGP – Your Local Link in the Netherlands</a>
a.s.r. Verzekeringen:	<a href="#">About a.s.r.</a>


### Social Security Sickness and Disability Benefits – schematic overview



## An Overview of the Most Important Social Security and Occupational Benefits in the Netherlands

		<u>Sickness</u>	<u>Disability</u>	<u>Old Age</u>	<u>Death</u>	<u>Healthcare</u>	
Gross Annual Salary (EUR)	€ 58,307.40		<b>Excess Disability</b> often 70% of salary in excess of the maximum WIA benefit (see below)	<b>Old Age pension</b> together with AOW normally 70% of final earnings	<b>Survivors' pension</b> 70% of occupational retirement pension		
			↑ WGA-gap				
SOCIAL SECURITY	€ 21,835 (min. wage p.a.)	Sickness Benefits Act (ZW) First 104 weeks 70% of salary Up to € 59,706	↓ Disablement Benefits Act (WIA) as of 104 weeks 70% of salary up to € 59,706	AOW-gap?	ANW-gap	Health Insurance Act (ZVW)	A
				General Old Age Pension Act (AOW) 50% - 100% of legal minimum Wage	General Survivors' Benefits Act (ANW) 70% - 90% of Legal net Minimum wage Income tested	All residents	B
NET						reimbursement of actual costs	Z

 = Social Security Benefits

 = Occupational Benefits



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