

# Introduction

Over the last years, the economies of the majority of many (European) countries have grown, with unemployment numbers at an all-time low. New industries and new ways of providing services, have introduced a new type of 'worker'. Governments and trade unions seem to struggle in determining the status of such workers and to what extent they should be treated in a similar way to 'regular' employees. One element of reward is pension. Assets held by pension funds in Europe have been estimated to exceed EUR 7tn.

Some countries have increased their pension age gradually, pushing back the date on which one can start to enjoy retirement. With an ageing world population, it is not surprising to see that pension funds seek for opportunities to stretch the available pension funds over a longer period of retirement. As a result, we have seen an increase in Defined Contribution plans (DC) at the expense of Defined Benefit plans (DB).

One group that has not generally benefitted from the economic growth is the younger generation. Their position on the employment market is not always stable and for a variety of reasons their pension entitlements remain at a low level. No solution has yet been found to address this difference. One thing unchanged over the last years is that many countries are looking closely at methods of ensuring that pension systems remain sustainable and people receive a reasonable retirement income.

With economies and the definition of work changing, we hope that in a couple of years from now we can look back and conclude that economies have found a way to increase solidarity between generations and create growth in pension assets by focusing on sustainable investments. For now we wish you an interesting read in the fourth edition of our International Guide to Pensions. CMS has significant international pensions expertise. We can provide a deep local understanding of pensions issues and the challenges faced by providers and employers across 34 jurisdictions. We also have the international organisation to provide cross-border and multi-jurisdictional advice where required. We have over 70 offices in Western, Central and Eastern Europe and beyond.

### Katja van Kranenburg-Hanspians



# **Table of Contents**

| 4  | Algeria                | 82  | Peru                 |
|----|------------------------|-----|----------------------|
| 11 | Austria                | 86  | Poland               |
| 14 | Belgium                | 90  | Portugal             |
| 18 | Bosnia and Herzegovina | 96  | Romania              |
| 22 | Bulgaria               | 100 | Russia               |
| 26 | Chile                  | 103 | Serbia               |
| 30 | China                  | 106 | Slovakia             |
| 34 | Colombia               | 110 | Slovenia             |
| 38 | Croatia                | 115 | Spain                |
| 42 | Czech Republic         | 120 | Switzerland          |
| 45 | France                 | 124 | Turkey               |
| 50 | Germany                | 129 | Ukraine              |
| 56 | Hungary                | 134 | United Arab Emirates |
| 60 | Italy                  | 137 | United Kingdom       |
| 63 | Luxembourg             |     |                      |
| 68 | Macedonia              |     |                      |
| 72 | Monaco                 | 142 | Contacts             |
| 75 | Montenegro             | 145 | Our offices          |
| 78 | The Netherlands        |     |                      |

# Contacts

For more information about our Employment & Pensions group, please visit cms.law and also contact our CMS Employment team at: employment@cmslegal.com

#### **Albania**

CMS Adonnino Ascoli &Cavasola Scamoni Sh.p.k. Tirana

**T** +355 4 430 2123

#### **Algeria**

CMS Francis Lefebvre Algérie Conseil juridique et fiscal Algiers

**T** +213 2 160 1397

#### Austria

CMS Reich-Rohrwig Hainz Rechtsanwälte GmbH Vienna

**T** +43 1 40443 0

# **Belgium**

CMS DeBacker Antwerp **T** +32 3 20601 40

Brussels **T** +32 2 74369 00

CMS Derks Star Busmann CMS EU Law Office Brussels

**T** +32 2 6500 450

CMS Hasche Sigle CMS EU Law Office Brussels T +32 2 6500 420

#### **Bosnia and Herzegovina**

Attorney at law in cooperation with CMS Reich-Rohrwig Hainz d.o.o. Sarajevo

**T** +387 33 94 4600

#### **Brazil**

CMS Cameron McKenna
Nabarro Olswang LLP
Consultores em Direito Estrangeiro
Centro, Rio de Janeiro
T +55 21 3722 9830

-----

## Bulgaria

CMS Cameron McKenna Nabarro Olswang LLP Sofia

**T** +359 2 92199 10

Pavlov and Partners Law Firm in cooperation with CMS Reich-Rohrwig Hainz Sofia

**T** +359 2 447 1350

#### Chile

CMS Carey & Allende Santiago de Chile **T** +562 24852 000

#### **China**

CMS China
Beijing
T = 0.05 10, 0.527, 0.250

**T** +86 10 8527 0259

Shanghai

**T** 86 21 6289 6363

CMS Hasche Sigle, Hong Kong LLP Hong Kong

-----

**T** +852 3758 2215

#### Colombia

CMS Rodríguez-Azuero Bogotá D.C. **T** +57 1 321 8910

#### Croatia

CMS Reich-Rohrwig Hainz Zagreb

**T** +385 1 4825 600

### **Czech Republic**

CMS Cameron McKenna Nabarro Olswang, advokáti, v.o.s.

Prague 1

**T** +420 2 96798 111

#### France

CMS Francis Lefebvre Lyon Avocats Lyon

-----

**T** +33 4 7895 4799

CMS Francis Lefebvre Avocats

Paris

**T** +33 1 4738 5500

Strasbourg

**T** +33 3 9022 1420

Germany

CMS Hasche Sigle

Berlin

**T** +49 30 20360 0

Cologne

**T** +49 221 7716 0

Duesseldorf

**T** +49 211 4934 0

Frankfurt

**T** +49 69 71701 0

Hamburg

**T** +49 40 37630 0

Leipzig

**T** +49 341 21672 0

Munich

**T** +49 89 23807 0

Stuttgart

**T** +49 711 9764 0

Hungary

CMS Cameron McKenna Nabarro Olswang LLP Magyarországi Fióktelepe

-----

Budapest

**T** +36 1 48348 00

Iran

**CMS Pars** 

Tehran

**T** +98 21 22651 665

**T** +98 21 81330 000

Italy

CMS Adonnino Ascoli & Cavasola Scamoni

Milan

**T** +39 02 89283 800

Rome

**T** +39 06 4781 51

Luxembourg

CMS DeBacker Luxembourg

\_\_\_\_\_

Luxembourg

**T** +352 26 2753 1

Mexico

CMS Woodhouse Lorente Ludlow Mexico City

-----

**T** +52 55 2623 0552

Monaco

CMS Pasquier Ciulla & Marquet Monaco

**T** +377 97 98 42 24

Montenegro

CMS Reich-Rohrwig Hainz d.o.o. Podgorica

-----

**T** +382 20 4160 70

Morocco

CMS Francis Lefebvre Maroc Conseil juridique et fiscal

Casablanca

**T** +212 522 2286 86

The Netherlands

CMS

Amsterdam

**T** +31 20 3016 301

Utrecht

**T** +31 30 2121 111

Oman

CMS Cameron McKenna Nabarro Olswang LLP

\_\_\_\_\_

-----

Muscat

**T** +968 2204 1199

Peru

CMS Grau

Lima

**T** +51 1 513 9430

**Poland** 

CMS Cameron McKenna Nabarro Olswang Pósniak i Sawicki sp.k.

Warsaw

**T** +48 22 520 5555

**Portugal** 

CMS Rui Pena & Arnaut

Funchal

**T** +351 291 220 631

Lisbon

**T** +351 21 09581 00

Romania

CMS Cameron McKenna Nabarro Olswang LLP SCP

Bucharest

**T** +40 21 4073 800

Russia

CMS Russia

Moscow

**T** +7 495 786 4000

Serbia

Petrikić & Partneri AOD in cooperation with CMS Reich-Rohrwig Hainz

Belgrade

**T** +381 11 3208 900

Singapore

CMS Holborn Asia

Singapore

**T** +65 6720 8278

Slovakia

CMS Slovakia

Bratislava

**T** +421 2 3214 1414

**T** +421 2 2211 1500

Slovenia

CMS Reich-Rohrwig Hainz

Ljubljana

**T** +386 1 62052 10

Spain

CMS Albiñana & Suárez de Lezo

Barcelona

**T** +34 93 49410 22

Madrid

**T** +34 91 4519 300

Seville

**T** +34 95 4286 102

Switzerland

CMS von Erlach Poncet Ltd.

Geneva

**T** +41 22 311 00 10

Zurich

**T** +41 44 285 11 11

**Turkey** 

CMS, Turkey Istanbul

**T** +90 212 401 4260

Ukraine

CMS Cameron McKenna Nabarro Olswang LLC

Kyiv

**T** +380 44 39133 77

CMS Reich-Rohrwig Hainz TOV

Kyiv

**T** +380 44 500 1718

**United Arab Emirates** 

CMS (UAE) LLP

Dubai

**T** +971 4 374 2800

**United Kingdom** 

CMS Cameron McKenna Nabarro Olswang LLP

Aberdeen

**T** +44 1224 6220 02

Bristol

**T** +44 20 7367 3000

Edinburgh

**T** +44 131 228 8000

Glasgow

**T** +44 141 222 2200

London

**T** +44 20 7367 3000

Manchester

**T** +44 161 393 4700

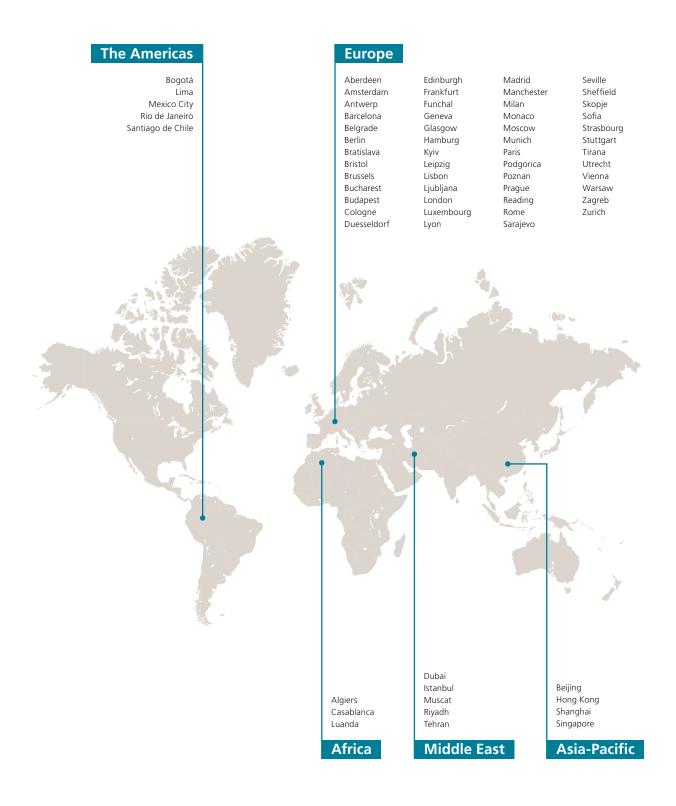
Reading

**T** +44 20 7067 3000

Sheffield

**T** +44 114 279 4000

# Our offices







# Your free online legal information service.

A subscription service for legal articles on a variety of topics delivered by email. **cms-lawnow.com** 



# Your expert legal publications online.

In-depth international legal research and insights that can be personalised. **eguides.cmslegal.com** 

CMS Legal Services EEIG (CMS EEIG) is a European Economic Interest Grouping that coordinates an organisation of independent law firms. CMS EEIG provides no client services. Such services are solely provided by CMS EEIG's member firms in their respective jurisdictions. CMS EEIG and each of its member firms are separate and legally distinct entities, and no such entity has any authority to bind any other. CMS EEIG and each member firm are liable only for their own acts or omissions and not those of each other. The brand name "CMS" and the term "firm" are used to refer to some or all of the member firms or their offices.

#### CMS locations:

Aberdeen, Algiers, Amsterdam, Antwerp, Barcelona, Beijing, Belgrade, Berlin, Bogotá, Bratislava, Bristol, Brussels, Bucharest, Budapest, Casablanca, Cologne, Dubai, Duesseldorf, Edinburgh, Frankfurt, Funchal, Geneva, Glasgow, Hamburg, Hong Kong, Istanbul, Kyiv, Leipzig, Lima, Lisbon, Ljubljana, London, Luanda, Luxembourg, Lyon, Madrid, Manchester, Mexico City, Milan, Monaco, Moscow, Munich, Muscat, Paris, Podgorica, Poznan, Prague, Reading, Rio de Janeiro, Riyadh, Rome, Santiago de Chile, Sarajevo, Seville, Shanghai, Sheffield, Singapore, Skopje, Sofia, Strasbourg, Stuttgart, Tehran, Tirana, Utrecht, Vienna, Warsaw, Zagreb and Zurich.