

DECISION No 03/2024

**OF THE ADMINISTRATIVE BOARD OF THE EUROPEAN UNION AGENCY FOR
THE COOPERATION OF ENERGY REGULATORS**

of 19 June 2024

on the adoption by analogy of Commission Decision C(2024) 1038 final of 21 February 2024 amending Decision C(2011)1278 final on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights

THE ADMINISTRATIVE BOARD OF THE EUROPEAN UNION AGENCY FOR THE
COOPERATION OF ENERGY REGULATORS,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators¹,

Having regard to the Staff Regulations of Officials of the European Union (hereinafter ‘Staff Regulations’) and the Conditions of Employment of Other Servants of the European Union (hereinafter ‘CEOS’), laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68² as last amended, and in particular Article 110(2) of the Staff Regulations,

Having regard to Commission Decision C(2024) 1038 final of 21 February 2024 amending Decision C(2011)1278 final on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights,

Having regard to Decision No 2/2023 of the Administrative Board of the European Union Agency for the Cooperation of Energy Regulators of 25 January 2023 amending Decision No 7/2020 of the Administrative Board of the European Union Agency for the Cooperation of Energy Regulators of 17 June 2020 on the adoption of the Rules of Procedure of the Administrative Board of the European Union Agency for the Cooperation of Energy Regulators,

After consulting the Staff Committee on 6 May 2024,

Whereas:

¹ OJ L 158, 14.06.2019, p. 22.

² OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p.15.

- 1) On 1 March 2024, the Commission informed the European Union Agency for the Cooperation of Energy Regulators (hereinafter referred to as ‘the Agency’) that it had adopted its Decision C(2024) 1038 final of 21 February 2024 amending Decision C(2011)1278 final on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights.
- 2) In application of Article 110(2) of the Staff Regulations, in absence of derogation from these implementing rules, Commission Decision C(2024) 1038 final should apply by analogy to the Agency within nine months after the date of notification,

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision C(2024) 1038 final of 21 February 2024 amending Decision C(2011)1278 final on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights, hereby attached, shall apply by analogy.

Article 2

This Decision shall take effect on the day of its adoption.

Done at Ljubljana, 19 June 2024.

For the Administrative Board

The Chair
Edit HERCZOG

ACER

European Union Agency for the Cooperation
of Energy Regulators



EUROPEAN
COMMISSION

Brussels, 21.2.2024
C(2024) 1038 final

COMMISSION DECISION

of 21.2.2024

**amending Decision C(2011)1278 final on the general implementing provisions for
Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension
rights**

COMMISSION DECISION

of 21.2.2024

amending Decision C(2011)1278 final on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,
Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968, and in particular Articles 11 and 12 of Annex VIII to the Staff Regulations,

After consulting the Staff Committee,

After consulting the Staff Regulations Committee,

- (1) On 3 March 2011, the Commission adopted Decision C(2011)1278⁴, which notably sets out the method to calculate the years of pensionable service to be credited under Article 11(2) and (3) of Annex VIII to the Staff Regulations.
- (2) On 20 July 2020, the Commission amended that Decision by Decision C(2020)4818⁵, updating conversion coefficients to take into account the evolution of the legal framework and actuarial parameters in line with Article 83a(3) of the Staff Regulations.
- (3) The interest rate set out in Article 8 of Annex VIII to the Staff Regulations was updated on 1 January 2024⁶.
- (4) Eurostat calculated updated conversion coefficients taking into account updated actuarial assumptions used for the five-yearly assessment of the pension scheme provided for under Article 83a(3) of the Staff Regulations, such as the new interest rate, mortality and invalidity tables.
- (5) In accordance with Article 9 of Decision C(2011)1278, the conversion coefficients used for the calculation of the actuarial equivalent that can be transferred in application of

³ OJ L 56, 4.3.1968, p. 1.

⁴ Commission Decision C(2011)1278 of 3 March 2011 on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights.

⁵ Commission Decision C(2020)4818 final of 20 July 2020 amending the Commission Decision C(2011)1278 of 3 March 2011 on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights.

⁶ OJ C 509, 3.1.2024.

Article 11(1) and Article 12 of Annex VIII to the Staff Regulations, on the one hand, and for the calculation of the number of years of pensionable service to be credited in application of Article 11(2) and (3) of Annex VIII to the Staff Regulations, on the other hand, should therefore be amended,

HAS DECIDED AS FOLLOWS:

Article 1

Annex 1 to Decision C(2011)1278 is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall enter into force on the first day of the month following its adoption. Conversion coefficients provided under Annex 1 of the present decision are applicable to requests for a transfer under Article 11(2) and (3) of Annex VIII to the Staff Regulations introduced from 1 January 2024.

However, in cases where the termination of service took place before 1 January 2024, or in cases of staff whose request for a transfer under Article 11(2) and (3) of Annex VIII to the Staff Regulations had been registered before 1 January 2024, the coefficients provided in Annexes 1 and 2 to Commission Decision C(2011)1278, as amended by Commission Decision C(2020) 4818, shall apply.

Done at Brussels, 21.2.2024

For the Commission
Johannes HAHN
Member of the Commission



Brussels, 21.2.2024
C(2024) 1038 final

ANNEX

ANNEXES

to the Commission Decision

**amending Commission Decision C(2011)1278 of 3 March 2011 on the general
implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations
on the transfer of pension rights**

Annex 1

Following the update of the effective rate for calculation of compound interest in accordance with Article 12 of Annex XII to the Staff Regulations⁷, the following conversion coefficients (TrCoeff_x) shall apply from 1 January 2024

This Annex lists the coefficients (TrCoeff_x) for converting outgoing amounts (in euros) or incoming amounts from other pension schemes (TrA) for a person aged x years into a theoretical retirement pension (PenTheor).

$$TrCoeff_x = \frac{TrA}{PenTheor}$$

Given that the theoretical pension (PenTheor) is based on the annual salary of the person aged x years at the date of the conversion (SAL), the number of pensionable years (PYears) and the annual rate of pension-right accumulation (AnnRights), the above-mentioned formula becomes:

$$TrCoeff_x = \frac{TrA}{SAL * PYears * AnnRights}$$

These coefficients are calculated by age on the basis of the parameters laid down in Annex XII to the Staff Regulations for purposes of calculating the transferable amount of actuarial equivalent under Article 11(1) and Article 12 of Annex VIII to the Staff Regulations and the number of pensionable years to be credited under Article 11(2) and (3) of Annex VIII to the Staff Regulations.

Age at the date of application (x)	Conversion Coefficient TrCoeff _x
18	15.674
19	15.713
20	15.751
21	15.790
22	15.829
23	15.868
24	15.907
25	15.946
26	15.986
27	16.025
28	16.065
29	16.104
30	16.144
31	16.184
32	16.224
33	16.264
34	16.304
35	16.344

⁷ OJ C 509, 3.1.2024.



36	16.384
37	16.424
38	16.465
39	16.505
40	16.545
41	16.585
42	16.632
43	16.672
44	16.712
45	16.757
46	16.805
47	16.854
48	16.893
49	16.942
50	16.994
51	17.048
52	17.100
53	17.159
54	17.219
55	17.281
56	17.346
57	17.414
58	17.488
59	17.563
60	17.642
61	17.721
62	17.805
63	17.889
64	17.982
65	18.086
66	18.203