



ESPN Thematic Report on retirement regimes for workers in arduous or hazardous jobs

Slovenia

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Boris Majcen
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European Social Policy Network (ESPN)

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hazardous jobs**

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Summary/Highlights

Workers in arduous or hazardous jobs (WAHJ) are recognised in Slovenian legislation through separate pension rules and special pension schemes. An explicit list of arduous or hazardous jobs was established as early as 1969 (The Augmented Retirement Benefits Employment Act, 1969), which is still technically applicable without any subsequent amendment. The jobs are classified into five groups, each attracting a certain level of enhancement to reckonable insured service, which in turn depends on the degree of arduousness and/or harmfulness of the type of work concerned.

After independence, the first Slovenian Act on Pension and Disability Insurance was adopted in 1992. The first major change to this system was introduced in 2000 in the form of an act that established a three-pillar pension system (Pension and Disability Insurance Act, 1999, henceforth: ZPIZ-1). The system of insured service enhancements for WAHJ was to be abolished over time, and in their place compulsory supplementary pension insurance (in the second pillar) was introduced – a so-called ‘occupational pension’. Existing WAHJ were split into two groups. The first one, containing WAHJ who had completed not less than 25 years (men) or 23 years (women) of pensionable service as at 1 January 2001, remained in the old regime with insurance period enhancements and a lower retirement age. The second one, containing the remaining WAHJ, were compensated through the second-pillar, which for them provides an occupational pension designed to bridge the period between labour market exit and the start of an old-age pension. An added reckonable pensionable period, equal to one-quarter of the period of membership in the occupational pension arrangements, replaced the previous system of insurance period enhancements.

Arrangements facilitating an early labour market exit for WAHJ were thus retained under ZPIZ-1, but at the same time were subject to more restrictive conditions, including: a gradual increase in the minimum pension age, a unified insurance bonus, a unified contributions rate and a requirement for the provision of adequate funding. It turned out that the last condition presented an almost insuperable obstacle to obtaining the occupational pension. The next pension reform (Pension and Disability Insurance Act, 2012, henceforth: ZPIZ-2) further tightened retirement conditions (increasing the minimum required pensionable service including enhancements to 42.5 years, increasing the minimum pensionable age and unifying it for both genders, and abolishing reduced occupational pensions). Further changes were then introduced by the Act Amending the Pension and Disability Insurance Act, 2015 (henceforth: ZPIZ-2B) – an increase in the minimum occupational pension, a ceiling on the highest one, and the introduction of the solidarity reserves.

There are no schemes or specific active labour market policies aimed at prolonging the working life of WAHJ or widening their end-of-career options. On the contrary, changes implemented by recent pension reforms have narrowed the early-retirement pathway of WAHJ compared with other pensioners. The previous pathway has mainly been replaced by the possibility of drawing out contributions collected on the personal pension account (as a single payment) and/or taking out voluntary supplementary pension insurance.

One of the most urgently needed but still unresolved issues – a comprehensive reassessment of the existing list of arduous or hazardous jobs and the determination of jobs that qualify for occupational insurance because of their health effects – is now finally the object of attention by the Slovenian government, which has opened a public debate (White Book on Pensions, 2016). Related issues include a) determination of the basic purpose of occupational insurance, b) the rationale for differentiating between individual jobs as concerns retirement conditions, and c) making the acquisition of a right conditional on the availability of sufficient resources. The resolution of these major issues will definitely decrease the number of new WAHJ who will turn back to the early-retirement pathway.

1 Overall description of the policy mix targeted at workers in arduous or hazardous jobs

1.1 Definition and classification of arduous or hazardous jobs

There has been no change regarding the definition and classification of arduous or hazardous jobs for almost half a century. The Augmented Retirement Benefits Employment Act (1969), which sets out an explicit list of arduous or hazardous jobs, is still applicable, as are some other acts that define these jobs in public administration.

Under the Pension and Disability Insurance Act, 2012 (henceforth: ZPIZ-2), occupational pension insurance is available to insured people performing especially difficult jobs or jobs that are harmful to health, as well as insured people who perform jobs that cannot be successfully professionally performed after a certain age. Difficult or harmful jobs that give eligibility to the occupational pension must fulfil the following conditions (ZPIZ-2, Article 199):

- There are considerable harmful effects on the health and work capacity of employees, despite the implementation of all general and specific precautionary measures stipulated by the regulations governing health and safety at work as well as other measures that serve to eliminate or mitigate such effects;
- Employees perform work under conditions that are difficult and harmful to health in proximity to the sources of such harmful effects and in an uninterrupted work process;
- Such work is performed on a full-time basis.¹

1.2 Policy mix concerning the end-of-career options and innovative policy measures targeted at WAHJ

The first major change to the post-independence pension system was introduced in 2000 by the Pension and Disability Insurance Act, 1999 (henceforth: ZPIZ-1): this provided for the abolition over time of insurance period enhancements for WAHJ, replaced by compulsory supplementary pension insurance. WAHJ who had completed not less than 25 years (men) or 23 years (women) of pensionable service as at 1 January 2001 remained in the old regime – they continued to be entitled to variable insurance period enhancements and a lower retirement age. Other WAHJ were covered by compulsory supplementary pension insurance (second pillar), with contribution rates depending on the level of insurance period enhancement they had had in the old system.²

The compulsory supplementary pension insurance fund is managed – on behalf and for the account of insured people and other beneficiaries – by the Pension Fund Management.³ The scheme guaranteed the right to an occupational pension and reduced occupational pension, a pensionable service enhancement⁴ and the right to be included in the compulsory health insurance scheme.⁵ The occupational pension is designed to cover the period between the moment a WAHJ leaves the labour market until they meet the conditions for retirement under the compulsory pension and disability insurance scheme (pay-as-you-go first pillar). After the latter point a reduced occupational pension was paid on top of the first-pillar pension, till death.

¹ Working time that is shorter than full time may be considered as full time if so stipulated due to special working conditions.

² The contribution rates were in the range from 4.2% to 12.60%.

³ Kapitalska družba pokojninskega in invalidskega zavarovanja, d.d.

⁴ The enhancement is equivalent to three months per year.

⁵ During the period of receiving the occupational pension WAHJ are included in the compulsory health insurance as other pensioners are.

The system for WAHJ in ZPIZ-1 may be therefore be described as a mixture of a 'defined benefits' system (first pillar) and a 'defined contribution' system (second pillar): but with the important additional condition, in the case of the latter, that beneficiaries had to have enough contributions on their individual account. In practice, it quickly became obvious following the 1999 reform that the resources collected in the compulsory supplementary pension insurance fund were not sufficient to pay the level of pension due. A much higher unified contribution rate of 10.55% was therefore introduced in 2010, with the exception of the (highest) rate for one group of WAHJ (12.6%), which remained unchanged.⁶

Arrangements facilitating early labour market exit at pensions comparable with the old-age pensions obtained by other employees were thus retained under ZPIZ-1, but with more restrictive conditions in the form of a gradual increase in the minimum pension age, a unified insurance bonus, a unified contributions rate and a requirement for adequate funding. As mentioned above, it turned out that the last condition presented an almost insuperable obstacle for obtaining the occupational pension.

In 2012 ZPIZ-2 introduced additional retirement restrictions for WAHJ: the minimum pensionable service required (including enhancements) was increased, the minimum pensionable age was raised and unified for both genders, and the reduced occupational pension was abolished.

On the other hand a further subsequent measure – Act Amending the Pension and Disability Insurance Act, 2015 (henceforth: ZPIZ-2B) – provided that the occupational pension may not be lower than the old-age pension that the insured person would have received under the compulsory pension and disability insurance scheme for 40 years of pensionable service (disregarding insurance period enhancements, but increased by contributions for health insurance). The same act provided for a maximum occupational pension, stating that it may not exceed the amount of an old-age pension assessed on the maximum pension base increased by contributions for health insurance. Finally, ZPIZ-2B provided for the possibility of a lump-sum payment of funds accumulated in a personal account (up to €5 000): if the insured person has more than this in their account, these funds may be used to buy added pensionable service or be transferred to the voluntary supplementary insurance scheme.

The system thus moved towards being a 'defined contributions' system but with an element of a 'defined benefits' system added through the provision for a minimum amount. An additional move towards a 'defined benefits' system came with the introduction of solidarity reserves in 2016, designed to allow the offsetting of surpluses and deficits on individual accounts – but only for insured people who had been included in the occupational insurance scheme for at least 17 years, and subject to the newly introduced maximum. This change was endorsed by social partners on the Economic and Social Council and also received broad support in the Parliament.

Both the 1999 and 2012 pension reforms⁷ foresaw the creation of a special commission that would be authorised to assess, on the basis of rules and criteria defined by the Slovenian government, whether the conditions for classifying individual jobs as arduous or hazardous jobs were still fulfilled: however, this issue remained unresolved until the 2015 measure (ZPIZ-2B). Under the latter, two special committees will now decide which jobs should be included in the occupational insurance scheme, based on an evaluation of their adverse health effects.

The Compulsory Supplementary Pension Insurance Fund had 45 871 policyholders on 20 April 2016 – almost double the number compared with the situation in 2001 (23 310) – and the net value of assets was €683.5 million (Pension Fund Management,

⁶ According to the Ministry of Labour, Family, Social Affairs and Equal Opportunities (2012, p. 17), calculations show that about 90% of WAHJ covered by compulsory supplementary pension insurance will not have enough resources to cover the full occupational pension.

⁷ ZPIZ-1, 1999, Article 282; ZPIZ-2, 2012, Article 201

2016a). The age and gender structure of the policyholders, based on data available for 2014, is presented in Table 1 (Pension Fund Management, 2015). Men represent 87% of the total number of policyholders, who are concentrated within the 31-50 age group.

Table 1: The age and gender structure of the policyholders for the year 2014

Age (years)	Policyholders			Structure (%)		Share (%)		
	Men	Women	Total	Men	Women	Men	Women	Total
11 - 20	127	5	132	0,3	0,1	0,3	0.0	0,3
21 - 30	5265	618	5883	13,3	10,8	11,6	1,4	12,9
31 - 40	13525	2226	15751	34,3	38,8	29,8	4,9	34,7
41 - 50	14673	2173	16846	37,2	37,8	32,3	4,8	37,1
51 - 60	5644	704	6348	14,3	12,3	12,4	1,5	14.0
61 - 70	215	18	233	0,5	0,3	0,5	0.0	0,5
71 - 80	4		4	0.0	0.0	0.0	0.0	0.0
NN*			247			0.0	0.0	0,5
Total	39453	5744	45444	100.0	100.0	86,8	12,6	100.0

Source: Pension Fund Management, 2015a and own calculations

* Non-available data for age or gender

To summarise, there are no schemes or specific active labour market policies aimed at prolonging the working life of WAHJ or widening their end-of-career options. Recognition of the situation of WAHJ is confined to special pension rules. However, recent pension reforms have actually narrowed the early-retirement pathway of the WAHJ compared with other old-age pensioners. The recent White Book on the pension system shows that the Slovenian government is well aware of the most important, still open, issues within the compulsory supplementary pension insurance arrangements (White Book on Pensions, 2016). The following will certainly be the focus of its future activities: a) determination of the basic purpose of occupational insurance, b) the rationale for differentiating between particular jobs regarding retirement conditions, c) making the acquisition of pension rights conditional on the existence of sufficient resources and d) determination of jobs qualifying for occupational insurance.

2 Pension rules for workers in arduous or hazardous jobs

2.1 Specific pension rules

Separate pension rules and special pension schemes exist in Slovenia for WAHJ.

WAHJ who were covered by the compulsory supplementary insurance scheme pursuant to ZPIZ-1 or are covered by an occupational pension pursuant to ZPIZ-2 will have one-quarter of the period of their membership in the occupational scheme added to their actual insurance period (for the fulfilment of conditions for an early-retirement benefit or an old-age pension).

WAHJ who as at 1 January 2001 had completed not less than 25 years (men) or 23 years (women) of pensionable service continue to be entitled to an enhanced insurance period (from two to six months per year according to job type) and to a lower retirement age for entitlement to an old-age pension.

WAHJ receive an occupational pension until they meet the conditions for receiving an early-retirement pension or an old-age pension under the compulsory (general) insurance scheme.

The conditions for acquiring the right to an occupational pension are twofold, as follows.

- Normally, pensionable service including enhancements must be at least 42 years and 6 months, and there must be adequate funds accumulated in the personal account. The pension is paid for a period equal to the difference between the actual years of pensionable service (without enhancement) and 40 years.
- Provided pensionable service is at least 40 years, the minimum pensionable age for WAHJ is specified in Table 2. The pensionable age depends on the level of the insured service enhancement applicable to a particular job.

Table 2: Minimum pensionable age

Level of insurance period enhancement	ZPIZ-2	ZPIZ-1			
	Men and women	Men	Women	Men	Women
	2013	2000	2000	2010	2010
12/14	56	53	48	58	53
12/15	55	55.5	50.5	50.5	45.5
12/16	54	53.5	48.5	48.5	43.5
12/17	53	51.5	46.5	46.5	41.5
12/18	52	50	45	45	40

Sources: ZPIZ-1, 1999, Article 402; ZPIZ-2, 2012, Article 204.

Note: Insurance enhancement 12/14 means that the insured person gets an additional two months for each year of pensionable service.

An insured person who fulfilled the conditions for an old-age pension, early-retirement benefit, widow(er)'s pension or disability pension prior to enforcing the right to an occupational pension:

- Has the right to draw out the contributions collected on their personal account if the funds do not exceed €5 000, or
- May request that the funds are transferred free of charge to the voluntary supplementary pension scheme.

Under ZPIZ-1, WAHJ had a right to a reduced occupational pension, which was paid after retirement under the compulsory pension and disability insurance arrangements. This right was abolished by ZPIZ-2: but in its place WAHJ were given the option of purchasing added years or joining the compulsory supplementary insurance scheme on a voluntary basis (for the added pensionable service; ZPIZ-2, 2012, Articles 202 and 149) – with the aim of allowing them to retain the same level of pension after retirement as before.⁸

Occupational pensions are financed from monthly employer contributions amounting to 9.25% of an insured person's salary (Pension Fund Management, 2014). There is no government contribution, but there are tax reliefs for occupational pensioners.

2.2 The role of the first-pillar and supplementary pension schemes

Early retirement for WAHJ (apart from certain of those already in service in 2001) requires additional contributions to be paid into the supplementary system (second pillar) by employers. The resultant occupational pension is paid to the beneficiary until they qualify for an early-retirement pension or old-age pension under the compulsory insurance scheme. In order to retain the same amount of pension also when receiving the pension under the compulsory pension and disability insurance the insured person has to purchase years or join the Compulsory Insurance on a voluntary basis (for the period of the added pensionable service).

2.3 The rules for different categories of professions

Almost all the rules relating to WAHJ are the same for both men and women. The only exception is for those who had 25 years of insurance service (for men, 23 years for women) on 1 January 2001. They remained in the old regime, which means that they continued to be entitled to a differentiated insurance period enhancement, payment of different contributions and a lower pensionable age.

3 Retirement patterns and retirement income of workers in arduous or hazardous jobs

It has to be stressed first that, unfortunately, there are not many data on the retirement patterns and incomes of WAHJ, and there has been no systematic analysis of WAHJ. The available data include WAHJ carrying out services of public interest (which are not within the scope of this report). Nevertheless, all conclusions hold for both categories of WAHJ.⁹

3.1 Retirement patterns

As was already stated in the previous paragraphs, WAHJ exit the labour market through an early-retirement pathway. With additional contributions paid by the employers, WAHJ for whom provision was made under the second pillar on 1 January 2001 – along with new WAHJ – get the right to an occupational pension that is higher than the average old-

⁸ An insured person has three possibilities for purchasing the years: a) paying contributions themselves based on 80% of their last known average annual salary, b) transferring the surrender value to the Pension and Disability Insurance Institute or, c) their employer pays the bill. According to the Article 149, the base for payment of contributions is equivalent to 20% of the last known annual salary of the employee.

⁹ The Pension and Disability Insurance Institute (PDII) has provided certain data, but not fully in line with that requested. It covers only the period 2011-2015; pensioners carrying out services of public interest have not been excluded; and there is no split between pensioners who remain covered by the first pillar and those who are also covered by the second pillar. The information value of the data is therefore quite limited.

age pension. In practice, however, the condition that there should be enough resources collected in the pension account was rarely fulfilled, and these people therefore could not retire. The Ministry of Labour, Family, Social Affairs and Equal Opportunities states in its White Book on the pension system that, according to the statistics on occupational retirement, only a very small number of insured people opted for occupational retirement (White Book on Pensions, 2016, p. 188).¹⁰ The others opted instead to continue working until they fulfilled the conditions for an old-age pension, and either withdrew the contributions collected in their personal account as a lump sum (subject to a €5 000 maximum) or requested that the funds be transferred free of charge into the voluntary supplementary pension insurance scheme.

WAHJ who had at least 25 years (men) or 23 years (women) of pensionable service on 1 January 2001 remained in the first pillar. They continued to be entitled to the insurance period enhancement (from two to six months per year, according to job) and to a lower retirement age. Compared with other old-age pensioners, they retire earlier but with a similar pension. There is no evidence as to how many people in this group are still working, if any.

Additional data obtained from the Pension and Disability Insurance Institute (PDII) reveal quite a high share of new WAHJ pensioners in the total number of new old-age pensioners, with decreasing numbers in the observed period 2011-2015 (Pension and Disability Insurance Institute, 2016a; Table 3). The share for women was much lower due to the fact that the list of arduous and hazardous jobs is biased in favour of jobs generally performed by men (the one exception is textile workers), as a result of which women receive substantially lower average pensions. In 2015 the average insurance period of new WAHJ pensioners came close to the average for other new old-age pensioners.

Table 3: New WAHJ and old age pensioners

	With an insurance period with a bonus						Without an insurance period with a bonus						Difference													
	Number of pensioners	Average pensionable age		Average insurance period		Average bonus	Average insurance period without insurance period with a bonus		Average pension (EUR)	Number of pensioners	Average pensionable age		Average insurance period		Average bonus	Average insurance period without insurance period with a bonus	Average pension (EUR)	Share (%)	Average pensionable age	Average insurance period	Average bonus	Average insurance period without insurance period with a bonus	Average pension (in %)			
		Y	M	Y	M		Y	M			Y	M	Y	M										Y	M	Y
Year 2011																										
Total	2215	56	7	38	2	3	7	34	6	653	15700	59	0	36	5	0	0	36	5	631	12,4	-2,8	1,8	3,6	-1,9	3,4
Men	1903	56	9	38	9	3	9	34	11	675	8111	60	6	37	9	0	0	37	8	661	19	-4	1	3,8	-2,8	2,1
Women	312	55	10	34	7	2	6	32	0	517	7589	57	6	35	1	0	0	35	1	600	3,9	-1,3	-0,5	2,5	-3,1	-13,8
Year 2015																										
Total	1165	58	5	37	11	2	5	35	5	640	10193	59	10	37	10	0	0	37	10	648	10,3	-1,4	0,1	2,4	-2,4	-1,3
Men	1027	58	7	38	2	2	5	35	8	651	5480	60	9	38	5	0	0	38	4	641	15,8	-1,8	-0,3	2,4	-2,8	1,6
Women	138	57	2	36	1	2	5	33	8	556	4713	58	9	37	3	0	0	37	2	656	2,8	-1,1	-1,2	2,4	-3,6	-15,2

Source: pension and Disability Insurance Institute, 2016a

3.2 Retirement income

Compared with the average retiree, WAHJ receive a similar pension with the added options of either drawing out the contributions collected on their personal account or acquiring the right to a (voluntary) supplementary pension. WAHJ with both 42 years and 6 months of pensionable service (including enhancements) and sufficient funds in their personal account receive an occupational pension that is higher than other old-age pensions.

¹⁰ In 2013 the first two policyholders retired and got an occupational pension under the ZPIZ-1 conditions (Pension Fund Management, 2014). In 2014 and 2015 the number of new occupational pensioners increased to 44 and 123 respectively (Pension Fund Management, 2015, and 2016). Pension Fund Management does not have adequate information system – in their Annual reports only data on the number of new occupational pensioners and the average sum of contributions in individual accounts could be obtained (for new occupational pensioners in 2015 the latter amounted to €35 370).

The PDII provides official data on the average effective pensionable age in its Annual Reports, including for all new old-age pensioners with an insurance period enhancement. However, they do not distinguish between WAHJ covered by the ZPIZ-1 or ZPIZ-2 arrangements. Some first (rough) conclusions can be reached on the basis of data available. The difference in the effective pensionable age between old-age pensioners and old-age pensioners with enhanced service decreased substantially (particularly for men) in the years 2005-2015 (Table 4). Possible reasons may include the fact that the number of new pensioners with the largest service enhancements decreased; that the minimum pensionable age increased (see Table 1); and that new WAHJ pensioners who fulfilled the conditions for an old-age pension had a lower enhanced insurance period as they had been transferred to the second pillar in 2001.

Table 4: Effective pensionable age (number of years/months)

	Old-age pensioners		Old-age pensioners with service enhancement		Difference Years/Months	
	Men	Women	Men	Women	Men	Women
2005	61/8	57/3	56/5	54/8	- 5/3	- 2/7
2015	61/1	59/0	59/2	57/3	- 1/11	- 1/9

Sources: Pension and Disability Insurance Institute, 2005 and 2015.

The early-retirement pathway of WAHJ, as compared with other pensioners, is thus not as distinctive as it used to be years ago. This is certainly the result of the measures implemented by the latest pension reforms: the shift of provision for WAHJ to the second pillar, unification of specific rules, the requirement for adequate resources, increased required years of pensionable services, the introduction and gradual increase in the minimum pensionable age, equalization of the years of pensionable service, and the minimum pensionable age for both genders. It can be concluded from the available information that the early-retirement pathway of WAHJ has mainly been replaced by the option of drawing out contributions collected in the personal account and/or to have supplementary pension insurance. One of the most important and still unresolved issues – the evaluation of the existing list of arduous or hazardous jobs and determination of jobs that qualify for occupational insurance – is now finally the object of the Slovenian government's attention. The realization of this issue will definitely decrease the number of new WAHJ who will turn back to the early retirement pathway.

A thorough study of WAHJ over the period of the introduction of recent pension reforms is needed in order to be able to analyse all actual pathways they use to exit the labour market as well as their relative income position compared with other old-age or disability pensioners. With the limited data available nothing can be said about the other two possible pathways (disability and unemployment), the number of occupational pensioners and their levels of pensions, or the number of WAHJ who have continued to work and fulfilled the conditions of compulsory pension and disability insurance, etc.

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