

Pension agreement 2023

By concluding an employment contract you also conclude a pension agreement with your employer. Under this pension agreement you become – or will become – a member in the pension scheme of the Stichting Pensioenfonds Smurfit Kappa Nederland (hereinafter referred to as “the Pension Fund”). You will acquire pension entitlements in accordance with the conditions and provisions stated in the regulations of the Pension Fund.

Commencement and termination of the membership

You are a member in the pension scheme if – or as soon as – you are 21 years of age AND if you have concluded an employment contract in which the membership of the Pension Fund has not been explicitly excluded. If you are younger than 21 years, you are deemed to have been a member if you should die or become incapacitated for work.

Your membership will end at the date of your retirement or - if earlier – on the day on which your employment contract is terminated. Exceptions are a termination as a result of incapacity for work or employment conditions that have been agreed with your employer.

Main features of the pension scheme

The pension scheme of the Pension Fund consists of a basic package and an investment package.

The **basic package** – an average salary scheme with an accrual percentage of 1.875 and a conditional indexation – has the character of a benefit agreement. This means that the amount of your pension will be determined on the basis of your annual salary and your past service. In the basic package, you will accrue pension on your pensionable annual salary up to a maximum of € 46,764 minus the state pension offset of € 16,322. The basic package of the Pension Fund consists of a lifelong retirement pension from the age of 68 years, a partner’s pension and an orphan’s pension.

If you are married or have a registered partnership, your partner will automatically be entitled to a partner’s pension. If you are cohabiting without being married or without having a registered partnership, your partner may be entitled to a partner’s pension, under certain conditions. In that case you will have to register your partner with the Pension Fund yourself.

The **investment package** – a defined contribution scheme – is a contribution agreement. This means that the amount of your pension will be determined in particular by the contributions paid for this package, the returns thereon AND the factors that apply at the time of the conversion of the pension capital into pension entitlements. You can be entitled to the investment package if your annual salary is higher than € 46,764. Your pension will be accrued via the investment package up to a maximum of € 128,810.

If your annual salary is higher than € 128,810, you can participate in a “Net pension saving” scheme for pension accrual. This scheme is offered by your employer.

Member's contribution

As a member you will have to pay a contribution. The amount of this contribution is determined by your employer, possibly in consultation with the trade unions. For 2023 the member's contribution is 7.5% of the contribution base, this base being equal to the pensionable annual salary (with a maximum of € 54,200) minus an amount of € 16,200. The member's contribution that you have to pay will be deducted from your gross monthly salary.

Adjustment of accrued pension entitlements

The Pension Fund aims to adjust your accrued pension entitlements according to the price index on 1 January each year, within the limits of the financial resources. The Pension Fund will determine each year whether the financial resources are sufficient to grant an adjustment. This depends on the policy funding ratio of the Pension Fund. If the Pension Fund is of the opinion that its policy funding ratio is not sufficient, the adjustment referred to above will be reduced or not granted. Therefore the adjustment of your accrued pension entitlements is conditional; there is no right to an adjustment. It is not certain whether – and to what extent – there will be an adjustment in the future. An adjustment will only be granted if the above mentioned conditions have been met. This means that there is no appropriate reserve and that no extra contribution is paid for this adjustment. As of 1 January 2023, all accrued pensions and pension rights will be increased by 5.0%. Before that, the pensions have not been indexed since 1 January 2009. In the three years before 2009, however, the Pension Fund has been able to fully index the pensions.

Recovery plans

The new financial assessment framework is in force since 2015. A recovery plan was applicable to the Pension Fund in 2022. A recovery plan will also be applicable in 2023 because the policy funding ratio was below the required funding ratio at the end of 2022.

Reservation made by the employer regarding the payment

The employer reserves the right – when concluding or amending the pension agreement – to reduce or to stop the contribution payment insofar as this relates to the employer's contribution in the event of a substantial change of circumstances.

Amendment to the pension agreement

The employer may amend this pension agreement without your consent, as laid down in the pension regulations. In that case, however, the interest for the company should be of such importance that the interests of your colleagues and you are subordinated; of course always within the limits of reasonableness and fairness.

The processing of your personal details

As soon as you have been registered by the employer, the Pension Fund and its administrator (AZL) will collect and process your personal details. This is done in order to implement and to administer your pension in the best possible way. They will only collect the personal details they need for this. If you want to have more information about this and about your rights regarding the processing of your personal details, please read the privacy statement on the web site of the Pension Fund.

Finally

You can also find more information about your pension with Smurfit Kappa Nederland on the website www.smurfitkappapensioen.nl. In case of divergence between the text of a provision in this pension agreement and the text of a provision in the applicable pension regulations of the Pension Fund, the text in the pension regulations will prevail.