Cross border qualification problems: between social security and supplementary pension

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Three pillar pension system
- First pillar: State pension
- Second pillar: Supplementary pension
- Third pillar: Private pension

World Bank’s multi-pillar model

Cross border qualification problems?
- (Non-)recognition for tax purposes of foreign supplementary pensions
- (Re)characterisation of social security and supplementary pensions
- Tax or social security premium: socially earmarked tax?

Key research objectives
1. Description: identification of the qualification problems & legislative policy and rules – social security law, pension law & tax law
2. Legal comparison & explanation: analysis of the qualification problems & legislative policy and rules
3. Evaluation & solutions

Aim of research = providing guidance
A common legislative policy framework for the qualification of pension in a cross-border context, resulting in an uniform tax treatment of mobile employees guaranteeing the free movement of workers

Points to discuss
- World Bank’s multi-pillar model as a guideline, also for tax purposes?
- ‘Labelling’?
- Synchronization of relevant legal concepts (e.g. mobile employee): which area of law should be leading?
- One solution for the 3 qualification problems? ↔ cross-border work: tailor-made solutions?
- Form & level of implementation? EU-wide? Unilateral / bilateral / multilateral?
- Administrative cooperation between countries? EU Pension Tracking Service?

Roadmap: ‘Uniformity in diversity’