

The scope of social law, labour law, information obligations, and investment and asset management rules pertaining to occupational pension companies operating in the territory of the Slovak Republic

Národná banka Slovenska, in order to ensure uniform practice and legal certainty in the application of the provisions of Section 37b(2) and (3) of Act No 650/2004 on the supplementary pension scheme (and amending certain laws), as amended (hereinafter 'the Act'), and in accordance with Directive (EU) 2016/2341 of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) and with EIOPA's Decision of the Board of Supervisors of 27 September 2018 on the collaboration of the competent authorities of the Member States of the European Economic Area with regard to the application of Directive (EU) 2016/2341 of the European Parliament and of the Council of 14 December 2016 on the activities and supervision of institutions for occupational retirement provision (IORPs) (EIOPA-BoS-18/320), hereby publishes **this notice on the scope of regulations applicable to occupational pension companies:**

(1) The social law and labour law regulations that Národná banka Slovenska notifies to the competent authority of an occupational pension company's home Member State pursuant to Section 37b(2)(a) of the Act are specified in Annex 1 to this notice.

(2) Regulations governing the information obligation of supplementary pension management companies (SPMCs) towards potential participants, participants and beneficiaries, being those which apply to occupational pension companies operating in the Slovak Republic and which Národná banka notifies to the competent authority of an occupational pension company's home Member State pursuant to Section 37b(2)(b) of the Act, are specified in Annex 2 to this notice.

(3) Pursuant to Section 37b(4) of the Act, assets that an occupational pension company acquires by performing activities in the Slovak Republic must be entrusted to a depository in accordance with the Act.

(4) Pursuant to Section 37b(3) of the Act, Národná banka Slovenska may, in its notification to the competent authority of the home Member State of an occupational pension company operating in Slovakia, require that the occupational pension company:

- a) invest at least 70% of its assets acquired from an employer's contributions in equities and bonds admitted to trading on a regulated market;
- b) invest no more than 5% of its assets acquired from an employer's contributions in equities, bonds and other financial instruments¹ issued by a single issuer;
- c) keep assets acquired from an employer's contributions separate from other assets.

¹ Section 5 of Act No 566/2001 on securities and investment services (and amending certain laws) (the Securities Act).

Social law and labour law regulations referred to in Section 37b(2)(a) of Act No 650/2004 on the supplementary pension scheme (and amending certain laws), as amended

Act No 650/2004 on the supplementary pension scheme (and amending certain laws), as amended

Provisions:

Section 2(1)(a) and (c) and (2)

Section 3

Section 4

Section 4a

Section 5

Section 6

Section 6a

Section 6d

Section 6f

Section 7

Section 12

Section 13

Section 14

Section 15

Section 16

Section 17

Section 18

Section 19

Section 20

Section 21

Section 37b(3) and (4)

Section 57, except for (3)(c)

Section 58

Section 59

Act No 461/2003 on social insurance, as amended

Provisions:

Section 4(1)

Section 7(1)

Regulations governing the information obligation of occupational pension companies towards potential participants, participants and beneficiaries pursuant to Section 37b(2)(b) of Act No 650/2004 on the supplementary pension scheme (and amending certain laws), as amended

Act No 650/2004 on the supplementary pension scheme (and amending certain laws), as amended

Provisions:

Section 57(4)

Section 61, except for 2(c) to (e) and (g) and (4)(c) and (d)

Section 65b

Section 66

Section 66a

Section 66b