

**Baker
McKenzie.**

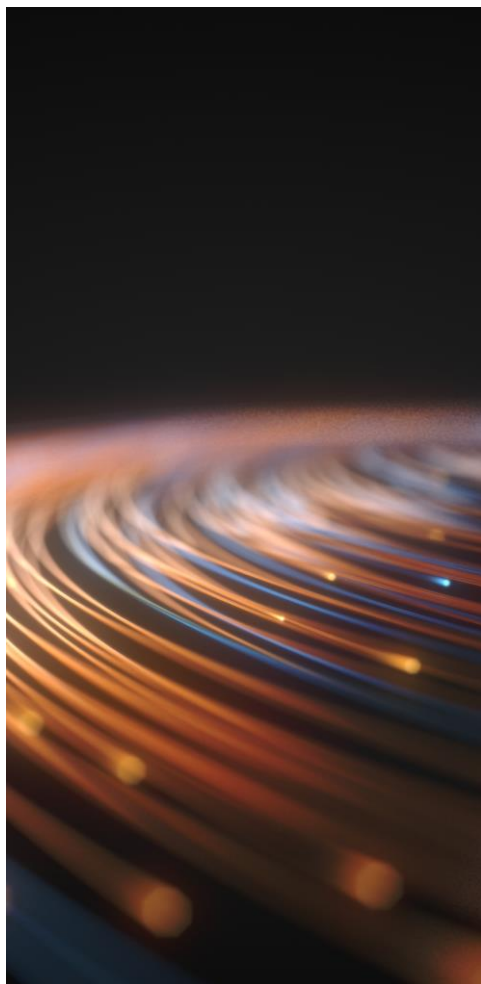


Global Initiative on Ageing

Baker McKenzie

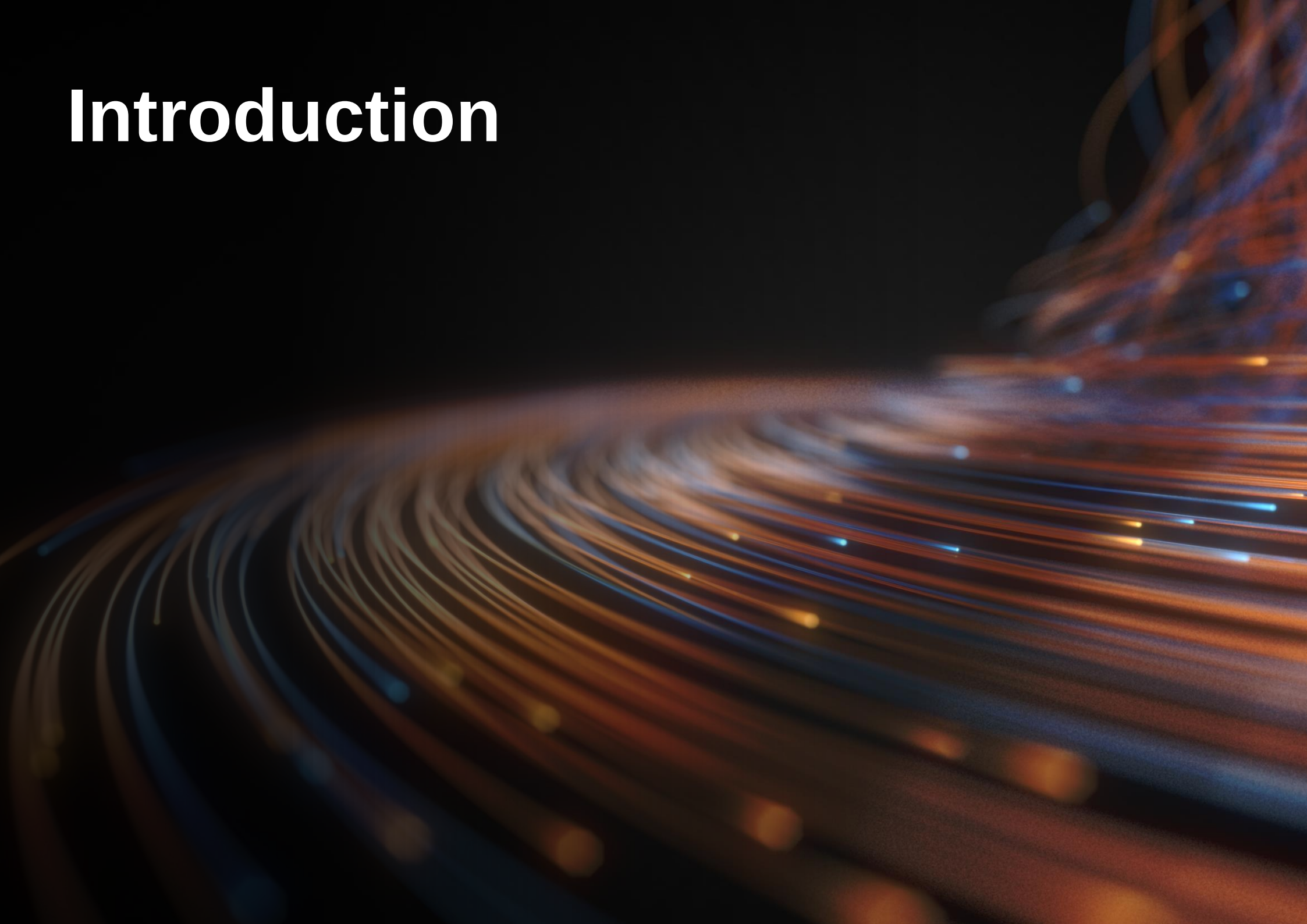
2024

Contents

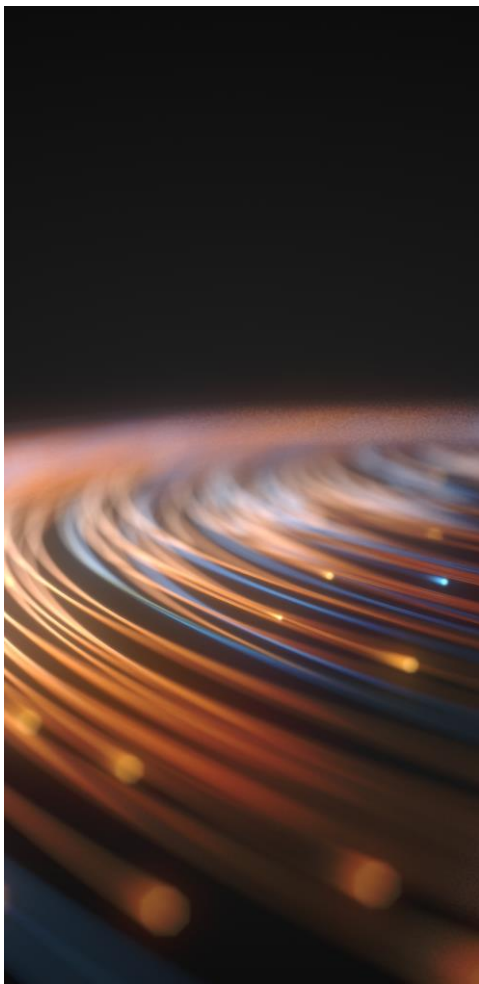


<u>Table of Contents</u>	02
<u>Introduction (TBC)</u>	03
<u>Main body – methods and findings</u>	06
1. <u>Definition and rights of older persons</u>	08
2. <u>Retirement</u>	09
3. <u>Vocational Training and professional adaption for older people</u>	12
4. <u>Guaranteed healthcare system for older people</u>	13
5. <u>Occupation and social engagement of older people</u>	13
<u>Appendix 1 – Survey Results</u>	17
<u>1.1 Survey Results – Africa Region</u>	18
<u>1.2 Survey Results – Arab States Region</u>	195
<u>1.3 Survey Results – Asia & Pacific</u>	227
<u>1.4 Survey Results – Europe Region</u>	398
<u>1.5 Survey Results – Middle East Region</u>	681
<u>1.6 Survey Results – North America Region</u>	705
<u>1.7 Survey Results – South/Latin America Region</u>	721

Introduction



Introduction



Writing at the end of the 20th century for the International Labor Office, Alexander Samorodov highlighted that "the next century will be known as an era of population aging". This is, in fact, one of the great social and economic problems we face in the third decade of the 21st century.

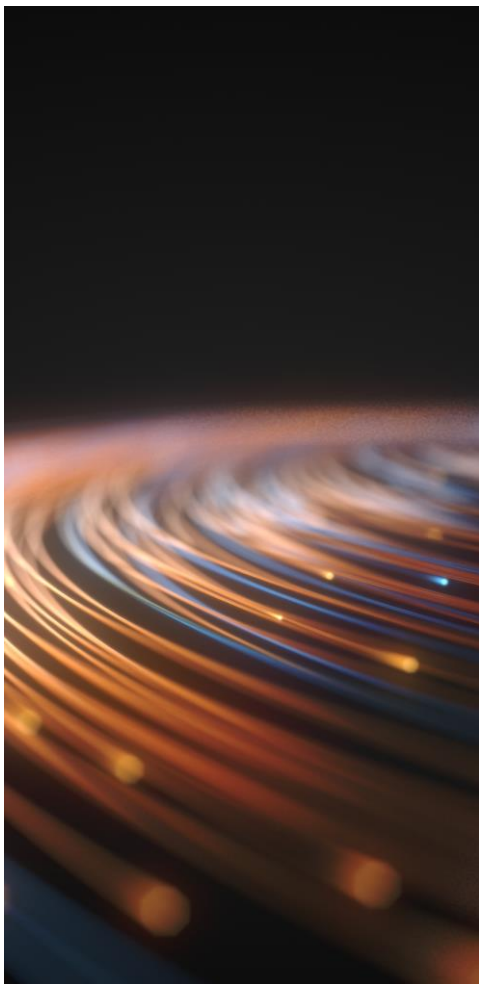
People aged 65 years and above ("older people") constitute an increasingly large part of the population in most countries. There are various factors that are contributing to demographic aging: among them the lengthening of life expectancy due to improvements in the quality of life and health care. According to data from the United Nations, the proportion of people aged 65 years and above is increasing at a faster rate than those below that age, and the percentage of the global population aged 65 and above is expected to rise from 10% in 2022 to 16% in 2050. In the most developed countries, the proportion of older people is even higher than the global average.

This demographic landscape has significant implications for various aspects and poses a number of challenges to society in the realms of employment, healthcare, social protection, quality of life, access to new technologies and level of income. The acceleration of technological change, digitization and the development of artificial intelligence are especially challenging for older people.

A large part of the problems that affect the elderly come from the traditional approach to aging in the labor markets, excessively based on an abrupt cut between working life and retirement: it has been considered that, from a certain age, people should be able to obtain their income from a retirement pension, away from any professional activity. These ideas have dominated legislative policy responses for much of the 20th century and in the first decades of the 21st century. However, it is very likely that the paradigm must change.

It is true that the prohibition of discrimination on the basis of age is becoming increasingly important in the legislation of many countries. However, the experience accumulated in countries where the prohibition has been in force for a fairly long period is not entirely successful. For instance, in the EU, the Framework Equality Directive (Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation) prohibits discrimination based on age, but also admits that differences in treatment in connection with age may be justified under certain circumstances and therefore require specific provisions which may vary in accordance with the situation in Member States. In particular, the Directive mentions legitimate employment policy, labor market and vocational training objectives as possible justifications for differences in treatment in connection with age. In practical terms, the participation of older people in the labor market continues to be low in the EU, in spite of the Directive having been in force for over two decades now.

Introduction



Furthermore, there are numerous countries in which measures are articulated to encourage the permanence of older workers in professional and working life. It is well known that the activity of older people is positive in terms of physical health, mental health, sense of purpose and reduction of social isolation. This is a path along which much more progress must be made, not only because of the benefits it confers on the older people, but also because it will allow alleviating the financial burden of social protection systems, which is already excessive in many countries. Formulas such as part-time work for retirees or social and financial incentives to remain in the labor market should be considered and reinforced. Employment services must focus, in particular, on the group of people over 55 years of age, in order to avoid an early withdrawal from the labor market, which has very harmful consequences for the individual and for society as a whole.

Healthier and safer jobs may contribute to the permanence of older people in professional and working life. The rapid development of robots, digitalization and artificial intelligence can greatly contribute to making the work of older people easier, to the extent that these technologies are applied to reduce the most arduous or harmful aspects of jobs.

The phenomenon of aging also has an important gender component. In most countries, women live longer than men. This entails that women are more concerned by the problems discussed in this report than men. Furthermore, the pensions received by women are often lower than those of men, partly as a result of a historic wage gap that has not yet been overcome in the third decade of the 21st century.

The generational component is also important. The weight of pension spending is growing steadily in most countries, resulting in a greater tax burden for the next generation, especially given the prevalence of pay-as-you-go pension systems. It is less important here whether the pension system is financed by general taxes or specific payroll contributions.

All of the above leads to the need to rethink the policies related to the participation of the older people in the labor market, designed fundamentally in the 20th century. There are ethical, financial and social arguments that support increasing the participation of the elderly in professional and working life, promoting constant learning, not allowing the digital divide to widen, and intervening with greater intensity in discriminatory practices towards older people, whether at the time of hiring, promotion, access to training or dismissal.

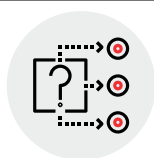
The study presented now contributes a huge amount of extremely valuable information, coming from a wide range of countries, representative of the entire globe. Based on the precise information contained here, lessons regarding good practices and benchmarking can be drawn. The path to the future is not set, and the objectives may diverge, but the irrefutable fact of population aging demands a paradigm shift, which transforms the paradigm inherited from the 20th century into a new approach that encourages the labor, economic and social participation of older people.

Main Body

Methods and Findings



Main body



List of questions
used in the survey

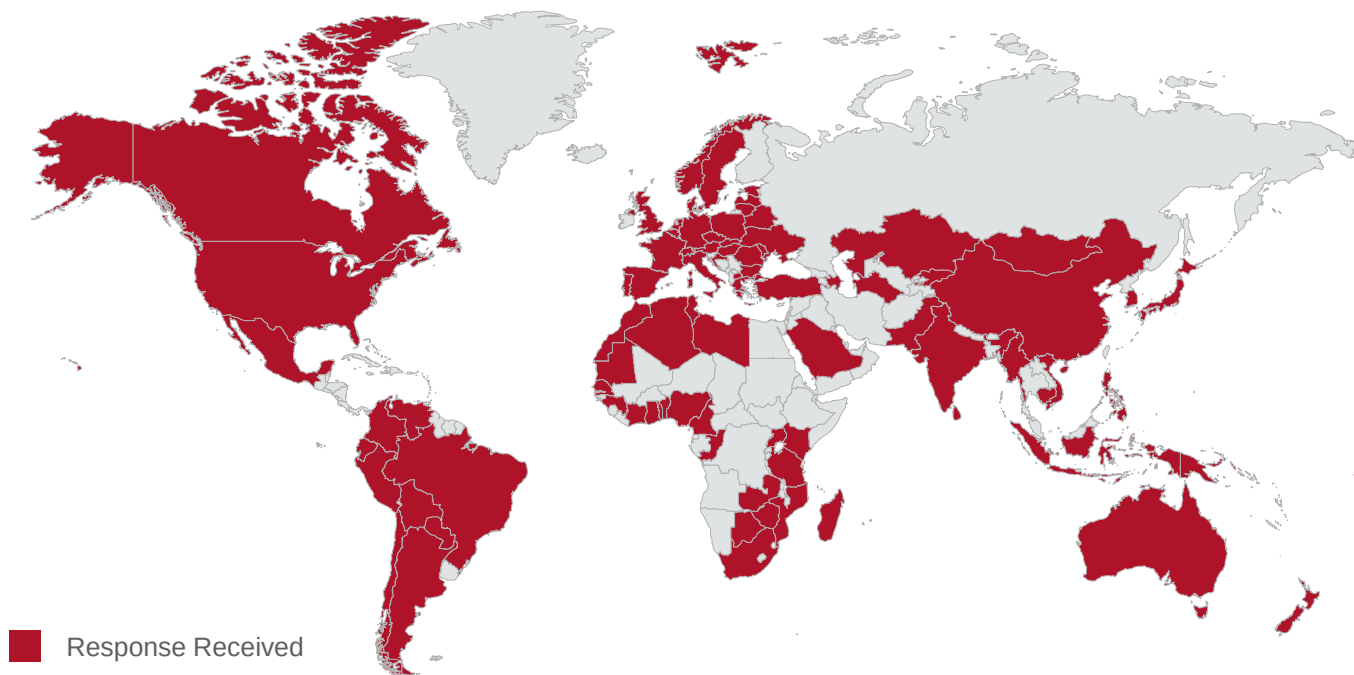


Countries
contacted/received



Results – first graph
will be the map

Survey Responses Received



Analysis

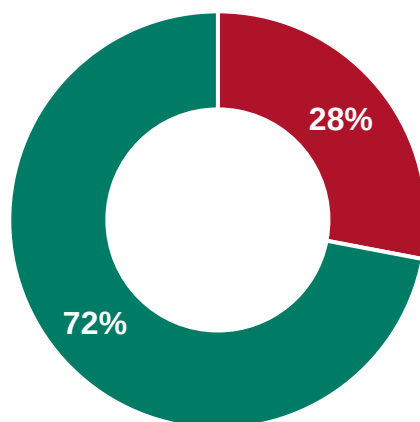
The below graphs provide a quantitative analysis accounting for responses from all jurisdictions. Results have been divided into the five categories to align with the survey questions:

1. Definition and rights of older persons
2. Retirement
3. Vocational Training and professional adaption for older people
4. Guaranteed healthcare system for older people
5. Occupation and social engagement of older people

1 Definition and rights of older persons

Graph 1

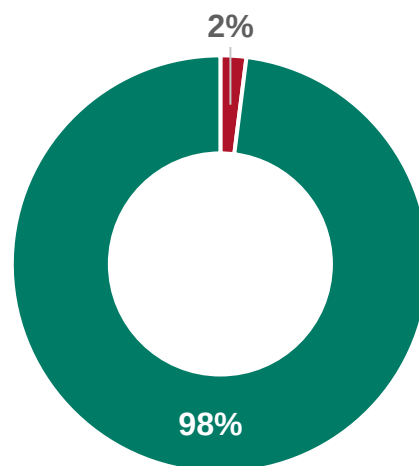
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?



■ No ■ Yes

Graph 2

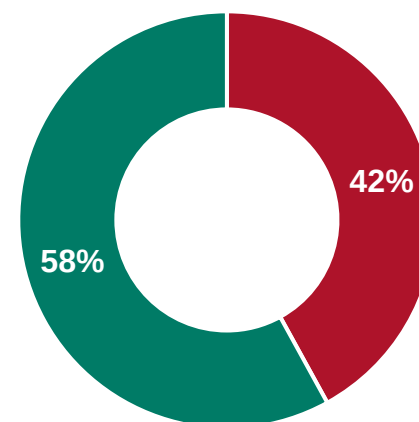
Are there any employment or social security rights in your country for people who reach a certain age?



■ No ■ Yes

Graph 3

Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?

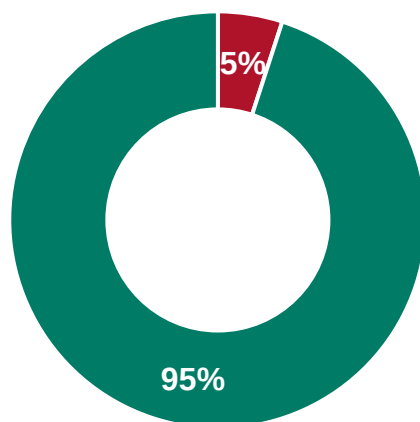


■ No ■ Yes

2 Retirement

Graph 4

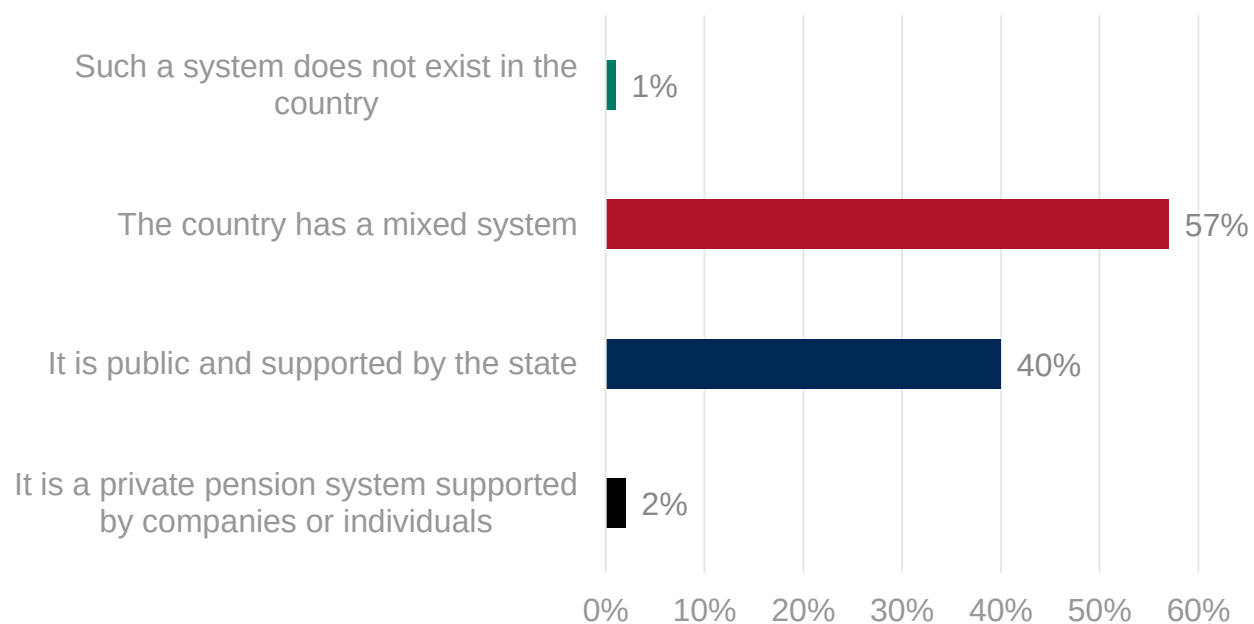
Does your country have a retirement system for older people when they stop working?



■ No ■ Yes

Graph 5

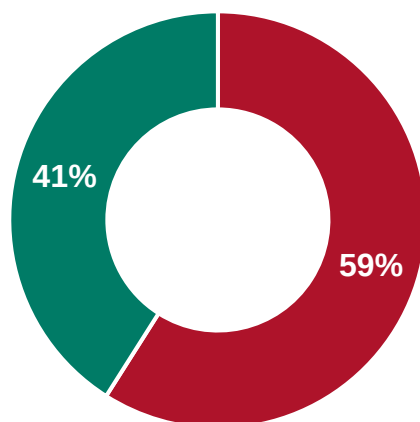
How does the pension system for older people work in your country?



2 Retirement

Graph 6

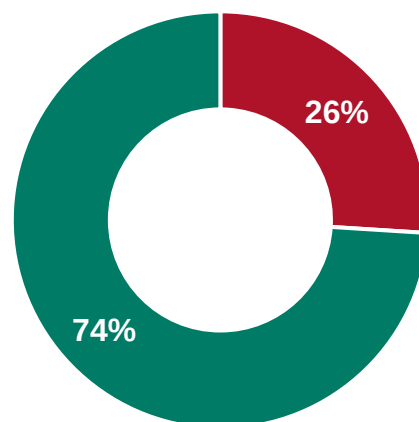
Can an employee in your country be forced to retire at a certain age?



■ No ■ Yes

Graph 7

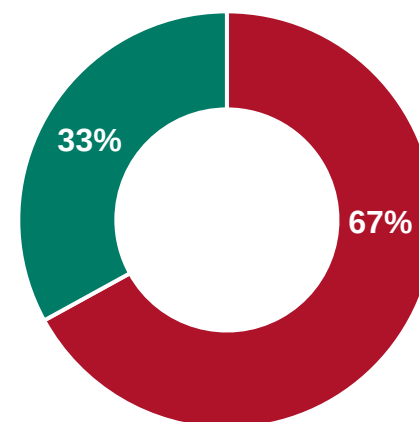
Is it possible for an employee to continue working while receiving a retirement pension?



■ No ■ Yes

Graph 8

Is there an age range in your country that companies use as a basis for terminating/dismissing employees?

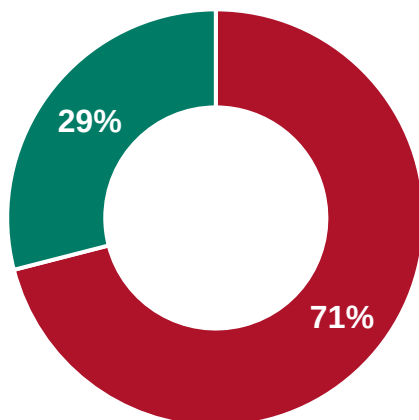


■ No ■ Yes

2 Retirement

Graph 9

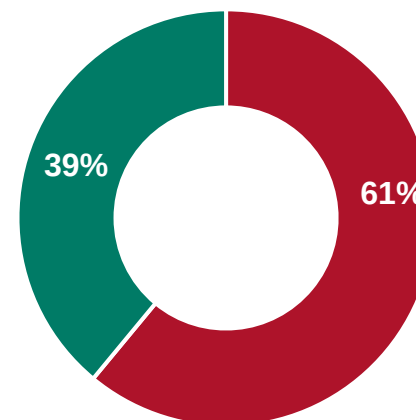
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?



■ No ■ Yes

Graph 10

Are there any limitations or disincentives in your country for the termination of older people's contracts?

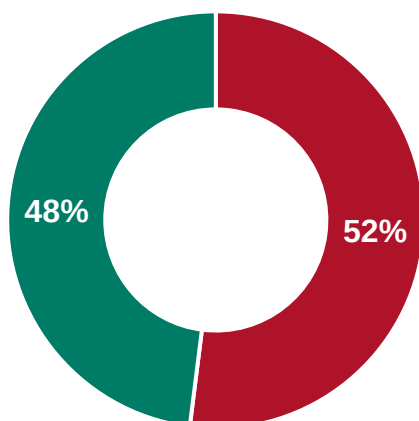


■ No ■ Yes

3 Vocational training and professional adaption for older people

Graph 11

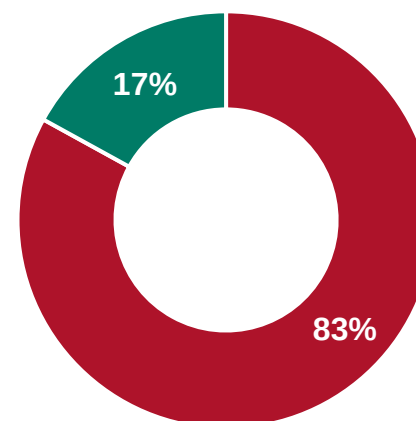
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?



■ No ■ Yes

Graph 12

Is there an obligation or recommendation in your country to adapt the job to the age of the employee?

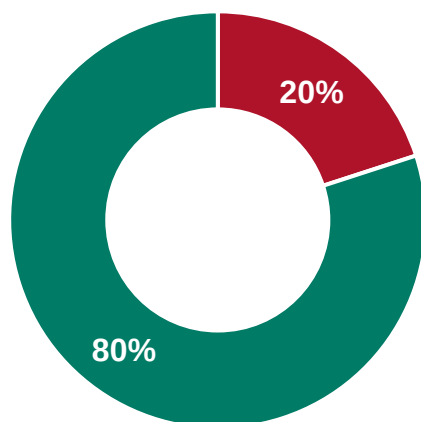


■ No ■ Yes

4 Guaranteed healthcare system for older people

Graph 13

Is there public health coverage for older people in your country?

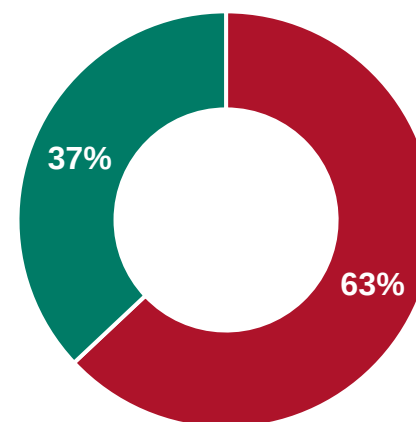


■ No ■ Yes

5 Occupation and social engagement of older people

Graph 14

Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?



■ No ■ Yes

Analysis per region

Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?

Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	17%	40%	26%	38%	67%	50%	8%	28%
Yes	83%	60%	74%	63%	33%	50%	92%	72%

Are there any employment or social security rights in your country for people who reach a certain age?

Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	0.0%	20.0%	4.3%	0.0%	0.0%	0.0%	0.0%	2.0%
Yes	100.0%	80.0%	95.7%	100.0%	100.0%	100.0%	100.0%	98.0%

Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?

Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	48%	100%	57%	16%	100%	0%	38%	42%
Yes	52%	0%	43%	84%	0%	100%	62%	58%

Does your country have a retirement system for older people when they stop working?

Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	0%	0%	22%	0%	0%	0%	0%	5%
Yes	100%	100%	78%	100%	100%	100%	100%	95%

Analysis per region

Does your country have a retirement system for older people when they stop working?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
It is a private pension system supported by companies or individuals	0%	0%	5%	0%	0%	0%	8%	2%
It is public and supported by the state	48%	20%	50%	38%	33%	0%	31%	40%
The country has a mixed system	52%	80%	41%	63%	67%	100%	62%	57%
Such a system does not exist in the country	0%	0%	5%	0%	0%	0%	0%	1%
Can an employee in your country be forced to retire at a certain age?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	57%	20%	61%	63%	33%	100%	69%	59%
Yes	43%	80%	39%	38%	67%	0%	31%	41%
Is it possible for an employee to continue working while receiving a retirement pension?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	61%	60%	17%	9%	67%	0%	0%	26%
Yes	39%	40%	83%	91%	33%	100%	100%	74%

Analysis per region

Is there an age range in your country that companies use as a basis for terminating/dismissing employees?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	70%	100%	61%	56%	67%	100%	85%	67%
Yes	30%	0%	39%	44%	33%	0%	15%	33%
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	100%	100%	74%	47%	100%	50%	62%	71%
Yes	0%	0%	26%	53%	0%	50%	38%	29%
Are there any limitations or disincentives in your country for the termination of older people's contracts?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	78%	100%	68%	44%	100%	0%	54%	61%
Yes	22%	0%	32%	56%	0%	100%	46%	39%
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	52%	80%	61%	38%	67%	100%	54%	52%
Yes	48%	20%	39%	63%	33%	0%	46%	48%

Analysis per region

Is there an obligation or recommendation in your country to adapt the job to the age of the employee?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	91%	60%	83%	75%	100%	100%	92%	83%
Yes	9%	40%	17%	25%	0%	0%	8%	17%
Is there public health coverage for older people in your country?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	30%	40%	17%	13%	33%	0%	15%	20%
Yes	70%	60%	83%	88%	67%	100%	85%	80%
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?								
Answer	Africa	Arab States	Asia & Pacific	Europe	Middle east	North America	South/Latin America	Total
No	78%	80%	78%	50%	67%	50%	38%	63%
Yes	22%	20%	22%	50%	33%	50%	62%	37%

Appendix 1

Survey Results



Africa region



1.1 Survey results – Africa region

Benin

Question	Answer
Jurisdiction	Benin
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Law no. 98-019 relating to the Social Security Code does not expressly provide for the definition of the older people in Benin. However, Article 93 provides that a person aged 55 is entitled to an old-age pension. Based on this article, we understand that the older people can be defined as anyone who has reached the age of 55. We do not know on the percentage of older people in the country in relation to the total population and neither we do have an estimate of the percentage of older people who are actively working for the year 2023 in Benin.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	The Labour Code aims to protect the rights of all employees, including older people such as: ▪ The right to equality: no employer may take into account the sex, age, race or ethnic or family relationship of employees in making decisions concerning, in particular, recruitment, the assignment and distribution of work, vocational training, promotion, remuneration and other working conditions, the granting of social benefits, discipline or termination of the employment contract. ▪ The right to safety and hygiene: In order to protect the life and health of employees, the employer shall be required to take all appropriate measures which are suited to the operating conditions of the undertaking.

1.1 Survey results – Africa region

Benin

Question	Answer
Please list and give a simple description of these rights.	In addition, the Social Security Code grants certain rights and benefits to the older people such as: ▪ Old-age pension: for insured people (employees who are entitled to certain protections and benefits in exchange for their contributions to the Social Security) who (i) have reached the age of 55; (ii) who have completed a minimum of 180 months of effective insurance with the <i>Caisse Nationale de Sécurité Sociale (CNSS)</i> and; (iii) who have ceased all remunerated activity. ▪ Old-age allowance: for insured people who do not meet the conditions for entitlement to a pension, having completed a minimum of 12 months of insurance (and not 180 months of insurance as required by the law to benefit the old-age pension), having reached the stipulated age and having ceased all remunerated activity.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Benin

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The body responsible for providing pensions to Beninese employees reaching the age of 55 is the CNSS. In accordance to the Social Security Code, employees are eligible to retire and to access to the retirement pension when (i) they have reached the age of 55 years old; (ii) they have completed at least 180 months of effective insurance with the CNSS and; (iii) they have ceased all remunerated activity. There are not different types of retirement in Benin (partial/active). The minimum monthly old-age pension is 20% of average monthly incomes. If the total number of months of insurance or equivalent exceeds 180 months, the percentage is increased by 2% for each 12-month period of insurance or equivalent in excess of 180 months. In addition, the amount of the pension and the old-age allowance is determined on the basis of the average monthly remuneration, which is the 120th part of the remuneration that the employee earned before deductions for work related business (i.e., social security contributions) were applied over the last 10 years prior to the pension claim. From a practical point of view, this involves dividing the total income earned by the employee over the last 10 years by 120 to obtain the average monthly remuneration. This average remuneration will be the basis for calculating the amount of the old-age pension.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A

1.1 Survey results – Africa region

Benin

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.1 Survey results – Africa region

Benin

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.1 Survey results – Africa region

Benin

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Under the Labour Code, the head of any company or establishment must set up an occupational health and safety service for the benefit of the employees he employs, after consulting the staff representatives or the health and safety committee. The role of this service is to monitor the health and safety conditions at work in the company, the risks of contagion and the state of health of the employee, his wife and children and to take appropriate preventive measures at the same time as providing the necessary medical care in accordance with the provisions of this section. This service is provided by doctors recruited as a matter of priority from among practitioners qualified in occupational medicine and who are assisted by qualified paramedical staff. Both must have received prior approval from the Minister of Labour, after consultation with the Minister of Health. Depending on the size and nature of the companies, their geographical location and the existing medical infrastructure, the occupational health service is organised: 1. Either in the form of an autonomous service specific to a single company, or an inter-company service common to several of them: 2. Or on the basis of an agreement with a public or private hospital. In this case, the establishment must have an occupational health and safety service with the required staff and equipment and with the functions of an occupational health and safety service. The State covers 40% of the cost of health insurance. The private sector employees pay a contribution via their employers, while public officers pay a health insurance premium through their salary.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.1 Survey results – Africa region

Benin

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	We are not aware of any prospects or social plans do "older people" have when they stop working in Benin.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	We believe that there are some realistic measures that could be implemented to improve the rights of older people in Benin. For example: ▪ Facilitating and strengthening access to medical care and the purchase of medicines. ▪ Establishing a legal framework to protect the elderly against abuse and age discrimination. ▪ Strengthen social security for seniors after retirement. ▪ Set up a system of access to housing. ▪ Set up infrastructures in public places adapted to the needs of the elderly. ▪ Provide activities and leisure facilities adapted to the needs of the elderly. ▪ Implement awareness-raising campaigns on the situation and rights of the elderly to ensure better understanding and facilitate their integration in all areas.
Region	Africa

1.1 Survey results – Africa region

Botswana

Question	Answer
Jurisdiction	Botswana
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	An older person in Botswana is someone above 60 years old. According to Statistics Botswana the following older people are still working; ▪ 60-64 years old: 2.6% of the population are employed. ▪ 65-69 years old: 1.8% of the population are employed. ▪ 70-74 years old: 0.4% of the population are employed. ▪ 75+ years old: 0.5% of the population are employed.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Old age pension- citizen who are 65 years old and above receive a monthly allowance of bwp 730.

1.1 Survey results – Africa region

Botswana

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The old age pension was established in 1996 and it is fully funded by the government of Botswana. Citizens of Botswana who reside in Botswana and are above the age of 65 years old receive a monthly amount of bwp 730. This amount is amended periodically. Retirement age is 60 years old under a typical plan (mandatory retirement). People below 60 years old can access to early retirement (either partial or full retirement). Early retirement for people who are totally or partially disabled is 45 years old. The Retirement Fund Act gives an employer discretion to establish an occupational pension fund for their employees. This is additional to the old age pension.

1.1 Survey results – Africa region

Botswana

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	There is an old age pension for citizens residing in Botswana of bwp 730 per month and this 100% funded by the government. The other pension is contributed for the by both an employee and employer, this is a type of private pension that is available.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The Public Service Act describes an employee as a public officer subject to permanent and pensionable. The law stipulates that public officers shall retire at 60 years old from their employment. However, with permission from the Minister one may be granted an extension for their retirement age. Furthermore, any employee who has reached the age of 45 years old can voluntarily retire from public service. This has to be done through notifying the Permanent Secretary of his/her intention to retire at least 3 months prior to the date that the person intends to retire. The private sector can set out their own retirement age through internal policies. Employees in the private sector are usually under fixed-term employment agreements therefore, they are rarely forced to retire early. Employers will most likely explore other alternatives such as retrenchment or termination of the employment agreement.

1.1 Survey results – Africa region

Botswana

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	When employees reach age of retirement, it is compulsory for them to retire. Once they have retired their employee pension kicks in and some employers call the retired employees back on a contract basis. In such instant this will mean the employee will be employed and at the same time receiving their employee's pension. This exception (retirement and rehire) is reserved for skilled employees that the employers cannot offer a long-term employment agreement. Such people are called "scarce skill". The issue of employing a retired employee back is at the discretion of the employer or whoever wishes to hire them.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.1 Survey results – Africa region

Botswana

Question	Answer
Please provide a simple description on the limitations or disincentives	All dismissals in Botswana should be substantively and procedurally unfair. One cannot be dismissed for being old.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	In Botswana we have a saying "thuto ga e goletwe", this means no one is too old to learn or go to school. The right of training to better the skills of citizens is included in the law, however it is a general law that is not only focused on old people. Most private companies choose who to train.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Health care is free for all citizens of Botswana.

1.1 Survey results – Africa region

Botswana

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	1. Village Development Community (VDC): this is a community that focus more on developing the village and most of it is voluntary work. Most older people are involved in it. 2. Na mo la leuba: this is an initiative that focuses on cleaning cities, towns and villages in Botswana. Old people are involved in this and are also paid to participate. 3. Old people are also involved in daily activities at the Kgotla (ward).
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	More relaxing parks and entertainment areas should be created for old people.
Region	Africa

1.1 Survey results – Africa region

Burundi

Question	Answer
Jurisdiction	Burundi
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	▪ The right to take early retirement for personal convenience, 5 years before retirement age (55 years old). The legal retirement age is 60 years old. ▪ The right to an old-age pension. This right is that of an employee, who has reached legal retirement age, and who has contributed to the social protection system, to receive a pension after the legal cessation of his professional activities.

1.1 Survey results – Africa region

Burundi

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Burundi

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The employment contract automatically ends when the employee reaches the mandatory age of termination of service, set at 60 years old. Thus the right to retirement is recognized in the professional context. However, the employee can also access to early retirement 5 years before the legal age of 60 years old (that is, 55 years old). Retirement gives entitlement to a retirement pension for people who have contributed. Contribution to the employee's pension system is compulsory for all employers in Burundi. The Law provides for a pension. To benefit from an old-age pension, the insured (person who is entitled to a pension from the Social Security) must (i) have reached the age of 60 years old or according to the age prescribed by a particular statute which governs the insured; (ii) have at least 15 years of insurance (pension scheme that is offered by the National Social Protection Institute – INSS) and; (iii) must have completed at least 60 months of insurance during the last 10 years preceding the pension eligibility date. The old age pension of 30% of the average monthly salary earned in the first 15 years of the employee's coverage is paid. The pension is increased by 2% of the average monthly salary for each 12-month period of coverage exceeding 180 months. The maximum pension is 80% of the average monthly salary of insured employees. Moreover, if the insured person only meets the first 2 conditions, he/she will be able to benefit from a continuous pension. However, if the insured person who has at least 12 months of insurance, has the age of eligibility but does not meet the other conditions to be entitled to an old age pension, he/she will be only entitled to ask for a one payment old-age allowance (different to the old-age pension).
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system

1.1 Survey results – Africa region

Burundi

Question	Answer
Please provide an explanation of the mixed system applicable to your country	There is a public system supported by the State but there is a private supplementary pension system to which people who wish can subscribe.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.1 Survey results – Africa region

Burundi

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A

1.1 Survey results – Africa region

Burundi

Question	Answer
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	Elderly people who have been state civil servants, and who therefore contributed to the pension fund while they were still working, benefit from health care offered by public hospitals. Elderly people who did not contribute to either the compulsory basic pension fund or the supplementary pension fund generally rely on the assistance of their families to benefit from health care.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	There are no social projects for elderly people when they stop working
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. For example, it would be necessary to put in place a national strategy to raise awareness among citizens on the rights and needs of the elderly, but also a public social protection service for elderly people who reach the age of disability, whether they have families or not. . This system would ensure respect for the rights of elderly people
Region	Africa

1.1 Survey results – Africa region

Cameroon

Question	Answer
Jurisdiction	Cameroon
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	▪ Right to health: access to healthcare and assistance, access to health services, and protection for the old and disabled ▪ Right to social protection: the assurance of a pension, including the provision of old-age, disability and survival benefits.

1.1 Survey results – Africa region

Cameroon

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Cameroon

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The retirement age is 60 years old. From this age, the person concerned receives old-age pension (<i>Pension de vieillesse</i>). To obtain this pension, the person concerned must: (i) has been registered with the Caisse Nationale de Prévoyance Sociale (CNPS) for at least 20 years;(ii) has completed at least 60 months of insurance during the 10 years preceding the date of retirement and; (iii) has ceased all remunerated activity. However, the retirement age may be lowered to 50 years old in the following cases : i. When this is provided by regulations for certain professions or for government employees covered by the Labor Code, or if the employee concerned decides voluntarily to take early retirement. This is referred to as early retirement (<i>pension anticipée</i>). The early retirement age is 55 years old. ii. When the employee concerned has an invalidity that prevents him/her from working as an employee. This is referred to as an invalidity pension (<i>pension d'invalidité</i>). iii. When the employee has completed at least 12 months of insurance but has ceased all remunerated activity even though he/she does not satisfy the conditions for entitlement to an old-age pension. This is referred to as an old-age allowance (<i>allocation de vieillesse</i>). The monthly amount of the old-age, disability or early retirement pension is based on 30% of the insured's average monthly earnings. This amount may not be lower than 50% of the salary corresponding to a monthly working time of 173 hours and 1/3. However, it may not exceed 80% of the insured's average earnings. The amount of the old-age allowance is determined by the amount of the old-age allowance to which the employee would have been entitled had he/she worked entire career with the same insurer, divided by the number of months of contributions number of months of contributions made under the management of each institution liable for payment.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.1 Survey results – Africa region

Cameroon

Question	Answer
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.1 Survey results – Africa region

Cameroon

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A

1.1 Survey results – Africa region

Cameroon

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	Not applicable. This is because there is no public health coverage for older people in Cameroon.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.1 Survey results – Africa region

Cameroon

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	The law is silent on this point. We are not aware of any practice in Cameroon that could clarify this.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The African Charter on Human and Peoples' Rights on the Rights of the Older Persons, ratified by Cameroon, lists the fundamental rights of the elderly. Accompanying measures provided for this charter can improve the situation of the ageing, such as the protection of the ageing against all forms of discrimination, particularly in access to employment, and guaranteed access to health services whatever the ageing person's situation.
Region	Africa

1.1 Survey results – Africa region

Congo

Question	Answer
Jurisdiction	Congo
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The commonly accepted concept of what is meant by "older person" is 65 years old as this is the minimum age category for retirement. Employees aged 65 years old and above, in 2022, represented 3.23% of the total population. We do not have data regarding the percentage of "older people" actively working due to 65 years old being the age limit for compulsory retirement.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	The retirement pension, as explained in the eighth question.

1.1 Survey results – Africa region

Congo

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Not applicable
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Congo

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	As per article 145 of the Social Security Code (Law no. 004-86 of 25 February 1986) and Law no. 22-2010, the right to a retirement pension is acquired at: i. The age of 57 years old for manual employees, blue-collar employees and other assimilated employees. ii. The age of 60 years old for supervisors and managers. iii. The age of 65 years old for senior executives. It is also a requirement that the employee has been registered with the Social Security for at least 20 years and has made at least 60 and a maximum of 240 months of contributions to the "<i>Caisse Nationale de Sécurité Sociale</i>". Another requirement is that the employee has ceased all remunerated activities. The retirement pension takes effect on the first day of the calendar month following the date of which the requirements have been met provided that the pension application has been submitted to the Social Security within 6 months following said date. The pension amount is determined on the basis of the average monthly earnings over the 36 or 60 best months preceding the date of eligibility for the pension.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A

1.1 Survey results – Africa region

Congo

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.1 Survey results – Africa region

Congo

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A

1.1 Survey results – Africa region

Congo

Question	Answer
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	N/A For older and retired people public health coverage is seen as a right associated with the fact that people are or were social security beneficiaries. The granting of the right to coverage to older people does not depend hence of any payment. The extension of the health coverage covers all the National Health System medical and pharmaceutical assistance as provided to any social security beneficiary regardless of age.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	In Congo-Brazzaville, as in many countries, the prospects and social plans for older people who stop working can vary based on individual circumstances, financial resources, access to social services, and family support.

1.1 Survey results – Africa region

Congo

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, measures could address various aspects of older people lives, including healthcare, social services, economic support, and social inclusion such as enhance the health care access, review and potentially increase pension and retirement benefits to ensure they meet the basic needs of older citizens, expand and improve social services tailored to the needs of older people, invest in age-friendly infrastructure, including accessible public transportation and senior-friendly housing options, strengthen legal protections for older citizens, including measures to prevent discrimination and exploitation, allocate sufficient resources to implement and enforce policies aimed at improving the lives of older people, etc.
Region	Africa

1.1 Survey results – Africa region

Côte d'Ivoire

Question	Answer
Jurisdiction	Côte d'Ivoire
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	▪ Right to health: access to healthcare and assistance, access to health services, and protection for the old and disabled. ▪ Right to social protection: the assurance of a pension, including the provision of old-age, disability and survival benefits.

1.1 Survey results – Africa region

Côte d'Ivoire

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Côte d'Ivoire

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The retirement age is 60 years old. However, this age may be lowered to 55 years old at the employee's request if he/she: - The employee applies for retirement. - The employee is recognized as unfit for work. - The employee has completed at least 15 years of remunerated employment subject to contributions. - The employee has reached the maximum level of contributions. In this case, the pension is permanently reduced by 5% for each year of anticipation. 1 - <i>Pension de retraite</i> : for all employees who have ceased all remunerated activity: Conditions: - Age 60 years old; - The employee must be affiliated to the Caisse National de Prévoyance Sociale (CNPS). - The employee must have completed at least 15 years of remunerated activity subject to contributions. The retirement pension is calculated as a percentage of salaries subject to contributions, under the CNPS retirement branch. Salaries subject to contributions are used as the basis for calculating the average working salary, based on the best 15 years. The maximum pension paid under the retirement branch is 50% of the average working wage. 2 - <i>Pension du conjoint survivant et la pension d'orphelins de père et de mère ou la pension de réversion</i> : the surviving spouse's entitlement in the event of the death of a pensioner or employee entitled to an old-age pension: Conditions: - From the surviving spouse's 55th birthday. The age of 55 years old may be reduced to 50 years old if there are 2 dependent children under the age of 21 years old. - The marriage must have been contracted at least 2 years prior to death. - Not remarried.

1.1 Survey results – Africa region

Côte d'Ivoire

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The amount is equal to half the pension the deceased was receiving or would have received. 3 - <i>Allocation de solidarité</i> : for employees who worked before the introduction of the current pension scheme. The amount is set every 2 years by the CNPS Board of Directors. 4- <i>Pension d'invalidité</i>: employee recognized as unfit for work: Conditions: i. Regardless of age. ii. Affiliated to the CNPS. iii. At least 15 years of paid employment subject to contributions. The employee receives his/her retirement pension immediately and definitively, without the reduction coefficient for anticipation being applied. 5 - <i>Allocation unique</i>: a lump-sum payment to the employee. In the event of the employee's death, this allowance is paid to the surviving not remarried spouse: Conditions: i. Age 60 years old. ii. Be affiliated to the CNPS. iii. Has completed more than 2 years and at least 15 years of remunerated activity subject to contributions. The amount is calculated as a percentage of the average annual salary earned by the remunerated worker during his/her career, to which the corresponding rates of return and a discount rate set by deliberation of the Board of Directors are applied. The amount of the single surviving spouse's allowance corresponds to half of what the salaried employee would have received.

1.1 Survey results – Africa region

Côte d'Ivoire

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	6 - <i>Reimbursement of employee contributions</i>: corresponds to a lump-sum payment to the employee: Conditions: i. Age 60 years old. ii. Be registered with the CNPS. iii. Have completed a maximum of 2 years of employment subject to CNPS pension contributions. The amount of the reimbursement of contributions corresponds to the sum of the contributions payable by the employee and actually deducted from his/her salary during his/her career.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.1 Survey results – Africa region

Côte d'Ivoire

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No

1.1 Survey results – Africa region

Côte d'Ivoire

Question	Answer
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	Not applicable.

1.1 Survey results – Africa region

Côte d'Ivoire

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	The law is silent on this point. We are not aware of any practice in Ivory Coast that could clarify this.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	We are not aware of any measures that could realistically be implemented in Ivory Coast to improve the rights of older people.
Region	Africa

1.1 Survey results – Africa region

Equatorial Guinea

Question	Answer
Jurisdiction	Equatorial Guinea
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	According to Articles 40, 41 and 42 of the EG Social Security Law, as approved by Decree 104/1984, dated 10 March 1984, and Article 47 of Decree No. 104/1990, dated 28 September 1990, on the Social Security Regulations, anyone that is older than 60 years old and has a minimum of 120 months of contributions to the social security system (of which 60 must have been made in the previous 10 years), is entitled to a retirement pension to be paid by the National Social Security Institute. The retirement pension is a monthly payment by the Social Security Institute corresponding to 40% of the average of the base salary of the previous 24 months. The percentage payable may increase at a 2% rate per each 10 years of active employment (with contributions) up until a maximum of 80% of the average salary of the previous 24 months (to retirement).

1.1 Survey results – Africa region

Equatorial Guinea

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	As mentioned earlier, anyone that is older than 60 years old and has a minimum of 120 months of contributions to the social security system (of which 60 must have been made in the previous 10 years), is entitled to a retirement pension to be paid by the National Social Security Institute. The retirement pension consists of a monthly payment by the Social Security Institute corresponding to 40% of the average of the base salary of the previous 24 months. The percentage payable may increase at a 2% rate per each 10 years of active employment (with contributions) up until a maximum of 80% of the average salary of the previous 24 months (to retirement).

1.1 Survey results – Africa region

Equatorial Guinea

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state.
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.1 Survey results – Africa region

Equatorial Guinea

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Yes but as an individual contractor. The employee can further enrol to continue to contribute to the Social Security system as an individual contractor but in that case no retirement pension will be paid. However, employee can work as a contractor and receive the pension for previous work, unless he/she chooses to continue to contribute – as mentioned above.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A

1.1 Survey results – Africa region

Equatorial Guinea

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Yes, through the Social Security System. Public hospitals provide assistance on a fixed price basis – amounts are set in a Law with the fees payable for the public services and the Social Security Institute provides additional assistance – including assistance abroad – at request and following review by a medical board.
Please explain how "older people" cope with healthcare.	N/A

1.1 Survey results – Africa region

Equatorial Guinea

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Culturally speaking the elder are very respected and usually become actively involved in educational and cultural activities for the younger. Government promotes several plans for that purpose.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, the EG cultural and social panorama is very respectful of the elder and the elder are deemed to play a very important role in society.
Region	Africa

1.1 Survey results – Africa region

Ghana

Question	Answer
Jurisdiction	Ghana
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	According to the Ghana National Ageing Policy "Ageing with Security and Dignity" an "older person" is a person aged sixty (60) years and above. Please refer to http://www.mogcsp.gov.gh/mdocs-posts/national-ageing-policy-ageing-with-security-and-dignity/ The Main Report of the Ghana Living Standards Survey published in June 2019, indicates from data collected between October 2016 and October 2017 that, Ghana's total population stood at 28,358,411. Out of this number, 2,031,528, being about 7% of the total population, were aged sixty (60) and above. Out of the population of older persons, 1,063,043 persons were employed, and this represented about 52% of the population of older persons. Please refer to https://www.statsghana.gov.gh/gssmain/fileUpload/pressrelease/GLSS7%20MAIN%20REPORT_FINAL.pdf It is worth noting that, per the Population and Housing Census undertaken by the Ghana Statistical Service in 2021, Ghana's estimated population has risen to 30,832,019. Please refer to https://statsghana.gov.gh/gssmain/fileUpload/pressrelease/2021%20PHC%20General%20Report%20Vol%203A_Population%20of%20Regions%20and%20Districts_181121.pdf

1.1 Survey results – Africa region

Ghana

Question	Answer
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	i. Contributory Pension Scheme: The law establishes a contributory three-tier pension scheme which consists of: ▪ A mandatory first-tier basic national social security scheme managed by the Social Security and National Insurance Trust (SSNIT); ▪ A mandatory fully funded second-tier occupational pension scheme which is privately managed by licensed trustees; and ▪ A voluntary contributory third-tier provident fund and personal pension scheme, fully funded by members and which is also privately managed by licenced trustees. [Section 1 of the National Pensions Act, 2008 (Act 766)] The scheme exists to provide pension benefits to ensure retirement income security for persons who may no longer be in the active workforce and to ensure that they receive retirement and related benefits. ii. National Health Insurance Scheme: Section 27 of the National Health Insurance Act, 2012 (Act 852) establishes the National Health Insurance Scheme to provide financial access to the basic healthcare services for residents of Ghana. The Act exempts the following categories of persons from payment of the premiums required under the Scheme: ▪ Pensioners of the Social Security and National Insurance Trust and ▪ Persons above seventy years of age from the payment of the mandatory premiums required under the Scheme. [Section 29 of the National Health Insurance Act, 2012 (Act 852)] This therefore ensures increased access to health care for older persons in Ghana. iii. Livelihood Empowerment Against Poverty (LEAP): LEAP is a cash transfer programme introduced by the Government of Ghana in 2008 to provide financial support to poor and vulnerable households. Elderly persons who are aged sixty-five (65) and above without productive capacity are eligible to be covered under the programme.

1.1 Survey results – Africa region

Ghana

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The laws of Ghana, particularly the 1992 Constitution and the Labour Act, 2003 (Act 651) do not define age discrimination. These laws only expressly prohibit discrimination on grounds of gender, race, colour, ethnic origin, religion, creed, social or economic status, disability or political status. However, the Constitution guarantees equality and protects fundamental human rights and freedoms which are inherent in a democracy and intended to secure the freedom and dignity of man beyond those expressly mentioned in the Constitution. In the case of Ebenezer Adjaido v. Novotel Hotel (2016) JELR 107542 (HC), a case instituted in the High Court in 2016, the plaintiff claimed compensation on grounds of age discrimination on the basis that his employment contract had been unlawfully terminated because of his age. The Court, however, did not give judgment in his favour because it was of the view that the plaintiff had not proved his claim of discrimination. Although the Court did not lay down a threshold for what constitutes age discrimination, it held, that such a claim would have to be proven with cogent evidence. In that particular instance, the court held that to prove a claim of age discrimination, it was not enough for the plaintiff to state that the defendant had issued notices to persons of a certain age to retire voluntarily and benefit from a package. Similarly, it was not enough to argue that management had been terminating (the employment) or harassing elderly people due to their ages. As such, although the courts and laws of Ghana have not expressly defined age discrimination, it is clear from the Ebenezer Adjaido case that an action can be successfully instituted in Ghanaian courts on the basis of age discrimination, provided sufficient evidence is adduced in support of the claim.

1.1 Survey results – Africa region

Ghana

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Generally, the retirement age for public officers in Ghana is sixty (60) years. The National Pensions Act, 2008 (Act 766) is the main legislation which sets out the framework for pension regulation in Ghana. The Act establishes a three-tiered pension contribution system consisting of the following. ▪ A mandatory basic national social security scheme ("Tier 1"). This scheme is managed by the Social Security and National Insurance Trust ("SSNIT") which was established pursuant to the National Pensions Act, 2008. ▪ A mandatory fully funded and privately managed occupational pension scheme ("Tier 2"). This scheme is managed by trustees approved by the Board of the National Pensions Regulatory Authority. ▪ A voluntary fully funded and privately managed provident fund and personal pension scheme ("Tier 3"). This scheme is also managed by trustees approved by the Board of the National Pensions Regulatory Authority. [Section 1 of the National Pensions Act, 2008 (Act 766)] The law requires employers to deduct a worker's contribution of an amount of five and half per cent (5.5%) of the worker's salary. Additionally, employers are also required to pay an employer's contribution of an amount equal to thirteen percent (13%) of the worker's salary during the month. Out of the total contribution of eighteen and half percent (18.5%), employers are required to transfer the following remittances to the mandatory schemes on behalf of the worker within fourteen days from the end of each month: - Thirteen and half percent (13.5%) to the first tier mandatory basic national social security scheme (Tier 1), and - Five percent (5%) to the second tier mandatory occupational pension scheme (Tier 2). Benefits under the Tier 1 Pension Scheme: There are four types of benefits under the SSNIT/Tier 1 Scheme that members can enjoy depending on the contingency that has occurred.

1.1 Survey results – Africa region

Ghana

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	- Superannuation pension/Old age pension: To qualify for this pension, the person must have contributed for not less than one hundred and eighty (180) months, which is fifteen (15) years. Generally, the person must also have attained the age of sixty (60) years. However, fifty-five (55) years would suffice in the case of an underground mine worker or a worker in a quarry or in steel works or in any other employment where the person is likely to contract industrial diseases. A person that has not attained sixty (60) years or does not qualify to retire at fifty-five (55) can opt for voluntary retirement with reduced pension. The member will receive pension payments until death. Superannuation pension is calculated by multiplying the contributor's best thirty-six (36) months or three (3) years average salary by his/her "pension right". The pension right is 2.5% for each year of contribution for the first 15 years and 1.125% for every additional year up to a maximum of 60.0%. - Invalidity pension: To qualify for invalidity pension, the member must have contributed for twelve (12) months in aggregate within the last thirty-six (36) months preceding the incidence of invalidity. The member must also have been declared as being incapable of any normal gainful employment due to a permanent physical or mental disability. The person must also be certified as being permanently invalid by a regional medical board on which a SSNIT medical officer is represented. The member will receive pension payments until death or until he/she recovers and chooses to continue contributing. Invalidity pension is calculated as follows: - Persons who make a minimum contribution of one hundred and eighty (180) months or fifteen (15) years or more, will receive a pension right based on their contribution period and the average of three (3) best years' salary. This applies even if they have not attained the retirement age. - Persons who make a total contribution of 12 months within the last 36 months and who may not have satisfied the minimum contributions period, will receive a monthly pension based on 37.5% (pension right) of the average of their best three years' salary. - Survivor's lump sum: this benefit is paid to dependants of members when the member dies before retirement or when a pensioner dies before attaining the age of 75.

1.1 Survey results – Africa region

Ghana

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The survivors lump sum is calculated as follows: - Where a member dies having made at least 12 months contributions within the last 36 months prior to the death of that member, a lump sum payment of the earned pension of the deceased member for a period of 15 years will be paid. - Where a member dies before making at least twelve (12) months contribution within the last thirty-six (36) months, a lump sum equal to the total contributions and interest will be paid to the nominated dependants. - Where a pensioner dies before attaining age seventy-five (75), a lump sum payment based on the present value of the unexpired pension of the member will be made to the beneficiaries. - Emigration benefit: this benefit is paid to non-Ghanaian members of the Social Security Scheme whose services have ended and who are leaving Ghana permanently. Whether the member has reached the retirement age or not, whatever benefit is due him/her will be paid as a lump sum in Ghanaian currency to the member. Emigration benefit is calculated as follows; - If the member does not qualify for pension, a return of contribution together with interest will be paid to him or her. - If the member qualifies for pension, the present value of the member's pension will be paid as lump sum benefit.

1.1 Survey results – Africa region

Ghana

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system.
Please provide an explanation of the mixed system applicable to your country	Section 1 of the National Pensions Act, 2008 establishes a three-tiered pension scheme consisting of the following: i. A mandatory basic national social security scheme (Tier 1) ii. A mandatory fully funded and privately managed occupational pension scheme (Tier 2). iii. A voluntary fully funded and privately managed provident fund and personal pension scheme (Tier 3). Tier 1 is managed by the Social Security and National Insurance Trust, which was established by the State pursuant to the National Pensions Act. As such the Tier 1 Scheme is public and is supported by the State. The Tier 2 and Tier 3 pension schemes are however privately managed by approved trustees of the National Pensions Regulatory Authority. Under the three-tiered pension scheme, an employer of an establishment is required to deduct from the salary of every worker in the establishment immediately at the end of the month, a worker's contribution of five and a half percent (5.5%) of the worker's salary for the period. [Section 1 of the National Pensions Act, 2008 (Act 766)]. The employer is also required to pay for each month in respect of each worker, an employer's contribution of thirteen percent (13%) of the worker's salary during the month. [Section 3(2) of the National Pensions Act, 2008 (Act 766)]. Out of the total contribution of eighteen and a half percent, an employer is required, within fourteen days from the end of each month, to transfer the following remittances to the mandatory schemes on behalf of each worker: [Section 3(3) of the National Pensions Act, 2008 (Act 766)] ▪ Thirteen and half percent (13.5%) to the first-tier mandatory basic national social security scheme. ▪ Five percent (5%) to the second-tier mandatory occupational pension scheme.

1.1 Survey results – Africa region

Ghana

Question	Answer
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	A public officer, upon attaining the age of sixty (60) years old, is required to retire from public office. The law, however, permits a public officer to retire from the public service at any time after attaining the age of forty-five (45) years. The law further provides that a public officer who has retired from the public service after attaining the age of sixty (60) years may, where the exigencies of the service require, be engaged for a limited period of not more than two (2) years at a time but not exceeding five (5) years in all and upon such other terms and conditions as the appointing authority shall determine. [Article 199 of the 1992 Constitution of the Republic of Ghana]. As such, upon reaching the compulsory retirement age of sixty years, public officers would usually be served with written notice from the relevant public institution requiring them to proceed on retirement in accordance with law. However, there is no compulsory retirement age for persons employed in the private sector. This is determined by the conditions of service or contract of employment. We however note that private sector employers typically set the minimum retirement age for the employees at sixty (60) years so the employees will be entitled to full pension under the National Pension Act, 2008 (Act 766).
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.1 Survey results – Africa region

Ghana

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Under the law, a person is entitled to a full pension when they are sixty (60) years old and have been contributing to the pension scheme for a minimum of 180 months (15 years). Thus, persons are entitled to a full pension once they meet these requirements. Even though the law provides that the compulsory retirement age for persons in the public or civil service is sixty (60) years, it allows the appointment of a person who is more than sixty (60) years of age on a limited engagement for two years at a time, not exceeding five years in total. This engagement does not affect the person's pension. Thus, a person on this extended engagement will still be entitled to a pension once they have met the eligibility requirements. [[Article 199 of the 1992 Constitution of the Republic of Ghana; Section 71 of the Civil Service Act, 1993 (PNDCL 327)]. Further, persons employed in the private sector are not subject to the compulsory retirement age. Their retirement age can be set above sixty (60) years subject to the contract between the employer and employee. Irrespective of the age that is set, once the employee is 60 years and has been contributing to the pension scheme for a minimum of 180 months (15 years), then that employee is entitled to a full pension. When an employee in the private sector reaches the retirement age and agrees with the employer to remain in employment, the employee will receive a retirement pension from the mandatory basic national social security scheme (Tier 1) and fully-funded privately managed occupational pension scheme (Tier 2); in addition to the employee's salary provided in the contract. Where the employee contributed to the voluntary fully-funded and privately managed provident fund and personal pension scheme (Tier 3), the employee will be entitled to receive Tier 3 in addition to the above contributions; as well as salary. As such, where an employee (private sector) attains the age of retirement and enters into a contract to continue working, the employee can receive a retirement pension and their salary from their company at the same time.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.1 Survey results – Africa region

Ghana

Question	Answer
Please explain your answer	The law does not specifically provide for an age range as the basis for terminating contracts or dismissing an employee. In other words, the law does not include age as one of the grounds on which termination would be deemed unfair. The Labour Act, 2003 (Act 651) (the "Labour Act") expressly states the grounds of fair and unfair termination. Notably, age is not listed as a ground for either fair or unfair termination. However, generally, a public officer upon attaining the age of sixty (60) years old, is required to retire from public office. For the private sector, the age of retirement is subject to the contract of employment between the employer and the employee. In practice, the employer provides a notice when the employee is nearing his/her retirement age as stipulated in the employment contract to enable the employee prepare and proceed on retirement. In such cases, the employee does not need to agree to the termination as notice has been provided. Kindly note that generally under Ghana law, an employer does not need to provide the reason for terminating an employment contract. In certain cases in the private sector, the employer and employee enter into a mutual termination agreement where the employment contract does not expressly state the age of retirement. In such cases, the employer and employee reach an amicable settlement on the benefits the employee may be entitled to if the employee agrees to terminate the employment contract. Entitlements would typically include some severance pay to encourage the employee to agree to step down from his/her role. The mutual termination agreement may also state that the employee has waived any rights to commence a civil action. Finally, when the employment contract explicitly allows for termination upon an employee reaching a specified age, and this termination is carried out in accordance with the contract's terms, the courts have ruled that it can be considered fair. In such cases, the employer is not obligated to provide specific reasons for termination, as long as it complies with the mutual agreement within the employment contract. This principle was established in the case of <i>Bannerman-Menson v. Ghana Employers' Association</i> [1996-97] SCGLR 417. In addition, section 62(a) of the Labour Act provides an employee's contract may be fairly terminated on the basis of the employee's incompetence. As such, it is our opinion that where the employer determines that an employee's age renders him/her incompetent to carry out the duties associated with his/her employment, the employee's contract may be fairly terminated in accordance with the law.

1.1 Survey results – Africa region

Ghana

Question	Answer
Please explain your answer	However, kindly note that the law provides that a termination may be considered unfair if the employer fails to prove that the reason for the termination is fair; or the termination was made in accordance with fair procedure or the Labour Act [Section 63(4) of the Labour Act]. As such, where the employer is unable to prove that the termination was fair on the basis of the above-stated points, it is likely that the court would find that the termination was unfair.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.1 Survey results – Africa region

Ghana

Question	Answer
Please provide a simple description on the limitations or disincentives	The law does not include age as one of the grounds on which termination would be deemed unfair. [Section 63(2)(d) of the Labour Act, 2003 (Act 651)]. Further, neither statute nor the courts have defined age discrimination, although the case of Ebenezer Adjaido v. Novotel Hotel (2016) JELR 107542 (HC), demonstrates that the courts may grant damages on grounds of age discrimination where sufficient evidence is adduced. The Labour Act, 2003, however, provides that the termination of a person's employment would be considered unfair if the employer fails to prove that the reason for the termination is fair. [Section 63(4)(a) of the Labour Act, 2003 (Act 651)]. It is arguable that termination solely on the grounds of age is unfair, especially in the private sector where the employee is not mandated by law to retire and where the employee is physically and mentally competent to carry out duties imposed under the employment contract. An employee who claims that their employment has been unfairly terminated by their employer may present a complaint to the National Labour Commission (NLC) [Section 64(1) of the Labour Act, 2003 (Act 651)]. If upon investigation of the complaint the NLC finds that the termination of the employment is unfair, it may proceed in any of the following ways: ▪ It may order the employer to re-instate the worker from the date of the termination of employment. ▪ It may order the employer to re-employ the worker, either in the work for which the worker was employed before the termination or in other reasonably suitable work on the same terms and conditions enjoyed by the worker before the termination. ▪ It may order the employer to pay compensation to the worker[Section 64(2) of the Labour Act, 2003 (Act 651)].
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.1 Survey results – Africa region

Ghana

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	Ghana's labour laws provide that an employer shall provide the necessary information, instructions, training and supervision to a person, considering their age, to ensure their health and safety [Section 118(2)(c) of the Labour Act, 2003 (Act 651)].
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The National Health Insurance Scheme was established under the National Health Insurance Act, 2012 (Act 852) to provide financial access to basic specified healthcare services for residents of Ghana. The Act establishes the National Health Insurance Fund to pay for the cost of healthcare services for members of the NHIS. The sources of money for the Fund are: - The National Health Insurance Levy (NHIL), which is 2.5% levy calculated on each supply of goods and services made or provided in Ghana, each importation of goods and supply of an imported service. 2.5 percentage points of each person's Social Security and National Insurance Trust (SSNIT) contributions per month. - Monies that are approved for the Fund by parliament. - Monies that accrue to the Fund from investments made by the National Health Insurance Authority. - Grants, donations, gifts and other voluntary contributions made to the Fund.

1.1 Survey results – Africa region

Ghana

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	vi. Contributions made by members of the NHIS. vii. Monies accruing from the payment of the percentage of the emergency motor insurance premiums to cover the cost of emergency treatment of road accident victims. The NHIS exempts pensioners of the Social Security and National Insurance Trust (SSNIT pensioners) and persons above seventy (70) years of age from paying monthly premiums/contributions. The Government of Ghana also established "cash transfer" programme known as Livelihood Empowerment Against Poverty (LEAP) for poor and vulnerable households. The programme seeks to improve basic household consumption and nutrition, to increase access to health care services and to facilitate access to complementary services (such as welfare, livelihoods and improvement of productive capacity) among beneficiary households. Elderly persons, 65 years and above are amongst those who benefit from this programme. Please refer to: https://www.mogcsp.gov.gh/projects/livelihood-empowerment-against-poverty-leap/
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.1 Survey results – Africa region

Ghana

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Traditionally, cultural values have shaped the social lives of older adults in Ghana. Old age has long been associated with improved social status and authority. This improved status is demonstrated by leadership and supervisory roles in households, clans, religious and spiritual denominations, politics, among others. Please refer to: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7956832/ The cultural values in this context often denote a sense of reciprocity in which adult children are expected to care for their aged parents and relatives. Customarily, the typical living arrangement was that of a communal living; illustrated by a household comprising of multiple generations of extended families, often governed by an older family head. This way of life guaranteed a place to reside in during old age, benefiting from the expectation that family members would honour them and offer social, economic, and spiritual support. Globalization and industrialization have led to major changes and shifts in attitudes concerning the traditional way of communal living. Despite being capable and qualified, young people in rural areas face unemployment, preventing them from earning income to support their elderly parents and relatives. The migration of youth from rural to urban areas, and sometimes abroad, in search of better job opportunities, has resulted in a growing sense of isolation and neglect for older adults left behind. On the other hand, due to significant gender and socioeconomic disparities, women and those in lower economic brackets often report a diminished social standing. They recount experiencing pervasive discrimination, stigma, and elder abuse. Perceptions toward older adults in Ghana have become infused with negative attitudes. Stigmatization of female older adults is common, with some being labelled as witches, placed in "witch camps" and blamed for misfortune in their families and communities. These attitudes are reinforced by superstitious cultural and religious beliefs in some parts of Ghana. Please refer to: https://www.ug.edu.gh/cfas/sites/cfas.ug.edu.gh/files/Essuman-Mate-Kole2021_Chapter_AgeingInGhana.pdf With a view of providing a solution to challenges faced by older people, Ghana' National Ageing Policy "Ageing with Security and Dignity" (the Policy) provides that the Government of Ghana aims to ensure participation of older persons, especially women in decision-making processes at all levels of the national development process.

1.1 Survey results – Africa region

Ghana

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Other initiatives stated in the Policy include improving living conditions and infrastructure in rural areas and the capacity of ageing farmers through continued access to financial and infrastructure services and training for improved farming techniques and technologies, and, providing local financial services including micro-credit schemes to support older workers in rural areas, especially older women. District Assemblies will also be encouraged to support the creation of social networks for older persons to facilitate sharing of ideas and experiences on the impact of policy on their lives and strategies for improving their situation. The Policy also proposes special arrangements to protect the rights of older people during conflicts, access to education and training for older persons, and ensuring that public education campaigns are culturally sensitive to the needs of older persons and conducted in local languages, and to cover among other things, the promotion of positive images of ageing and removal of negative attitudes that exist towards older persons. Please refer to: http://www.mogcsp.gov.gh/mdocs-posts/national-ageing-policy-ageing-with-security-and-dignity/ Although the Policy is commendable, progressive and aims to improve the quality of life and the socioeconomic conditions of older persons, execution and enforcement have left much to be desired.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The Government must take steps to ensure that the proposals in Ghana's National Ageing Policy "Ageing with Security and Dignity" (the Policy) are implemented nationally through the Ministry of Gender, Children and Social Protection and with the aid of relevant non-governmental organizations. These proposals include: - Upholding the fundamental human rights of older persons; - Ensuring active participation of older persons in society and development; - Reducing poverty among older persons; - Improving health, nutrition, and well-being of older persons; - Improving housing and living environment of older persons;

1.1 Survey results – Africa region

Ghana

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	vi. Strengthening the family and community to provide support to older persons; vii. Improving income security and enhanced social welfare for older persons; viii. Providing adequate attention to gender variations in ageing; ix. Strengthening research, information gathering and processing, and coordination and management of data on older persons; x. Enhancing capacity to formulate, implement, monitor and evaluate policies on ageing; and xi. Improving financing strategies to ensure sustainability of implementation of policies and programmes of older persons. Other measures include encouraging the involvement of stakeholders, healthcare professionals, community leaders, chieftaincy institutions, as well as the elderly themselves, and improving infrastructure and services such as the establishment of specialized clinics, geriatric care units and accessible transportation to these medical facilities. Further the Government must enact specific legislation and regulations which promote the welfare of older people; and strengthen existing financial support programmes such as the existing Livelihood Empowerment Against Poverty "LEAP" programme.
Region	Africa

1.1 Survey results – Africa region

Guinea

Question	Answer
Jurisdiction	Guinea
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The L/94/006/CTRN "Code de la Sécurité sociale" does not expressly include provisions defining an elderly person in Guinée. However, Article 49 provides that persons receiving a retirement pension must, among other things, be 55 years of age. Based on this article, we understand that older people in Guinea are all people reaching the age of 55. We are not aware of the percentage of older people and we do not have also any estimation of the percentage of older people in Guinea for the year 2023.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.1 Survey results – Africa region

Guinea

Question	Answer
Please list and give a simple description of these rights.	It should be noted that the Guinean Labour Code aims to protect the rights of all workers including those reaching a certain age such as: ▪ The health and safety right: it is mandatory for the employer to ensure the health and safety of their employees, including regular medical examinations and the establishment of safety committees and the provision of free equipment for dangerous work. ▪ The equality right: workers who reach a certain age also have the right to equal treatment, without discrimination based on sex, religion, age, race, among others. In addition, the Guinean Social Security Code provides certain rights and benefits to older people such as: ▪ Old age pension; ▪ Dependent survivor's pension; and ▪ Disability pension.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A

1.1 Survey results – Africa region

Guinea

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The Guinean social security system provides benefits for the elderly, including: ▪ Social Security Pension: Law establishes full and early retirement pensions. Full pension eligibility at 55 with at least 15 years of contributions. Minimum retirement age is 55. Pension is 2% of the last 10 years' income per contribution year (up to 30 years). Maximum 60% of last 10 years' average income. Early retirements reduced 5-10% per year before 55. Historically paid quarterly and now monthly. ▪ Survivor's Pension: For widows, widowers, and orphans. Conditions: deceased must have been a retiree or contributed minimum 15 years. Surviving spouse receives 50%, each orphan 10% (20% if both parents deceased). ▪ Disability Pension: Non-work accident/illness leads to permanent disability benefit (i) with at least 5 years of contributions and (ii) if the person is unable to benefit the early retirement pension. With regards to disability pensions due to accidents, they do not require a contribution period of at least 5 years. The disability pension ends at 55 when retirement starts. These provisions describe the Guinean system, offering retirement benefits, survivor's pensions, and disability compensation based on specific criteria and contributions.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state.

1.1 Survey results – Africa region

Guinea

Question	Answer
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.1 Survey results – Africa region

Guinea

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Pursuant to the Labour Code, every employer is obligated to provide appropriate practical training in safety, hygiene, and workplace health for their employees, including those newly hired, changing positions or techniques, and returning to work after an absence exceeding six months. This training must be updated for all staff in case of legislative or regulatory changes.

1.1 Survey results – Africa region

Guinea

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The costs of this coverage are typically covered through a combination of government funding, social security contributions, and taxes. The coverage includes access to medical services, treatments, and preventive measures. Additionally, the coverage may encompass hospital stays, medication, and consultations with healthcare professionals. It aims to ensure that older individuals have access to necessary healthcare services to maintain their well-being. The workplace physician is authorized to suggest individual measures to the employer, such as safety training, hygiene measures, job reassignment, or workplace modifications. These measures are based on considerations including age, physical resilience, and the health status of workers, in order to adapt job roles to the workers' health conditions. Employers are obligated to consider these proposals and, if they are declined, provide reasons for their refusal. In cases of difficulty or disagreement, the decision is made by the labor inspector with the input of the medical inspector. This process ensures that older workers' health-related needs are taken into account and appropriate measures are implemented in the workplace.(article 232.7)
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No

1.1 Survey results – Africa region

Guinea

Question	Answer
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	The Guinean government has recently taken significant steps to improve the prospects for retirees. The National Social Security Fund (CNSS) launched increased monthly pension payments and family allowances on December 6, 2022. This initiative aims to aid retirees in coping with rising living costs during global crises. Pensions have been revalued, with smaller pensions increasing by 120% and shifting to monthly payments from the previous quarterly schedule (even this change has not been officially published by the CNSS, the monthly payment seems to be effective since 2023). Larger pensions will see a 50% boost and also be paid monthly. Family allowances for school-going minors will triple and be paid monthly. These changes represent a positive transformation for retirees, particularly widows and orphans, providing enhanced financial stability and support during retirement.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	In our opinion, set are below are some measures that could help improve the quality of life and rights of older people in Guinea: ▪ Continuing Education: Provide training and development opportunities for older people so that they can gain new skills and remain active in society. ▪ Care and recreation centres: establish day centres for social, educational and recreational activities to promote their social integration. ▪ Strengthening social security programmes: Improve pension and social security schemes by increasing pension amounts, expanding access to health care and providing other benefits to meet the needs of older people. ▪ Awareness-raising and education: Setting up awareness-raising campaigns to inform older people about their rights, the benefits they are entitled to, and the resources available to them. ▪ Adapted health services: Establish specific health services to meet the medical and mental health needs of older adults. ▪ Access to transport and mobility: Set up infrastructure and transport services adapted to the needs of older people to facilitate their travel.
Region	Africa

1.1 Survey results – Africa region

Kenya

Question	Answer
Jurisdiction	Kenya
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	▪ Article 260 of the Constitution of Kenya, 2010 defines an older member of society as a person who has attained the age of sixty years. ▪ According to the 2019 Kenya Population and Housing Census (KPHC), the number of older persons in Kenya had reached about 2.7 million, representing approximately 6 percent of the total population, which stood at 47.5 million. ▪ According to the 2022 Fourth Quarterly Labour Force Report by the Kenya National Bureau of Statistics, there are about 743,736 older persons employed out of the total number of employed persons, which stood at 18,438,165.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.1 Survey results – Africa region

Kenya

Question	Answer
Please list and give a simple description of these rights.	Rights: i. Article 57 of the Constitution 2010 obligates the State to take measures to ensure the rights of older persons: a. To fully participate in the affairs of society; b. To pursue their personal development; c. To live in dignity and respect and free from abuse; and d. To receive reasonable care and assistance from their family and the State. ii. Article 21 (3) of the Constitution 2010 obligates State organs and public officers to address the needs of vulnerable groups within society including older members of society. iii. Article 27 of the Constitution 2010 provides that every person has a right to full and equal enjoyment of all rights and fundamental freedoms and that no person should be discriminated against on any grounds including age. Social Pension: The Inua Jamii Senior Citizens' Scheme is a social pension offering universal pension coverage for all citizens of Kenya once they reach 70 years of age. To be eligible, a person must be aged 70 years, must not be in receipt of a civil service pension, not be enrolled in any other cash transfer program, and must be residing in a particular location for more than a year. Recipients of the scheme are also entitled to Kshs 2,000 (USD 14) paid through a payment service provider like Safaricom's Mpesa.

1.1 Survey results – Africa region

Kenya

Question	Answer
Please list and give a simple description of these rights.	Some of the challenges with the scheme include: ▪ Irregular, unpredictable, and delayed payments in disbursements of the funds. The funds are supposed to be disbursed per month but there is a backlog. Sometimes there have been delays of up to 10 months. ▪ Failure to update the register upon death of the beneficiaries. A report tabled by the auditor general in June 2021 before Parliament showed that a sum of over KES 254 million (approximately USD 1.74 million) was paid to dead beneficiaries between 2017 and 30 June 2021. ▪ The amount offered under the scheme is negligible and therefore people are encouraged to make their own private pension arrangements. All older persons aged 70 years and above who receive the universal social pension also gain membership in the National Hospital Insurance Fund (NHIF), with their contributions paid by the government, at a rate of KES 500 (US\$ 3.47) per month. The NHIF meets the cost of inpatient treatment, up to certain limits based on the costs of treatment in government hospitals and other facilities.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.1 Survey results – Africa region

Kenya

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Article 27 of the Constitution 2010 and Section 5(3) of the Employment Act 2007 prohibit various classes of discrimination, including discrimination based on age. Whilst age discrimination is not specifically listed in Section 5(3) of the Employment Act employees cannot be discriminated by their employers on the basis of their age under the express provisions of the Constitution. The Employment and Labour Relations Court has also held that under Section 5(2) of the Employment Act, an employee may establish a case for discrimination on the grounds of age. Specific cases: - In <i>James Mwathi Nguri v Egerton University</i> [2013] eKLR the court held that the claimant's early retirement by the University at 54 years old was unfair in accordance with the Employment Act and the University's retirement policy as his workmates beyond 50 years and with the same qualifications as his were retained in the respondent's employment. The University's policy on retirement provided for both compulsory and early retirement for members of staff. The claimant's case was that he was to retire upon attaining 60 years of age unless he voluntarily opted to retire upon attaining the age of 50 years, but which option he did not exercise. The court found that the University, as an employer, could not retire an employee and therefore could not exercise the option that was vested in the employee. - In <i>Jared Juma v Kenya Broadcasting Corporation & 3 Others</i> [2014] eKLR the Board of Kenya Broadcasting Corporation had set up an age limit as one of the requirements to apply for the vacancy of Deputy Managing Director of Kenya Broadcasting Corporation. The petitioner alleged that by arbitrarily limiting the age of the Deputy Managing Director to below the age of 45 years, the petitioner's right and those of other citizens were violated, contrary to Article 27(4) of the Constitution. The court held that the age limit set on the advertisement of the vacancy was discriminatory and in contravention of the provisions of Article 27 (4) of the Constitution as it excluded many worthy applicants from being considered on merit to occupy the position advertised. - In <i>Josephat Musila Mutua & 9 others v Attorney General & 3 others</i> [2018] eKLR, the court declared Section 11(2) unconstitutional for prescribing a retirement age for auctioneers. The court opined that unless one has violated the law that governs the business of auctioneers, there should be no reason to prescribe an age limit for persons engaged in private business such as auctioneers. The contextual background was that in 2016, the National Assembly, through the Statute Law (Miscellaneous Amendment) Act 2016, amended various statutes, including the Auctioneers Act (No. 5) of 1996. Various provisions of the Auctioneers Act were amended, including the introduction of subsection (2) to Section 11 which required that a licensed auctioneer retire on attaining the age of 70 years. The petitioners filed a petition challenging various provisions, including subsection 2 for discrimination on account of age.

1.1 Survey results – Africa region

Kenya

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The statutory retirement age for civil servants is 60 years. However, there is no statutory retirement age for employees in the private sector. ▪ The National Social Security Fund (NSSF) Act creates a mandatory national pension fund. The Act establishes two funds namely, the Pension Fund and Provident Fund. The pensionable age under the NSSF Act is sixty years. One can only withdraw their funds from the scheme upon attainment of the pensionable age. In instances where a member opts to retire before the retirement age, they can only access the pension upon attainment of the age of fifty years. The Act provides for monthly contributions of 12% of the employee's pensionable earnings (6% from the employee and 6% from the employer) towards the fund. Unfortunately, the NSSF savings are not adequate to sustain an individual after retirement and therefore most people opt to join private pension schemes. Further, the scheme has been marred with corruption and mismanagement scandals affecting its performance and the quality of services to members. ▪ The Retirement Benefits Authority (RBA) Act establishes the Retirement Benefits Authority which regulates and supervises the establishment and management of retirement benefit schemes. The retirement age and pension contributions depend on the policy. ▪ The Public Service Superannuation Scheme Act establishes the defined contributory public service superannuation scheme for providing retirement benefits to persons in the public service including civil servants, teachers employed by the Teachers Service Commission and Disciplined Services (National Police Service, Prisons Service and National Youth Service). The scheme is regulated by the Retirement Benefits Authority.

1.1 Survey results – Africa region

Kenya

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	▪ There are four types of private pension plans in Kenya as explained below: i. Occupational Retirement Benefits Scheme - These are schemes that are set up by an employer where only members of their staff are eligible to join. The employees contribute to the scheme and automatically leave once their contract with the employer is over. ii. Umbrella Retirement Benefits Scheme – Here, the retirement scheme pools the retirement contributions of multiple employers on behalf of their employees. It is a cost-effective scheme reducing the average cost per member and enhancing the overall returns of both the employer and the employees' contributions. iii. Individual Retirement Benefits Scheme – These are schemes run by independent financial institutions where individuals contribute directly towards saving for their retirement. The contributions are flexible to accommodate individuals with varying financial capabilities. iv. Public Service Pension Funds – This is a pension scheme provided under the Public Service Superannuation Scheme Act for persons employed in the public service. The above pension plans' structures take two forms as follows: i. Defined Benefits Schemes – Defined benefit plans are funded either exclusively by employer contributions or sometimes require employee contributions. The cost of the promises being earned each year is calculated in advance, to advise on the required amount that needs to be contributed each year to keep the scheme healthy. The amount a member shall receive upon retirement is determined in advance using a set formula. Members of the scheme contribute a fixed amount and a sponsor meets the balance of the promised benefit. Defined benefit plans are treated as liabilities an employer must pay when an employee retires. Most employers therefore lean toward the defined contribution plan. Benefits are often related to the final salary and/or years of service of the employee. ii. Defined Contribution Scheme – Here, member's and employer's contributions are fixed either as a percentage of pensionable earnings or as a shilling amount. However, members have the freedom to contribute more than the defined rate (Additional Voluntary Contribution). The scheme's benefits are usually not known, and the level of retirement income will depend on the level of contributions made over the period, fees by the service provider, investment returns, and the cost of buying benefits.

1.1 Survey results – Africa region

Kenya

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	b. Mode of Payment at Retirement: The retirement benefits may be accessed either as a lump sum or a partial lump sum and partly periodic income as explained below: i. Pension Fund option – At retirement, a member of the pension scheme may access up to a third of their contributions and contributions made on their behalf plus accrued interest as a lump sum, and then the remainder is used to purchase an annuity (pension) that pays a periodic income to the pensioner in their retirement years, usually monthly. The types of pension plans in Kenya have been explained above. ii. Provident Fund option – This option offers members payments of lump sums and other accrued benefits to employees upon retirement or to their dependents upon death. The member can use the funds to buy an annuity, transfer into an income drawdown fund or use the money as they deem fit. The Trust Deed Rules of the retirement benefits scheme will usually specify whether the retirement benefit will be accessed as a lump sum (provident fund) or as pension payments. Mode of Investment of retirement benefits: The retirement benefits may be invested as follows: i. Segregated Funds – These are schemes where contributions by members are invested directly by the trustees through an appointed fund manager. Notably, the trustees establish an appropriate investment policy which is then implemented by the Fund Manager. The scheme directly holds the investments, and the returns are fully accrued to the scheme to earn interest for the members. ii. Guaranteed Funds – These are funds offered by insurance companies where the members' contributions are pooled together, and the insurance company guarantees a minimum rate of return. However, should the actual return surpass the minimum guaranteed rate, the insurance company may either top up the minimum rate with a bonus rate of return or reserve the extra return.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.1 Survey results – Africa region

Kenya

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system.
Please provide an explanation of the mixed system applicable to your country	Kenya has a mixed system of both public and private pension schemes. The National Social Security Fund (NSSF) Act creates a mandatory national pension fund (public one and applicable to all employees). The Act establishes two funds namely, the Pension Fund and Provident Fund. The pensionable age under the NSSF Act is sixty years. One can only withdraw their funds from the scheme upon attainment of the pensionable age. In instances where a member opts to retire before the retirement age, they can only access the pension upon attainment of the age of fifty years. The Act provides for monthly contributions of 12% of the employee's pensionable earnings (6% from the employee and 6% from the employer) towards the fund. Unfortunately, the NSSF savings are not adequate to sustain an individual after retirement and therefore most people opt to join private pension schemes. Further, the scheme has been marred with corruption and mismanagement scandals affecting its performance and the quality of services to members. ▪ The Retirement Benefits Authority (RBA) Act establishes the Retirement Benefits Authority which regulates and supervises the establishment and management of retirement benefit schemes. The retirement age and pension contributions depend on the policy. ▪ The Public Service Superannuation Scheme Act establishes the defined contributory public service superannuation scheme (applicable for civil servants and public service only) for providing retirement benefits to persons in the public service including civil servants, teachers employed by the Teachers Service Commission and Disciplined Services (National Police Service, Prisons Service and National Youth Service). The scheme is regulated by the Retirement Benefits Authority. Apart from these public schemes, there are other private pension plans, subject to private regulations.

1.1 Survey results – Africa region

Kenya

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Public Pension Fund (NSSF): It is not possible to receive a retirement pension benefit while still working. The NSSF requires evidence of retirement before disbursing the pension funds. However, for private pension schemes established under the RBA Act, it is possible to withdraw a portion of the pension funds before retirement depending on the terms of the policy of the scheme. Private pensions: Yes, if an employee leaves their current employer before attaining the retirement age specified in the scheme rules of the pension taken out by that employer the employee may, upon request, receive up to 50 percent of their total accrued retirement benefits. The remaining 50% is deferred until one attains retirement age. Upon attainment of the retirement age provided for in the scheme rules, the employee may withdraw the remaining 50% even if they are employed. However, an employee cannot withdraw or receive pension benefits from their current employer's pension scheme before retirement. To claim member benefits, one has to submit a Notification of Exit Form usually online, and attach the supporting documents required, such as the National ID/Passport copy, and a valid Kenya Revenue Authority (KRA) Certificate. For ill health, one is required to provide a medical letter from an approved medical practitioner. In the case of emigration, a proof of permanent change of residence is required.

1.1 Survey results – Africa region

Kenya

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	▪ The Public Service Act provides that the mandatory retirement age for public servants is 60 years and 65 years for public servants living with a disability. A public servant may opt for an early retirement upon attaining the age of 50 years. ▪ There is no specific statute regulating the retirement age within the private sector. Courts have held that the retirement age for persons employed in the private sector should be defined in the contract, collective bargaining agreements, or policies. Generally, the retirement age under the Public Service Act is used for guidance and many organizations set the retirement age at 60 to 65 years. ▪ Where a mandatory retirement age exists, termination is usually automatic upon attainment of the mandatory retirement age. The organization will usually send the employee a notice closer to the retirement date notifying the employee of the retirement date and retirement package. However, the employee's consent must be obtained in cases of early retirement. An employer cannot compel an employee to retire before the retirement age. ▪ There is no statutory obligation to pay a retirement incentive to encourage an employee to leave. However, the employer may pay gratuity to the retiring employee if the same is provided for in the employment contract or company policies. The gratuity also known as golden handshake is usually given in such instances as a token of appreciation.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A

1.1 Survey results – Africa region

Kenya

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Articles 27 (4) and (5) of the Constitution, 2010 provide that no person shall be discriminated against directly or indirectly on any ground including age. The Employment and Labour Relations court has held that an employee may establish a case for age discrimination under Article 27 of the Constitution and Section 5(2) of the Employment Act on the basis of early retirement and age limits in job vacancies.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.1 Survey results – Africa region

Kenya

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Through the National Hospital Insurance Fund (NHIF) Supa Cover, older persons are catered for under the Health Insurance Subsidy Programme (HISP) for the Elderly and persons Living with Severe Disabilities, Orphans, and Vulnerable Children. The cover supports about 42,000 households with older persons and the costs are covered by the Government. The beneficiaries' list is obtained from the Ministry of Labour and Social Protection through local area chiefs and social workers. The subsidy program is supported financially by the Government of Kenya. The Government of Kenya through the Ministry of Health subsidizes the premiums of the beneficiaries of Older Persons and Persons with Severe Disability. However, there have been concerns about delayed payments of the costs and disbursements of funds by the government. Another main challenge facing the NHIF is fraud and abuse which has led to loss of resources. As a result of these challenges, there has been outcry from the public that the cover does not function well and that hospitals on several occasions decline patient's requests to use the cover.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Setting up consultancy firms – Some people may choose to set up their own consultancy firms or businesses upon retiring from formal employment. Going back to the village – Some people choose to go back to their rural homes after retirement and engage in activities such as farming.

1.1 Survey results – Africa region

Kenya

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Irregular and unpredictable payment is a major problem that affects the performance of the Older Persons Cash Transfer programme. Delayed payments have a negative impact on the wellbeing and livelihood strategies of beneficiaries, threatening their achievements, undermining social safety net functions, and, in some cases, worsening the economic security of these households. Recommendation: Improve the process of notifying beneficiaries of payment dates or delays to enable them plan and minimize potential negative effects and the costs associated with the delays. Put in place controls to ensure funds are requested on time to allow timely payments to beneficiaries. The Government of Kenya should adopt measures to encourage the development of awareness-raising programmes to educate the younger population groups on aging and Older Persons to combat negative attitudes against older persons; and develop training programmes that prepare older persons for the challenges faced in old age, including retirement. The savings from the National Social Security Fund are usually not sufficient to sustain an individual after retirement. Further, mismanagement of the Fund has affected its performance and the quality of services to members. It is hoped that the increased contributions to the fund will boost the growth of the fund by building a bigger retirement pot and offering individuals enhanced savings, however, there is still a need to improve the operational efficiency of the fund and ensure proper management. Inadequate education and skills among the elderly: Obtaining IT skills is essential for Older Persons. They desire to use smartphones, computers, and the internet to withdraw cash, pay bills, schedule doctor's appointments, shop and bank online, and communicate with loved ones. To be able to keep up with the world and communicate digitally with government agencies, Older Persons would benefit from a higher level of IT knowledge. Recommendation: The Kenyan government should provide older individuals with access to education by establishing infrastructure, personnel, and funding for adult education and training in information and communication technology skills. Access to mobility. The lack of adequate, accessible, and affordable transportation prevents older women and men from gaining access to essential social services. Accessing services in cities and urban areas can be difficult for elderly individuals. The majority of buildings do not have accessible entrances for the elderly, and public transportation vehicles are not accessible to people with disabilities or the elderly.

1.1 Survey results – Africa region

Kenya

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Recommendation: The Kenyan government should take steps to ensure that Older Persons have access to infrastructure, including buildings and public transportation, without harassment and are given seating priority and that public transportation is an attractive option for older people, taking into account all aspects of public transportation. Forceful Evictions. Cases of forceful eviction from houses and land are not uncommon. With new infrastructural developments by the National and County Governments, many citizens including older persons and people with disability are being evicted from residences especially in slum areas without adequate notice and alternative housing. Recommendation: The state should enact housing rights legislation and comprehensive legislation for the regulation and prevention of forced evictions and review housing policies to ensure that they address the needs of older persons. Delayed passage of the Care and Protection of Older Members of Society Bill 2018. The Bill was passed by Parliament and awaits Senate approval. This is a Bill for an Act of Parliament to give effect to Article 57 of the Constitution; to provide a framework for the care of older members of society; to establish a framework for the empowerment and protection of the elderly and the maintenance of their well-being, safety and security; and for connected purposes. There is a need to fast-track the enactment of the Bill.
Region	Africa

1.1 Survey results – Africa region

Madagascar

Question	Answer
Jurisdiction	Madagascar
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Article 3 of Law no. 2008-030 on the protection of the rights of the older people defines an older people as any human being aged 60 or over. According to the Institute National de la Statistique (INSTAT), there are 1,144,976 people aged 60 or over, or 4,5% of Madagascar's total resident population. However, we do not have any current information or estimation on the percentage of "older people" who are actively working in Madagascar.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.1 Survey results – Africa region

Madagascar

Question	Answer
Please list and give a simple description of these rights.	It should be noted that the Malagasy Labour Code aims to protect the rights of all workers, including those of a certain age, such as: ▪ The right to equality: workers who reach a certain age also have the right to equal treatment, without discrimination based on sex, religion, age, race, etc.; ▪ The right to safety and health: employers must provide a safe and healthy working environment, including the necessary safety equipment; and ▪ The right to protection against harassment and abuse. In addition, the Malagasy Social Security Code grants certain rights and benefits to the older people which may include: ▪ The private retirement pension which the amount may depend on the contributions paid during working life; ▪ The old-age pension granted to workers who have contributed for at least 28 quarters in the 10 calendar years preceding retirement age; ▪ The old-age insurance scheme covering old-age pensions, old-age allowances, invalidity pensions and survivors' allowances; ▪ A supplementary pension scheme; ▪ Refunds of contributions paid by employees. Please note that the above list is not an exhaustive list of the rights granted to a worker/person reaching a certain age, but only a general list from Labour Code and Social Security Code perspectives.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No

1.1 Survey results – Africa region

Madagascar

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Yes, Madagascar has a pension system for older people who stop working. Please be informed that the body responsible organising pensions for Malagasy workers is the Caisse Nationale de Prévoyance Sociale (CNaPS). According to Article 266 of the Malagasy Social Security Code, the workers' pension scheme benefits contributing workers, and possibly their spouses, descendants and ascendants, when the beneficiaries have applied for it and provided that they meet certain conditions of age, transfer of salaried employment, length of affiliation and contributions. In other words, the retirement pension is paid quarterly. The basic CNaPS pension payment formula applies to workers who have been affiliated to the CNaPS for at least 15 years and have paid contributions for 28 quarters over 10 years. The old-age pension is calculated as follows: ▪ 30% of the guaranteed inter-professional minimum wage, established on the basis of the legal working; ▪ 20% of the average annual salary for the 10 calendar years referred to above; ▪ 1% of this same salary for each period of four quarters beyond these 10 calendar years (i.e., the salary portion). The normal age for entitlement to benefits in Madagascar is 60 for men and 55 for women. It is reduced by a maximum of 5 years for workers governed by the Merchant Navy Code. It may also be reduced by a maximum of 5 years in the event of medically certified incapacity for work. This age may also be reduced by 10 years for a worker who dies before the normal age for entitlement to benefits.

1.1 Survey results – Africa region

Madagascar

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state.
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A

1.1 Survey results – Africa region

Madagascar

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.1 Survey results – Africa region

Madagascar

Question	Answer
Please provide a simple description of this training right.	Professional training is a right for the worker and a duty for the Nation. The aim is to adapt workers to changes in technology and working conditions and to promote the social advancement of workers and their access to different levels of qualifications. Professional training includes (i) initial training which can be carried out in the form of apprenticeship or alternance training and (ii) continuing professional training. In addition, the State and public entities (i.e., local authorities or public institutions, associations, etc.) contribute to ensure professional training. Furthermore, it should be noted that all workers are entitled to paid training leave limited to 12 working days per calendar year. Finally, paid leave, which is not deductible from leave, may also be granted for 12 working days per calendar year at the worker's request.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.1 Survey results – Africa region

Madagascar

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	According to Article 130 of the Labour Code, any person or legal entity carrying out an activity of any kind and employing one or more workers is required to provide them with medical and health benefits. By voluntary contribution, self-employed workers and liberal professions can benefit from the services of the occupational health service in their geographical area. The choice of service establishment is up to the employer (i.e., Ostie, Amit, Esia, Funhece). Membership in the service is up to 1% of the gross salary for the employee and 5% of the employer share. We understand that to benefit from this public health coverage, the older people will still have to be an employee. However, older people (non-workers) benefit from preferential access to healthcare services and medicines, free of charge or at a reduced price from a public health institution.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	We do not aware of any prospects or social plans do "older people" have when they stop working in Madagascar.

1.1 Survey results – Africa region

Madagascar

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. In our opinion, set are below are some measures that could help improve the quality of life and rights of older people in Madagascar: ▪ Continuing education: Provide training and development opportunities for older people so that they powerful acquire new skills and stay active in society. ▪ Care and recreation centres: establish day centres for social, educational and recreational activities to promote their social integration. ▪ Strengthening social security programmes: Improve pension and social security schemes by increasing pension amounts, expanding access to health care and providing other benefits to meet the needs of older people. ▪ Awareness-raising and education: setting up awareness-raising camps to inform older people of their rights, the benefits to which they are entitled, and the resources available to them. ▪ Adapted health services: Establish specific health services to meet the medical and mental health needs of older adults. ▪ Access to transport and mobility: Infrastructure and transport services adapted to the needs of the elderly to facilitate their mobility.
Region	Africa

1.1 Survey results – Africa region

Malawi

Question	Answer
Jurisdiction	Malawi
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The National Policy for Older Persons of Malawi (2016) aims to safeguard the rights of older persons in the country. According to this policy, an 'older person' can be defined as a person who has attained the age of 60 years or more. As of 2021, the population of Malawi was just over 20, 000, 000 people with only 2.7 percent of the population being over the age of 65 (and the largest portion of the population being the age group of 15-64 years at 54 percent of the population). There is currently limited to no data about the percentage of 'older people' who are currently working. One of the objects of Malawi Network of Older Persons' Organizations (MANEPO), which is a consortium of civil society organizations is to protect the rights of "older people" in Malawi by addressing issues such as income and security. However, even according to their information, it is unclear if this data has been collected for statistical purposes.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.1 Survey results – Africa region

Malawi

Question	Answer
Please list and give a simple description of these rights.	▪ Pension benefits (which are payable only if a trustee has satisfied a certain condition, i.e., retirement age has been reached; ▪ Gratuity (it refers to a payment made by an employer to an employee upon retirement, termination of employment or death). This is applicable in cases where the employer has been exempted from providing pension benefits to employees under the Pension Act. The amount of the "gratuity" is determined in accordance with Part II of the First Schedule of the Employment Act. ▪ Life insurance policy (this is as an addition to the pension contribution an employer would make on behalf of the employee).
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Although the Constitution does not expressly name age as a prohibited ground for discrimination, it is generally accepted that the status of age would be included in the catch all phrase "other status". Similarly, the Employment Act does not specifically refer to age, and sets out an exhaustive list of grounds to against discrimination, any interpretation of this provision must be read with section 20 (1) of the Constitution. Therefore, age can be included as a prohibited ground for discrimination. There are currently no reported cases on age discrimination in Malawi.
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Malawi

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	According to the Pension Act, every employer is obliged to provide pension for every person employed by that employer. To 'retire' means to meet the retirement age (or any other conditions specified in order for retirement to take place). For purposes of the Act, the 'retirement age' is between 55 years and 70 years. Service retirement is another possibility where an employee has reached a minimum of twenty years of continuous service. This is a significant milestone in an employee's career, often marking eligibility for certain retirement benefits. However, the specific benefits and conditions may vary depending on the employer's policies and the provisions of the Pension Act.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state.
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes, it is possible to keep working while receiving a retirement pension in Malawi.

1.1 Survey results – Africa region

Malawi

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The Pension Act in Malawi provides income security for employees who leave employment. Employees are entitled to withdrawal benefits on leaving employment. In exceptional circumstances, and after a period of six months of failing to find alternative employment, an employee may be paid his/her own pension contributions plus interest/bonuses. The employer's contributions cannot be paid as withdrawal benefits until the employee reaches retirement age.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A

1.1 Survey results – Africa region

Malawi

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A

1.1 Survey results – Africa region

Malawi

Question	Answer
Please explain how "older people" cope with healthcare.	In Malawi, public health care services are provided mainly through the Ministry of Health however, these aim to provide curative services and laboratory services, to a minimal level. All these facilities are virtually for the general population and there are no known public or private facilities specially designated for "older people" in the country, except for a few low-level community initiatives that are mainly attached to operations of select charity organizations. The Malawi Network of Older Persons' Organization works tirelessly to try and fill this gap. For instance, through their 'Improving access to quality, inclusive and comprehensive eye health services for marginalized rural communities' project, they managed to restore sight to over 1500 "older people" who had blindness, and who would not have otherwise had access to those services. In a study on living arrangements and health at older ages in rural Malawi, Kendall et al, found low average mental health (50.9 – 55.2 out of 100) and physical health (47.6 – 50.6 out of 100) scores among men and women aged 45 years and above. Prevalence of falls and other geriatric syndromes in Malawi was reported in a 2014 study by Allain, et al. In this study, 41 percent and 25 percent of adults aged at least 60 years old had fall problems and urinary incontinence respectively. Furthermore, about 66 percent of the participants reported having memory issues, reflecting a common but unrecognized problem. Thus, it is evident that there are still challenges in providing adequate healthcare for "older people" in Malawi. Furthermore, access to healthcare is limited in rural areas where the majority of "older people" live.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.1 Survey results – Africa region

Malawi

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	The Malawi Government has established the Ministry of Disability and Elderly Affairs as well as the Bingu Silver-Grey Foundation to provide support for "older people". The National Policy on Social Protection also aims to address the need to improve the quality of life for "older people" in the country by strengthening social protection programs, for instance. However, as is the case with most presidential initiatives in the country, most of these projects have lost their momentum following the changes in state leadership leaving retired "older people" destitute, especially in the rural areas.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	At the international level (according to the WHO), literature suggests that a significant proportion of "older people" in Africa face discrimination. In Malawi, this discrimination is faced at family, community as well as national levels, particularly when accessing various essential social services. Older Malawians are often thought of as dependents and economically challenged hence not contributing much to the economy of the country. These persistently-stubborn stereotypic perceptions are further fuelled by ageist terms that have for long flooded demographic literature. For example, terms such as age-dependency ratio, defined as the ratio of older dependents to the working age population, assume that everyone between the age of 15 and 65 works while everyone above 64 is dependent and exclusively relies on the productivity of younger generations. It is for this reason that information sessions on the rights of "older people" could be a good start, particularly aimed at the younger segment of the population. An understanding of the difficulties and challenges that "older people" face would turn in to a need to urgently address these issues and implement better social systems and integration programs especially for "older persons" who are no longer at a working age.
Region	Africa

1.1 Survey results – Africa region

Mozambique

Question	Answer
Jurisdiction	Mozambique
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	MA: In 2021, the average life expectancy for men was 56.20 years and for women 62.43 years. A 2019 study indicated that Mozambique had 1.25 million elderly people, which corresponded to 4.5 per cent of the population. Only half of them have access to social security, either through the compulsory social security subsystem (contributory) or the basic social security subsystem (non-contributory). Source: https://www.social-protection.org/gimi/gess/RessourcePDF.action;jsessionid=8Fv2FgvhWNDVvRx4M6mV_czNGAffgdPjEBuy7up2TWuFgc!UJ3gPI-165389065?id=55685
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	The Compulsory Social Security (CSS) subsystem, which provides benefits to insured people (which includes sickness benefit; maternity benefit; invalidity pension; old-age pension; death grant; funeral grant and survivor's pension); financed by contributions from workers and employers (or in the case of self-employed people, only workers); managed by the National Social Security Institute (NSSI), the Social Welfare National Institute (SWNI), and the Bank of Mozambique; under the Ministry of Labour, Employment and Social Security (MLESS) and the Ministry of Economy and Finance (MEF), respectively.

1.1 Survey results – Africa region

Mozambique

Question	Answer
Please list and give a simple description of these rights.	The Basic Social Security (BSS) subsystem: which provides social transfers to citizens unable to work and vulnerable people living in absolute poverty; financed mainly by the general state budget; managed by the National Institute for Social Institute (NISA); under the Ministry of Gender, Children and Social Action (MGCSA); The Complementary Social Security subsystem (CSS), designed to regulate the private insurance market, under the supervision of the MEF. Since 2014, the Regulation of the Law on the Promotion and Protection of the Rights of the Elderly has also been in force, which establishes, for example, exemption from payment for attendance at public cultural events, preparation for retirement by age, the reservation of 10 per cent of seats on public transport for the elderly and exemption from payment for these seats, among other measures that may constitute positive discrimination and discounts granted on the grounds of age.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	It can consist of patterns of hiring younger employees, a low percentage of promotion of older people, incentives for early retirement or even, from an internal company point of view, spreading the idea that the company needs younger people, including accusations of witchcraft, which affect the well-being, health, life and dignity of the elderly, especially elderly women.

1.1 Survey results – Africa region

Mozambique

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The Compulsory Social Security Regulations (Decree-Law no. 51/2017), which applies to most workers, provide for protection in old age. To this end, it establishes an old-age pension that is awarded to the beneficiary who reaches the age of 55, if they are a woman, or 60, if they are a man, provided they have completed 240 months of contributions. Anyone who, regardless of age, has completed 420 months of contributions is also entitled to this pension. If it is impossible to continue making contributions due to total loss of working capacity, the beneficiary can request payment of the difference in contributions that is not due in order to qualify for the pension, provided that, at the time of the request, they have 180 months of contributions. Beneficiaries who have reached the age of 55, if they are a woman, or 60, if they are a man, and do not meet the guarantee period for an old-age pension may opt to receive a reduced pension, provided they have at least 120 months of contributions under their belt, and the amount of the old-age pension must not be less than 90 per cent of the lowest national minimum wage.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A

1.1 Survey results – Africa region

Mozambique

Question	Answer
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	Yes. Both the Labour Law and the Law establishing the Legal Regime for Compulsory Social Security for State Employees and Agents establish compulsory retirement in different ways. The Labour Law establishes a system of compulsory expiry of employment contracts concluded with employees registered with Social Security, which operates when they meet the conditions necessary to benefit from the Old Age Pension. The Legal Framework for State Employees establishes a compulsory retirement scheme.
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.1 Survey results – Africa region

Mozambique

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.1 Survey results – Africa region

Mozambique

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The Mozambican Constitution guarantees health as one of the basic human rights. In this context, various strategies are being developed to ensure that all citizens, particularly the most vulnerable, have unrestricted access to primary health care. Strengthening geographical access is based on the construction of new health facilities and the rehabilitation of existing infrastructures, as well as through the abolition of the abolition of consultation fees. Universal coverage is a goal described in the main guiding documents of the Government of Mozambique. The country has taken very concrete steps towards universal coverage in some of the interventions, but much remains to be done. In addition, the elderly are guaranteed comprehensive health care through the National Health Service, guaranteeing them priority and equal access, in an articulated and continuous set of actions and services, for the prevention, promotion, protection and recovery of health, including special attention to diseases that preferentially affect this age group.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes

1.1 Survey results – Africa region

Mozambique

Question	Answer
Please give a simple description of these measures.	According to Law no. 3/2014, the State and families must ensure that elderly people enjoy the right to life, health, adequate food and housing, education, culture, among other rights aimed at assisting them and ensuring their participation in community life in defense of their dignity and well-being. The Stat must also promote and encourage specialized professionalization programmes for the elderly, harnessing their potential and skills for regular, paid activities. More specifically, and taking into account Decree-Law no. 79/2014 of 19 December, which sets out the Regulation of the Law on the Promotion and Protection of the Rights of the Elderly, we can find various measures that encourage the participation of elderly people in social life, namely exemption from payment at public events of cultural, sporting or entertainment activities promoted by the State - if it is an event promoted by a private entity, the elderly person benefits from a reduction of no less than 50% of the access price. There are also various measures in the education sector to promote access to education for the elderly, which is free if the situation of poverty is proven. The Policy for the Elderly has also been in force since 2002, one of the objectives of which is to emphasize the role of the elderly within the family and society, as active contributors to well-being and as active participants and beneficiaries of the country, and also, by way of example, to emphasize the need to improve the conditions of access to medical care and medication for the elderly.
What prospects or social plans do "older people" have when they stop working in your country?	No particular social plans or offers set by the Government are in place.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	▪ Implementing and subsidizing Community Centers - which may provide for social care services recreational and leisure activities and medical attention; ▪ Implementing and subsidizing nursing/retirement homes; ▪ Promoting measures that allow individualized health care for older people, including consultations aimed especially at this layer of vulnerable people educate older people about their health rights and how to deal with chronic illnesses and other serious health problems.
Region	Africa

1.1 Survey results – Africa region

Nigeria

Question	Answer
Jurisdiction	Nigeria
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The National Senior Citizens Centre Act 2017 defines a senior citizen as a person who is above 70 (seventy) years of Age. The population aged 65 and above in Nigeria was estimated to be approximately 3% of the total population (source from 2006 –most updated census-) 7.4% of older people in Nigeria are actively working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.1 Survey results – Africa region

Nigeria

Question	Answer
Please list and give a simple description of these rights.	a. The Pension Reform Act 2014 provides that a holder of a Retirement Savings Account (RSA), on retirement or attaining the age of 50 years whichever is later, can utilize the balance in his RSA for the following benefits: ▪ Lump sum withdrawal, provided that the balance is enough to finance a programmed fund withdrawal or annuity for life in accordance with the National Pension Commission's rules. ▪ Programmed monthly or quarterly withdrawals calculated on the basis of expected life span. ▪ Annuity for life purchased from a life insurance company with monthly or quarterly payments in accordance with the National Pension Commission's guidelines. b. The 1999 Constitution ("Constitution") outlines the pension entitlements of judicial officers of the Supreme Court, the Court of Appeal and the High Courts: ii. Where a judicial officer has served for a minimum of ten years and retires at or after the age of sixty-five years, they are eligible for a lifetime pension equal to their last annual salary and allowances. iii. If a judicial officer has served for less than ten years and retires at or after the age of seventy years or sixty-five years, depending on the case, they will receive a pension calculated proportionally to the number of years they served as a judicial officer in relation to a fifteen-year period. This pension will be accompanied by all allowances and other retirement benefits according to their terms and conditions of service. Additionally, regardless of years of service or retirement age, judicial officers are entitled to pension and retirement benefits that will be determined by either a National Assembly Act or a State House of Assembly Law. c. The Constitution similarly outlines the pension entitlements of the Chairman or member of the Code of Conduct Tribunal. The Constitution stipulates that a person who has held office as Chairman or member of the Code of Conduct Tribunal for a period of not less than ten years shall, if he retires at the age of seventy years, be entitled to pension for life at a rate equivalent to his last annual salary in addition to other retirement benefits to which he may be entitled. d. However, the Constitution is not as elaborate on the pension entitlements of members of the public service. It simply guarantees the protection of the pension rights of public officers, and states that such pensions must be reviewed every five years subject to Civil Service salary reviews, whichever is earlier.

1.1 Survey results – Africa region

Nigeria

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	There is no specific legislation governing age discrimination in Nigeria, however, the Constitution of the Federal Republic of Nigeria, 1999 (as amended) (the "Constitution") has fundamental provisions which generally guarantee all citizens of Nigeria freedom from discrimination. The African Charter on Human and Peoples' Rights also guarantees aged persons special measures of protection to enable them keep up with their moral and physical needs. Section 42 of the Constitution specifically provides for the right to freedom from discrimination. This section provides that a citizen of Nigeria shall not be subjected to any disabilities or restriction, expressly or in application of any law or any executive or administrative action of the government just because they are such a person or be subjected to disabilities or restriction due to their place of origin, sex, religion or political opinions. In the same vein, section 42(1)(b) states that a citizen of Nigeria shall not be accorded any privilege or advantage that is not accorded to citizens of Nigeria that are of other communities, ethnic groups or due to their place of origin, sex, religion or political opinion. In addition, the Constitution contains non-justiciable guiding principles which deal with discrimination such as Section 17(3) of Chapter II of the Constitution (Fundamental Objectives and Directives Principles of State Policy) which provides that the state shall direct its policy towards ensuring amongst other things: opportunity for securing adequate means of livelihood; equal pay for equal work without discrimination on any ground whatsoever; prohibition of child and aged labor, etc.
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Nigeria

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Retirement System in Nigeria. Nigeria operates a pension system that includes both public and private sectors. The Pension Reform Act of 2014 establishes the Contributory Pension Scheme (CPS). The CPS is designed to ensure that workers save for retirement through a structured arrangement. Eligibility for Retirement. Under the Pension Reform Act, employees are generally eligible for retirement benefits when they attain the age of 50 or upon retirement whichever is earlier. Types of Retirement. In the Nigerian pension system, the concept of partial retirement is not as common as in some other systems. The focus is on full retirement and the benefits associated with it. There is not a widely recognized concept of "active retirement" within the pension framework. Retirement Age and Pension Amount. The Public Service Rules require public officials to retire upon attaining 60 years of age or 35 years of pensionable service, whichever is earlier. There are certain sector-specific exceptions to this rule. For instance, employees at public universities may retire between 65 and 70 years. As mentioned earlier, the Pension Reform Act provides that upon attaining the age of 50 years or upon retirement, whichever is later, employees will be able to access their retirement benefits under the contributory pension scheme. The pension amount under the Contributory Pension Scheme is calculated based on the total contributions made by the employee and the employer over the years, as well as the investment returns generated from those contributions. The employee is expected to contribute 8% of the sum of his basic salary, housing allowance, and transport allowance. The employer is also required to contribute a minimum of 10% of the same sum.

1.1 Survey results – Africa region

Nigeria

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Accordingly, private organizations have the discretion to determine their preferred retirement age in tandem with their commercial objectives. Typically, organizations provide for a retirement age between 55 to 65 years in their employment contracts. Where a retirement age is not provided in the contracts of employment, the provisions on termination of contract will guide the employment relations. That means such employees would be eligible to work until they are no longer able to provide the services optimally required under the employment contract and/or the contract is terminated. Where a retirement age is stipulated, this would apply in addition to the termination provisions.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The pension system in Nigeria is both public and private as it is supported by government owned institutions as well as private companies or individuals.
Can an employee in your country be forced to retire at a certain age?	Yes

1.1 Survey results – Africa region

Nigeria

Question	Answer
Please provide a simple description of the obligation and its practical implications.	This generally depends on the nature of the employment. For private sector employments, there is generally no fixed age for retirement, rather, most organizations prescribe the applicable retirement age (usually 55 – 65 years) for their employees in the contract of employment. Where such retirement provisions are stipulated in the contract, the parties are bound by the terms and any unilateral deviation by the parties that is not in tandem with the terms of the agreement could constitute a breach of contract that is actionable in court. Conversely, employees in the public sector, such as civil servants, are subject to age limits for work in the public sector. The retirement ages for employees in the public sector are fixed by the sector-specific laws and subsidiary legislation. Employment in the public sector is subject to a mandatory retirement age of 60 years or 35 years of service, whichever is first.
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.1 Survey results – Africa region

Nigeria

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.1 Survey results – Africa region

Nigeria

Question	Answer
Please provide a simple description of this training right.	The National Centre for Senior Citizens is mandated to identify the needs, trainings, and opportunities of senior citizens in the country and be responsible for the provision of recreational, sports, educational, health and social programs and facilities designed for the full enjoyment and benefit of the senior citizens in the country as well as provide guidance and counselling for senior citizens. In practice, the level of enforcement (as well as awareness) in Nigeria for the training right of Senior Citizens under the National Centre for Senior Citizens Act, is low. However, the National Senior Citizens Center was inaugurated in 2021 and some trainings have been run.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	It is worthy to note that although there is no specific public health coverage for older people in Nigeria, there is mandatory coverage for vulnerable persons through the Basic Health Care Provision Fund under the National Health Insurance Authority Act ("NHIA") 2022. Vulnerable Persons is defined under the NHIA as including "children under five, pregnant women, the aged, physically and mentally challenged and the indigent..." Therefore, there is health coverage for older people in Nigeria.
Please explain how "older people" cope with healthcare.	N/A

1.1 Survey results – Africa region

Nigeria

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	The National Centre for Senior Citizens, an agency of the Ministry of Humanitarian Affairs Disaster Management and Social Development, ensures the provision of recreational, sports, educational, health and social programs and facilities designed for the full enjoyment and benefit of the senior citizens in the country. Although things had been slow immediately after the National Centre for Senior Citizens Act was passed, in practice, the National Senior Citizens Centre has been active, celebrating National Day with a road walk in 2022, and even launching the Continuing Engagement Bureau Program in 2023. On a scale of 1-10, the measures have hit a 7-score high. It also initiates, develops and implements productive activities and work schemes for senior citizens in order to provide income or supplement their earnings. The center recently collaborated with a Nigerian state government, organizing seminars for senior citizens. These seminars provided valuable recommendations and principles to help seniors lead joyful and graceful lives as they age.
What prospects or social plans do "older people" have when they stop working in your country?	The Older Persons (Rights and Privileges) Bill 2022 sets out social plans and prospects for Older Persons, including stipends, care, grants, access to public facilities, housing, health plan, assistive airline services, rebates, right to first consideration on queues, liberty, communal life, inclusion, right of education, right to work, employment, and freedom of movement. However, this Bill has not been passed into an Act. Other laws in force such as the Pensions Reform Act 2014 and the National Health Insurance Authority Act guarantees pensions and health coverage respectively (see answers to questions 5-11 above). Furthermore, with the National Senior Citizens Centre (through the operability of the National Centre for Senior Citizens Act) in operation, there are many prospects for recreational activity and association for Senior Citizens.

1.1 Survey results – Africa region

Nigeria

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Furthermore, an older person upon retirement is entitled to utilize the amount credited to his/her retirement savings account. The retirees will be entitled to the following benefits from the retirement savings account: - Withdrawal of a lump sum from the total amount credited to his retirement savings account provided that the amount left after the lump sum withdrawal shall be sufficient to procure a programmed fund withdrawals or annuity for life in accordance with extant guidelines issued by the National Pension Commission, from time to time; or - Programmed monthly or quarterly withdrawals calculated on the basis of an expected life span; or - Annuity for life purchased from a life insurance company licensed by the National Insurance Commission with monthly or quarterly payments in line with guidelines jointly issued by the National Pension Commission and National Insurance Commission.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. The measures that can be put in place are: - Establishment of a Comprehensive National Aging Policy: The implementation of a national aging policy is vital. This policy would ensure that older individuals have equitable access to vital services, including healthcare, housing, and social security. - Enactment of an Anti-Discrimination Legislation: The need for comprehensive anti-discrimination laws cannot be overstated. A prime example is the Older Person (Rights and Privileges) Bill of 2022 and the Maintenance and Welfare of Senior Citizens Bill 2011 that should be reconsidered by the National Assembly. These bills would serve to prohibit discrimination against older citizens across all facets of life, spanning employment, housing, and healthcare. - Access to High-Quality Healthcare for Older Citizens: It is important to facilitate older individuals' access to top-tier healthcare. This encompasses both preventive and curative healthcare measures, as well as the provision of long-term care when required. Notably, the Ministry of Health should expedite the release of the revised draft of the National Social Protection Policy to address this issue.
Region	Africa

1.1 Survey results – Africa region

Rwanda

Question	Answer
Jurisdiction	Rwanda
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The Rwandan statistics dated August 2023 results show that there were 862,929 people aged 60 years and above in Rwanda, representing 6.5% of the resident population (13.246.394 total current population in the Republic of Rwanda statistics of August 2023) Older people that are actively working representing 5.7% of the total population.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Pension from the Rwanda Social Security Fund

1.1 Survey results – Africa region

Rwanda

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Rwanda

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	- Regarding the public servants, the retirement age is 65 years old and the early retirement age is 60 years old but if justified by the fact that the employee is still able to perform well his duties and it is in the interest of the public the civil servant can be allowed to retire at the age of 70 years (some judges or prosecutors) - In the private sector, the employees can retire at the age of 60 years but it is not mandatory except if the employee requests or if the employer decides to send the employee for retirement otherwise there is no maximum age for the private sector just a minimum age opening the door to retirement and monthly pension allowances. Law No 05/2015 of 30/03/2015 governing the organization of the pension scheme provide in article 18 that to be able to benefit from a monthly pension allowance in Rwanda, you need : 1 - to be at least sixty (60) years old or to be of the age provided for by legally recognized specific statutes; 2 - to have contributed to the pension scheme for at least fifteen (15) years; 3 - to have ceased to perform any remunerated activity. However, If the member of the pension scheme reaches the retirement age without having contributed for fifteen (15) years, he/she shall receive a lump-sum retirement allowance.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A

1.1 Survey results – Africa region

Rwanda

Question	Answer
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	An employee reaching the age of 65 years can be retired by its employer
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	Retirement package (usually between 3 to 6 months salary) Retirement is a legitimate reason to terminate the employment agreement.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.1 Survey results – Africa region

Rwanda

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	The Rwandan labour law does not provide any specific limitations regarding the termination of the older employee contract by the employer except the fact that if it is termination for retirement the employer has to verify that the employee is eligible to the retirement package or retirement monthly allowances otherwise the termination can be for another reason provided by that law being a termination for legitimate reasons or termination for gross misconduct in accordance with the labour law n° 66/2018 of 30/08/2018 regulating labour in Rwanda
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Training via TEVT (Technical trainings) allowing elders to learn new skills
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A

1.1 Survey results – Africa region

Rwanda

Question	Answer
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	There is a basic healthcare system sponsored by the government BUT older people have to pay +/- 5 USD per year in order to benefit from the system, it is not automatic.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	No specific measure as far as I know.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, training center for IT usage - laptop provided for free if possible to vulnerable allowing them to read news and/or work from home when needed
Region	Africa

1.1 Survey results – Africa region

Sao Tome and Principe

Question	Answer
Jurisdiction	Sao Tome and Principe
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The elderly population residing in São Tomé and Príncipe corresponds to 3.7% of the total population residing in the country (according to a survey of the National Institute of Statistics, dated of 2012 -most updated information available-).
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	From a Security perspective: ▪ Old-age pension upon retirement resulting from length of service and contributions to the social security; ▪ Right to accumulate old-age pension with income from the age of 62 years onwards, unless otherwise provided by law; ▪ Legal minimum old-age pension (monthly) in the amount of 1 000.00 Dbs (equivalent to 40,81 euros); From a labour perspective: ▪ Higher statutory compensations and indemnities for employees over 50 years of age, covered by terminations with cause (economic reasons) or unlawful terminations.

1.1 Survey results – Africa region

Sao Tome and Principe

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Employees cannot be subject to different working conditions on the grounds of age. Employees who consider themselves victims of discrimination based on ageism by the employer, may resort to Labour General Inspectorate.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Old-age pension (Pensão de Velhice): Awarded to individuals with more than 62 years of age, at least 180 months of contributions. These rules also apply for early retirement of women (as of 57 years of age). Same shall correspond the amount resulting from the calculation between the total amount of remunerations received during active years and the total number of months of active employment. Disability pension (Pensão de Invalidez): For individual under 62 years of age to whom loss of capacity for work has been assessed and loss of earning capacity - with a minimum of 60 months of contributions before the disability began. Same is replaced by the old-age pension once the beneficiary reaches the retirement age. Survivor pension (Pensão de Sobrevivência): For eligible survivors if the deceased received an old-age or disability pension at the time of death.

1.1 Survey results – Africa region

Sao Tome and Principe

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.1 Survey results – Africa region

Sao Tome and Principe

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Under the article 84 of the Social Protection Legal Regime, pensioners who carry out professional activities have the right to receive 4.2% of total remuneration registered in the previous year, if these do not have been considered in the old-age pension calculations. This right does not impact the value of the pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.1 Survey results – Africa region

Sao Tome and Principe

Question	Answer
Please provide a simple description on the limitations or disincentives	Under the Labour Code, for employees over 50 years of age covered dismissed based on economic grounds are entitle to a compensation amounting to the double of minimum statutory amounts provided by law. The compensation for dismissals deemed as unlawful by courts also double for individuals over 50 years of age.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The health service is provided essentially by the public sector and is practically free. In addition, natural and traditional medicine is the option preferred by most elderly population, who cannot afford to pay for faster or specialized medical assistance

1.1 Survey results – Africa region

Sao Tome and Principe

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	N/A
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	▪ To establish a progressive retirement. ▪ To promote family assistance policies and facilitate the disinheritance process in case of abandonment. ▪ To establish a national plan towards the promotion of older people's rights, regarding their safety, protection, and well-being.
Region	Africa

1.1 Survey results – Africa region

Senegal

Question	Answer
Jurisdiction	Senegal
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	According to data from the national statistics and demography agency an "older person" is someone aged sixty or over. The statistics on the percentage of "older people" in the country in relation to the total population including Man and Women is 926.871(in%?);and the percentage of "older people" who are actively working is 602.677 (in %?).
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Decree n°2008-381 from 07 April 2008 named (sesame) introducing a system of assistance for people aged sixty and over. The "sesame" system entitles the beneficiary to free or reduced medical services throughout the country.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.1 Survey results – Africa region

Senegal

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	This discrimination consists to placing an employee at a disadvantage on the basis of a ground such as race, colour, age, sex, trade union activity, membership of religion, fraternity or sect, political opinion, national ancestry, ethnic origin, social origin, disability, pregnancy, family situation, state of health, serological status (Law 14 April 2022) There is a law to combat it .The new law introduces a presumption of discrimination in favour of the worker who brings the case to court, stating that there is a "presumption of discrimination against the worker or job applicant where the worker or job applicant provides evidence of discrimination(Mohamed Bachir niang open edition journals).
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Senegal's pension system comprises two main categories: ▪ The basic schemes, which apply to workers in both the private and public sectors. They are managed by the social security fund (CSS) for the private sector and the senegalese pension fund for the public sector(IPRES) ▪ And the specific schemes for civil servants, judges, members of parliament and the military. The retirement age is that set by the national affiliation scheme in force, rising from 60 to 65 from certain profession. Phased retirement is possible in Senegal, and offers advantages for older people, giving them an active role in the labour market and encouraging the transmission of skills and experience between generations. This initiative needs to be communicated to the relevant stakeholders. The pension amount concerning the full retirement depends on the employee contributions during his/her working life.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.1 Survey results – Africa region

Senegal

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The national retirement fund (FNR) covers the pension of the civil servants and the Senegal pension fund (IPRES) covers private sector employees and non-civil servants.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The legislation considers it appropriate to grant the parties the possibility of extending the contractual employment relationship beyond the age of sixty (60) without exceeding the limit of sixty-five (65) years due to the technical nature of certain jobs or professions as well as their economic and social importance.
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.1 Survey results – Africa region

Senegal

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Public services and companies that initiate training courses for their employees do so within the framework of a well-defined internal policy based on departments and needs. As far as we understand it, there could be no distinction in relation to training courses (older people, if they are still employed, will obviously take part in these training courses in the same way as young people.

1.1 Survey results – Africa region

Senegal

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The senegalese government taking responsibility to protect vulnerability people (child, older people, less mobility...) by the establishment national agency health who in charge to pursuit the aim of the universal coverage health in Senegal. Every commune in Senegal has at least one mutual health insurance scheme. Universal health cover enables poor people and people on low incomes (in rural areas and in the informal sector) to join a mutual health insurance scheme and receive the same care as people affiliated to the social security system. The contribution is 7,000 CFA francs per person per year, with a 50% subsidy for those able to pay, i.e., 3,500. For indigent people, the contribution is free, with 100% covered.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No

1.1 Survey results – Africa region

Senegal

Question	Answer
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Some older people, when they stop working (retirement) and who have been in a key sector, keep working by being consultants on issues relating to their field of service, or they set up agricultural plans, or they teach at private universities. In the case of social plans set up by the State, the elderly receive the retirement pension as well as the related health benefits.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	It's important to implemented the Ministry of the older people , cause they can give more to the society . The older people are a resource information and give them More right can motivate them to live and to share their expertise opinion with the new generation.
Region	Africa

1.1 Survey results – Africa region

South Africa

Question	Answer
Jurisdiction	South Africa
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	An "Older person" is a person aged 60 years and older. In 2022, the estimated population of South Africa included 5.6 million older persons. This represents 9.2% South Africa's overall population. 10.4% (582 000 individuals) of older persons are actively working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.1 Survey results – Africa region

South Africa

Question	Answer
Please list and give a simple description of these rights.	The Constitution - Basic Human Rights (also regulated by the Older Persons Act) - Right to equality (and against unfair discrimination) Right to human dignity Right to health care Right to food, water and social security Right to participate in community life in any position appropriate to his or her interest or capabilities Right to participate in inter-generational programmes Right to participate in structures and associations for older persons Right to participate in activities that enhance his or her income-generating capacity Right to live in an environment catering for his or her changing capacities Right to access opportunities that promote his or her optimal level of social, physical, mental and emotional well-being Social grant (payable by the South African Social Security Agency to qualifying older persons)
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.1 Survey results – Africa region

South Africa

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Employees may be discriminated against based on their age at entry level, by being denied advancement during the employment relationship, or on termination of the relationship. Age discrimination generally takes place when people are denied privileges or benefits because they are considered either too young or too old. There is legislation in place to protect employees against age discrimination ▪ The Constitution (right to equality and equal protection before the law) ▪ Employment Equity Act (no person may unfairly discriminate against an employee in any policy or practice on certain prohibited grounds including age) ▪ Basic Conditions of Employment Act (same as Employment Equity Act) ▪ Labour Relations Act (the dismissal of an employee will be automatically unfair if the reason for the dismissal is that the employer unfairly discriminated against an employee on certain prohibited grounds including age) It is important to note that South African labour law provides that the dismissal of an employee who reaches the agreed or normal retirement age is not unfair [Schweitzer v Waco Distributors [1999] 2 BLLR 188 (LC)]. Our courts have confirmed that "normal retirement age is the age at which the employer requires an employee to retire and not the age at which the employee may retire if he or she so wishes [SACTWU v Rubin Sportswear [2003] 5 BLLR 505 (LC)] Our courts have also found that forced retirement of an employee who had reached "retirement age" that was unilaterally imposed by the employer constituted an automatically unfair dismissal as the employer failed to prove that the employee reached an agreed or normal retirement age [HOSPERSA obo Venter v SA Nursing Council [2006] 6 BLLR 558 (LC)]. The employer is entitled to terminate the employment relationship once the employee reaches agreed or normal retirement age even where the employee has been allowed to work beyond the normal retirement age [Solidarity obo Strydom v SITA SOC Ltd [2022] 9 BLLR 843 (LC)]
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

South Africa

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The South African Social Security Agency offers an older person's grant to qualifying individuals. An older person's grant is paid to people who are 60 years or older. This grant used to be called the old age pension. You must: ▪ Be a South African citizen, permanent resident or refugee ▪ Live in South Africa ▪ Not receive any other social grant for yourself ▪ Not be cared for in a state institution ▪ Not earn more than ZAR86 280 if you are single or ZAR172 560 if married ▪ Not have assets worth more than ZAR 1 227 600 if you are single or ZAR 2 455 200 if you are married The maximum amount that you will get is ZAR 2 080 per month. If you are older than 75 years, you will get ZAR2 100 per month.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The South African pension system is composed of (1) a non-contributory, means-tested public benefit program (older person's grant), (2) various pension and provident fund arrangements and (3) voluntary savings.

1.1 Survey results – Africa region

South Africa

Question	Answer
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The agreed or normal (60 - 65 years old) retirement age.
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	In our jurisdiction, there is a distinction between agreed retirement age and normal retirement age. An agreed retirement age is usually included in the employment contract or employment policy. Where this is the case, termination occurs where the employee reaches the agreed retirement age. The normal retirement age is not as straightforward. In general, the usual retirement age in South Africa is between 60 and 65 years. If there is no agreed retirement age, it is advisable for the employer to agree the retirement age with the employee. If the employee refuses to agree, the employer can consider introducing an employment policy applicable to all employees. If the employer dismisses an employee without an agreed retirement age, the employer may face an unfair discrimination claim (on the ground of age) by the employee. If the employer can show that the normal retirement age has been applied consistently in the past for other employees, this may assist in defending the unfair discrimination claim.

1.1 Survey results – Africa region

South Africa

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.1 Survey results – Africa region

South Africa

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Low quality public health care is available for free to South African citizens who do not have any formal private health/medical aid insurance. The public health care system faces a range of systemic and structural challenges including widespread inefficiencies, staff shortages and suboptimal care levels.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.1 Survey results – Africa region

South Africa

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	N/A
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	An improved public health care system and older person's grant award
Region	Africa

1.1 Survey results – Africa region

Togo

Question	Answer
Jurisdiction	Togo
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	An elderly person is anyone aged 60 or over, as defined by the United Nations and the African Union's strategic framework and action plan on ageing. We don't have reliable statistics on the number of older people actively working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.1 Survey results – Africa region

Togo

Question	Answer
Please list and give a simple description of these rights.	Protection against discrimination in employment Access to training: have work opportunities that take into account their medical and physical abilities, skills and experience. Old-age pension: insured persons who have reached the age of sixty (60) are entitled to an old-age pension if they meet the following conditions: a. Having completed at least one hundred and eighty (180) months of insurance; b. Cease all salaried activity. Old-age allowance: Insurers who have not completed at least twelve (12) months of insurance and who, having reached the age of sixty (60), ceases all salaried activity while not fulfilling the condition of one hundred and eighty (180) months' insurance to be entitled to an old-age pension, receives an old-age Allowance in the form of a single payment. Access to social services.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Togo

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The pensions branch includes: old-age pension and old-age allowance. A person aged sixty (60) is entitled to an old-age pension if they meet the following conditions: a) have completed at least one hundred and eighty (180) months of insurance as defined in article 79 paragraph 1 of the Social Security Code; b) cease all salaried activity. 2 - Insureds aged over fifty-five (55), suffering from premature deterioration of his physical or mental faculties rendering him/her unfit for salaried employment and who meets the conditions set out in the preceding paragraph, may apply for an early retirement pension. The procedures for and control of the prematurely insured are laid down by order of the Minister responsible. 3 - Insured persons aged over fifty-five (55) who not suffering from premature wear and tear of his physical or mental faculties physical or mental faculties, but who meet the insurance entitling them to an old-age pension, may request that their pension rights be may request early payment of his or her pension rights. In this case, the amount of the pension is reduced by five percent (5%) for each year of early retirement. 4 - The old-age pension and the early retirement pension take effect on the first day of the calendar month following the date conditions have been fulfilled, provided that the provided that the pension application has been sent to the Fund within twelve (12) months of the said date. If the pension application is submitted after the expiry the pension takes effect on the first day of the calendar month the date of receipt of the application. 5 - Insurees who have completed at least twelve (12) months of insurance and who, having reached the age of sixty (60) ceases all salaried activity even though he/she does not meet the condition of one hundred and eighty (180) months of insurance required to be entitled to an old-age pension, receives an old-age allowance in the form of a single payment. 1 - The amount of the old-age or disability pension, early pension early retirement pension and the old-age allowance are fixed based on average monthly earnings, defined as defined as the sixtieth part of the total monthly remuneration remuneration subject to contributions during the last five (05) years prior to the date of entitlement to a pension. contribution period, in particular in the case of severance pay on retirement, only the amount of such pay will be taken into account in determining the average monthly the average monthly remuneration, only the portion of said indemnities corresponding to the period concerned. If the number of calendar months elapsed since registration registration is less than sixty (60), the average monthly is obtained by dividing the total remuneration subject to subject to contributions since registration by the number of calendar months between that date and the date of eligibility date.

1.1 Survey results – Africa region

Togo

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	2 - For the purpose of calculating the amount of the disability pension, the years between the age of sixty (60) and the effective age of the date on which the disability pension takes effect are treated as are treated as periods of insurance at the rate of six (06) months per year. 3 - The monthly amount of the old-age or disability pension or early retirement pension is equal to twenty percent (20%) of the average monthly remuneration. If the total number of months insurance and assimilated months exceeds one hundred and eighty (180) the percentage is increased by 1.33 per cent (1.33%) for each twelve (12) month period beyond than one hundred and eighty (180) months. Any subsequent variation in this rate is determined by decree by decree on the report of the Minister responsible. 4 - At the time of settlement, the amount of the old-age, disability or early retirement pension may not be less than sixty percent (60%) of the guaranteed minimum guaranteed minimum wage. Any subsequent variation in this percentage will be set by decree. by decree. 5 - The amount of the old-age allowance is equal to as many times the insured's average monthly remuneration as the insured twelve (12) month periods of insurance. 1 - In the event of death of the holder of an old-age, disability or early retirement pension, or in the event of the death of an death of an insured person who, at the date of his or her death the conditions required to receive an old-age or guest pension old-age or guest pension, or who had completed one hundred and eighty (180) months of insurance, survivors are entitled to a survivors' pension. Survivors' pensions are calculated as a percentage of the old-age, disability or early retirement pension to which the insured was or would have been entitled at the date of death at the rate of: a) fifty percent (50%) for the surviving spouse; in the event of multiple widows, this amount is divided equally between them in equal shares. The share due to each widow remains unchanged even in the event of the death or remarriage of one of them; b) twenty-five percent (25%) for each orphan of father or mother and 40% for each orphan of both parents.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.1 Survey results – Africa region

Togo

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The "Caisse de Retraites du Togo" budget is essentially financed by the employer's share (20% of the insured person's basic salary) and by the insured person's share (7% of his/her basic salary). The employer's share is borne by the State budget, the autonomous budgets, the budgets of the organizations to which the insured are affiliated, and the budgets of the organizations to which the insured are affiliated.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The employee who has reached retirement age is forced to retire. They will be entitled to severance pay and any retirement pensions to which they may be entitled.
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	In the context of an employment relationship, the contract may be terminated for reasons such as reaching retirement age.

1.1 Survey results – Africa region

Togo

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.1 Survey results – Africa region

Togo

Question	Answer
Please provide a simple description of this training right.	The access to training is defined by Law N° 2021-012 of June 18, 2021 on the Labor Code in his Article 4: Any direct or indirect discrimination in employment and occupation is prohibited. Discrimination means any distinction, exclusion or preference based on sex, color, religion sex, color, religion, ethnic or racial origin, political or philosophical opinion union or mutualist activities, origin, including social origin, morals, legal status, national ancestry, physical appearance, age, marital status, family pregnancy or health, loss of autonomy or handicap, which has the effect of reducing or altering equality of opportunity or treatment with regard to employment or occupation. By employment and occupation, we mean access to vocational training, access to employment and to the various professions, access to employment and to the various professions, access to employment and to the various professions, access to employment and to the various professions, access to employment and to the various professions, as well as conditions of employment. Any discriminatory provision contained in an offer of employment in a job offer, employment contract, salary scale, collective bargaining agreement or agreement.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	For older persons, it is recommended taking into account their age; medical and physical fitness.
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The compulsory health insurance scheme for civil servants is financed by monthly contributions from those subject to the scheme (civil servants and assimilated). The contribution rate is set at 7% of the monthly salary, divided equally between the employing state and the insured civil servant. The amount of the contribution paid by the insured does not follow the rules of pure insurance, i.e., it is not based solely on risk, but on the insured's ability to pay.

1.1 Survey results – Africa region

Togo

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	There are measures in place to harness the potential of older people through volunteering, in order to help improve the living conditions of poor populations by making national skills available. To this end there is a national volunteer agency in Togo instituted by law number 20114-011 of June 20,2014.
What prospects or social plans do "older people" have when they stop working in your country?	Older people have responsibilities towards their family, their community and society in general. They are required to: mentor younger generations by passing on their know-how. Promote and facilitate intergenerational dialogue and solidarity within families and communities. Play a role in mediation and conflict resolution. Do volunteering in order to help improve the living conditions of poor populations.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	To improve the rights of the elderly, in addition to the provisions in certain texts that take account of the elderly, it may be necessary to set up professionals specialized in this field to support or assist the elderly in their administrative, legal, medical, social and other procedures. The creation of two retirement homes in Lomé and Kara is already a good step forward.
Region	Africa

1.1 Survey results – Africa region

Uganda

Question	Answer
Jurisdiction	Uganda
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Uganda adopted the UN definition of "older persons" as those persons aged 60 years and above. Section 1 of the National Council for Older Persons Act, 2013 defines "older person" as a person aged sixty (60) years and above. According to the National Housing and Population Census of 2014, "older persons" constituted 4.1% of the entire population of 34.6 million persons. Whereas a census has not been conducted yet, the population of Uganda was estimated at 40.9 million persons according to the Uganda National Household Survey, 2019/2020 with 5.4% being older persons. The National Labour Force Survey of 2021 conducted by the Uganda Bureau of Statistics (UBOS NLFS Report 2022) estimated the total population of Uganda at nearly 43 million persons with 4.2% (1.8 million) being "older persons", 4.0 males and 4.4 females. The NLFS of 2021 also estimated that approximately 1.2 million older persons were working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.1 Survey results – Africa region

Uganda

Question	Answer
Please list and give a simple description of these rights.	1. Right to apply for early retirement from public service for officers aged 45 years or older and having served for 10 consecutive years. 2. Right to access pensions and gratuities for officers who retire from public service. The Pensions Act, Cap 286 provides for various modes of retirement among which include compulsory retirement on attainment of sixty (60) years (S. 12(1)) and early retirement on attainment of 45 years for officers that have served for 10 (ten) consecutive years. These retirees must be eligible for the grant of pension or gratuity under the Act. 3. Right to access NSSF benefits. The National Security Fund is established under the National Social Security Fund Act, Cap 222. It is a Provident Fund that covers all employees in the private sector that are not covered by the government's pension scheme. S. 20 (1) (a) of the NSSF Act, Cap 222 grants members of the fund who attain fifty (50) years and have retired from regular employment access to the age benefit. Additionally, members who attain fifty five (55) years are also granted access to the age benefit. However, Section 20A (2) if the Act grants members who have attained 45 years and saved consistently for 10 years, access to 20 percent of their accrued benefits. Section 20A(3) also grants Persons with Disabilities (PWDs) access to 50 percent of their accrued benefits once they attain 40 years and have contributed to the Fund for ten (10) years. Further Section 21 (1) provides that a member of the fund shall be entitled to withdrawal benefit if he or she attains the age of 50 years and if he or she has not been employed under a contract of service for a period of one year immediately preceding his or her claim. 4. The Senior Citizen's Grant (SCG). Since 2010, the Ministry of Gender, Labour and Social Development has been implementing the Senior Citizen's Grant targeting Older Persons that have attained 80 years and above. It is a social protection intervention in the form of direct income support for older persons. Each beneficiary is entitled to UGX. 25000/= (Uganda Shillings Twenty Five Thousand). The SCG is part of the broader Social Assistance Grant for Empowerment (SAGE) programme.

1.1 Survey results – Africa region

Uganda

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	We understand age discrimination to occur when a person is treated less favourably, or not given the same opportunities as others in a similar situation, because he or she is considered to be too old or too young. Article 21 (1) of the Constitution of the Republic of Uganda, 1995 provides that all persons are equal before the law in spheres of political, economic, social and cultural life and every other respect and shall enjoy equal protection before the law. Article 21(3) of the Constitution defines discrimination to mean "to give different treatment to different persons attributable only or mainly to their respective descriptions by sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion, or disability". Age is not one of the grounds mentioned in Article 21 against which a person may be discriminated against. In <i>Madrama Izama v Attorney General Constitutional Appeal No.1</i> of 2018, the Ugandan Supreme Court dealt with the issue of whether, notwithstanding the fact that age is not mentioned under Article 21, a person could argue that he has a right not to be discriminated against on the basis of age. The majority judgment answered that question in the negative whereas the minority judgment came to the opposite conclusion. In light of Articles 21(1) and 45 of the Constitution, Justice Mwendha held that no person is to be discriminated against on the grounds of age. She stated that the fact that non-discrimination on the basis of age was not expressly mentioned as a right in the Constitution does not deprive it of its essence. However, it was also noted that like any other right, the right not to be discriminated against on account of age is not absolute. In this particular case, it was found that the discrimination based on age under Section 10(2) of the Pensions Act Cap 286 was a legitimate employment policy of standardization of retirement age in the public sector and therefore justifiable.

1.1 Survey results – Africa region

Uganda

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Discrimination on the basis of age manifests in many forms. In particular to older persons, there is evidence of discrimination: 1. Discrimination in employment; majority of older persons are denied employment opportunities on the basis of age. 2. Credit services; older persons are considered high risk borrowers and are denied access to credit facilities in the form of loans; 3. In the political sphere; there is limited representation of older persons in parliament; 4. Socially; older persons are often stigmatised by younger people, they are isolated, bullied and even dispossessed of property. Older persons are vulnerable to human rights abuses that may be physical, sexual, social, economic and psychological in nature. Cases older persons suffer discrimination mostly include abuses such as rape, theft, burglary and dispossession of property. The government with support from development partners has adopted tools to combat such discrimination in various forms: Legal Framework The Constitution of Uganda recognizes the rights of older persons and provides the basis for the enactment of laws and development of policies that address their concerns. The National Objectives and Directive Principles of State Policy of the Constitution stipulates that "The State will make reasonable provision for the welfare and maintenance of the aged". Article 32 of the Constitution states that "Notwithstanding anything in this Constitution, the State will take affirmative action in favour of groups marginalized on the basis of gender, age, disability or any other reason created by history, tradition or custom, for the purpose of redressing imbalances which exist against them." The Equal Opportunities Commission Act 2007 provides for monitoring and evaluation of policies, laws, plans, programs, activities, practices, traditions, cultures, usages and customs to ensure that they "are complaint with equal opportunities and affirmative action in favour of groups marginalized on the basis of sex, race, colour, ethnic origin, tribe, creed, religion, social or economic standing, political standing, disability, gender, age, or any other reason created by history, tradition or custom.

1.1 Survey results – Africa region

Uganda

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The national Council for Older Persons Act, 2013 established the Council for Older Persons which offers a platform for advocacy, lobbying and monitoring the implementation of the legal policy framework concerning older persons. The Local Governments Act (Cap 243) provides for two older persons, a male and a female, elected by structures of the Council to represent them in the local governments' councils. Additionally, in July 2020 Cabinet approved the elderly to have five (5) parliamentary representatives to effectively represent their view across the country. Institutional framework The major actors include Government, private sector, civil society organizations, medial organizations, older persons' organizations, development partners, faith-based organizations, community and older persons themselves. The government through the Ministry of Gender, Labour and Social Development has the responsibility to collaborate and network with the stakeholders to promote understanding, guidance, involvement and community support for older persons. The Equal Opportunities Commission established under the Equal Opportunities Commission Act has the responsibility to promote affirmative action and non-discrimination in the treatment and enjoyment of human rights irrespective of age. The government has also introduced a social protection programme through which senior citizens receive a monthly cash transfer to empower them economically.
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Uganda

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Uganda provides for retirement benefits. There are majorly two pension schemes, a non contributory public service pension scheme applicable to civil servants and the National Social Security Fund for formal workers in the private sector. Article 254 of the Constitution of the Republic of Uganda, 1995 provides that a public officer shall on retirement receive pension as commensurate of their rank a salary and length in service. A public officer is considered to be a person in public service. The Pensions Act provides that a public servant can qualify for pension after they have attained the age of 60 and have to retire. This retirement is known as the compulsory retirement. However, Section 10 of the same act provides that one can as well apply to court for pension where they have obtained the age of 45 years with 10 years of continuous service and this is the early retirement. This pension granted does not exceed 87percent of one's highest pensionable emoluments drawn by them at any time in the course of their employment as per Section 13 of the Pensions Act, Chapter 286. The NSSF fund governed by the National Social Security Fund Act Cap 222 is responsible for managing contributions and funds that are for the benefit of persons including those that are of old age. Section 6 of the above Act provides for who is eligible employee and this could be one above the age of 16 years and below 55 except as provided otherwise in the act. Section 15 further provides that 15 percent of an employee's total wages shall amount to this contribution and shall be made 15 days after the last date of the month for which wages have been made with the employer contributing 10% and the employer contributing 5%.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system

1.1 Survey results – Africa region

Uganda

Question	Answer
Please provide an explanation of the mixed system applicable to your country	There are majorly two pension schemes, a non-contributory public service pension scheme applicable to civil servants and the National Social Security Fund for formal workers in the private sector. Article 254 of the Constitution of the Republic of Uganda, 1995 provides that a public officer shall on retirement receive pension as commensurate of their rank a salary and length in service. A public officer is considered to be a person in public service. The Pensions Act provides that a public servant can qualify for pension after they have attained the age of 60 and have to retire. This retirement is known as the compulsory retirement. However, Section 10 of the same act provides that one can as well apply to court for pension where they have obtained the age of 45 years with 10 years of continuous service and this is the early retirement. This pension granted does not exceed 87percent of one's highest pensionable emoluments drawn by them at any time in the course of their employment as per Section 13 of the Pensions Act, Chapter 286. The NSSF fund governed by the National Social Security Fund Act Cap 222 is responsible for managing contributions and funds that are for the benefit of persons including those that are of old age. Section 6 of the above Act provides for who is eligible employee and this could be one above the age of 16 years and below 55 except as provided otherwise in the act. Section 15 further provides that 15 percent of an employee's total wages shall amount to this contribution and shall be made 15 days after the last date of the month for which wages have been made with the employer contributing 10% and the employer contributing 5%.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The Pensions Act Cap 286 provides for compulsory retirement for public officers that have attained the age of sixty (60) years.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.1 Survey results – Africa region

Uganda

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Section A of the Uganda Public Standing Orders 2021 provides that when it is necessary, a pensioner may be employed on contractual terms where the post to be filled requires special terms and the only suitable person available for the post is the pensioner.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.1 Survey results – Africa region

Uganda

Question	Answer
Please provide a simple description on the limitations or disincentives	Under the Employment laws of Uganda, an employee can only be dismissed or terminated within the terms of their employment contract and the law. An employee is entitled to notice and a fair hearing before termination. According to Section 68 of the Employment Act 2006, an employer is obligated to provide reasons for termination and failure to do so deems the dismissal unfair. Section 69(3) of the Employment Act, 2006 further provides that summary dismissal can take place in instances of gross misconduct by the employee or breach of their fundamental obligation. In such circumstances the employer may dismiss without or shorter notice. However, in all circumstances the employee is entitled to a fair hearing and reasons for termination of their employment contracts. These limitations are in place to guard against arbitrary termination of employment contracts for all people including those of older persons. Section 65 of the Employment Act provides for instances under which termination occur to include attainment of the retirement age and expiry of the term for a fixed contract or completion of a specified task.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	One of the priority areas of focus under the National Policy for Older Persons, 2009 is economic empowerment and training older persons in modern farming techniques and technologies is one of the interventions. The policy also emphasizes pre-retirement training survival skills for ageing persons and ultimately training and life-long learning for older persons. The policy puts in place interventions to address training and life-long learning which includes: 1. Designing training modules for older persons 2. Improving access to Functional Adult Literacy and lifelong learning 3. Building the capacity of their members through training and retooling.

1.1 Survey results – Africa region

Uganda

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	Uganda is one of the countries with a high out-of-pocket expenditure on healthcare. 1. Government hospitals. Government hospitals provide free health services to the population. 2. Pensions, gratuities and other allowances. Older persons with access to pension or other terminal benefits depend on this for healthcare. However, empirical evidence reveals that only 7% of older persons have access to pension and therefore majority of older persons have to depend on other sources to afford healthcare. A quantitative evaluation carried out by Development Pathways found that most beneficiaries of the Senior Citizens Grant used the pension cash or the animals the purchased to cover healthcare costs. 3. Majority of the older persons depend on their children or family to finance their healthcare. 4. Some depend on the income from agricultural produce and small businesses. 5. Self-medication. There is evidence of buying medicine from pharmacies or drug shops without prescription from the doctor by older persons. 6. Use of traditional medicine as an alternative. 7. Spiritual healing. Some older persons lean into religion for relief.

1.1 Survey results – Africa region

Uganda

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	The Constitution of the Republic of Uganda under objective vii provides for maintenance and welfare of the aged. Older Persons have been encouraged to participate in decision making of the country. Section 10 of the Local Government Act (Cap 243) for example provides for older persons participation in decision making this has encouraged active participation in politics and enhanced the contribution of older persons in the country. The National Council for Older Persons Act, 2013 establishes and provides for the function a Council through which the needs, problems, concerns, potentials and abilities of older persons can be communicated to government and its agencies. The Social Development Strategic Investment Plan articulates intervention for promoting their participation and ability to access services. This plan also ensures that older persons are protected from risks and percussions of livelihood shocks by overcoming constraints that impede the development of their productive capacities.
What prospects or social plans do "older people" have when they stop working in your country?	Upon retirement, majority of the older people move back to the rural areas where they engage in agriculture and farming. Many of them provide childcare for their grandchildren during their retirement especially the women.

1.1 Survey results – Africa region

Uganda

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	1. Strengthen Healthcare. Revitalize the Health care system by introducing a healthcare coverage for older people. Additionally, the National Health Insurance Bill is long overdue and it should take into account the special needs of the older people. 2. Strengthening social protection. Whereas the government should be commended for the introduction of the Senior Citizens Grant, the amount of money received by the beneficiaries is still on the lower grid. There should be an increment from 25000/= to at least 100,000/=. The eligibility for the grant should also be lowered from 80 years to 70 years. 3. Strengthen political representation. Political representation is an important platform for older persons to exercise agency, and to ensure that their rights are promoted and protected. 4. Strengthen enforcement of legislation. Whereas the laws and policies are progressive in nature, there is poor enforcement of the laws and policies which has led to continuous abuse of old people's rights. 5. Building capacity through equity and gender responsive training which focus on addressing ageism and ill-treatment of older persons. 6. Raising awareness of older persons on their legal and economic rights. 7. Providing free legal services to support older persons and remove financial barriers to access to justice.
Region	Africa

1.1 Survey results – Africa region

Tanzania

Question	Answer
Jurisdiction	United Republic of Tanzania
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	According to the Tanzanian National Ageing Policy, 2003, an older person is defined as an individual who is 60 years and above. Further, according to the national census of 2022 (which is the most recent), by 2022, Tanzania had a total number of 3,491,982 older people (0.06% of the total population). It should be noted that according to the Tanzanian law, compulsory retirement age is 60 years.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Those who reach pensionable age (60 years) are subjected to retirement pension. Retirement pension is payable to the older people upon reaching the retirement age (60 years), who had contributed to social security fund for at least 180 months. Part of this pension is paid in lump sum while the remaining is paid in a monthly basis until demise of the pensioner. The pension is also payable to some specified constitutional and political leaders as a matter of law. However, it should be noted that this accounts for only a small number of older people in Tanzania who (mostly) were in formal employment.

1.1 Survey results – Africa region

Tanzania

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Although not directly defined, employment law in Tanzania strictly prohibits all forms of discrimination by the employers including discrimination by reasons of age.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	For those employed in formal employment in both public and private sector, the Tanzanian law makes it mandatory to be members to social security funds. Upon reaching retirement age (early retirement age is 55 years and compulsory retirement age is 60 years), retirement pension is payable to the person who has been contributing to the Fund. Depending on the amount one has contributed, part of the retirement pension is paid in lump sum and part is paid monthly until demise of the pensioner.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.1 Survey results – Africa region

Tanzania

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The pension funds are owned and regulated by the government but to be eligible for retirement pension, an individual has to be contributing to the fund.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The employment law puts 60 years as a compulsory retirement age.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Upon reaching retirement age, an employee can work under specific term contract. This does not have implication on his retirement pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	Upon reaching retirement age of 60 years most companies terminate employees on such basis. Since such retirement age is statutory, there is no legal requirement for the employee to agree to the termination based on compulsory retirement.

1.1 Survey results – Africa region

Tanzania

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	These training are usually organised by private organisations such as legal aid organisations or other Non Governmental Organisations. However, the law in Tanzania does not make it mandatory to conduct these training.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.1 Survey results – Africa region

Tanzania

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	Mostly older people in Tanzania are taken care of by their families. Also, as a matter of policy, health providers should reduce costs payable by the older persons in obtaining health services.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Family is the social unit responsible for older people in Tanzania. Also, most of the older people engage themselves in agriculture activities.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. Tanzania could enforce the following measures to the older people; 1. Free health insurance covers to the older people. 2. State funded social security schemes.
Region	Africa

1.1 Survey results – Africa region

Zambia

Question	Answer
Jurisdiction	Zambia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The National Policy on Ageing as produced by the Ministry of Community Development and Social Services defines "older person" as a "Male or female senior citizen, aged 60 years and above". According to the Ministry of Labour and Social Security Labour Force Survey Report 2021, it was estimated that persons over the age of 60 made up 8.6 percent of the working population in Zambia. In addition, according to Konema global statistics, the population aged 60+ years for Zambia was 629,510 persons as of 2020. The population of persons aged 60+ years of Zambia increased from 181,980 persons in 1971 to 629,510 persons in 2020 growing at an average annual rate of 2.57%.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.1 Survey results – Africa region

Zambia

Question	Answer
Please list and give a simple description of these rights.	Pension rights: The National Pensions Scheme Act, Chapter 256 of the Laws of Zambia provides that a retirement pension shall be paid to a retired member who has- a. Attained pensionable age; and b. Made not less than one hundred and eighty monthly contributions. The pensionable age in Zambia is currently at sixty (60) years while early retirement and late retirement sit at 55 and 65 years respectively. Healthcare provision: The National Health Insurance Scheme Act No. 2 of 2018 (the "NHIMA Act") requires a citizen or established resident who is above eighteen years to be registered as a member of the National Health Insurance Scheme (the "Scheme") and make requisite monthly contributions. An elderly person above the age of 65 may however be exempt from payment under the Scheme.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Zambia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The system created for retirement is governed by the National Pension Scheme Act, Chapter 256 of the Laws of Zambia. Where a person reaches pensionable age, a retirement pension shall be paid to a retired member who has- a. Attained pensionable age; and b. Made not less than one hundred and eighty (180) monthly contributions to the scheme. Any registered member who has reached the age of 55 years of age and has made a minimum of 180 months of contributions is eligible for Early Retirement Pension. If one decides to retire at the age of 60 and has made a minimum of 180 months of contributions, they will be eligible for Normal Retirement Pension, while those that decides to retire at 65 years of age and have made a minimum of 180 months of contributions will eligible for Late Retirement Pension. Monthly contributions are mandated on an employer and as such, a contributing employer shall pay to the Pension Scheme a contribution in respect of an employee in his employment consisting of the employer's contribution and the employee's contribution at the rate of 10% of an employee's salary (5% being contributed by and employer and 5% by the employee). The monthly contribution amount paid as the 5% by the employer and employee is capped at ZMW 1,342.00 (approximately USD 63.90) each, per month for 2023. The amount payable as a retirement pension once pensionable age has been reached is currently at ZMW6,710.00 per month (approximately USD 335.00 per month) for the year 2023. A registered member that has contributed less than 180 monthly contributions at the time of retirement will be eligible for a Retirement Lumpsum.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system

1.1 Survey results – Africa region

Zambia

Question	Answer
Please provide an explanation of the mixed system applicable to your country	The Zambian system has a mix of private and public pension schemes available for its senior citizens. The two systems are regulated under the Pension Scheme Regulation Act Chapter 255 of the Laws of Zambia (the "PSR Act") and the NAPSA Act. The PSR Act regulates private pension funds. Private pension funds are pension plans operated by private employers for and on behalf of their employees. These funds are subject to the control of the Pensions and Insurance Authority and further governed by deeds and rules constituting the pension fund. Payment under these funds is thus subject to agreement with specific employers and rules governing the pension funds. The NAPSA Act regulates public pension funds which is mandatory for any person under pensionable age which currently is 60 years of age. Any registered member who has reached the ages of 55 years of age and has made a minimum of 180 months of contributions is eligible for Early Retirement Pension. If one decides to retire at the age of 60 and has made a minimum of 180 months of contributions, they will eligible for Normal Retirement Pension, while those that decides to retire at 65 years of age and have made a minimum of 180 months of contributions will eligible for Late Retirement Pension. Monthly contributions are mandated on an employer and as such, a contributing employer shall pay to the Scheme a contribution in respect of an employee in his employment consisting of the employer's contribution and the employee's contribution at the rate of 10% of an employee's salary (5% being contributed by and employer and 5% by the employee). The amount of monthly contributions paid as the 5% by the employer and employee is capped at ZMW 1,342.00 (approximately USD 63.90) each, per month for 2023. The amount payable as a retirement pension once pensionable age has been reached is currently at ZMW6,710.00 per month (approximately USD 335.00 per month) for the year 2023 . A registered member that has contributed less than 180 monthly contributions at the time of retirement will be eligible for a Retirement Lumpsum.
Can an employee in your country be forced to retire at a certain age?	No

1.1 Survey results – Africa region

Zambia

Question	Answer
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The Employment Code Act No.3 of 2019 (the "ECA") which regulates employment relationships does not bar an employer from employing a person who has reached the age of retirement. Therefore, parties to a contract can agree that an employee continues working after having attained retirement age. The terms of such engagement would therefore be regulated under the ECA like any other contract of employment. However, subject to the NAPSA Act, a person who has attained the age of 65 can no longer contribute to the National Pension Scheme
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.1 Survey results – Africa region

Zambia

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.1 Survey results – Africa region

Zambia

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	The NHIMA Act requires a citizen or established resident who is above eighteen years to be registered as a member of the National Health Insurance Scheme (the "Scheme") and make requisite monthly contributions. An elderly person above the age of 65 may however be exempt from payment under the Scheme. Coverage under the Scheme is subject to the benefits packages as prescribed by the Minister responsible for health. The current benefit package includes surgical services, vision care and dental and oral services among others. It is also of worth noting that there is a limit of 3 outpatient visits per health event at secondary and tertiary level hospital unless its a chronic condition.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Older people in the country often venture into agriculture and various business activities that were developed during their formative years.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The Ministry of Community Development and Social Services could hasten the implementation of wider social plans that would assist the elderly in being a productive part of the society while they are retired. This could be in the form of educational programs for the youth and other activities to keep the elderly active as long as possible to aid in societal growth.
Region	Africa

1.1 Survey results – Africa region

Zimbabwe

Question	Answer
Jurisdiction	Zimbabwe
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Yes, the term 'Older persons' is specifically defined in our law. Under the Older Persons Act [Chapter 17:11] an "older person" is defined as a citizen of Zimbabwe aged sixty-five years or above, who is ordinarily resident therein. In respect of statistics the Zimbabwe populace aged 65 years and above was at approximately 3.3 % of the total population in 2022.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Generally, a person who retires shall be entitled, with effect from the date of his retirement, to a pension calculated as a percentage of his salary. In addition, under the Older Persons Act an Older Persons Fund is established to afford public assistance to Old persons in the form of social welfare assistance.

1.1 Survey results – Africa region

Zimbabwe

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Under our constitution, every person has the right not to be treated in an unfairly discriminatory manner on such grounds as their age. The right is justiciable in the courts of law. One can institute proceedings to enforce the right in question. Furthermore, under Section 21 of the Zimbabwean Constitution, the State and all institutions and agencies of government are mandated to put in place reasonable policy measures including legislative measures to secure respect, support and protection of the elderly persons and to enable them to participate in life of their communities. The provision further mandates the State and all institutions to ensure the well-being of the elderly through providing facilities, food and social care, health care and medical assistance, financial support by way of social security and welfare for the elderly in need as well as to develop programmes to give elderly persons the opportunity to engage in productive activity suited to their abilities. Section 82 of the Constitution provides for the rights of elderly people (who are over the age seventy years) which include reasonable care and assistance from their families and the state, healthcare and medical assistance from the state and financial support by way of social security and welfare. In addition, under the Older Persons Act, an Older Persons Board has been established with the mandate to, amongst other things, prevent discrimination against older persons based on their age. There are currently no examples of age discrimination in the public domain.
Does your country have a retirement system for older people when they stop working?	Yes

1.1 Survey results – Africa region

Zimbabwe

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The system is primarily established under the Labour Act (Chapter 28:01) as read together with the National Social Security Authority Act (Chapter 17:04); the Pensions and Other Benefits Act (Chapter 16:01) and the Pension and Provident Funds Act (Chapter 24:09), as well as, the respective regulations. The NSSA Act establishes the National Social Security Authority. Subject to the NSSA Act, the Minister of Public Service, Labour and Social Welfare may, by notice in a statutory instrument, establish one or more schemes for the provision of benefits to or in respect of all employees or such classes of employees as may be specified in the notice, and may in like manner amend or abolish any such scheme. The Authority has the mandate to administer the various social security schemes established under the Act. In addition, there is early retirement at the age of 55 years in instances wherein the employment in question is for hard labour. Injuries may also trigger early retirement. The general retirement age is 65 years. It sometimes ranges from 55 - 64 years depending on the workplace policy and industry in question. The pension amount varies across industries and whether one is in the public or private sector.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	As mentioned earlier, the system is premised on the law. Private parties are free to setup pension systems applicable to their own industry subject to approval from the relevant authorities.
Can an employee in your country be forced to retire at a certain age?	No

1.1 Survey results – Africa region

Zimbabwe

Question	Answer
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	They are free to take up other forms of employment in the private sector. There is no effect on the pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	A person must retire upon reaching the mandatory age of retirement as set by law and/or under their workplace policy. Although this is by effluxion of time, the general position is that the termination may be by consent of the employee and employer in writing; or following an inquiry into the fact that such the employee has attained the retirement age. The dismissed person may accept or challenge the termination if they have not reached the age in question. Several incentives are provided including pension benefits.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.1 Survey results – Africa region

Zimbabwe

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	These vary depending on workplace and industry policies.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A

1.1 Survey results – Africa region

Zimbabwe

Question	Answer
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Sections 21 and 82 of the Zimbabwean Constitution provides that the State and all institutions and agencies of government are mandated to put in place reasonable policy measures including legislative measures to secure respect, support and protection of the elderly persons and to enable them to participate in life of their communities. The provision further mandates the State and all institutions to ensure the well-being of the elderly through providing facilities, food and social care, health care and medical assistance, financial support by way of social security and welfare for the elderly in need as well as to develop programmes to give elderly persons the opportunity to engage in productive activity suited to their abilities. Section 82 of the Constitution provides for the rights of elderly people (who are over the age seventy years) which include reasonable care and assistance from their families and the state, healthcare and medical assistance from the state and financial support by way of social security and welfare. In addition, the Older Persons Act establishes an Older Persons Fund for older persons who on application made by or on their behalf, are destitute or indigent. The Director of the Fund is entitled to grant social welfare assistance to such person where he or she is satisfied that such person— - Is handicapped physically or mentally; or - Suffers continuous ill-health; or - Is dependant of a person who is destitute or indigent or incapable of looking after himself or herself; or - Otherwise has need of social welfare assistance. In determining whether an older person qualifies to receive or to continue receiving social welfare assistance, the Director or any person acting on his or her behalf shall assess— - The availability to the applicant and his or her dependants of any assistance, financial or otherwise, from any source; and - The suitability of the applicant and his or her dependants for resettlement or rehabilitation; and - The state of health, educational level and the level of skills of the applicant for purposes of employment; and - Any other prospects of the applicant.

1.1 Survey results – Africa region

Zimbabwe

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Sections 21 and 82 of the Zimbabwean Constitution provides that the State and all institutions and agencies of government are mandated to put in place reasonable policy measures including legislative measures to secure respect, support and protection of the elderly persons and to enable them to participate in life of their communities. The provision further mandates the State and all institutions to ensure the well-being of the elderly through providing facilities, food and social care, health care and medical assistance, financial support by way of social security and welfare for the elderly in need as well as to develop programmes to give elderly persons the opportunity to engage in productive activity suited to their abilities.
What prospects or social plans do "older people" have when they stop working in your country?	Outside the previously mentioned plans, older persons can engaged in community-based activities. This attribute indicates their engagement in outdoor social activities in various social settings and includes religious, cultural, sports and leisure activities.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Measures to protect old people have been put in place. What is required is the effective implementation and prioritization of those rights which may not be happening fully at this point because of limitation of resources.
Region	Africa

Arab States Region



1.2 Survey results – Arab States Region

Algeria

Question	Answer
Jurisdiction	Algeria
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	▪ Percentage of "older people" in the country in relation to the total population: 6,4 %. ▪ Percentage of "older people" who are actively working: 10 %.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.2 Survey results – Arab States Region

Algeria

Question	Answer
Please list and give a simple description of these rights.	▪ Anyone who has contributed to social security can claim their pension rights as soon as they reach the age of 60 for men and 55 for women. ▪ Social coverage is also provided through the payment of a contribution paid from the State budget calculated on the basis of the guaranteed minimum national wage. ▪ A person aged over 60 who is not placed in a specialized establishment, without income and cared for by a low-income family, benefits from state social assistance through the lump sum solidarity allowance (AFS) granted by the Ministry of National Solidarity and the Family through the Social Development Agency.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.2 Survey results – Arab States Region

Algeria

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Retirement pension rights, provided you have at least 15 years of work, of which at least 7 and a half years have given rise to the payment of contributions, are open: ▪ From the age of 60 for men, ▪ From the age of 55 for women. They benefit from a reduction of one year per child raised for at least 9 years, within the limit of 3. Certain provisions allow for early departure: ▪ Without age condition and with 15 years of contributions, for the worker suffering from a total and permanent incapacity who does not meet the conditions for obtaining a disability pension; ▪ From the age of 50 for men and 45 for women who have lost their job involuntarily, as a result of downsizing or dissolution of their business, provided they have completed at least 20 years of insurance, have worked for at least 3 years continuously in the same company during the previous 10 years; ▪ From the age of 55 for workers in arduous employment (underground miners, etc.). Proportional retirement without age conditions: With the publication of Ordinance 97-13 of May 31, 1997, which relaxes the conditions for granting retirement, the benefit of the pension can be granted with immediate enjoyment, before the age provided for in Article 6 of the Law 83-12 of July 2, 1983, in the cases and according to the following conditions: ▪ Without any age condition when the salaried worker has completed an effective working period having gave rise to the payment of contributions equal to at least thirty-two (32) years. ▪ From the age of fifty (50) years, a salaried worker who combines an effective period of work giving rise to the payment of contributions equal to at least twenty (20) years, may request the benefit of a pension of proportional retirement. The age and duration of work within the framework of the ordinance are reduced by five (05) years for female salaried workers. The old age pension is calculated as follows: $2.5\% \times \text{Number of years of insurance} \times \text{average salary of the 5 best paid years.}$

1.2 Survey results – Arab States Region

Algeria

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	- From the age of 60 for men and from the age of 55 for women, but on condition that they have completed at least 15 years of work, including at least 7 and a half years giving rise to the payment of contributions. The benefit of the pension can be granted with immediate enjoyment, before the age provided above, in the cases and according to the following conditions: - Without any age condition when the salaried worker has completed an effective working period having gave rise to the payment of contributions equal to at least thirty-two (32) years. - From the age of fifty (50) years, a salaried worker who combines an effective period of work giving rise to the payment of contributions equal to at least twenty (20) years, may request the benefit of a pension of proportional retirement. The age and duration of work within the framework of the ordinance are reduced by five (05) years for female salaried workers.

1.2 Survey results – Arab States Region

Algeria

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	A retired person can work either with employment contracts with flexible and limited working hours, or exercise a liberal activity (for his own account). In this case, there is no impact on the retiree's pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No

1.2 Survey results – Arab States Region

Algeria

Question	Answer
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	There are legal and regulatory texts setting out the terms of accessibility, of people with disabilities to the physical, social, economic and cultural environment that will benefit the elderly person to enjoy their autonomy. These texts provide for measures for accessibility to infrastructures, means of transport and means of information and communication. The texts also provide that people in difficulty benefit from appropriate care, rehabilitation and equipment. Finally, the texts in question indicate that the State sees to the preservation of the dignity and the duty of respect towards the elderly in all situations and in all circumstances, in particular the obligation of aid and assistance and the protection of their rights.

1.2 Survey results – Arab States Region

Algeria

Question	Answer
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	it's the state.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	In accordance with the texts in force, the State encourages the development and promotion of activities and programs contributing to the well-being of the elderly, in particular cultural, sports, educational and religious activities as well as relaxation and leisure activities. Also, the participation of the elderly in actions diversified and rewarding for society, in particular economic, social or cultural activities, must be encouraged.
What prospects or social plans do "older people" have when they stop working in your country?	In accordance with the texts in force, the State encourages the development and promotion of activities and programs contributing to the well-being of the elderly, in particular cultural, sports, educational and religious activities as well as relaxation and leisure activities. Also, the participation of the elderly in actions diversified and rewarding for society, in particular economic, social or cultural activities, must be encouraged.

1.2 Survey results – Arab States Region

Algeria

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	▪ Adopt a socio-cultural model that places aging at the heart of the dynamic interaction of social structures; ▪ Develop mechanisms and opportunities with the elderly to create partnerships in order to better understand the problems on the ground, but also to find quick and effective solutions; ▪ Reinforce the development of skills of the elderly according to the needs of the labor market; ▪ Improve disease prevention; ▪ Develop policies to ensure a favorable environment for the elderly; ▪ Improve the mobility of the elderly in all areas of life.
Region	Arab States

1.2 Survey results – Arab States Region

Comoros

Question	Answer
Jurisdiction	Comoros
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The elderly represent 5.11% of the population. 1% of the elderly population is active
Are there any employment or social security rights in your country for people who reach a certain age?	No
Please list and give a simple description of these rights.	N/A

1.2 Survey results – Arab States Region

Comoros

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There is a pension system managed by the Comoros pension fund. there are 3 categories of retirement: civil servants, the private sector and parliamentarians. you can retire from age 55 to age 65. the amount of the pension for: ▪ Civil servants, number of years contributed x2% ▪ The private sector, number of years contributed x 1.33% ▪ Parliamentarians, 25% of salary The military have a specific pension plan and their own pension fund

1.2 Survey results – Arab States Region

Comoros

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	There is a single pension fund in the Comoros which manages all public and private employees
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	In the public service, you cannot exceed 65 years. you are forced to retire. any time the state can contract retired civil servants
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	There are no specific conditions. the law does not prohibit employing a retired person. she will continue to receive her withdrawal

1.2 Survey results – Arab States Region

Comoros

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.2 Survey results – Arab States Region

Comoros

Question	Answer
Please provide a simple description of this training right.	There are no specific provisions. only the law has not prohibited it
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	There is no public health coverage. The state is implementing it. everyone can join mutual insurance organized by associations or companies
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.2 Survey results – Arab States Region

Comoros

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	There are no specific social prospects or projects for "old people" when they stop working in our country. Everyone organizes themselves in their own way.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. like the tax exemption or the subsidy for companies employing the elderly. but unfortunately there is no legislative text that goes in this direction.
Region	Arab States

1.2 Survey results – Arab States Region

Mauritania

Question	Answer
Jurisdiction	Mauritania
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Retirement pension.

1.2 Survey results – Arab States Region

Mauritania

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Retirement age is 63. Full pension: 100% Proportional pension: depending on the number of years worked but exceeding 15 years. The pension cannot be less than 60% of the SMIG. The amount of the pension is increased by 50% if the insured person needs the assistance of a third person. When the insured reaches the age of 63, the disability pension is replaced by an old age pension of the same amount.

1.2 Survey results – Arab States Region

Mauritania

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	In general, they live thanks to their retirement pension but also through the help of their children or parents.
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	That is to say that the worker, once he reaches retirement age, benefits from a full pension (whether he is a state or private sector worker)
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	No, But he can perform services for which he can receive remuneration.
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A

1.2 Survey results – Arab States Region

Mauritania

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.2 Survey results – Arab States Region

Mauritania

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	During their activity, the worker makes contributions to the National Health Insurance Fund (CNAM). And thanks to this, even after his retirement, he has facilities for healthcare.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.2 Survey results – Arab States Region

Mauritania

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	None. But, after retirement, the older worker can sign a service contract in the company where he worked or even in another.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	We think that we can give them jobs by making them sign service contracts in their fields. They can also give lessons to other workers or children in schools on "How to prepare for life after retirement?". For workers who return to the countryside, they can indulge in market gardening and thus combine business with pleasure.
Region	Arab States

1.2 Survey results – Arab States Region

Morocco

Question	Answer
Jurisdiction	Morocco
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Pension rights

1.2 Survey results – Arab States Region

Morocco

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	60 years old Amount depend on the contributions paid
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	Retirement benefits, savings, family support

1.2 Survey results – Arab States Region

Morocco

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	Social security Private insurance companies generally subscribed for employees by big companies
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	60 years to be exceeded with a specific authorisation
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.2 Survey results – Arab States Region

Morocco

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.2 Survey results – Arab States Region

Morocco

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Social security
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	It depends on each person
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes - Specifics benefits, caregivers
Region	Arab States

1.2 Survey results – Arab States Region

Tunisia

Question	Answer
Jurisdiction	Tunisia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The percentage of "Older people" in Tunisia is around 11 % in relation to the total population. The percentage of "older people" who are actively working is between 25 & 30 %.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	These rights include: the right to a retirement pension which is guaranteed by law - the right to reimbursement or coverage via a public health insurance - special protection measures for older people in need (financial aids, medical support, etc).

1.2 Survey results – Arab States Region

Tunisia

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	▪ The normal retirement age: 60 years. ▪ Main conditions: Employment must cease. At least 120 months of contributions, ▪ Early retirement is allowed starting from 55 years with certain conditions (with at least 360 months of contributions), ▪ Pension amount: 40% of the insured's average monthly earnings in the 120 months before retirement plus 0.5% of average monthly earnings for every three months of contributions exceeding 120 months is paid.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	Older people mainly rely on their retirement benefit, which is guaranteed by law. However, for the middle class, the level of retirement pension is increasingly insufficient to meet their needs. There are some alternatives to help them improve their income, but these remain limited: financial aid from their families - post-retirement work in certain activities – government aid for the very low-pension categories, etc.

1.2 Survey results – Arab States Region

Tunisia

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	In the private sectors, there is a specific retirement system managed by the social security fund through a specific regime (contributions for this fund are mainly financed directly by the original employer through a social withholding on the salaries). In the public sector, the public retirement system (applicable only to public agents) is subject to a specific regime governed by a special law.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The normal age of retirement is 60 years in Tunisia. In the 2 main regimes (applicable to both public agents and private employees), when the retirement age is reached, the applicable regulations provide for an obligation to retire, except in cases where employer offers an extension option, which must be authorized in advance by the competent administration for social affairs.
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A

1.2 Survey results – Arab States Region

Tunisia

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.2 Survey results – Arab States Region

Tunisia

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	There is a common usage (not an express rule) pursuant to which any work must be adapted to the employee's capabilities, including its age and physical ability.
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	There is a public health coverage system which is paid by a public organism of health insurance (Caisse Nationale d'Assurance Maladie) through various coverage/reimbursement schemes. Scope of the coverage is subject to several rules and conditions detailed in the law on health insurance and its decrees of application.
Please explain how "older people" cope with healthcare.	The basic medical coverage is part of the retirement benefits. However, the access to certain specific healthcare services is becoming quite expensive (for such specific services, some retirees opt for a complementary health insurance from a private insurance company, but this is an expensive option at the moment).
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.2 Survey results – Arab States Region

Tunisia

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	The majority of retired people are opting to launch a personal project after retirement in order to optimize their revenues, given that the level of retirement pension remains low, as per the average standard of living in Tunisia.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The reform of the pension funding system remains an urgent issue in Tunisia today, as the level of most pensions is no longer in line with the high cost of living. Any measure that could help the public authorities to optimize the financial resources of pension funds will contribute to improve the living conditions of older people...
Region	Arab States

Asia & Pacific



1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Jurisdiction	Australia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Generally, older persons are those aged 65 and over. Older Indigenous Australians are those aged 50 and over to reflect the life expectancy gap between Indigenous and non-Indigenous Australians and the lower proportion of Indigenous people aged 65 and over. These measures are commonly used in government reports and research, as well as in eligibility standards for support programs provided to older people.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please list and give a simple description of these rights.	Some of the below information relates to programs that are currently in force, but subject to change. Employment rights Longer notice period for dismissal from employment Employees aged over 45 years old who have worked for their employer for at least two years are entitled to one extra week of notice of termination of employment (compared to the minimum standards for other employees as set out in the Fair Work Act 2009 (Cth)). Flexible working arrangements Employees who are 55 or older can request flexible working arrangements under the Fair Work Act 2009 (Cth) if they have worked for their employer for at least 12 months on a full-time or part-time basis. Workforce Australia Services Wage Subsidy See question 17 below. Skills Checkpoint for Older Workers Program The program provides older Australians with individualised guidance on how they can upskill or transition into new roles within their current industry or find pathways to a new career. This will be provided to up to 10,000 eligible older Australians per year. The Skills Checkpoint Program is available for Australian citizens or permanent residents aged 40 years or over, who are employed and at risk of becoming unemployed and entering the income support system or have become recently unemployed within the last 12 months and not referred to or registered with a Commonwealth funded employment services provider. Skills and Training Incentive See question 17 below. Social security rights Age Pension See question 7 below. Superannuation See question 7 below.

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please list and give a simple description of these rights.	Commonwealth Seniors Health Card This is a concession card to get cheaper health care and medicine under the Pharmaceutical Benefits Scheme (PBS) and some discounts if the applicant has reached the Age Pension age and satisfies other eligibility criteria (see question 25). Pensioner Concession Card This is a concession card to assist pensioners and other benefit recipients with certain living costs, by allowing access to specific goods and services at a concessional rate. All social security pensioners, including those who receive the Age Pension, will receive a Pensioner Concession Card. Some of the concessions they may receive include: medicines on the PBS at a concessional rate; bulk-billed GP appointments; reduced out-of-hospital medical expenses; free hearing assessments and hearing rehabilitation, including the supply and fitting of free hearing aids; low-cost maintenance of hearing aids and a regular supply of batteries; and discounts on certain services provided by Australia Post. Work Bonus The Australian Government allows some older people to keep more of their pension, even if they have income from work. Under the Work Bonus, the first \$300 of fortnightly income from work is not assessed as income under the pension income test. Any unused amount of the bonus will accumulate in a Work Bonus income bank, up to a maximum amount. The accumulated amount in the income bank can be offset against future income from work that would otherwise be assessable under the pension income test. Home support services Applicants can access government-funded home support services through the Commonwealth Home Support Programme or Home Care Package, depending on their care needs. Applicants must apply through My Aged Care for an assessment. The assessment will encompass an eligibility check to enquire about the applicant's health, how they manage at home and any current support the applicant is receiving. The Home Support Programme provides short-term, intermittent and ongoing services, and focuses on activities that support independence and social connectedness and take into account each applicant's individual goals and choices. The Programme includes: community and home support; assistance with care and housing and care relationships and carer support.

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please list and give a simple description of these rights.	Home Care Packages can include a mix of services, such as: help with household tasks; equipment (e.g., walking frames); minor home modifications; and personal care and clinical care, such as nursing, allied health and physiotherapy services. Aged care There are government funded and private aged care homes. Aged care homes provide accommodation, hotel-type services and care services. Residents will likely have to pay at least some costs, but the amount payable by residents is varied and depends on the home they chose and an assessment of income and assets. Australian Government-funded aged care homes receive subsidies to make care more affordable and are regulated by the Aged Care Quality and Safety Commission. Some aged care homes are not funded by the Australian Government, which may increase the costs of living in those homes. National Plan to Respond to the Abuse of Older Australians All governments in Australia agreed to develop a national plan to provide a framework for coordinated action over the next four years to respond to abuse of older people. The initiatives of the plan include enhancing understanding of the abuse of older people, improving community awareness and access to information, strengthening service responses, planning for future decision-making and strengthening safeguards for vulnerable older adults. Home Equity Access Scheme/Pension Loans Scheme The Scheme allows older Australians who meet the Age Pension age and residency requirements and who own real estate in Australia to supplement their retirement income by accessing the equity in their home through a Government loan. The Scheme allows the person (or their partner) to nominate to receive an amount of fortnightly pension plus a loan of up to 150% of the maximum fortnightly rate of Age Pension (including the pension and energy supplements, and Rent Assistance, where applicable).
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	There are two types of age discrimination: ▪ Direct discrimination – if the discriminator treats or proposes to treat another person less favourably than, in the circumstances that are the same or are not materially different, the discriminator treats or would treat a person of a different age, and the discriminator does so because of the age of the aggrieved person, a characteristic that appertains to their age, or a characteristic that is generally imputed to persons of their age. ▪ Indirect discrimination – the discriminator imposes, or proposes to impose, a condition, requirement or practice, the condition, requirement or practice is not reasonable in the circumstance, and the condition, requirement or practice has, or is likely to have, the effect of disadvantaging persons of the same age as the aggrieved person. Examples of age discrimination could include: ▪ Not employing certain people because they won't 'fit in' with other employees because of their age; ▪ Not employing younger workers because of assumptions that they will quickly move on to another job; ▪ Advertising a position for someone aged 'under 30' to join a 'dynamic, young team'; ▪ Making choices around redundancy, or forcing someone to retire, because of their age; or ▪ Harassing or bullying a person because of their age. The Australian Human Rights Commission addresses complaints in relation to alleged age discrimination.
Does your country have a retirement system for older people when they stop working?	Yes

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	1. Age Pension The System: The Age Pension provides income support for older Australians – it is a 'safety net' for most retirees. Eligibility: To be eligible for the Age Pension, a person must satisfy certain age and residency requirements. The Age Pension is also means tested based on income and assets. This may result in a person receiving the full pension, part pension or no pension. Pension payments are made fortnightly through Services Australia (an Australian government service that supports Australians needing financial assistance). Specifically, a person is eligible for the Age Pension if: ▪ They are 67 years old or older (for persons born on or after 1 January 1957. Persons born before this have already reached qualifying age.); ▪ They are an Australian resident and in Australia on the day they apply for the Age Pension; and ▪ They meet the income and assets test (below). Partial/Full Retirement Thresholds: The amount of Age Pension a person may receive depends on their income and assets. Income For a single person, the current income amount is: Income per fortnight Amount pension will reduce by Up to \$204 \$0 Over \$204 50 cents for each dollar over \$204 For a couple living together or apart due to ill health: Combined income per fortnight Amount combined pension will reduce by Up to \$360 \$0 Over \$360 50 cents for each dollar over \$360 Assets To qualify for a full Age Pension as a single person a person's assets must also be valued below \$301,750 if they own their own home, or \$543,750 if they don't own their own home.

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	A person can still be eligible for a part Age Pension if their assets are worth less than \$667,500 if they own their own home, or \$909,500 if they don't own their own home. For a couple to qualify for the full Age Pension, their combined assets must be below \$451,500 if they own their own home, or \$693,500 if they don't own their own home. Importantly, superannuation balances (described below) are counted towards income/asset amounts owned by a person. Retirement age and pension amount: The rates for a full Age Pension for Australian residents for the period 20 September 2023 to 19 March 2024 are listed below: Single: \$1,096.70 per fortnight (approximately \$28,514 per year) Couple (each): \$826.70 per fortnight (approximately \$21,494 per year) Couple (combined): \$1,653.40 per fortnight (approximately \$42,988 per year) Couples separated due to illness each receive the Single rate (see above), which combined is \$2,193.40 (approximately \$57,028 per year) (Above amounts are approximate and subject to change) 2. Compulsory Superannuation The System: The Superannuation Guarantee is the second pillar of the retirement income system. It is a contributory scheme by employees and employers, which involves compulsory, concessional savings for retirement through an employer-funded system. It is governed by legislation, but it is not run by the Government, rather through the private sector. The system operates by: ▪ Superannuation contributions are made by employers on behalf of their employees to each employee's complying superannuation fund or retirement saving account; and ▪ The superannuation guarantee prescribes the level of employer support (currently 11 per cent of an employee's earnings, capped at a maximum contribution base. This rate will increase to by 0.5% each year until reaching 12 per cent in 2025.).

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Eligibility: Under the superannuation guarantee, employers must pay superannuation contributions of 11% of an employee's ordinary time earnings when an employee is: - Over 18 years, or - Under 18 years and works over 30 hours a week. If eligible, the superannuation guarantee applies to all types of employees including full time employees, part time employees and casual employees. Certain independent contractors may also be captured. When can a person access their superannuation savings: A person normally can't access their superannuation until they reach their preservation age and retire. Preservation age is usually between 55 and 60, depending on birth year. For those born after 1 July 1964, the age is 60. Sometimes people can access their superannuation early in the case of hardship and/or compassionate grounds. If a person continues to work past their preservation age, they can access their super when they turn 65 (even if they are still working). 3. Voluntary savings There are no limits or rules around when a person can access voluntary private savings. However, if a person makes additional superannuation contributions (voluntary, beyond the contributions that their employer makes), then they will be able to access these funds at the same time they can access their regular superannuation. There are also limits on the amount of contributions that can be made at a concessional tax rate.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	In Australia, older people have a good economic outlook, bolstered by both the Age Pension guarantee, and/or superannuation savings. Australia does however have an ageing population, which places increasing strain on the government and taxpayers to support the Age Pension and aged care facilities. However, superannuation contributions are also rising – meaning more Australians will have access to more savings by the time they retire. There have been concerns raised in relation to the standard of care received by older people living in Aged Care, discussed further throughout this document.

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	See question 7. The Age Pension is the first pillar of the mixed system and is funded by the public/supported by the state from general taxpayer revenue – it is not related to previous earnings. The Superannuation Guarantee is the second pillar of the retirement income system. It is a contributory scheme, which involves compulsory, concessional tax savings for retirement through an employment based system. It is governed by legislation but implemented through the private sector. The third pillar is voluntary savings.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	A person can either work while receiving the Age Pension (subject to limits on income), or can work while having access to superannuation amounts (although the age of retirement may impact when those amounts can be accessed). A single person who is earning the Age Pension can work part time and earn up to \$204 AUD per fortnight without impacting any entitlements under the income test (with a couple being entitled to \$360 per fortnight). If a person earns more than this, they may still receive part of their Age Pension amount. This is called a 'Work Bonus'. The Work Bonus provides an incentive for pensioners over Age Pension age to work by allowing them to keep more of their pension when they have income from work. All pensioners over Age Pension age are eligible for the Work Bonus. Pensioners do not need to apply for the Work Bonus. If a person is a pensioner with income from work, they must keep Services Australia (Centrelink) informed of their income (which is required of Age Pension recipients anyway). Pensioners can report income from work by contacting Services Australia. This can be done in person at a Services Australia (Centrelink) office, by calling 13 2300 (including Voice Recognition), or via the internet (Services Australia).
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please give a simple description of such aids or benefits.	1. The Workforce Australia Services Wage Subsidy This is a financial incentive (up to \$10,000 including GST) to encourage businesses to hire and retain mature age employees who are 50 years and over. There is certain eligibility that must be fulfilled in order to access this incentive. The wage subsidies are for new and ongoing employment positions and can be for full-time, part-time, casual, traineeship or apprentice positions. The wage subsidy is not available if the business is already receiving government funding for the same position, and it cannot be for a family member. The position must also not be commission-based, self-employment or for a subcontractor. 2. Skills and Training Incentive The Skills and Training Incentive provides up to \$2,200 (including GST) to jointly fund training to help an employer's mature aged employees who are 40 years and over build skills to remain in the workforce longer. The individual or their employer must also make a co-contribution. To be eligible, employees must also be currently employed and at risk of entering the income support system, OR recently unemployed (within 12 months) and not referred to or registered with a Commonwealth funded employment services provider such as Workforce Australia or Disability Employment Services. Individuals must have completed a Skills Checkpoint assessment that identified training linked to their current industry, a future job opportunity or an occupation in national shortage or an occupation with strong or moderate future demand on the National Skills Commission's Skills Priority List.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Discrimination on the basis of age is unlawful. See question 5.

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	While there are certain training incentives in place (for example, the Skills and Training Incentive referred to throughout this document), there is no positive legal right to training. However, employers are prohibited from denying or limiting access to training on the basis of age. In Australia, older people do not have the right to training so they can adapt to new circumstances existing in job markets (whether offered by their employer or public institutions). Employees have no positive right to receive training but employers are prohibited from denying or limiting access to training. Australian Federal and State/Territory legislation provides that it is "unlawful for an employer to discriminate against an employee on the ground of the employee's age by denying the employee access, or limiting the employee's access, to opportunities for training" (for example, see Age Discrimination Act 2004 (Cth), s 18(2)). No training as of right is offered by public institutions. However, it may be noted that at the Federal level, institutions that provide authorisations or qualifications needed for carrying on an occupation, profession or trade may be prevented from discriminating on the ground of age in the conferring, extending or withdrawing of an authorisation or qualification, and in their terms or conditions of grant (Age Discrimination Act 2004 (Cth), s 22). Where an employee's position is made redundant and the person is dismissed, the dismissal will not be a case of genuine redundancy if it would have been "reasonable in all the circumstances" for the person to be redeployed (Fair Work Act 2009 (Cth), s 389). Australian Courts and Tribunals have held that a factor to consider in determining this reasonableness is whether an alternative job would be suitable with a reasonable period of retraining (see for example, <i>Ulan Coal Mines Ltd v Honeysett</i>; <i>Murray v Ulan Coal Mines Ltd</i> [2010] FWA 7578; (2010) 199 IR 363, [34]).

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	There may be an obligation in Australia to make reasonable adjustments to adapt the job to the age of the employee, if the employee's age gives rise to a disability that makes it more difficult for them to perform the inherent requirements of their role. While discrimination in employment is generally prohibited, such discrimination will not be unlawful where a person is unable to carry out the inherent requirements of the particular position or employment because of their age (see for example Age Discrimination Act 2004 (Cth), s 18(4)). However, under Australian disability discrimination legislation (such as the Disability Discrimination Act 1992 (Cth), employers are required to make "reasonable adjustments". These are changes made to features of a disabled persons work situation to reduce barriers they face. Reasonable adjustments are not required where they would impose unjustifiable hardship on the employer. Example: An employer obtained a larger computer screen and zooming software to allow a clerical worker with vision impairment to perform word processing tasks. An older employee with a vision impairment is still able to perform the inherent requirements of the role with a reasonable adjustment.
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Extent of coverage There is public health coverage for older people in Australia under Medicare and Australian Government Aged Care programs.

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Medicare Medicare is Australia's universal health insurance scheme. Medicare is operated by Services Australia, on behalf of the Australian Government. Eligibility is largely limited to Australian or New Zealand citizens and Australian permanent residents (with some other exceptions). Non-citizens or non-permanent residents are generally responsible in Australia for all costs associated with hospital, medical or para-medical healthcare. Medicare subsidises a large number of health services and products for all Australians, including older people. Medicare provides access to a wide range of health and hospital services at low or no cost. Medicare subsidies include services such as emergency care, surgeries, medicine provided in hospital, follow up care, consultations, mental health services, health checks, diagnostic imaging, pathology tests, and eye tests (among others). There are also several other programs which provide free or subsidised medical services for specific ailments. Aged Care The Australian Government also subsidises aged care services, which provides health coverage specifically for older individuals in Australia under the Aged Care Act 1997 (Cth). Non-Australian residents are not necessarily excluded from aged care entitlements. Non-Australian residents may be eligible for Government assistance with aged care costs if approved by the Aged Care Assessment Team (ACAT) and assessed by Services Australia in respect of their income or means. Individuals must apply to receive government subsidised aged care. In order to qualify for specific aged care in Australia, individuals must meet certain needs requirements, and be 65 years or older (or 50 years or older for Aboriginal or Torres Strait Islander people). Exceptions exist for low income or homeless individuals. Following the initial screening, individuals will be directed to further assessment to determine the level of care required. There are 3 mainstream types of care, being: 1. Residential aged care: permanent or respite accommodation at a specialist facility. 2. Home support: entry level support for individuals and their carers. 3. Home care: higher levels of care services for people in their own homes, beyond the home support provisions.

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	There are also other types of flexible care which cover all of the above types of care, including Transition Care, National Aboriginal and Torres Strait Islander Flexible Aged Care, and Veteran Home Care. The Commonwealth Home Support Program (CHSP) is another care program. The CHSP does not have any exclusion from services based on citizenship, residency status or eligibility for Medicare support. Payment of Coverage Depending on the program, public health coverage is paid for, or subsidised by, the taxpayer or Australian Government. Medicare Medicare coverage is paid for by the taxpayer. Some medical services are fully subsidised by Medicare, whilst others have a co-payment fee. The amount of this co-payment fee varies, and is reduced if an individual is eligible for a Commonwealth Seniors Health Card. To be eligible for a Commonwealth Seniors Health Card, an individual must: 1. Have reached Age Pension age; 2. Be an Australian citizen or permanent resident and live in Australia or hold a Special Category Visa and live in Australia; 3. Be unable to get a payment from us or the Department of Veterans' Affairs; and 4. Meet the income test. Aged Care Depending on the circumstances of the individual, aged care is paid for or subsidised by the Australian Government, through the My Aged Care program. There are different subsidies for the different types of care available, including residential care and home care. Coverage is determined by the type of care and individual's income and assets. The government pays a subsidy to approved providers of care, and the value of the subsidy is dependent on a variety of factors, including finances and Australian National Aged Care Classification (AN-ACC).

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
Please explain how "older people" cope with healthcare.	See above
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	There are also government initiatives which may be accessed by older people who are considering returning to work (subject to superannuation implications.). For example: ▪ The Australian Department of Education, Skills and Employment provides a Skills Checkpoint for Older Workers Program (the Skills Checkpoint Program) which provides up to 10,000 eligible older Australians per year with advice and guidance to help them transition into new roles or find pathways to a new career. It is not limited to older people who are no longer working – it applies to Australians over 40 years of age at risk of being unemployed or recently unemployed. ▪ Where a Skills Checkpoint assessment identifies training opportunities, the Department of Education, Skills and Employment also provides a Skills and Training Incentive to help mature age Australians to build, and obtain new skills, and keep working longer. The Incentive provides up to \$2,200 to fund training to help individuals build skills to remain in the workforce longer. The individual or their employer must also make a co-contribution. ▪ There are otherwise community initiatives and other opportunities through various organisation which allow older people to remain engaged in society. For example older people get involved in: ▪ Community volunteer work and involvement; ▪ Unpaid caring work; or ▪ Participation in community clubs and organisations.

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	When older Australians retire, there are a number of options available to them to do in retirement: ▪ Volunteering; ▪ Informal help given outside the household; ▪ Solitary or sociable self-development activities; ▪ Exploring a passion, hobby or interest; ▪ Personal time and time for friends; ▪ Relocating or extended travel plans; ▪ Getting more active; ▪ Enrolling in classes and courses, for example: ▪ The Tech-Savvy Seniors Program at Telstra Australia (an Australian Telecommunication company) provides free courses online and at participating public libraries in NSW. Courses are designed to help participants better use the internet, email and social media. ▪ BeConnected is an Australian Government program with a range of free courses and hobbies to help improve online skills. ▪ The University of the Third Age is a member organisation for active retirees who share knowledge and experience through a variety of courses. It operates in 7 regions across the wider Sydney metropolitan area and throughout regional NSW. Course presenters are volunteers who share the knowledge of their profession or interests.

1.3 Survey results – Asia & Pacific

Australia

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	▪ Taking up new work (subject to superannuation and pension considerations), including: ▪ Semi or regular part-time hours; ▪ A freelance consultancy based on past experience; ▪ Be at call (like special event roles); ▪ Temp, agency or seasonal work; or ▪ Casual or shift work. The motivations behind the range of social plans and prospects are diverse, but include: ▪ Greater social connections and staying socially connected; ▪ The chance to try something new or to rediscover a long-lost passion or hobby; ▪ The chance to pass on existing skills or be introduced to new ideas and skills; ▪ Improved health and wellbeing, maintain good health and staying mentally fit; and ▪ Making new friends and contacts.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	▪ Invest in public awareness campaigns and associated programs which focus on the rights of older people and address negative stereotypes of ageing. ▪ Encourage co-contribution into superannuation. ▪ Improvement in the standard of care provided by aged care providers. ▪ Lift in the Aged Pension amount.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Azerbaijan

Question	Answer
Jurisdiction	Azerbaijan
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	25%
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Pension. No other rights.

1.3 Survey results – Asia & Pacific

Azerbaijan

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	There is a general equality right established by the Constitution and the crime in the Criminal Code for violation of such right. No specific descriptions and case practice though.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	65 years old. Minimum pension amount is AZN 350.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.3 Survey results – Asia & Pacific

Azerbaijan

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	People pay mandatory social security contributions from their income as they work. If they do not accumulate enough funds or have less tenure of social contribution payments, the state would pay the minimum pension.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	In public secondary schools and civil service - when people reach 65, they are forced to retire.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	They just do this as normal. It normally does not impact their pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	People over 50 are usually discriminated and terminated, although it is illegal.

1.3 Survey results – Asia & Pacific

Azerbaijan

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.3 Survey results – Asia & Pacific

Azerbaijan

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Retired people get free mandatory health insurance paid by the state.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Nothing.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	For sure. Older people stop living after retiring. State should encourage their employment and social activities.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Cambodia

Question	Answer
Jurisdiction	Cambodia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	At the age of 60 years old, an employee who has registered with the National Social Security Fund ("NSSF") and fulfilled all conditions and requirement provided under the NSSF schemes is entitled to pension benefits. Please note the pension scheme has been implemented since July 2022, although the contribution payment commenced from October 2022.

1.3 Survey results – Asia & Pacific

Cambodia

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There is no retirement age provided under applicable laws for private sectors in Cambodia. Under the Law on Social Security dated 2 November 2019 ("Law on Social Security"), the NSSF members (an employee who has registered with the NSSF and fulfilled all conditions required) are entitled to pension benefits at the age of 60. After issuance of the Law on Social Security, the government issued Sub-Decree 32 on the Social Security Scheme for Pension Fund for Persons under the Scope of the Labour Law dated 4 March 2021 ("Sub-Decree 32"), aiming to implement the pension scheme and determine (among others) the mechanisms, conditions and procedures on registration, contributions and benefits under the pension scheme. Under Sub-Decree 32, a business that employs one or more employees must register with the NSSF for the pension scheme within 30 days after the sub-decree becomes effective. If the business is already registered for the health care scheme and occupational risk scheme, it must register employees with the pension scheme within three days from the date of the employee's commencement of employment.

1.3 Survey results – Asia & Pacific

Cambodia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Contribution to the compulsory pension scheme will be jointly paid by the employer and the employee at the same rate of 2% (total of 4%) of the contributable wage for the first five years. The contributable wage for pension scheme ranging from KHR 400,000 (approximately of USD 100) to KHR 1,200,000 (approximately of USD 300). As such, a monthly contribution equivalent to 4% of employee's contributable wage (2% paid by the employee and 2% paid by the employer) for the first five years ranges from USD 4 to USD 12 per month per employee. The contribution rate will be increased after 5 years from the contribution date (i.e., 01 October 2022).
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system.
Please provide an explanation of the mixed system applicable to your country	Please refer to our earlier responses regarding joint contribution to pension scheme. While the contribution is made by the employers and employees, the scheme is administered by the NSSF.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.3 Survey results – Asia & Pacific

Cambodia

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	For the compulsory pension scheme, employees are entitled to the old-age pension with the conditions below: a. Be registered under the pension scheme; b. Be at least 60 years' of age; and c. Have made contributions to the pension fund for at least 12 months. While the relevant regulations clarifies that the employee meeting the above conditions can request to receive the old-age pension, it does not clarify as to whether the employee and employer are still subject to contribution payment. Based on our informal liaison with the NSSF, the employee does not have to contribute to the pension scheme after requesting to receive the old-age pension. Please note that this confirmation may be subject to change given the implementation of the pension scheme has just begun in 2022 and the lack clarity under the relevant regulations.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A

1.3 Survey results – Asia & Pacific

Cambodia

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No

1.3 Survey results – Asia & Pacific

Cambodia

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	If older people are not an employee of a company and are not registered with the NSSF to be entitled to certain benefits under healthcare scheme, they are not entitled to healthcare benefits provided by the NSSF. Therefore, accessing to any healthcare by older people will be at their own expense or by support from their children.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	There is no social plan arranged for older people. It varies from one family to another. It is common that when older people stop working, they may stay at home looking after their grandchildren, gardening, and engaging in general household work, attending the weekly traditional blessing ceremony in the pagoda/any related religion events.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	No comment. Cambodia may need to learn from other countries' systems.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

China

Question	Answer
Jurisdiction	China
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	People older than 60 years old accounts for more than 20% of total China population; people older than 65 years old accounts for more than 14% of total population. People who are older than 60 years old and are still actively working accounts for less than 1% of the total population according to our observation.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

China

Question	Answer
Please list and give a simple description of these rights.	Employees (either of companies or institutions) and certain self-employed individuals can participate in social security schemes, and when they retire (after 60 years old for male and 55 years old for female) they can request a pension from the social security system. The social security system also includes a basic medical insurance scheme which will pay for certain medical costs of the retired people. People living in rural areas or those who have no employment can participate in a resident basic pension and medical insurance scheme, which provides similar but lower level of pension and medical cost reimbursement to these people when they are older than 60.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.3 Survey results – Asia & Pacific

China

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Employees are eligible for retirement and pension. Both the employer and the employee need to contribute to the social pension insurance scheme for no less than 15 years. After the retirement age (60 years old for male employees, 50 years old for female employees in ordinary jobs and 55 years old for employees in managerial jobs) they can request a pension from the social security. The pension insurance schemes are run on a province-basis, so the level/amount of pension varies by province. In a city where people earn higher salary such as Beijing or Shanghai, the monthly amount of pension could be in the range of RMB 5,000 (USD 680) - RMB 15,000 (USD 2,050), depending on the individual's monthly contribution amount and years of contribution to pension insurance scheme when the individual was in employment. People who had no employment may enrol into a citizen basic pension insurance, which can provide a few hundred RMB/month (RMB 100 is approx. equivalent to USD 13) to them as pension/living support when they are over 60
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state.
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	Yes

1.3 Survey results – Asia & Pacific

China

Question	Answer
Please provide a simple description of the obligation and its practical implications.	Male employees who are over 60 years old can be forced to retire if the employer does not want to continue the employment; the retirement can be deferred if both the employer and the employee agree to this, and a filing is made with the local social security authority. Female employees in ordinary job positions who are over 50 years old and those who are in managerial positions who are 55 years old can be forced to retire; the retirement can also be deferred same as above.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Individuals who already retired and are receiving a pension from the social security system can be hired back by employers under the so-called "labour services' contract", which is not an employment contract, governed by civil law instead of employment law; they are not entitled to the labour entitlements/protections provided by employment law to ordinary employees.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.3 Survey results – Asia & Pacific

China

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Actually this is not a special right for older people, but a general training right for any active employees, regardless of their age.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.3 Survey results – Asia & Pacific

China

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Employees are required to participate in the social basic medical insurance scheme. Both employer and employee are required to make contributions on monthly basis to this scheme. After the employees retire, the social security system will pay for the majority of their medical expenses
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	The state provides certain benefits to older people. For instance they can take city public transportation and go to public parks for free. The state also encourages social institutions such as museums, hospitals to provide more convenience to older people
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	With the ageing degree of population getting higher, we think China should roll out measures to encourage people to enrol in supplemental pension insurance in addition to the social basic pension insurance to maintain the older people's pension level after retirement. Also, employment laws should be modified or supplemented to protect the employment rights of older people who continue working after the retirement age.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

India

Question	Answer
Jurisdiction	India
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The term "older people" is not specifically defined under Indian employment laws. However, the Income Tax Act of 1961 defines a "senior citizen" as a resident Indian who is of the age of 60 years old and above, and a "super senior citizen" as a resident Indian who is of the age of 80 years old and above, at any time during the respective financial year. As per the government's last official population census of 2011, in India, the population aged 60 years old and above comprised 8.6% of the total population. Further, 66% of elderly men and 28% of elderly women in rural areas participate in economic activity in the capacity of main (i.e., those who had worked for the major part of the year, for instance, more than 6 months) or marginal worker (i.e., those who had not worked for the major part of the year, for instance, less than 6 months). In urban areas however it was only 46% among elderly men and about 11% of elderly women who were economically active.
Are there any employment or social security rights in your country for people who reach a certain age?	No

1.3 Survey results – Asia & Pacific

India

Question	Answer
Please list and give a simple description of these rights.	N/A
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.3 Survey results – Asia & Pacific

India

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There is no mandatory retirement system in India, except for certain government employees. Such government employees retire at the age prescribed under their service rules. The retirement age prescribed for these government employees may vary based on the sector of service, and typically ranges between 58 years old to 65 years old. There is no mandatory retirement system prescribed for employees of private employers and their duration of employment is regulated contractually. However, employees in India are eligible to social security benefits in the form of pension under the Employees' Provident Funds and Miscellaneous Provisions Act of 1952 ("EPF Act"). Under the EPF Act, the employer and employee are required to make contributions to a statutory retirement fund at the prescribed rate of 12% of the basic wages, dearness allowance and retaining allowance. Only employees who are earning less than INR 15,000 (USD 180) per month or who are already existing members of the statutory fund are eligible to benefits of the fund. The employees are allowed to withdraw accumulated amount in their provident fund account once they reach 55 years old. Further, partial withdrawal is allowed once employees reach 54 years old and such partial withdrawal should be before one year of retirement or the retirement age prescribed under the EPF Act (i.e., 55 years old).
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system.
Please provide an explanation of the mixed system applicable to your country	Under the EPF Act, the employer and employee are required to make contributions to a statutory retirement fund at the prescribed rate of 12% of the basic wages, dearness allowance and retaining allowance.
Can an employee in your country be forced to retire at a certain age?	No

1.3 Survey results – Asia & Pacific

India

Question	Answer
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	As stated, there is no mandatory retirement system prescribed for employees of private employers and their duration of employment is regulated contractually. The employees are entitled to continue to receive provident fund benefits even after they reach 55 years old, i.e., the age where they are entitled to withdraw the accumulated amount in their provident fund account. Government employees retire as per their specified retirement age. However, government employees retire at the prescribed age and receive their accumulated pension benefits at such time.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.3 Survey results – Asia & Pacific

India

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.3 Survey results – Asia & Pacific

India

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	There is no statutorily prescribed mandatory health coverage for old age people in India. However, the government has launched certain state sponsored health schemes/policies to address various health related problems of elderly people. The objective of these schemes/policies is to provide dedicated health care facilities to the senior citizens at various level of primary, secondary and tertiary health care, at government health facilities.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	There is no statutory obligation under Indian employment laws to provide post retirements job-prospects/social engagement prospects to retiring old employees. This said, the Maintenance and Welfare of Parents and Senior Citizen's Act, 2007, enables senior citizens to, inter alia, claim prescribed maintenance allowance from their children. Additionally, that legislation also prescribe for establishment and management of old age homes by the State Government and make provision for geriatric beds and wards in Government hospitals.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Depending on the requirement, private policies and schemes may be implemented.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Indonesia

Question	Answer
Jurisdiction	Indonesia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	A person who has reached 60 years old and above. In 2020, older people represent about 10.7% of Indonesia's total population, and in 2021, around 49.46% of older people are actively working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Indonesia

Question	Answer
Please list and give a simple description of these rights.	In Indonesia, everybody (including foreigners working in Indonesia for at least 6 months) must be enrolled in the social security program that is administered by the relevant Social Security Organizing Agency (<i>Badan Penyelenggaraan Jaminan Sosial</i> or "BPJS"). There are 2 BPJS agencies: ▪ "BPJS Manpower" which administers the Occupational Accident Security (JKK), Death Security (JKM), Old Age Security (JHT), Pension Security (JP) and Job Loss Security (JKP) Programs; and ▪ "BPJS Health" which administers the Health Security Program. Note, for employees, BPJS Manpower and BPJS Health premium/contributions to the relevant programs are calculated based on a certain percentage of the employee's salary. In relation to BPJS Health, non-contributing members are not required to pay any premiums or contributions. Instead, the government will pay the contributions.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.3 Survey results – Asia & Pacific

Indonesia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	In relation to retirement benefits, as mentioned above, BPJS Manpower administers two programs i.e., JHT and JP programs that provide certain benefits that can be drawn down, among other things, upon retirement or reaching the applicable retirement age. The current retirement age applicable for JP program as of 1 January 2022 is 58 years old. Afterwards, every 3 years the retirement age will increase by 1 year until it becomes 65 years old. The retirement age applicable for JHT program is 56 years old or any retirement age set out in the employment agreement, company regulations or the collective labour agreement. Both the applicable retirement ages above is essential to determine when the participants can withdraw the relevant benefits in respect of their retirement. Please see below information on the contributions for both JHT and JP programs for participants who are employees of private companies. JHT The contribution is 5.7% of the employee's monthly salary. 3.7% of this contribution is paid by the employer and 2% is paid by the employee (deducted from employee's salary but paid by the employer to BPJS Manpower). JP The contribution is 3% of the employee's monthly salary. 2% of this contribution is paid by the employer and 1% is paid by the employee (deducted from the employee's salary but paid by the employer to BPJS Manpower).
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system

1.3 Survey results – Asia & Pacific

Indonesia

Question	Answer
Please provide an explanation of the mixed system applicable to your country	BPJS Manpower and BPJS Health programs are mandatory for everyone. A person can also join a pension fund from an insurance company or privately managed by a group of companies.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	Employers can terminate an employee due to reaching the applicable retirement age. The Labour law does not specifically set out a retirement age. It simply sets out that the retirement age is set out in the employment agreement, company regulations or collective labour agreement. Given the current applicable retirement age for pension security (i.e., JP) program is 58 years old, in practice, it is now quite common to choose 58 years old as the applicable retirement age. However, employers can choose any other age as a retirement age. Note, to ensure that employers will be able to terminate an employee due to reaching the applicable retirement age, this should be specifically set out in the employment agreement, company regulations or collective labour agreement.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	A retired employee can be rehired or hired by a company under a fixed-term employment contract. Note, a fixed-term contract can only be implemented for work that is temporary in nature. As such, if the employee is rehired on a fixed-term basis after retirement, the employer should reflect in the contract that the work that will be performed by the employee is temporary in nature. In this situation, there is always a risk that the employee could be deemed as a permanent employee. If the employee has successfully claimed an old age benefit under the pension security (i.e., JP) program administered by BPJS Manpower, the employee can receive the relevant benefit while he/she is working as a fixed term employee.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.3 Survey results – Asia & Pacific

Indonesia

Question	Answer
Please explain your answer	One of the legal reason for termination is reaching the applicable retirement age. Employers can lawfully terminate an employee due to reaching the applicable retirement age. As mentioned above, the Labour law does not specifically set out a retirement age for the purpose of determining whether the employer can terminate an employee for retirement. It simply sets out that the retirement age is set out in the employment agreement, company regulations or collective labour agreement. As such, to figure out what is the applicable retirement age, those documents need to be checked.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.3 Survey results – Asia & Pacific

Indonesia

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	As mentioned above, any individuals (including foreigners who have worked at least 6 months in Indonesia) must be registered in health security program administered by BPJS Health. Employers must enrol their employees in this health security program. The applicable BPJS Health contributions for employees of private businesses is 5% of the employee's monthly salary. 4% of this contribution is paid by the employer and 1% is paid by the employee (deducted from the employee's salary to be paid by the employer to BPJS Health). The maximum wage limit to calculate the monthly contribution is IDR 12,000,000 (approx. USD 765). The medical care covered under the health security program will be borne by BPJS Health itself (not the employer). Employers only need to ensure that they have paid the required contributions to BPJS Health.
Please explain how "older people" cope with healthcare.	N/A

1.3 Survey results – Asia & Pacific

Indonesia

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	N/A
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Increase the mandatory old age fund. Government should give some tax reductions for children who are supporting their parents.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Japan

Question	Answer
Jurisdiction	Japan
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Under the Act on Stabilization of Employment for Elderly, it has become mandatory for employers to take measures to secure employment opportunities for the elderly up to the age of 65 years old. There are three measures to secure employment opportunities for the elderly: (i) raising the retirement age; (ii) introducing a continuous employment system; and (iii) abolishing the retirement age.

1.3 Survey results – Asia & Pacific

Japan

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	No (only companies' discretionary retirement systems that they would be willing to offer to its employees, i.e., private retirement systems).
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There is no statutory retirement system in Japan. However, historically, quite a few companies set the retirement age at 60 years old, and secure employment opportunities until the age of 65 years old, in accordance with the Act on Stabilization of Employment for Elderly.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.3 Survey results – Asia & Pacific

Japan

Question	Answer
How does the pension system for older people work in your country?	N/A
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	As there is no binding statute regarding mandatory retirement age, employers are generally fine to let employees work regardless of the entitlement of any potential welfare public allowance and/or corporate private pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.3 Survey results – Asia & Pacific

Japan

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	The national government introduces some of the subsidy grant systems mainly in relation to the employment of elderly up to the age of 65 years old as follows: (i) subsidy program for employers who have promoted continuous employment beyond the age of 65 years old by raising the retirement age to 65 years old or above, abolishing the mandatory retirement age, or introducing a system of continuous employment beyond the age of 66 years old; (ii) subsidy program for employers who have implemented measures to improve employment management systems for older employees; or (iii) subsidy program for business that convert fixed-term employees who are (a) 50 years of age or older and (b) under the mandatory retirement age into permanent employees. The subsidy provided to companies that have introduced the above measures has its characteristic of lump-sum payments. In relation to the above measure (i), the amount offered to the company depends on what subsidy program the company has introduced. Namely, the amount depends on whether the company has introduced each of the following measures: (a) extension of the retirement age to 65 years old or above; (b) abolishment of the retirement age; (c) introduction of continuous employment system for those aged 66 or over; (d) introduction of continuous employment system by another company. The amount also differs depending on the number of applicable employees (excluding fixed-term employees) at the time of application. The range of amount will vary JPY 150,000 to 1.6 million (USD 995 to 10,615). In addition, in relation to the above measure (ii), a certain percentage (60% for small or medium sized enterprises (SMEs), and 45% for non-SMEs) of the costs required to introduce the system (commissioning costs for experts and/or system/software installation costs) is paid, and in relation to the above measure (iii), fixed amounts (JPY 480,000 – USD 3,200 – for SMEs and JPY 380,000 – USD 2,520 – for non-SMEs) are paid to the company per employee who is eligible for the coverage.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.3 Survey results – Asia & Pacific

Japan

Question	Answer
Please provide a simple description on the limitations or disincentives	According to the Act on stabilization of employment of elderly, employers are required to secure employment of the elderly up to the age of 65 years old. While employers are obliged to secure employment of elderly up to the age of 65 years old, employers just need to make efforts to continue hiring employees from the age of 65 to 70 years old. Namely, there is no legal obligation for employers to hire employees after the age of 65 years old, so it is currently left to the discretion of each company in such respect.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.3 Survey results – Asia & Pacific

Japan

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	The medical care system for the elderly consists of two parts: the "medical care system for the elderly in the first term" for those aged 65 to 74 years old, and the "medical care system for the elderly in the latter term" for those aged 75 years old and over or those aged 65 years old and over who are certified as having certain disabilities such as being bedridden. The former is not independent from the system for the working-age generation, but rather insurance benefits are provided as before by the insurance association to which they are currently enrolled. It is a partial coverage. For the elderly in the first term, the medical fee which the elderly needs to incur is as follows: (a) elderly aged 65-69: 30%; and (b) elderly aged 70-74: 20%. The latter is a medical care system specifically for the elderly in which patients pay 10-30% of the total cost depending on their income situation, and the remainder is covered by the insurance premiums of such latter-stage elderly, support funds from the working-age generation, and also public funds.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.3 Survey results – Asia & Pacific

Japan

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	We think there are no specific prospects or social plans that "older people" normally have when they stop working in our country.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Under the Act on Stabilization of Employment of Elderly Persons, employers are required to make efforts to secure employment of elderly up to the age of 70 years old. Going forward, however, it may be required for employers to secure employment of the elderly until the age of 70 years old or much longer.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Kazakhstan

Question	Answer
Jurisdiction	Kazakhstan
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	There is no legal definition. However, in general "older people" refer to people who reached pension ages (63 years old for men, 61 years old for women). As of the beginning of 2023 there are 2,244,576 people in Kazakhstan who fall under this category. This is around 11.3% of the entire population of Kazakhstan (19,766,807). There is no publicly available information on how many of these people actively work.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	People who reached pension age are entitled to a pension payable from the State's Pension Fund (SPF).

1.3 Survey results – Asia & Pacific

Kazakhstan

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	During the active work a person should transfer 10% of their monthly income to the SPF (personally or through the employer). When a person reaches a pension age (63 years old for men, 61 years old for women) such person becomes entitled to monthly pension payments to be paid by the SPF. The payments consist of base pension paid by the State from its own funds, and variable part that depends on collected pension contributions. The base pension depends on the time of employment and varies between KZT 16,000 and KZT 30,000 (USD 30 and USD 60 approximately). The variable part depends on the amount of the contributions.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.3 Survey results – Asia & Pacific

Kazakhstan

Question	Answer
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	There is no limitation to work after reaching the pension age. Working does not affect eligibility to the pension or the pension amount.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.3 Survey results – Asia & Pacific

Kazakhstan

Question	Answer
Please explain your answer	i. The employer may terminate the employee who reached pension age by serving a simple notice one month in advance. ii. The employees' consent is not necessary to conduct the termination. iii. The employee must be paid a compensation in this case. The amount of the compensation is to be defined by the employment agreement or collective agreement, or by the discretion of the employer if the employment agreement or collective agreement are silent on the compensation amount.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.3 Survey results – Asia & Pacific

Kazakhstan

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	There is a state funded program for free of charge medical assistance. This program covers all categories of Kazakhstani citizens. So, it covers "older people", although it is not specifically aimed on this category. The program includes primary medical and sanitary assistance; consultative and diagnostic assistance for socially significant diseases, infectious diseases and diseases that pose a danger to others, according to the specific list.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.3 Survey results – Asia & Pacific

Kazakhstan

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	There are no specific social plans for older people.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Increasing the base salary that is paid by the state will be effective measure to support older people.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Kyrgyzstan

Question	Answer
Jurisdiction	Kyrgyzstan
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Statistics year 2022: 5.4% of older people in relation to total population and 30% of older people who are actively working
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	▪ Social guarantees; ▪ Pensions and social benefits (in the absence of the right to pension provision); ▪ Home service; ▪ Services in inpatient institutions; ▪ All types of rehabilitation.

1.3 Survey results – Asia & Pacific

Kyrgyzstan

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Discrimination due to the age is directly prohibited by the Labor Law of Kyrgyzstan. Any action related to the discrimination could be appealed to the court. We are not aware on examples of cases of age discrimination in the country but we believe that such cases exist.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The Kyrgyz pensions are regulated by the Law On State Pension Social Security No.57 dated 21 of July1997. According to this Law the following categories of pensions are possible: a) by age; b) due to disability; c) in case of loss of breadwinner. The pension by age are possible for men from 63 years old and for women from 58 years old. Some people have the right for preferential terms of pensions. This is a person who has worked on works with hard or hazardous terms of job. The individuals from this categories could obtain the right for pension from age 53 for men and 48 for women. The pension consists of 3 parts: 1) Basic part; 2) Secured part; 3) cumulative part. Basic part is a part which is guaranteed by the state if the individual has worked for a certain period of time (25 years for man and 20 years for women). The amount of Basic part is established by the decisions of the Government and as of now equal to 3170 KGS per month (about 35 USD).

1.3 Survey results – Asia & Pacific

Kyrgyzstan

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Secured part is a part based on work experience. This part is calculated on the basis of work experience (i.e., period of time worked during life) and average monthly salary for individuals until 1998. The cumulative part is a part calculated from the social contributions that the employees and the employers made during working life.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state.
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.3 Survey results – Asia & Pacific

Kyrgyzstan

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Individuals can retire at the statutory retirement age (i.e., 63 for men and 58 for women) while they continue working, receive their full retirement pension but also their corresponding salary (with no reductions) for the work they perform. If the individuals apply for a new job, these rules only apply for a maximum period of 5 years.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No

1.3 Survey results – Asia & Pacific

Kyrgyzstan

Question	Answer
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.3 Survey results – Asia & Pacific

Kyrgyzstan

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	The coverage is paid by the Government Agent - Fund of Obligatory Medical Insurance. The state program coverage of medical service consists of discounts, emergency medical service without any charge, some laboratory expertise, treatment, providing the medicines which are included to the list of important medicines for free in case of urgency or within the stationary, providing anti-rabies help, providing the free medicines in case of diabetes, haemophilia, tuberculosis and other heavy diseases.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	The older people has the right for pension and medical help which shall be paid by the Government.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	We believe that medical assistance shall be improved and Government shall aim to cover the medical expenses in full.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Micronesia

Question	Answer
Jurisdiction	Micronesia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Qualified beneficiaries are entitled to begin receiving partial social security benefits at age 60 with no offset of earnings from continued employment. At age 65, qualified beneficiaries begin receiving 100% of their social security benefits if they stop working. However, if they remain employed beyond age 65, they receive 100% of their social security benefits but applying a reduction of one dollar for every two dollars earned.

1.3 Survey results – Asia & Pacific

Micronesia

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The Federated States of Micronesia ("FSM") has a social security system that mirrors the one used in the United States for the most part. It provides benefits for qualified taxpayers who have paid into the system for at least ten years. At age 60, eligible beneficiaries begin receiving 50% of the monthly amount they will receive at age 65, but with no deductions for continuing to work. At age 65 they will receive 100% of their monthly benefits but will see those payments reduced by an earnings test if they continue working (i.e., reduction of one dollar every two dollars earned). The monthly benefit amount is based on a formula calculated as a percentage of the amount the employee paid into the system during qualified employment.

1.3 Survey results – Asia & Pacific

Micronesia

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	Only those who work for some public employment institutions such as federal, state or local governments
Please provide a simple description of the obligation and its practical implications.	Some public employment imposes a mandatory retirement age of 60 or 65 years old. No restrictions apply to private employment.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	At age 60 eligible beneficiaries receive 50% of their total benefit with no deductions from that amount regardless of continued employment or earnings. People choosing to continue working beyond age 65 will have their monthly benefit reduced by one dollar for every two dollars earned.

1.3 Survey results – Asia & Pacific

Micronesia

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.3 Survey results – Asia & Pacific

Micronesia

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Basic medical care is funded by the government. Individuals who are enrolled in the "national government run medical insurance program" (which is voluntary for them) while employed may continue to pay insurance premiums in which case they will also be eligible for off island medical treatment in qualifying circumstances. If they do not continue paying the insurance premiums, they will be only covered in case they have a private medical insurance.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No

1.3 Survey results – Asia & Pacific

Micronesia

Question	Answer
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Older Micronesians are generally revered and taken care of by extended family. Church and other customary and ceremonial social involvement continues into old age.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	No. The elderly are protected and respected under Micronesian custom and traditions.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Mongolia

Question	Answer
Jurisdiction	Mongolia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	According to statistics of 2020, 328.9 thousand "older people" lives in Mongolia which consisted approx. 10 percent of the total population of the country. About 21 percent of the "older people" are actively working in Mongolia.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Mongolia

Question	Answer
Please list and give a simple description of these rights.	According to the article 6 of the Law of Mongolia on Elderly People, the older people shall enjoy the following rights: 1. To live independently according to his/her will and interest unless his/her health is not restrained. 2. To be eligible to have food and housing, social, health, pension, security services. 3. To enjoy any employment or source of income which is suitable to one's interest, will, health, knowledge and ability. 4. To possess, use, administer an immovable property, and obtain help from other family members. 5. To participate in social life independently, or through organization of older people, or legal representative. 6. To have human dignity and respect and submit his/her proposal to law bill, recommend for the implementation, share his/her knowledge with younger generations. 7. To enjoy health and social security services in accordance with the laws. 8. To enjoy a self-development and other possibilities through involvement in the training. 9. It is prohibited to transfer or encumber older people's movable and immovable properties without his/her permission. 10. It is prohibited for the family member or guardian to cast out from the society, discriminate, impede for participating in social relations, constrain the older people from self-development and care services.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A

1.3 Survey results – Asia & Pacific

Mongolia

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The normal age of retirement is 65. However, men from age 60 and women from age 55 become eligible for full retirement and pension amount depending on his/her contribution to the pension fund. The pension fund is the money generated from incomes derived from the employees' salaries (certain percentage is paid by the employees and certain percentage is paid by the employer) to pay them retirement allowances at the legal retirement age.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is a private pension system supported by companies or individuals. The employees themselves generate the pension fund capital derived from their salaries in a capped contribution from the employee and the employer's side. However, in case a person is unemployed, then that person can voluntarily make contributions to a pension plan.
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.3 Survey results – Asia & Pacific

Mongolia

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Individuals who have previously worked as military, police, firefighters or under harsh employment conditions can retire earlier and receive the pension (with no reductions) at the same time they are working for a different company (and be paid the salary agreed with the new company).
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	Terminations are carried out due to retirement age limit and company or employer shall provide certain incentive depending on its internal labor regulation.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No

1.3 Survey results – Asia & Pacific

Mongolia

Question	Answer
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	According to the law, first of all, the district labor authority or officials have gathered information of the older people who wished to work and form information database. Then those older people will be brokered with relevant companies, or organized them as partnership or cooperatives and provide them business incubation services, small loans, and training of small business employment etc. Also, it is encouraged that older people would teach the younger generation on his/her life experiences, business and other stuff through class, distant learning, and coaching.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.3 Survey results – Asia & Pacific

Mongolia

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	The government will pay the coverage and coverage includes 50 percent of the travel and hospitalization in the health rehabilitation centres.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	According to the law, the local administration is obliged to provide free facilities to organize public sports, cultural and art events for the older people and encourage them to form band and clubs for sports, arts, and cultures. Also, local administration shall provide facilities for leisure, and psychological services for the older people.
What prospects or social plans do "older people" have when they stop working in your country?	According to the law, older people may voluntary enrol in the Older people's organization NGO, which comprises older people in the country at a national level and local level and whose funding will be financed from state budget or local budget respectively. Under this organization, older people may spend time together, participate in social events and attend recreational centres in order to avoid depression and isolation from the society.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	No comment
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Myanmar

Question	Answer
Jurisdiction	Myanmar
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The Elderly People Law (the "EPL") defines that "Elderly People" means all Myanmar citizens who are 60 years of age and above. According to the last nationwide census, 2014 Myanmar Population and Housing Census (the "Census"), conducted in 2014 by the Ministry of Labour, Immigration and Population with technical assistance from UNFPA), 8.9% of the population are the "Elderly People". According to the same census, 30.3% of the Elderly People is "active in the labour force". (link to the report: https://myanmar.unfpa.org/sites/default/files/pub-pdf/policy%20brief%20and%20infographics_The%20Older%20Population.pdf.)
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Myanmar

Question	Answer
Please list and give a simple description of these rights.	Under the Notification 140/2017 issued by the Ministry of Labour pursuant to the Employment and Skill Development Law (the ESD"), the employment contract must include a clause stating that "the Employer shall not discriminate and withhold equal opportunity based on affiliation to an association, race, religion, male/female or age". However, there are no specific laws regulating the employment in terms of age. The Elderly People Law (the EPL) Elderly People are entitled to the rights, among other things, to obtain an appropriate support for basic needs (food, clothing and shelter), mobility, and essential health care; and support by family, community or the State (s. 15 of the EPL). The Civil Service Personnel Law (the CSPL) In the public sector, civil service personnel are entitled to the superannuation pension when they reach the retirement age. The Social Security Law The employees in private and some government sectors insured under the Social Security System are entitled to, among other things, superannuation benefit, health and social care benefit, unemployment benefit (s. 13 of the Social Security Law (the "SSL"). We are not aware of any subsidy, aid, quota, incentive, positive discrimination measure or any other similar measure specific to the elderly people under the law.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A

1.3 Survey results – Asia & Pacific

Myanmar

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Civil Service Personnel Law (public sector) The pension system under the CSPL provides retirement benefit for civil service personnel. The Civil Service Personnel means any person appointed to a post in the government departments and organisations. Upon retirement, a civil service personnel is entitled to, among other things, any one of the following types of pension and gratuity (s. 56 of the CSPL): a. Superannuation pension; Upon attaining the retirement age b. Retiring pension Upon attaining the 30 years of service c. Invalid pension Unable to perform duty due to a medical condition d. Compensation pension Upon de-commission of a post to which the civil service personnel is appointed and a transfer to another post cannot be offered e. Special pension Upon sustaining a decease, injury or disability during the performance of duty f. Reduction pension Upon attaining 55 years of age and 20 years of service or 50 years of age and 25 years of service

1.3 Survey results – Asia & Pacific

Myanmar

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The amount of the pension and gratuity are calculated as follows – i. Year of service * last drawn salary * 1.5% = pension ii. Year of service * last drawn salary * 50 % = gratuity An average salary for a civil service personnel in a government department ranges from MMK 160,000 to MMK 210,000 (< USD 100) per month (r. 45 of the Civil Service Personnel Rules (the "CSPR"). Under the CSPR, the compulsory retirement age is 62 years (r. 230 of the CSP). Social Security Law (private sector) Under the Social Security Law, it is compulsory for the following establishments with a minimum number of five employees to contribute to the insurance under the Social Security System for health and social care benefit, retirement benefit and unemployment benefit (s. 15 and 16 of the SSL): i. Factories, workshop, warehouses; ii. State-owned enterprises; iii. City/town development organisations; iv. Financial organisations; v. Companies/associations carrying out commercial activities; vi. Commercial/public entertaining establishments; vii. Government transportation or organisations, carrying out transportation with permission from, or in joint venture with, the government transportation; viii. Construction for a period of more than one year; ix. Foreign or citizen investment businesses or joint venture of foreign and citizen investment businesses;

1.3 Survey results – Asia & Pacific

Myanmar

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	x. Mining; xi. Oil and gas industry; xii. Ports and out-ports; xiii. Logistic and freight; xiv. Ministry of Labour and its subordinate organisations; xv. Establishments the Ministry of Labour specifies as such from time to time; As for the employees who are not employed in the compulsory establishment list above, the registration and distribution for the insurance can be made on a voluntary basis (s. 12 of the SSL). For health and social care, if the employee is under 60, the contribution is 2% for the employee and 2% for the employer and, if the employee is 60 or above, the contribution is 2.5% for the employee and 2.5% by the employer out of the employee's salary. For the superannuation benefit, the contribution is 3% for the employee and 3% for the employer. For the unemployment benefit, the contribution is 1% for the employee and 1% for the employer. The salary amount fixed for the calculation of the amount of one month contribution to the social security system is six times of the one month salary of the minimum wage. The current prescription for the minimum wage is MMK 5,800 per day (about USD 2). (r. 55 and 60 of the Social Security Rules (the "SSR")) Under the Social Security Law, the employee must attain 60 years of age to enjoy the superannuation benefit (r. 145 of the SSR). There is no retirement age in the private sector.

1.3 Survey results – Asia & Pacific

Myanmar

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	Only civil service personnel
Please provide a simple description of the obligation and its practical implications.	A civil service personnel is required to retire when he has attained the age of retirement pursuant to the Civil Service Personnel Law 2013.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	It is not possible for a civil service personnel in the public sector. In the private sector, a former civil service personnel may obtain superannuation benefit while remaining in another employment without any impact or reduction in the salary.

1.3 Survey results – Asia & Pacific

Myanmar

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.3 Survey results – Asia & Pacific

Myanmar

Question	Answer
Please provide a simple description of this training right.	The Employment and Skill Development Law provides that the employer shall arrange skill development training programmers for the employees (s. 14 of the ESDL). Such programs may include older people employed in the establishment. However, there are no provisions for providing training specifically for the older people.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Article 367 of the Constitution (2008) provides that every citizen shall, in accord with the health policy laid down by the Union, have the right to healthcare. However, in practice, the government health institutions are under-budgeted to provide full free coverage.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.3 Survey results – Asia & Pacific

Myanmar

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	For the lower income group, children and families support the elder people when they stop working. Those with no family for support may access accommodation, sustenance, social and healthcare provided by the homes for the aged run by the state or charities.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The Ministry of Social Welfare, Relief and Resettlement ("MoSWRR") is the focal ministry responsible for implementing the Elderly People Law. This Law contains certain measures to try to improve the rights of older people: support from the sons and daughters of the elderly, funding and operation of homes for the aged by the state or in cooperation with the civic societies, discount for the elderly people (i.e., transportation and medicine), requiring the Ministry of Labour to help elderly people find an appropriate job for an income according to their qualification, and community based elderly people support programmes sponsored by the government agencies, NGOs and INGOs.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

New Zealand

Question	Answer
Jurisdiction	New Zealand
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	There is no legal definition of "older person" in New Zealand however the commonly accepted concept of "older person" is 65+. Once people reach 65 they become entitled to New Zealand Superannuation and Statistics New Zealand uses 65+ as the benchmark for data on older people. As at 30 August 2023, the population of New Zealand is 5,223,100, and there are approximately 842,000 people aged 65+ in New Zealand (16.1%). In 2019 the New Zealand Retirement Commission recorded the amount of older people still in active employment in New Zealand as 24% of the qualifying group, with the total population of the workforce that is 65+ being 6%.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

New Zealand

Question	Answer
Please list and give a simple description of these rights.	New Zealand citizens aged 65+ become entitled to: ▪ New Zealand Superannuation: this is a fortnightly payment and the amount each individual gets each week is dependent on their tax code, any other income they receive and whether they are single or in a couple; ▪ KiwiSaver: this is a state led optional retirement savings scheme into which individuals can choose to pay a portion of their salary throughout their life (or any other contributions they choose). Employers and the Government also contribute to the individual's fund (in certain circumstances). Once an individual reaches 65 they are entitled to access their KiwiSaver funds (individuals may access it earlier for financial hardship or to purchase their first home). ▪ The Gold Card: it offers discounts and specials when it is presented at stores or service providers. Gold card holders can get savings on essential services such as electricity, insurance, healthcare, and food, as well as getting discounts on entertainment, travel, and general retail. Many places also offer free off-peak public transport to Gold Card holders.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.3 Survey results – Asia & Pacific

New Zealand

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Under section 22 of the Human Rights Act 1993, it is unlawful, by reason of a person's age; to refuse or omit to employ a qualified applicant on work which is available; offer less favourable terms of employment, or terminate or retire an employee. However, section 30 of the Human Rights Act 1993 provides that section 22 does not apply in relation to any position or employment where being of a particular age group is a genuine occupational qualification whether for reason of safety or any other reason. In addition, the Employment Relations Act 2000 (New Zealand's primary employment legislation) specifically provides, that age is a prohibited ground of discrimination in employment (section 104 and 105). However, section 106 provides that the prohibition in sections 104 and 105 must be read subject to the section 30 exception in the Human Rights Act. There are some New Zealand cases which address the application of these provisions. These include two cases in the New Zealand Supreme Court (New Zealand's highest court) <i>McAlister v Air New Zealand Ltd</i> (2009) 8 HRNZ 801 and <i>Brown v New Zealand Basing Ltd</i> [2017] NZSC 139, both of which relate to airline pilots. The second case notes in a footnote that it is common ground that being under 65 is a genuine occupational qualification for international pilots, referring to s30(1) of the Human Rights Act. One of the consequences of age discrimination being a prohibited ground under the Human Rights Act 1993 is that there is no compulsory retirement age in New Zealand. New Zealand has one of the highest rates of labour-force participation of older people in the OECD (see question 1 for statistics).
Does your country have a retirement system for older people when they stop working?	No
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	N/A

1.3 Survey results – Asia & Pacific

New Zealand

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	There is no specific "retirement system" for older people but they do become entitled to the benefits outlined in question 2, from the age of 65.
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	A person can continue to work while receiving New Zealand Superannuation payment (provided they are working in New Zealand) however they will potentially be taxed at a higher rate for receiving more than one type of income. If a person is turning 65 in the next 12 weeks, or is already 65, they can apply for New Zealand Superannuation. An individual can make the application online and will need to provide a variety of information (including other forms of income) and proof of identification.

1.3 Survey results – Asia & Pacific

New Zealand

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	There is no age range in New Zealand that companies can use as a basis for terminating/dismissing an employee. However please see our answer to 3 for the specific exclusion to this.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	If an employer is found to have breached the Human Rights Act 1993 or the Employment Relations Act 2000, they can face penalties such as being required to pay the employee costs and monetary compensation, reinstatement of employment and/or declarations of unlawful discrimination.

1.3 Survey results – Asia & Pacific

New Zealand

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	New Zealand healthcare is largely free for all New Zealand citizens. All citizens have access to free hospital care. There is no specific health coverage for older people but they are covered by the public health system. GPs and dentists are not free and are usually covered by the individual or private health insurance. Older people may be entitled to a community services card which subsidises GP visits and dental care, however this is means tested and superannuation payments may mean that older people are not able to obtain a community services card.

1.3 Survey results – Asia & Pacific

New Zealand

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Many older people in New Zealand remain actively involved in their communities. There are no formal social plans for older people in New Zealand.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	While different political parties have some policies regarding older people, there is not one particular issue that is the focus of attention in New Zealand.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Pakistan

Question	Answer
Jurisdiction	Pakistan
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	While the term "older people" or "elderly" has not been defined in any of the labour/employment laws of Pakistan, in the province of Sindh, the term "senior citizen" has been defined under the Sindh Senior Citizens Welfare Act, 2014 as "a senior citizen permanently resident of the Province of Sindh who is the age of sixty years or above". The said Act has been promulgated for welfare of the senior citizens of the Province of Sindh by providing them support for improvement of the entire well-being of the elderly, their participation in the society and to provide for matters ancillary thereto. Corresponding laws (setting out similar definition of the term "senior citizen") have been promulgated in the provinces of Khyber Paktunkhwa, Balochistan and the Islamabad Capital Territory. As regards the statistics on the percentage of senior citizens in the country, based on the percentage distribution of population by age published in 2020-2021 by the Pakistan Bureau of Statistics, the total population of senior citizens in Pakistan is 2.31% (aged between 60-64 years). Unfortunately, there is no authentic source to determine the percentage of senior citizens actively working in the country.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Pakistan

Question	Answer
Please list and give a simple description of these rights.	The Employees' Old- Age Benefits Act 1976 regulates the extension of old age benefits for the persons employed in industrial, commercial and other organizations and matters connected therewith. Pursuant to such laws, employers are required to register with the relevant employees' old age benefits institution (EOBI) and contribute to the provincial old age benefit fund on behalf of employees. The contribution made by the employer shall be equal to 5% of one-month wages. An employee is also required to make a contribution to EOBI at 1% of his/her one-month wages. Pursuant to the said Act, an employee becomes entitled to old-age grant/pension, upon attaining the age of sixty (60) years in the case of a man and fifty-five (55) years, in the case of a woman, but only if the employer has paid contributions for at least fifteen (15) years.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.3 Survey results – Asia & Pacific

Pakistan

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There is no specific retirement age for private establishments in Pakistan under the applicable employments laws. However, the age of eligibility for old-age benefits such as pension under the Old-Age Benefits Act 1976, is 60 years for a male employee and 55 years for a female employee.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system (public and private)
Please provide an explanation of the mixed system applicable to your country	The Employees' Old-Age Benefits Act regulates the entitlement of employees of private establishments to pension benefits. As regards the employees employed in the public sector i.e., government/public servants, separate set of laws and rules are applicable to regulate the pension and retirement benefits of such persons. Some private companies also separately extend pension benefits to their employees as part of their respective policies (in addition to those mandated by law).
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.3 Survey results – Asia & Pacific

Pakistan

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No

1.3 Survey results – Asia & Pacific

Pakistan

Question	Answer
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A

1.3 Survey results – Asia & Pacific

Pakistan

Question	Answer
Please explain how "older people" cope with healthcare.	The senior citizen laws highlighted in the previous responses entitle senior citizens to receive "senior citizen cards". While these cards in terms of the said laws, offer a range of advantages, including reduced rates for medical and dental services, as well as medication expenses, there exists limited evidence regarding the actual implementation of these benefits for senior citizens along with challenges encountered by them in utilizing this card effectively. Unfortunately, specialized geriatric care services are relatively limited in Pakistan. Generally, the healthcare expenses are paid out of pocket by the older people. The elderly, particularly in rural areas do not have an access to quality healthcare. Most of the elderly who cannot afford private healthcare services often rely on government-run hospitals and clinics. However, these facilities are impaired by challenges such as overcrowding and shortage of resources. Separately, non-governmental organizations (NGOs) and charitable institutions provide healthcare services, including free medical camps and screenings, which are also benefitted by older individuals.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	In our view, some older people having retired from the government sector tend to resume work in the private sector. However, a considerable number of older individuals, encompassing both public and private sectors, choose to remain at home post-retirement with limited significant prospects or engagements.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Despite the existence of laws related to the welfare of senior citizens (as previously mentioned in the survey), their implementation is limited. Strict enforcement measures (in accordance with the law) will help improve these rights. Awareness campaigns designed specifically to promote the welfare of older persons and to educate employers on the benefits of their employment/engagement will also help.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Jurisdiction	Papua New Guinea
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	In PNG the commonly accepted reference to "older people" includes individuals above the ages of 60 or 65. This concept is based on case law and employment laws which include the Public Services (Management) Act 1995, Land Titles Commission Act 1962, Parliamentary Service Act 1997, Legislative Drafting Service Act (Chapter 80) 1973, Post-graduate Legal Training Act (Chapter 168) 1973, National Economic and Fiscal Commission Act 1996 etc. and case laws such as State v Didiman Yape (2016) N6316, State v. Paul Nelson (2005) N2844, Simeon Malai, Obe v Monovi Amani (2015) N5872 etc. According to the World Bank data, in 2022 from the total population of 10 142 619 people there were 323 274 people aged 65 and over, which is 3.1873% of the overall population. https://tradingeconomics.com/papua-new-guinea/population-ages-65-and-above-percent-of-total-wb-data.html#:~:text=Population%20ages%2065%20and%20above%20(%25%20of%20total%20population)%20in,compiled%20from%20officially%20recognized%20sources) https://data.worldbank.org/country/papua-new-guinea While according to the United Nations Economic and Social Commission for Asia and the Pacific population data sheet for the year 2022 people above the age of 60 (559.000) represented 5.55% of total population (10,143,000) https://www.population-trends-asiapacific.org/population-data/country-profile According to the PNG National Statistics Office (NSO), the total estimated population for PNG in 2021 was 11 781 559. In 2021 2.7% of the total population were above the age of 65.

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The NSO did not provide any data on people above the age of 65 who are currently working. However, the percentage of working age population (15 - 64 years old) from the 2021 total population is at 61.6%. The people above the age of 65 who are economically inactive and are depending on the working age population is estimated at 4.3%. According to the NSO Population Projection, by 2025 the estimated total population will be 13,581,614. People above the age of 65 is estimated at 398,682 which is 2.93% of the estimated 2025 total population.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Older people may be entitled to receive the following benefits: 1. Superannuation funds for older people employed either in the public or private sector. Employers who employ more than 20 people, and citizen employees who are employed by those employers has a mandatory obligation to make a contribution to the superannuation fund that is accessible by the employee upon retirement. (See Superannuation (General Provisions) Act 2000 sections 76 and 77). "Section 76: Minimum contributions by employer. (1) An employer referred to in Section 4(1)(a) (this refers to every employer employing or engaging 20 or more employees) shall, in respect of each of its employees continuously employed for three months or more, make a contribution to an ASF (authorized superannuation fund) of an amount equal to the percentage of the employee's pay computed from the prescribed date. (6) The mandatory contributions set out in Subsection (1) shall not apply to non-citizens. (7) An employer who fails to comply with this section is guilty of an offence." "Section 77: Contributions by employee. (1) Every employee referred to in Section 4(1)(b) (an employee who engaged in employment by an employer who employees 20+ people) continuously employed for three months or more shall make a contribution to an ASF of an amount equal to the percentage of the employee's pay as prescribed computed from the date as prescribed.

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Please list and give a simple description of these rights.	(6) The mandatory contributions set out in Subsection (1) shall not apply to non-citizens." Employers are required to contribute 8.4%, and employee to contribute 6% (see the Superannuation Regulation 2002 Sections 5 and 6). "Section 5: Rates for employer contributions. 1. For the purposes of Section 76(1) of the Act, the prescribed percentages for Employer Contributions are as follows— a. For Employers in the Public Sector—8.4%; b. For all other Employers— c. 8.4% from 1 January 2008 onward." "Section 6: Rates for employee contributions. 1. For the purposes of Section 77(1) of the Act, the prescribed percentages for Employee Contributions are as follows: a. For employees in the Public Sector—6% at all times; b. For all other Employees— c. 6% from 1 January 2008 onward." The obligation to contribute to the superannuation funds by an employer or employee commence after 3 months of employment. 2. Tax exemption Pension funds received at retirement are exempt from paying income tax. (See Income Tax Act 1959 section 29 (1)(t) and (u)).

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Please list and give a simple description of these rights.	"Section 29: Exemption of pension, etc. (1)The following pensions, allowances and other payments are exempt from income tax or salary or wages tax— (t) Income derived from investments held by a retirement savings account, to the extent prescribed; (u) Amounts not exceeding the prescribed sum, drawn from a retirement savings account." 3. Social Pension payable to older people in certain provinces. New Ireland province in PNG has social pension for people above the age of 65 called the New Ireland Social Pension Scheme. Older people aged 60 and above are eligible for that non-contributory pension. (https://pngbuzz.com/png-news/8760 and https://openknowledge.worldbank.org/server/api/core/bitstreams/e05bbe4e-5c25-5a5b-a047-e9c273dff840/content) Noted: Not all provinces in the country have access to such social non-contributory pensions. 4. Free health benefits. In public hospitals, older people receive free health benefits such as free medical treatments and access to medications.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Older people in PNG are discriminated based on their eligibility for employment in certain jobs. People above the ages of 60 or 65 are prohibited from being employed in the public sector for example. Legislative Drafting Service Act (Chapter 80) 1973 "Section 7: Tenure of office and conditions of employment. (2) A person who has attained the age of 65 years shall not be appointed or re-appointed as a member of the Legislative Drafting Service, and a person shall not be appointed or re-appointed as a member for a period that extends beyond the date on which he will attain the age of 65 years." Post-graduate Legal Training Act (Chapter 168) 1973 "Section 9: Tenure of office and conditions of service. (2) A person who has attained the age of 65 years shall not be appointed or re-appointed as the Director, and a person shall not be appointed or re-appointed for a period that extends beyond the date on which he will attain the age of 65 years." National Economic and Fiscal Commission Act 1996 "Section 18. Retirement. (1) Subject to Subsection (2), a person who has attained the age of 60 years shall not be appointed or re-appointed as the Chairman and a person shall not be appointed or re-appointed for a period that extends beyond the date on which he will attain the age of 60 years. (2) The Head of State, acting on advice, may, for special reasons in an appropriate case, appoint or re-appoint a person who is over 60 years of age to be the Chairman but in no case shall the person continue to act as Chairman after he has attained the age of 65 years." Insurance Act 1995 "Section 6: Tenure of office and conditions of service. (3) A person who has attained the age of 65 years shall not be appointed or re-appointed as the Commissioner, and a person shall not be appointed or re-appointed as the Commissioner for a period that extends beyond the date on which he will attain the age of 65 years."

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Conservation and Environment Protection Authority Act 2014 "Section 24: Appointment of the Managing Director. (2) An applicant for appointment to the office of Managing Director shall — (b) be not less than 35 years of age and not more than 65 years of age" Public Services (Management) Act 1995 "Section 56: Age of retirement. (3) A Departmental Head or an officer who has attained the age of 65 years must be compulsorily retired from the Public Service" In the case of <i>The National Executive Council, the Attorney-General and Luke Lucas v Public Employees Association of Papua New Guinea</i> [1993] PNGLR 264 it was argued before the courts that, the prohibition of employing people above the age of 65 under the Public Services (Management) Act 1986 in Papua New Guinea is an infringement to their right of choice guaranteed under section 48 of the Constitution of PNG. The court dismissed the matter on the grounds that the Constitutional right to employment is a qualification issue and the prohibition under the Act is regarding the retirement age. Constitution of the Independent State of PNG "Section 48. Freedom of employment. (1) Every person has the right to freedom of choice of employment in any calling for which he has the qualifications (if any) lawfully required, except to the extent that that freedom is regulated or restricted voluntarily or by a law that complies with Section 38 (general qualifications on qualified rights), or a law that imposes restrictions on non-citizens." From a customary point of view, old people in PNG are highly respected, there is no discrimination towards an older person because of their age.

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Does your country have a retirement system for older people when they stop working?	No
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	N/A
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	In PNG there is no support provided for older people. After retirement, older people live on their savings, engages in self-employed jobs, live and obtain support from their families and charitable organizations such as churches. There are also aged care facilities in PNG, such as Missionaries of the Sacred Heart (MSC) runs an aged care facility called Hartzler Centre in Port Moresby. The PNG Government planned to introduce pension for people above the age of 65, however this has not yet occurred. (https://www.abc.net.au/news/2013-07-03/an-png27s-prime-minister-flags-plan-to-introduce-old-age-and-d/4795482)
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	Yes

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Please provide a simple description of the obligation and its practical implications.	Employees in the Public Service may retire at age 60, however all employees in the public service must retire at the age of 65. (See Public Services (Management) Act 1995 section 56). "Section 56: Age of retirement. (2) A Departmental Head or an officer who has attained the age of 60 years may voluntarily retire from the Public Service. (3) A Departmental Head or an officer who has attained the age of 65 years must be compulsorily retired from the Public Service." The Head of Mission are compulsorily required to retire at the age 70 (see section 56A of Public Services (Management) Act 1995.) "Section 56A: Retirement age for Heads of Missions. (1) A Head of Mission who has attained the age of 65 years may voluntarily retire as Head of Mission. (2) A Head of Mission who has attained the age of 70 years must be compulsorily retired as Head of Mission." Members of the teaching service must retire at the age of 60. (See the Teaching Service Act 1988 section 119). "Section 119: Age of retirement. (3) A member of the Teaching Service is not entitled to remain within the Service after he has attained the age of 60 years." Officer of the Parliamentary Service must retire at the age of 60. (See Parliamentary Service Act 1997 section 36) "Section 36: Retirement. (1) Subject to this Section, an officer who— (a) has attained the age of 60 years, shall be retired from the Service." Employees in private sectors may also require to compulsory retire at a certain age. For example, according to PNG Power Ltd company policy it is compulsorily required for its employees to retire at the age of 60. https://www.pngpower.com.pg/index.php/news/view/early-retirement-benefits-for-png-power-employees In the case of Simeon Malai, Obe v Monovi Amani (2015) N5872 a Provincial Administrator employed under the Public Service (Management) Act 1995 was terminated when reaching the age of 60.

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	Under the Employment Act 1978 section 34 requires the employer to give termination notice in writing to the employee within a reasonable time depending on the period of employment. That decision for termination of employment does not requires the employee's consent. "Section 34: Notice of termination. (2) Subject to this Act, a party to a contract of service may, at any time, give notice to the other party of his intention to terminate the contract." When terminating older people, the final entitlement of the employee must be properly calculated. In the case of Simeon Malai, Obe v Monovi Amani (2015) N5872 the Provincial Administrator was terminated when reaching the retirement age. A termination notice was issued, and final pay or entitlement was given. Similarly, in the case of Paschal W Feria v Ben Lange, Hrd Adviser, Madang Province and Robert Yass, Acting Administrator, Madang Province and Secretary, Department of Personnel Management and The Independent State of Papua New Guinea (2009) N3574, the plaintiff who is a public servant was employed one year after reaching the retirement age. The employer failed to give the plaintiff proper notice of termination and the final entitlement was not properly calculated. The court ordered damages and unpaid entitlement be paid to the plaintiff.

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Upon termination of an older person on the grounds for reaching retirement age, the final entitlement must be properly calculated and paid. Failure to do so will instigate court proceeding. Such as in the case of Simeon Malai, Obe v Monovi Amani (2015) N5872, the plaintiff was terminated on the grounds of reaching the retirement age, however the final pay was not properly calculated and the matter ended up in court. Similarly, in Paschal W Feria v Ben Lange, Hrd Adviser, Madang Province and Robert Yass, Acting Administrator, Madang Province and Secretary, Department of Personnel Management and The Independent State of Papua New Guinea (2009) N3574, the employer miscalculated the final entitlement of the retiree and the court ordered that the unpaid entitlements be paid.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	In PNG certain individuals are prohibited from being employed on certain jobs based on gender and age, however there is no obligation to adapt the job to the age of the employee. Under Part VI of the Employment Act 1978 provides such obligations on the employer to take into account when employing females and young person under the age of 16. For example, section 103 of the Employment Act 1978 prohibits employment of younger person in fishing industries. "Section 103: Employment of young persons. (3) Where the employment— (d) of 14 or 15 years of age may be employed in any industry other than an industrial undertaking or the fishing industry."
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	There is health cover for older people in PNG especially in the provincial government general hospitals. Older people are given free medical services. This includes free medications and medical treatments to a certain extent. The cost is covered by the PNG Government. For example, in Western Highlands Provincial Hospital and Heal Provincial Hospital, people above the age of 60 are issued medicines for free. However, for private clinics or hospitals, older people are charged the same rate as any other person for any medical treatment. Also please note that there are medical supply shortages in the public hospitals. As a result public hospitals usually instruct patients, including older people, to buy the required medication from a private clinic. Therefore, even though medication for older people is provided free of charge, older people still pay for some of their other medications.

1.3 Survey results – Asia & Pacific

Papua New Guinea

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	There are no organized social plans for older people in PNG. However most older people in PNG are involved in charitable activities organized by churches, gardening, operates private businesses, sharing stories with their colleagues, doing arts and crafts such as making bilum bags, etc.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, there should be some measures such as; ▪ Providing financial support such as pension funds. ▪ Establish Aged-care facilities or nursing homes. ▪ Provide some sort of employment opportunity or platform for them to create and sell arts and crafts, mentoring younger people, and take part in charitable activities. ▪ Provide transportation for mobility ▪ Provide nourishing food. ▪ Create social groups for them to socialize as socializing has increased health benefits.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Philippines

Question	Answer
Jurisdiction	Philippines
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	"Older people", referred to as "senior citizens" in the Philippines, are those who are at least 60 years old. About 9% of the Philippine population are senior citizens; and, half of that may be working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Philippines

Question	Answer
Please list and give a simple description of these rights.	a. 20% discount and exemption from the value-added tax (VAT) on the sale of the following goods and services from all establishments, for the exclusive use and enjoyment or availment of the senior citizen b. Exemption from the payment of individual income taxes of senior citizens who are considered to be minimum wage earners c. The grant of a minimum of 5% discount relative to the monthly utilization of water and electricity supplied by the public utilities d. Exemption from training fees for socioeconomic programs e. Free medical and dental services, diagnostic and laboratory fees in all government facilities f. Free vaccination against the influenza virus and pneumococcal disease for indigent senior citizen patients g. Provision of express lanes for senior citizens in all commercial and government establishments; in the absence thereof, priority shall be given to them h. Death benefit assistance of a minimum of PhP 2,000 (around US\$ 40)
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Republic Act No. 10911 prohibits arbitrary age limitations in employment, among others.

1.3 Survey results – Asia & Pacific

Philippines

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	In the absence of any provision on optional retirement in a collective bargaining agreement, an employer's retirement plan or any other agreement, an employee (with the exception of mining employees and professional racehorse jockeys) has the option to retire and receive retirement pay upon reaching the age of 60 years or more, provided he/she has served at least five years with his/her employer. When the employee (who is not a mining employee and professional racehorse jockeys) reaches the compulsory retirement age of 65, his/her employer may retire him/her and pay him/her retirement pay. There is special retirement age for mining employees and professional racehorse jockeys. An eligible retiring employee is entitled to retirement pay equivalent to at least his/her half-month salary for every year of service, with a part-worked period of at least six months being considered as one whole year.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The person receives lump-sum retirement pay from his/her employer and monthly pension from the Social Security System.
Can an employee in your country be forced to retire at a certain age?	Yes

1.3 Survey results – Asia & Pacific

Philippines

Question	Answer
Please provide a simple description of the obligation and its practical implications.	When the employee (who is not a mining employee and professional racehorse jockeys) reaches the compulsory retirement age of 65, his/her employer may retire him/her and pay him/her retirement pay. There is special retirement age for mining employees and professional racehorse jockeys.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	If a person reaches retirement age and retires from an employer, he/she is eligible to receive lump-sum retirement pay. He/she can work for another employer and receive lump-sum retirement pay again after retiring from that other employer. Also, if he/she continues to work beyond a certain age set by the Social Security System, he/she will be eligible to receive monthly pension from the Social Security System while still employed.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes

1.3 Survey results – Asia & Pacific

Philippines

Question	Answer
Please give a simple description of such aids or benefits.	There is exemption from the payment of individual income taxes of senior citizens who are considered to be minimum wage earners. Senior citizens who have the capacity and desire to work, or be re-employed, shall be provided information and matching services to enable them to be productive members of society. Terms of employment shall conform with the provisions of the Labor Code, as amended, and other laws, rules and regulations. Subject to certain conditions, private entities that will employ senior citizens as employees shall be entitled to an additional deduction from their gross income, equivalent to 15% of the total amount paid as salaries and wages to senior citizens. The Department of Labor and Employment, in coordination with other government agencies such as, but not limited to, the Technology and Livelihood Resource Center and the Department of Trade and Industry, shall assess, design and implement training programs that will provide skills and welfare or livelihood support for senior citizens.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Educational assistance to senior citizens to pursue post secondary, tertiary, post tertiary, vocational and technical education, as well as short-term courses for retooling in both public and private schools through provision of scholarships, grants, financial aids, subsidies and other incentives to qualified senior citizens

1.3 Survey results – Asia & Pacific

Philippines

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	There is public health insurance program applicable to Filipinos.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	The "older people" have to create their own prospects or social plans.

1.3 Survey results – Asia & Pacific

Philippines

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. The Philippine government could come up with social activities that the older people can do as a group.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Republic of Korea

Question	Answer
Jurisdiction	Republic of Korea
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Under the Act on Prohibition of Age Discrimination in Employment and Elderly Employment Promotion, "older people" are people of 55 years of age or older. Statistics Korea, however, has adopted the UN standard of 65 years of age as the standard for preparing statistics on age. According to Statistics Korea, the percentage of people of 65 years of age or older in 2021 was 16.5% of the total population. According to Statistics Korea, the percentage of people of 65 years of age or older who were actively working in 2020 was 34.1%
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Republic of Korea

Question	Answer
Please list and give a simple description of these rights.	National Pension: The Korean national pension plan is operated by the Korean government through the National Pension Service. Korean citizens of at least 18 years of age and under 60 years of age are required to participate in the plan. In case of individuals with labor income, they would pay a certain contribution into the pension plan each month, and they would be paid a certain pension amount upon reaching the threshold age (which varies depending on the date of birth). Long-Term Treatment Insurance for Senior Citizens: Individuals of 65 years of age or older and individuals under the age of 65 years with certain illnesses prevalent among the elderly such as dementia are eligible for support with respect to physical activities or household activities.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	An employer may not discriminate against employees or job candidates based on their age without justifiable reason in connection with (i) recruitment and hiring, (ii) wages, allowances and employee welfare and benefits, (iii) training and education, (iv) assignment, transfer and promotion, and (v) separation and termination. However, difference in treatment based on age is not considered as age discrimination if (a) employees of a particular age group is necessary in light of the nature of the work or (b) there are reasonable differences in wages, allowances and employee welfare and benefits in consideration of seniority. An individual that has become subject to age discrimination may file a complaint with the National Human Rights Commission, and the Commission may issue correction advisories. If an employer fails to comply with a Commission advisory, the Ministry of Employment and Labor may take a corrective action if the Ministry finds that damages are serious. An employer that fails to comply with the corrective action may be subject to administrative fine up to KRW 30 million.
Does your country have a retirement system for older people when they stop working?	Yes

1.3 Survey results – Asia & Pacific

Republic of Korea

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	An employer that decides to set a retirement age is required to set the age at 60 or higher. An employer with a set retirement age, however, may decide to adopt a "salary peak system." Under this system, the employment of employees that reach the retirement age would be extended, in exchange for a reduction in their wages. As of June 2019, 54.1% of employers with 300 or more employees have adopted this system. However, extreme reduction in wages would invalidate the adoption of the system. In order for a "salary peak system" to be valid, it would need to satisfy the following criteria: (i) reasonableness of adopting the system, (ii) degree of disadvantages to be incurred by the affected employees, (iii) whether or not the employer has taken steps to reduce the disadvantages resulting from reduction of wages (e.g., workload reduction) and their appropriateness, and (iv) whether or not the money saved by adopting the system has been used for the original purpose for adopting the system (e.g., increase in the hiring of employees in the 15-29 age group).
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The national pension plan is operated by the government through the National Pension Service. In addition to the national pension plan, individuals may participate in private retirement pension plans through securities companies, banks, insurance companies, etc.
Can an employee in your country be forced to retire at a certain age?	Yes

1.3 Survey results – Asia & Pacific

Republic of Korea

Question	Answer
Please provide a simple description of the obligation and its practical implications.	Korean law does not specify a retirement age and does not require employers to set a retirement age. However, employers may still set a retirement age through employment rules, etc., and employers that decide to set a retirement age may require employees that reach the retirement age to retire.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	An individual that receives national pension payments may continue working, but in such case, the national pension payment amount could be reduced. An amount of reduction, however, cannot exceed 50% of the national pension payment amount.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	i. If an individual is employed by an employer with a set retirement age, the individual would retire upon reaching the retirement age. If the individual has at least 1 year of service, the individual would be entitled to statutory severance upon his retirement. ii. An employer may set its own retirement age, so long as the retirement age is 60 or higher. Employees would consent to the retirement age upon their initial hiring. iii. An employer may induce its employees that have not reached the retirement age to leave voluntarily by adopting an early retirement program. The employer would adopt such a program and announce the program to its employees. For employees that apply for the program, the employer and the applying employees would discuss the specifics of their early retirement. It would be very common for such a program to offer ex gratia payments on top of the statutory severance as inducement, since unilateral termination of employment by the employer is difficult in Korea.

1.3 Survey results – Asia & Pacific

Republic of Korea

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	Subsidy for Extension of Employment for Senior Citizens: If an employer with less than 300 employees on a regular basis (i) revoke its retirement age, or (ii) extends the existing retirement age to an age by one or more year to an age equal to 60 or above and meets certain other criteria, the Ministry of Employment and Labor would pay a "Subsidy for Extension of Employment for Senior Citizens." Subsidy for Employing Individuals of 60 Years of Age or Older: If an employer's monthly average number of employees of 60 years of age or older with 1 or more years of service meets certain threshold number set for each industry, the Ministry of Employment and Labor would pay a "Subsidy for Employing Individuals of 60 Years of Age or Older" to the employer if it meets certain other criteria.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	An employer may not discriminate against employees or job candidates based on their age without justifiable reason in connection with separation and termination. In other words, termination of older people's contracts may not constitute age discrimination, and in order for a termination not to constitute age discrimination, the employer would need to have a justifiable reason for the termination, which would be determined on a case-by-case basis. An individual that has become subject to age discrimination may file a complaint with the National Human Rights Commission, and the Commission may issue correction advisories. If an employer fails to comply with a Commission advisory, the Ministry of Employment and Labor may take a corrective action if the Ministry finds that damages are serious. An employer that fails to comply with the corrective action may be subject to administrative fine up to KRW 30 million.

1.3 Survey results – Asia & Pacific

Republic of Korea

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	An employer with an average of 1,000 or more employees (calculated as the average of the numbers of employees on the last day of each month in the previous year) is required to provide job placement services to employees of 50 years of age or older that are expected to leave the employer for involuntary reasons such as reaching the retirement age. As such, older people would have the right to training in the foregoing circumstance.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Long-Term Treatment Insurance for Senior Citizens: Individuals of 65 years of age or older and individuals under the age of 65 years with certain illnesses prevalent among the elderly such as dementia are eligible for support with respect to physical activities or household activities. To provide support, (i) long-term treatment personnel would visit the homes of the individuals eligible for the program and assist them with physical activities or housekeeping work; (ii) long-term treatment personnel would assist the individuals staying in long-term treatment facilities with physical activities or provide training and education to maintain and improve mental and physical health; or (iii) the insurance corporation would pay treatment costs in cash.

1.3 Survey results – Asia & Pacific

Republic of Korea

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	An individual's retirement due to reaching the retirement age would be considered as involuntary separation, so if the individual meets certain criteria, he would be eligible for unemployment allowance. However, the individual would still be required to demonstrate his intent and ability to work and actively seek new employment.
What prospects or social plans do "older people" have when they stop working in your country?	Older people can collect national pension payments, and if they also participated in private retirement pension plans, they can also collect private pension payments. Some older people retire and begin collecting pension payments but find new employment for labor income.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The Korean government could provide free medical care for diseases and illnesses prevalent among older people and also provide low cost or free senior housing services.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Samoa

Question	Answer
Jurisdiction	Samoa
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Senior citizens are entitled to receive a pension from the age of 65, where they are Samoan citizens or have lived in Samoa their entire life. Pension payments are WST200 (approx. USD 73) per month. The scheme is funded by the Samoan Government and administered by the National Provident Fund (NPF). This is in addition to any superannuation savings the person has accumulated through NPF during their working life.

1.3 Survey results – Asia & Pacific

Samoa

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	As per earlier question, there is a small government pension payable to persons aged 65 years and older.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.3 Survey results – Asia & Pacific

Samoa

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	As per earlier responses, there is a government funded pension for persons 65 years and older. Workers must also participate in a compulsory superannuation scheme, set at 20% of their gross wages (funded 10% by employee contribution and 10% by employer contribution). Superannuation contributions can be withdrawn or taken as a pension at 55 years of age.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The government pension is payable regardless of a person's employment status. Eligibility is solely based on a person's age. With respect to compulsory superannuation, every person who is working regardless of their age must maintain an NPF account and make contributions. Most people in Samoa withdraw their NPF accounts as a lump sum as soon as they are able (i.e., at age 55).
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.3 Survey results – Asia & Pacific

Samoa

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A

1.3 Survey results – Asia & Pacific

Samoa

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Health care in Samoa's hospital system is accessible by all, with payment of very minimal fees.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.3 Survey results – Asia & Pacific

Samoa

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Samoan culture reveres older people and they hold an exalted status. Older people play an important and active role in Samoan families and the broader community. There are no formal social plans or government policies in this respect as they are not necessary.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Increase the government pension. The current level is below the minimum wage.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Singapore

Question	Answer
Jurisdiction	Singapore
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	The Retirement and Re-employment Act 1993 provides for employers to have an obligation to re-employ eligible employees who reach statutory retirement age (currently 63 years) up to the statutory re-employment age (currently 68 years). If the employer is unable to offer re-employment, the employer must transfer the re-employment obligation to another employer or provide the employee an Employment Assistance Payment.

1.3 Survey results – Asia & Pacific

Singapore

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Employers are prohibited from dismissing employees on the ground of age before the employee attains the minimum statutory retirement age (currently 63 years).
Does your country have a retirement system for older people when they stop working?	No
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	N/A
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	Singaporeans and Singapore Permanent Residents are obligated to contribute to the Central Provident Fund (CPF), the equivalent of social security in Singapore. During old age, such individuals are entitled to receive a monthly payout from their savings in the CPF. Older people may also live on savings or family support.

1.3 Survey results – Asia & Pacific

Singapore

Question	Answer
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Singapore citizens and Singapore permanent residents have the flexibility to start receiving monthly payouts anytime between 65 years to 70 years. They are eligible to continue working during this age (and beyond 70 years) if they wish to do so.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.3 Survey results – Asia & Pacific

Singapore

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	There are various government aids to incentivise employers to hire older workers, e.g., (i) the Senior Employment Credit whereby the Government provides wage offsets to help employers that employ Singaporean workers adjust to the higher Retirement Age and Re-employment Age. Higher support will be given for the older age bands; and (ii) CPF Transition Offset, where the Government will provide employers with a transitional wage offset equivalent to 50% of each year's increase in employer CPF contribution rates for every Singaporean and Permanent Resident worker they employ aged above 55 to 70.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Employers are prohibited from dismissing an employee on the ground of age before the employee reaches the statutory minimum retirement age (currently 63 years).
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	There is no right to training per se, but there are various government schemes to support older workers in upskilling and training to position them for better employment opportunities.

1.3 Survey results – Asia & Pacific

Singapore

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	For Singapore citizens and Singapore permanent residents, part of the savings the CPF is MediSave, which is a national medical savings scheme that helps individuals set aside part of their income to pay for their personal or approved dependents' hospitalisation, day surgery and certain outpatient expenses, as well as their healthcare needs in old age.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Take up part-time employment with lower commitment levels, engage in hobbies and other activities, volunteer work etc.

1.3 Survey results – Asia & Pacific

Singapore

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, e.g., providing more monetary support for vulnerable seniors who had low incomes during their working years and have less in their retirement.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Sri Lanka

Question	Answer
Jurisdiction	Sri Lanka
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	"Elder" means any person who has passed the age of sixty years. According to the final report of census of population and housing, 12.4% of the total population is aged 60 or older. There is no information available on the percentage of older people who are actively working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	There is an act to provide for the establishment of a national council for elders for the promotion and protection of the welfare and the rights of elders ; and to provide for matters connected therewith or incidental thereto.

1.3 Survey results – Asia & Pacific

Sri Lanka

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	No
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	N/A
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	Most people have to live on their saving or family support. Specially private sector workers have this issue where they have to depend on their children. But government workers have retirement payment for the services they had rendered so far.

1.3 Survey results – Asia & Pacific

Sri Lanka

Question	Answer
How does the pension system for older people work in your country?	Such a system does not exist in the country
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A

1.3 Survey results – Asia & Pacific

Sri Lanka

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	According to the provisions of Minimum Retirement Age of Workers Act, the minimum age of retirement is 60 years. This works as a reference for terminating/dismissing employees as well. Most of the times employers concern about the age when they hire.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A

1.3 Survey results – Asia & Pacific

Sri Lanka

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Sri Lanka has free of charge health system which covers elderly people also.
Please explain how "older people" cope with healthcare.	N/A

1.3 Survey results – Asia & Pacific

Sri Lanka

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Most people specially women, seeks/engage in religious activities and almost every village has committee of elderly people where they can engage in social works.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Introducing a well managed retirement system to every person from their early age which can leads a stress free retirement at the end.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
Jurisdiction	Thailand
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The Elderly Person Act of Thailand B.E. 2546 (2003) ("EPA") defines an elderly person as someone who is over sixty years old and is of Thai nationality. In Thailand, as of June 2023, according to the Department of Older Persons, there were 12,814,778 elderly individuals, or 19.40% of the country's 66,054,830 total population. There are roughly 24,798 elderly workers who are registered with the social security system.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
Please list and give a simple description of these rights.	1. Elderly person rights Under section 11 of the EPA, an elderly person will have the rights to protections, promotions, and supports, as follows: 1. Medical and public health services 2. Education, religions, and useful information and news for their well-being 3. Decent work or vocational training 4. Self-development, social participation, and gathering as a network or community 5. Facilitation and safety directly in the buildings, places, vehicles or other public services 6. Transport fares discount (e.g., elderly person can enjoy 50 percent fare discount when taking buses, BTS skytrains, MRTs, Airport rail links, tour buses, trains, or boats) 7. Exemption from entrance fees to government places 8. Assistance for elderly persons facing violence or unlawful exploitation or abandonment 9. Advice and consultation on proceeding cases or the remedy of family conflict 10. Provision of housing, food and clothing where necessary 11. Monthly old age allowance 12. State welfare registration on financial aid for low-income elderly 13. Financial aid for traditional funerals 14. Other matters stipulated by the Committee in an announcement. 2. Elderly Funds under the EPA Elderly persons are eligible for interest-free personal loans of up to 300,000 Baht and group business loans of up to 100,000 Baht each to be repaid in instalments within 3 years.

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
Please list and give a simple description of these rights.	3. Statutory Severance Pay Upon reaching the retirement age, such person shall be entitled to receive severance pay as retirement is legally considered to be the case of termination of employment. Severance pay rate under the Labour Protection Act B.E. 2541 (1998) ("LPA") is as follows: ▪ Period of service Rate of severance pay ▪ Less than 120 days No severance is needed ▪ 120 days but less than 1 year 30 working days' wage ▪ 1 years but less than 3 years 90 working days' wage ▪ 3 years but less than 6 years 180 working days' wage ▪ 6 years but less than 10 years 240 working days' wage ▪ 10 years but less than 20 years 300 working days' wage ▪ 20 years or more 400 working days' wage 4. Elderly allowance Thai government provides THB 600 - 1,000 monthly elderly allowance to elderly person who satisfy the income requirements. Such elderly allowance continues to increase as the person gets older: Age Elderly allowance ▪ Elderly persons aged 60 - 69 THB 600 per month ▪ Elderly persons aged 70 - 79 THB 700 per month ▪ Elderly persons aged 80 - 89 THB 800 per month ▪ Elderly persons aged 90 and over THB 1,000 per month

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
Please list and give a simple description of these rights.	5. Old-age benefits under the social security scheme An insured person becomes eligible for old-age benefits at the age of 55 for private sector employees or 60 for self-employed/independent contractors. These benefits can take the form of a lump sum payment (superannuation gratuity) or a monthly living allowance (superannuation pension), depending on the length of time the insured person made contributions. To receive a full pension, contributions must have been paid for at least 15 years. 6. Tax 1. THB 190,000 of income that elderly persons who are over 65 years of age receive is exempted for personal income tax calculation. 2. Companies and juristic partnerships hiring elderly persons will be entitled to tax benefits i.e., companies and juristic partnerships enjoy income tax exemption for 100% of the cost of hiring employees who are over 60 years old (not exceeding Baht 15,000). 3. The payment that the retired employees receive from the provident fund is tax-exempt subject to compliances with the legal requirements. 4. The old-age benefit under the social security scheme is tax-exempt. 7. Universal Coverage Scheme Universal Coverage Scheme is a coverage for medical services with a THB 30 that provides to every Thai person who is not eligible to other governmental medical benefits. The elderly person is exempted from paying any medical service fee according to the Ministerial Regulations, and will receive additional benefits such as influenza vaccination, body mass index examination, diabetes screen test, HIV screen test, fluoride coating. 8. Provident Fund Provident fund is a voluntary savings program established by the employer. The employers and employees who join the provident fund will both make contribution to the fund at the agreed rate. Retired employees with the qualified number of years of service will not only receive his/her contributed amount, but also the employer's contributed amount as well.

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The Constitution of Thailand prohibits the unjust discrimination against a person including based on age.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Retirement Employers may specify the retirement age in the employment contract or the work regulations. Upon reaching the retirement age, employees shall receive the statutory severance pay. In case there is no retirement age specified, or the retirement age is specified to be more than sixty years old, an employee, who is over sixty years old, is entitled to notify his/her intention of retirement to the employer. Such retirement shall be effective upon 30 days from the date of the notification, and the employer shall pay statutory severance pay to the retired employees based on the length of service at the rate prescribed in the LPA. (See our response in item 2 above)

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Pension There is no statutory and universal pension program at the moment. However, employees may be provided with other pension-like benefits from government and funds, including: ▪ Elderly person will be eligible to receive the monthly elderly allowance of THB 600 – 1,000 from the government. ▪ An insured person under the Social Security system shall be eligible to the old age benefits i.e., the monthly allowance (superannuation pension) or a lump sum payment (superannuation gratuity) depending on the period of the contributions made by such insured person. ▪ Employee will be eligible to receive the payments from the provident funds, if any, in the case of termination of employment, death, or resignation, in accordance with the provident fund's regulations of each employer.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	Currently, there is no universal pension scheme covering all elderly persons after they stop working. Many elderly persons in Thailand then rely on various sources of income to sustain their living. If they do not work, they generally have to rely mainly on their own savings or family support in order to be able to sufficiently sustain themselves, in addition to limited support from government e.g., the amount of elderly allowance from the government at THB 600 – 1,000 per month, as well as, payments from funds that they enrolled themselves in e.g., under Social Security's system and provident fund.
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The country has a mixed system between a) It is public and supported by the state and b) It is a private pension system supported by companies or individuals.
Can an employee in your country be forced to retire at a certain age?	Yes

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
Please provide a simple description of the obligation and its practical implications.	Once the employee reaches a retirement age as specified in the work regulations or employment agreements, he/she will retire accordingly (effectively as a termination), unless an extension is agreed if they wish to continue the employment.
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	Companies and juristic partnerships hiring elderly persons will be entitled to tax benefits. The Companies and juristic partnerships can enjoy income tax exemption for 100% of the cost of hiring employees who are over 60 years (not exceeding Baht 15,000).

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Pursuant to the EPA, elderly persons have the right to receive job placement services and occupational trainings. ▪ Elderly persons can seek information, consultant, opening job positions at every provincial employment office, or via official website e.g., smartjob.doe.go.th. ▪ There are also courses and vocational trainings provided by organizations such as Bangkok Vocational Training Center, Regional Institute for Skill Development, Provincial Centre for Skill Development.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	In 2019, the Ministry of Labour issued an announcement regarding the seeking of cooperation to support the hiring of elderly persons. The business entrepreneur and employer who wish to hire a part-time elderly person must assign the job by considering health and safety of an elderly person e.g., clerk, service job, crafting, selling, and assign an elderly person to work not more than 7 hours per day and not exceeding 6 days per week.

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Universal Coverage Scheme is a coverage for medical services with a THB 30 that provides to every Thai person who is not eligible to other governmental medical benefits. The elderly person is exempted from paying any medical service fee according to the Ministerial Regulations, and will receive additional benefits such as influenza vaccination, body mass index examination, diabetes screen test, HIV screen test, fluoride coating.
Please explain how "older people" cope with healthcare.	See above
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Pursuant to the EPA, elderly persons must have access to promotion and support of self-development and participation in social activities, grouping together as a network or community. There are roughly 300 senior citizen clubs scattered out across Bangkok. The fund under the EPA provides financial support to the senior citizen clubs. Elderly persons also can receive a fare reduction of up to 50 per cent when taking buses, BTS sky trains, MRTs, Airport rail links, tour buses, trains, or boats promoting their travel for leisure. Elderly persons are eligible for free admission to public attractions including zoos, historical parks, national museums, botanical gardens, and national parks.

1.3 Survey results – Asia & Pacific

Thailand

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Elderly persons can learn new skills with the provided courses to match their interests or job specifications as mentioned in 10. For elderly persons who suffer from abandonment, family issues, lack of housing, food and clothes can contact every provincial office of Social Development and Human Security and/or any Old Persons Welfare Promotion Center to receive consultation and THB 3,000 allowance not more than 3 times per year.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The Ministry of Finance has proposed the draft of National Pension Fund Act to establish the mandatory provident fund covering employees aged 15 - 60 who are not members of the provident fund. After the implementation, employers and employees must make joint contributions to the fund at the rate prescribed in the ministerial regulations. Employees will be able to receive 20-year monthly allowance or a lump sum payment when they are over sixty years of age. The draft act is currently in the process of developing and examining after being approved in principle by the Cabinet in 2021. In addition, several political parties have presented policies to substantially increase the rate of monthly elderly allowance to address the growing concern of the cost of living for elderly persons. It remains to be seen as to when the increase of monthly elderly allowance will become the reality.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Turkmenistan

Question	Answer
Jurisdiction	Turkmenistan
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Turkmenistan

Question	Answer
Please list and give a simple description of these rights.	According to Article 49 of the Constitution of Turkmenistan, every person has the right to work, choice of profession, occupation and place of work at his own discretion, healthy and safe working conditions. Article 54 of the Constitution of Turkmenistan gives citizens the right to social security based on age. There are no special employment privileges for pensioners in the legislation and there are no restrictions on their right to work. The legislation provides for the following special rules: ▪ Persons who have reached retirement age have the right to receive a pension; ▪ Persons who have reached retirement age, but are not entitled to a pension, have the right to state social benefits (Article 64 of the Code of Turkmenistan on Social Protection of the Population); ▪ Social services for the elderly person at home or in social service institutions (Article 96 of the Code of Turkmenistan on Social Protection of the Population); ▪ Preferential right to remain at work, longer leave without pay (30 days); ▪ Benefits for travel on public transport, medicines, medical care, etc.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The Labor Code of Turkmenistan prohibits restrictions (discrimination) in labor rights or obtaining any advantages in their implementation, depending on age, gender, etc. Reaching of retirement age is not a basis for termination of the employment contract. We are not aware of discrimination cases against person based on their age.

1.3 Survey results – Asia & Pacific

Turkmenistan

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The pension system is public and supported by the state. State pension insurance is mandatory. The insurer in the system of state pension insurance is the Pension Fund of Turkmenistan and its local bodies. According to Article 23 of the Code of Turkmenistan "On social protection of the population", men reach the retirement age at 62 years, women at 57 years. The size of the retirement pension is calculated by dividing the amount of conditional pension capital on the personal pension account of citizens on the date of granting them a pension by life expectancy. Acts of the President of Turkmenistan annually increase the size of pensions and state benefits by 10%.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No

1.3 Survey results – Asia & Pacific

Turkmenistan

Question	Answer
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Continuing to work after reaching retirement age does not affect the amount of your pension in any way. The pension is assigned and paid by the State Pension Fund; the employee continues to work after reaching retirement age and receives both a pension and salary from the employer.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A

1.3 Survey results – Asia & Pacific

Turkmenistan

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	The limitation is that reaching of certain age (retirement) is not a ground for termination of an employee's contract. Dismissal of an employee based solely on reaching of certain (retirement) age is a violation of labor legislation, entailing the reinstatement of the dismissed employee in his/her previous position.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Employers organize, at their own expense, advanced training courses for employees regardless of their age, training in new specialties when working conditions change, etc
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No

1.3 Survey results – Asia & Pacific

Turkmenistan

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	In Turkmenistan, there is a procedure for voluntary health insurance and is paid by the insured person himself. There is no separate (special) state health insurance for older people.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	This is a quite extensive question. The Ministry of Labor and Social Protection of the Population implements various types of programs. The state also supports various non-governmental organizations working with veterans, pensioners and other older persons.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	This is also a quite extensive question, requires separate (non-legal) study. For example, it would be possible to develop and implement employment programs for older people based on their abilities and capabilities, encourage employers who hire older people, etc.
Region	Asia & Pacific

1.3 Survey results – Asia & Pacific

Vietnam

Question	Answer
Jurisdiction	Viet Nam
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	▪ "Older person" (or "elderly") is defined in Law on the Elderly as a Vietnamese citizen aged full 60 or over. ▪ The percentage of "older people" in Vietnam is 17% of Vietnam's total population as of 9 February 2023. ▪ The percentage of "older people" who are actively working: N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.3 Survey results – Asia & Pacific

Vietnam

Question	Answer
Please list and give a simple description of these rights.	Law on the Elderly states that the elderly have the right to be provided with conditions to work in suitability to their health and profession and other conditions in order to bring into full play their role. This provision is consistent with the provision of the 2019 Labor Code which the State encourages the employers to assign works that are suitable for elderly employees. In addition, the elderly employees also have the right to receive salary and other benefits under the laws and their labor contracts in addition to the benefits under the pension scheme. In term of working scheme for the elderly employees, first, the law stipulates that the employees have the right to negotiate with their employers on reduction of reduce their daily working hours or work on a part-time basis. Second, the employers must not assign the elderly employees to do laborious, toxic or dangerous work and are also responsible for taking care of the health of elderly employee at the workplace, as well as organizing health check-ups at least twice a year for them. Moreover, since the elderly employees are not covered by compulsory insurance, compulsory health insurance or unemployment insurance, they are also entitled to an additional amount equal to the compulsory premiums payable by their employer according to the laws. In term of social security rights, the elderly will be entitled to the pension scheme under Law on Social Insurance in case they satisfy all conditions as prescribed by laws.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A

1.3 Survey results – Asia & Pacific

Vietnam

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There is pension scheme under Law on Social Insurance 2014 for older people who reach retirement age and stop working. ▪ The eligibility for retirement: a. For employees working in normal working conditions, conditions for pension enjoyment consist of (i) reaching the retirement age, and (ii) full 20 years of social insurance contributions. b. For employees performing heavy, hazardous, or dangerous works; or working in extremely disadvantaged regions, the statutory retirement ages may be reduced by up to five years. However, conditions for pension enjoyment consist of (i) full 20 years of social insurance contributions and (ii) full 15 years' doing heavy, hazardous or dangerous works or extremely heavy, hazardous or dangerous works; or full 15 years' working in extremely disadvantaged regions, including the period he/she works in areas with a region-based allowance coefficient of 0.7 or higher before 1 January 2021. c. For employees reaching of at most 10 years less than the statutory retirement age, conditions for pension enjoyment consist of (i) full 20 years of social insurance contributions and (ii) full 15 years working in coal mines. d. For employees who are infected with HIV/AIDS due to occupational accidents during implementation of jobs, conditions for pension enjoyment consist of full 20 years of social insurance contributions. ▪ Types of retirement: i. Monthly pension: applicable to employees who satisfy the conditions for retirement as mentioned above. ii. Lump-sum allowance upon retirement: applicable to employees who have paid social insurance premiums for a period exceeding the number of years corresponding to the 75% pension rate. ▪ Retirement age: the statutory retirement ages of employees in normal working conditions will be 60 years and 9 months for men and 56 for women in 2023, which will then increase by 3 months for men and 4 months for women each year until reaching 62 years for men in 2028 and 60 years for women in 2035.

1.3 Survey results – Asia & Pacific

Vietnam

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Nevertheless, an employee may reach retirement age sooner or later under the following circumstances: i. If employees satisfy certain conditions in the cases of having a work capacity reduction; performing heavy, hazardous, or dangerous works or extremely heavy, hazardous or dangerous works; or working in extremely disadvantaged regions, their retirement ages may be reduced by up to five years. ii. The retirement ages of skilled employees and employees in certain special cases may be higher by up to five years, upon agreement with the employer to continue in employment, than the retirement age mentioned. - Pension amount: the monthly pension of employees who fully satisfy the conditions as described above will equal 45% of the average monthly salary on which social insurance premiums are based and correspond to the following period of social insurance premium payment: (i) 20 years for male employees retiring since 2022; (ii) 15 years for female employees retiring since 2018. After 2022 and 2018, the pension rates for male employees and female employees shall be added with 2% for each additional year of social insurance premium payment, but must not exceed 75%. Notably, the lowest monthly pension of employees covered by compulsory social insurance who fully satisfy the conditions for pension enjoyment must equal the statutory pay rate (i.e., VND 1,800,000 in 2023). In the other hand, the amount of lump-sum allowance will be calculated based on the number of years of social insurance premium payment in excess of the number of years corresponding to the 75% pension rate, with half of the average monthly salary on which social insurance premiums are based for each of these years.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state

1.3 Survey results – Asia & Pacific

Vietnam

Question	Answer
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The law allows elderly employees who are receiving retirement pension under the Law on Social Insurance enter into a new labor contract and they also have the right to receive salary and other benefits prescribed by law and such labor contract in addition to the benefits under the pension scheme.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.3 Survey results – Asia & Pacific

Vietnam

Question	Answer
Please explain your answer	The 2019 Labor Code allows the employer to unilaterally terminate labor contracts in case the employees have reached the retirement ages as discussed above. Since this is the case of unilateral termination, the law does not require the employer to obtain the dismissed employee's agreement to the termination. As a matter of practice, mutual termination is generally considered an ideal and preferable option for most termination cases. Thus, any proposed benefits should be in form of ex-gratia/goodwill payment on top of the statutory and existing contractual entitlements to persuade an employee to resign.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	The 2019 Labor Code only allows the employer to unilaterally terminate the labor contract of elderly employees in case they have reached the statutory retirement ages as discussed above.

1.3 Survey results – Asia & Pacific

Vietnam

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	The employer is obliged not to assign elderly employees to do laborious, toxic or dangerous works, or highly laborious, toxic or dangerous works determined by the Ministry of Labor, Invalids and Social Affairs that are harmful to their health, unless safety is ensured, which the elderly employee satisfies the following conditions: i. Having at least 15 years of work experience which there is at least 10 consecutive years of practice before the time of signing labor contract; ii. Having high professional skills and certificate or to be recognized as artisan; iii. Being physically fit according to health standards issued by the Ministry of Health; iv. Being employed only for not more than 5 years; v. Working together with one employee who is not the elderly employee when performing work at a workplace; vi. Submitting application for voluntary work to the employer.

1.3 Survey results – Asia & Pacific

Vietnam

Question	Answer
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	95% of the medial examination and treatment expenditures of the elderly enjoying the pension scheme under Law on Social Insurance shall be covered by the health insurance fund. Total medical examination and treatment expenditures with regard to the elderly being eligible for monthly social benefits shall be covered by the health insurance fund. In addition, the costs of the non-covered medical services of such elderly shall be paid by the health insurance budget of the subject enjoying social patronage policies or the State budget. The elderly entitled to social patronage policies are person: a. Living in poor households, deprived of individuals with obligations and rights to care or living with individuals with obligations and rights to care who are benefiting from monthly social benefits; or b. From 75 to 80 years of age, living in poor or near-poor households, and in ethnic minorities in communes, hamlets and mountainous regions; or c. Of 80 years of age or older and receiving no pension, monthly social security benefits or monthly social benefits; or d. Living in poor households, having no individuals with obligations and rights to care for, inadequate to live in community, eligible to be admitted to social support facilities but receiving care by people in community.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes

1.3 Survey results – Asia & Pacific

Vietnam

Question	Answer
Please give a simple description of these measures.	Law on the Elderly regulates the responsibility of the State to invest in the construction and renovation of cultural, educational, sports, physical training, entertainment and tourist establishments suitable to socio-economic conditions with a view to meeting the elderly's spiritual and physical training needs. Concurrently, organizations or individuals investing in the construction of such establishments shall also entitled to the incentive policies according to the laws (e.g., incentive VAT, CIT, rent-exempt land lease or long-term lease at a preferential charge, etc.). Law on the Elderly also allows the establishment of the Vietnam Elderly Association with one of the tasks is to rally, unite and mobilize the elderly to participate in its activities, contributing to the implementation of socio-economic programs, the education of young generations, etc.
What prospects or social plans do "older people" have when they stop working in your country?	"Older people" in Vietnam might join the Vietnam Elderly Association to participate in social activities, contribute to protecting the legal rights and interests of the elderly, as well as research the needs and aspirations of the elderly to propose new incentive policy to the competent authorities and also international organizations.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	One of the measures to improve older people's rights is that it needs to be more specific regulations on social security policies for older people, including: 1. Enhance employment opportunities, ensure minimum income, and sustainably reduce poverty for elderly employees through supporting individuals and households to develop production, have credit support, job creation and labor market information connection; 2. Expand opportunities for elderly employees to participate in the social insurance and unemployment insurance policy system to proactively deal with reduced or lost income due to risks, illnesses, and labor accidents, old age. 3. Increase older people's access to basic social services systems, such as education, healthcare, housing, and information.
Region	Asia & Pacific

Europe Region



1.4 Survey results – Europe Region

Austria

Question	Answer
Jurisdiction	Austria
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	various pension options, subsidies, aids

1.4 Survey results – Europe Region

Austria

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	In Austria, in the employment context the Equal Treatment Act ("Gleichbehandlungsgesetz") prohibits discrimination based on age of employees. There is already protection against termination before the employment relationship is established. It is therefore prohibited to include age-related information in the job advertisement that refers only to applicants within a certain age group. Further, if an employment relationship is not established due to a discrimination based on age, the employer is obliged to compensate for the financial loss and to compensate for the personal impairment suffered. During the employment relationship, based on the prohibition of age discrimination, in the employment context no one may be discriminated against, directly or indirectly, on the grounds of age, in the determination of remuneration, in measures of education and training and retraining, career advancement, in the granting of voluntary social benefits, in other working conditions or termination of employment. If an employee is discriminated against, employer is obliged to compensate for the financial loss and to compensate for the personal impairment suffered. Further, if an employer terminates or dismisses an employee based on the employee's age, the termination can be challenged. In addition, employees are also protected against harassment, e.g., derogatory remarks, jokes, insults by work colleagues or superiors, which relate to the age of employees. Furthermore, age discrimination is not permitted in vocational guidance, vocational training, and retraining.
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Austria

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Regular retirement pension: The standard retirement age is currently 65 for men and 60 for women. From 2024, the retirement age for women will be gradually raised and brought into line with the retirement age for men. From 2033, there will be a uniform standard retirement age of 65. Employees can retire at the standard retirement age if they have earned at least 180 months of insurance on the cut-off date. Of these, at least 84 insurance months must have been acquired because of employment. Early retirement pension in the event of long insurance periods: If there is a long pension insurance period, men may be entitled to an early retirement pension before the age of 65 and women before the age of 60. In the case of an early retirement pension, there must be no compulsory pension insurance on the pension date and no current income exceeding EUR 500.91. In the calculation, the sum of all contribution bases (e.g., gross income in employment) in a year is formed and multiplied by 1.78%. The sum forms the first partial credit. This is revalued annually and added together with the partial credit from the following year. To calculate the gross pension, the total credit is divided by 14.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No

1.4 Survey results – Europe Region

Austria

Question	Answer
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	In addition to an old-age pension, pensioners can earn unlimited additional income. The additional income does not reduce the pension amount. However, there may be a pension increase: If the employment is above the marginal earnings threshold of EUR 500.91 per month (value 2023) and this results in a compulsory insurance of the pensioner, the pensioner must receive a special higher insurance amount. In addition to the early retirement pension, only a small amount of additional income may be earned (as of 2023: EUR 500.91). If an income above the limit is received after the pension effective date, the pension will be cancelled in its entirety.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes

1.4 Survey results – Europe Region

Austria

Question	Answer
Please give a simple description of such aids or benefits.	Integration allowance: Employers who hire long-term unemployed persons or persons threatened by long-term unemployment (e.g., jobseekers aged 50 and above) can receive support from the Labour Market Service in the form of a subsidy for wage costs. Partial retirement: Employees can agree with their employer on so-called "partial retirement" until their actual retirement. The Labour Market Service reimburses the employer for parts of the financial expenses (wage compensation and social security contributions) incurred by the employee's transfer to a partial retirement beyond the actual working hours. Access to partial retirement is possible at the earliest five years before reaching the standard retirement age. Partial pension: "Partial pension" is a form of extended partial retirement in which employees agree with their employer to reduce their working hours. Employee, in this case, receive an income corresponding to the new, reduced working hours as well as a wage compensation of at least 50 percent of the difference to their original wage. The purpose of this wage compensation is to compensate for the loss of wages resulting at least partially from a reduction in working hours. The Labour Market Service reimburses the employer (if the requirements are met) for the additional financial expenses (wage compensation and social security contributions) that incurs as a result of the employee's transfer to partial pension beyond the actual working hours. The employer therefore only has to pay part of the salary, the other part comes from the Labour Market Service. Qualification subsidy: The qualification subsidy subsidizes the employer's costs of further training for employees over 45 years of age without a compulsory degree for courses on the education market.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.4 Survey results – Europe Region

Austria

Question	Answer
Please provide a simple description on the limitations or disincentives	There is no special protection against dismissal for older employees in Austria (with exception of a discriminatory dismissal – see answer to question 1), but older employees can benefit from general protection against dismissal and contest their dismissal on the grounds of social injustice. To do this, they must have been employed in the company for at least six months and, due to their personal circumstances (in particular age), must be affected harder than other employees by the dismissal. This mainly refers to employees aged 45 and above. Socially unjustified means that it infringes substantially upon the interests of the employee, and, in a balance-of-interest test, it is not sufficiently justified by the employer. Reasons for justification by the employer are circumstances personal to the employee that are detrimental to the interests of the company OR economic reasons preventing continuation of employment. Generally, in the case of older employees, special consideration shall be given to the circumstance of many years of uninterrupted employment with the employer, as well as to the difficulties to be expected in reintegration into the work process due to older age. This does not apply to employees who have reached the age of 50 at the time of their recruitment. Further, in case of employees who have been with the company for many years, person related reasons based on an employee's higher age can only be used as a justification, if the continued employment would have a significant detrimental effect on the company's interests. Whether a dismissal is to be classified as socially unjustified depends on the circumstances of the individual case. The challenge of dismissal on the grounds of social injustice is usually carried out by older employees, as they usually must expect longer unemployment and higher income losses. However, there is no legal age limit for dismissal challenges.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.4 Survey results – Europe Region

Austria

Question	Answer
Please provide a simple description of this training right.	Older employees are entitled to be included in the relevant in-company training and further education measures. They must not be excluded from the measures because of their age (otherwise this would be considered discrimination – see answers in question 1). In addition, the Labour Market Service supports further training in the event of taking over an age-appropriate work at the same workplace after reaching the age of 45. Further training is also subsidized to enable a change to an age-appropriate/less stressful workplace. An adaptation to the current state of the art after the age of 45 is also eligible for funding. Adaptation to the current state of the technology after the age of 45 is also eligible for subsidies.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	In Austria, the principle of compulsory insurance applies. Insurance cover is automatically created by law and the principle exists for all employed or self-employed people in Austria as well as for certain relatives. Insured persons can therefore neither decide for or against insurance nor choose a specific health insurance institution. The insurance provides financial security in the event of illness, accident, unemployment and after retirement. People are therefore protected from various life risks or in certain life situations. These include illness, accident, disability, old age, and the associated consequences (e.g., need for care).

1.4 Survey results – Europe Region

Austria

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Employees are automatically covered by health, accident and pension and unemployment insurance. The employer is responsible for registering the employee with the relevant social security fund and cover commences on the date the employee starts to work. Social security contributions are directly deducted from wages or salaries by the employer. In addition, it is generally possible to enter into an additional health insurance agreement with a private insurance company to cover for benefits that would not be covered (or only in limited amount) by statutory health care insurance.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	No statutory measures exist.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	N/A
Region	Europe

1.4 Survey results – Europe Region

Belarus

Question	Answer
Jurisdiction	Belarus
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	At the beginning of 2021, 1,475.9 thousand older people (aged 65 and older) lived in the Republic of Belarus, which is 15.8 percent of the total population (at the beginning of 2011 - 13.7 percent).
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Belarus

Question	Answer
Please list and give a simple description of these rights.	The older people are entitled to the following benefits: ▪ A state pension. ▪ A compensation of medical treatment costs depending on personal income ▪ Reduced costs of public services and utilities. ▪ 50% discount on public transportation costs in period from 1 May up to 31 October. ▪ The entrepreneur income is subject to the personal income tax reduced by 20%. ▪ The older people are released from real estate tax and land tax. ▪ Reduced notarial fees.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The law restricts the age discrimination in employment relationships. The employer cannot refuse to engage the employee because of their age.
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Belarus

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The retirement system in Belarus is a pay-as-you-go system, meaning that current workers pay contributions that are used to fund the pensions of current retirees. The system is administered by the Social Security Fund of the Republic of Belarus. To be eligible for a state pension in Belarus, older people must: ▪ Have reached the retirement age (63 for men and 58 for women). ▪ Have a minimum required service record (25 years for men and 20 years for women). ▪ Have paid social security contributions during their working life Benefits The amount of the state pension will depend on employees' length of service record and their average earnings during your working life. The average pension in Belarus is around 545 белорусских рублей (BYN) per month (approximately US\$220). There is also a minimum pension guarantee, which is currently 296.74 BYN (approximately US\$120) per month. Early retirement is possible in Belarus under certain circumstances, such as for people with disabilities, people who have worked in hazardous or difficult conditions, and people who have raised large families. The local retirement system supports the conception of full. However, the retired employees can be business entrepreneur.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state

1.4 Survey results – Europe Region

Belarus

Question	Answer
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The law does not set forth any deduction from the state pension when the employee continues working after reaching a retirement age. The employee who works after reaching the retirement age can opt not to receive the retirement pension (while s/he receives a salary for his/her work) in which case the pension s/he will be eligible for will be increased by 6%, 8%, 10%, 12%, or 14% based on the years s/he decides to defer his/her actual retirement.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	The retirement age in Belarus is 63 for men and 58 for women. Employees who have reached retirement age are eligible to retire, but they are not required to do so. In practice, however, most employers and employees enter into annual fixed-term employment contracts. These contracts are typically extended each year until the employee reaches retirement age, at which time the employer may choose not to renew the contract.

1.4 Survey results – Europe Region

Belarus

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.4 Survey results – Europe Region

Belarus

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	The state provides the free-of-charge healthcare cope for the local people including the older people.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	N/A
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people	I suppose the only measure to be implemented in Belarus is an increasing the state retirement pensions the old people are entitled to.
Region	Europe

1.4 Survey results – Europe Region

Belgium

Question	Answer
Jurisdiction	Belgium
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Belgium

Question	Answer
Please list and give a simple description of these rights.	▪ Employment plan for older employees: Every company with more than 20 employees must prepare an employment plan to retain or increase the number of employees aged 45 and older. The plan outlines company-specific measures to maintain or increase employment of workers age 45 and older. ▪ Reduction of working time (end-of-career time credit): Time credit is a regime that enables the employee to suspend or reduce the work performances for a specific period of time. The employee who is at least 55 years old with a career of at least 25 years is entitled to reduce the working time by one day per week or to reduce the working time to a half-time employment until the (early) retirement. In order to be entitled to time credit, a number of strict eligibility conditions (e.g., professional career, seniority with the employer, working time regime) must be fulfilled and a specific procedure must be followed. Allowances by RVA/Onem are possible — subject to certain conditions — as of the age of 60. ▪ Retirement: The retirement age for both male and female employees is currently fixed at 65, except for some specific categories of employees for which the legal retirement age can be lower (e.g., pilots). As a result of recent legislative initiatives, the legal retirement age will be increased to 66, as of 2025 and to 67 as of 2030. Advanced retirement is only possible if employees can demonstrate a certain professional career (or assimilated periods). As of 2020, advanced retirement is only possible as of the age of 63 with a professional career of at least 42 years (or, respectively, 61 and 43 or 60 and 44). The amount of legal pension, paid through the national social security system, is based on the family situation, the number of years worked or assimilated thereto and the salary level of the employee. ▪ Unemployment with company allowances: The so-called "unemployment with company allowances" regime allows elderly employees who are terminated by their employer to benefit from an allowance payable by the employer, in addition to the unemployment allowance, until the age of legal retirement. ▪ Discrimination: "Age" is a protected discrimination criterium in Belgium. Employees who are victims of discriminatory acts can bring civil liability actions. They can choose between lump sum compensation and compensation for damages they have actually suffered. The lump sum compensation is six months' gross salary, unless the employer can show less favorable treatment would have been adopted in any event, in which case the lump sum compensation is fixed at three months' salary.

1.4 Survey results – Europe Region

Belgium

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The pension scheme in Belgium is a pay-as-you-go system for wage earners composed of a general compulsory scheme covering all salaried employees in the private sector, a scheme for civil servants and finally a scheme for self-employed workers. The retirement age for both male and female employees is currently fixed at 65, except for some specific categories of employees for which the legal retirement age can be lower (e.g., pilots). As a result of recent legislative initiatives, the legal retirement age will be increased to 66, as of 2025 and to 67 as of 2030. Advanced retirement is only possible if employees can demonstrate a certain professional career (or assimilated periods). As of 2020, advanced retirement is only possible as of the age of 63 with a professional career of at least 42 years (or, respectively, 61 and 43 or 60 and 44). The amount of legal pension, paid through the national social security system, is based on the family situation, the number of years worked or assimilated thereto and the salary level of the employee.

1.4 Survey results – Europe Region

Belgium

Question	Answer
	Pension contributions are included in the social security contributions on salary payable to the National Office of Social Security. In addition, Belgium has a system of complementary pension schemes, which provides for a pension in addition to the legal pension. Complementary pension schemes are set up at company or sector-level and are organized through an external group insurance or a pension fund. Such complementary schemes are financed through employer and/or employee contributions. Most Belgian employees benefit from this additional pension scheme, either at company-level or at sector-level, although the modalities and the amount of the benefit substantially vary. Although in the past most employers provided for defined benefit pension schemes, defined contribution schemes are much more common nowadays. Some business sectors provide for mandatory complementary pension schemes through a sector-level collective bargaining agreement to which all employees of that business sector must be affiliated, although the sector-level collective bargaining agreement will typically foresee an opt-out possibility for individual companies provided that an equivalent complementary pension scheme is set up at company level. Complementary pension schemes are subject to strict legal provisions, as mainly set forth in the Act of 28 April 2003 on complementary pension schemes for employees.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	Legal pension and complementary pension schemes (see previous question)

1.4 Survey results – Europe Region

Belgium

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	An employee may combine the retirement pension with income from a professional activity without restriction: ▪ If he has a career of 45 years on the effective date of the pension; or ▪ From January 1 of the year in which the employee reaches the legal retirement age. In all other cases, the worker must limit the professional income to the authorized amounts.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes

1.4 Survey results – Europe Region

Belgium

Question	Answer
Please give a simple description of such aids or benefits.	Employers who employ older employees benefit from a reduction in social security contributions on employees' earnings. The exact scheme will depend on the location of the employer (Flanders, Brussels or Wallonia).
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A

1.4 Survey results – Europe Region

Belgium

Question	Answer
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	The normal healthcare system applies.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	N/A
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	N/A
Region	Europe

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Jurisdiction	Bulgaria
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Elderly people above working age are the persons who have reached the age that entitles them to a contributory service and old age pension. The total number of pensioners in Bulgaria amounts to 2.03 million at the end of June 2023. This number includes all persons receiving one or more of the pensions provided for by the national legislation. About 17% of people receiving pensions in Bulgaria continue to work.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Please list and give a simple description of these rights.	1. People reaching a certain age and accumulating certain length of service have the right to retire and start receiving state pension. There are established rules for calculating the exact amount of the pension; however, the amount is subject to a statutory minimum of BGN 523.04 (approx. EUR 261.52) for the period after 1 July 2023 and a maximum level of pension of BGN 3,400 (approx. EUR 1,700). 2. Upon termination of employment if the employee has satisfied the requirements for entitlement to a contributory service and old age pension, he/she is entitled to compensation from the employer in the amount of 2 months' gross remuneration. Where the employee has worked for the same employer for the last 10 years of service, the compensation is 6 months' gross remuneration. This compensation is payable only once. 3. Employers do not have an obligation to provide employees with access to private pension schemes. The only requirement for employers is to withhold and pay the mandatory social security contributions to the state budget. Part of these contributions is at the expense of the employer (approximately 60%) and the remaining part is at the expense of the employee (approximately 40%). 4. The income from compulsory social insurance in Bulgaria or abroad (including pensions) is not subject to taxation. 5. Retired persons may still work as owners of companies (regardless of their legal form), as employed under an employment contract or performing certain work under a civil contract. ▪ Pensioners employed under an employment contract are treated as employees under the general procedure. This means that the salaries they receive are subject to state social security and health insurance. They are entitled to continue receiving their pensions. At the same time, however, pensioners have the right for each year of work to recalculate their pension by submitting to the State Social Security Institute documents proving length of service and the contributions paid. ▪ Pensioners who choose to work as business owners or as civil contractors are entitled to pay only health contributions. If they choose this option they would not have the opportunity to index their pension (because they are not paying contributions to the state social security funds).

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The Bulgarian Protection Against Discrimination Act bans "any direct or indirect discrimination on the grounds of, age, ..., or on any other grounds established by law or by an international treaty to which the Republic of Bulgaria is a party".
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The pension security system in Bulgaria is based on the so called 'three pillars': ▪ The first pillar is mandatory state pension insurance through the State Social Security Institute, paid for by obligatory contributions to the state Pension Fund. The state pension system functions on the principle of covering all expenses, and the state pensions are funded by the social security contributions of working-age individuals. Contributions are paid by both employers and employees. The state pension is paid to retirees by the State Social Security upon fulfilment of the requirements for length of service for social security purposes and age.

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	▪ The second pillar is additional mandatory private pension insurance, which is applicable to persons born after 31 December 1959. It is managed by licensed pension insurance companies and national social security companies in two funds: (i) a professional pension fund, which provides a fixed-term early retirement pension for certain categories of workers; and (ii) a universal pension fund, which provides a supplementary life-long retirement pension (in addition to the state pension). Contributions are paid by both employers and employees. ▪ The third pillar is additional voluntary pension insurance through licensed pension insurance companies in voluntary pension funds. Both employers and employees must make mandatory social security contributions on the employee's monthly insurance income. The Parliament annually sets a minimum monthly insurance income depending on the economic activity and a maximum monthly insurance income (as of April 1, 2022 it is BGN 3,400, approximately EUR 1,700). The exact amounts of the social contributions are calculated on the basis of the employee's gross remuneration, but within the minimum and maximum limits. The amount and type of the mandatory social security contributions depend, inter alia, on the category of labour performed by the employee. A special regulation defines three categories of labour. This regulation exhaustively lists the type of work conditions and professions that fall within the first and second categories, and the third category covers all those that do not fall within the scope of the first and second categories. The amount of the social contributions (for the third category of labour) is as follows: ▪ 18.8% to the State Pension Fund (first pillar) for employees born before 1 January 1960, and 13.8% for employees born after 31 December 1959; ▪ 5% to the private pension funds for employees born after 31 December 1959 (second pillar); ▪ 3.5% to the Common Disease and Maternity Fund; ▪ 1% to the Unemployment Fund; and ▪ Up to 1.1 % for Industrial Accidents and Occupational Diseases Fund.

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	These contribution amounts are divided between the employer and the employee on the basis of complex rules, roughly following the ratio of 60% at the employer's expense and 40% at the employee's expense. The retirement age for pension purposes is 60 years and ten months (with at least 35 years and two months of contributory service) for women, and 63 years and ten months (with at least 38 years and two months of contributory service) for men. As of 31 December 2016, the retirement age is being increased from the first day of each subsequent calendar year, as follows: ▪ The retirement age for women will be increased by two months per calendar year until 31 December 2029, and by three months per calendar year after 1 January 2030, until it reaches 65 years of age; ▪ The retirement age for men will be increased by two months per calendar year until 31 December 2017, and by one month per calendar year after 1 January 2018, until it reaches 65 years of age. Pensions are granted by the Social Security Institute upon written application by the candidate. The application must be filed within six months from: ▪ The date on which the employee becomes eligible to apply for and receive the pension; or ▪ The date of termination of employment, if such termination takes place after the employee becomes eligible to receive the pension. Additional voluntary pension insurance is implemented through participation in funds which are incorporated and managed by licensed pension insurance companies. Any natural person who has reached the age of 16 and who works for an employer-insurer which has established a professional scheme (i.e., participates in a pension scheme managed by a licensed pension insurance company) may participate in the scheme. The specific group of persons eligible to participate in the professional scheme must be determined in the collective bargaining agreement or another type of collective agreement. Where the professional scheme is the result of a collective bargaining agreement, it covers the members of the respective trade union and the employees who have joined by written application to the collective bargaining agreement. If there is no trade union organisation at the company level, the professional scheme may be established by another type of collective agreement.

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The pension security system in Bulgaria is based on the 'three pillars' explained in the answer to the previous question.
Can an employee in your country be forced to retire at a certain age?	No, employees cannot be forced to retire (application for retirement can only be done by employees), but employers would have grounds to terminate the employment contract if the employee meets all the age and length of service requirements to be entitled to a pension.
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Retired persons may still work as owners of companies (regardless of their legal form), as employed under an employment contract or performing certain work under a civil contract.

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	a. Pensioners employed under an employment contract are treated as employees under the general procedure. This means that the salaries they received are subject to state social security and health insurance. They are entitled to continue receiving their pensions. At the same time, however, pensioners have the right for each year of work to recalculate their pension by submitting to the State Social Security Institute documents proving length of service and the contributions paid. b. Pensioners who choose to work as business owners or as civil contractors are entitled to pay only health contributions. If they choose this option they would not have the opportunity to index their pension (because they are not paying contributions to the state social security funds).
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	The employer may unilaterally terminate an employment contract by written notice only on the grounds exhaustively listed in the Bulgarian Labor Code. Three of these grounds are directly related to retirement, i.e., the employment contract may be terminated by the employer unilaterally with notice: 1. When the employee becomes entitled to a pension for social insurance length of service and age; or when reaching 65-years of age in the case of professors, associate professors or persons holding a doctoral degree; 2. When the employee has been granted a pension for social insurance length of service and age in a reduced amount; 3. When the employment relationship has arisen after the employee has acquired and exercised his/her right to (a) pension for social insurance length of service and age; or (b) pension for social insurance length of service and age in reduced amount. The consent of the dismissed person is not required for the termination.

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Please explain your answer	Upon termination of the employment relationship, after the employee has acquired entitlement to a pension for social insurance length of service and age, irrespective of the grounds for the termination, he is entitled to compensation from the employer amounting to the employee's gross labour remuneration for a period of 2 months; and where the employee has acquired with the same employer or in the same group of undertakings 10 years length of employment service during the past 20 years, the compensation shall amount to the employee's gross labour remuneration for a period of 6 months. This compensation is payable only once.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	The State has introduced a special measure encouraging employers to recruit persons aged 50 to 64 who have become entitled to an occupational early retirement pension. The main purpose of this measure is to provide employment to persons from 50 to 64 years of age, registered with the Labour Office Directorate, who have acquired the right to an occupational pension for early retirement for a period of 12 months. The State provides subsidy for a period of 6 months for each such employee. The subsidy covers: ▪ The employer's contributions to the state social security funds, the supplementary compulsory pension insurance and the National Health Insurance Fund. ▪ Training for acquiring professional qualification in the amount of no more than BGN 300 (aprox. EUR 150).
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	This is not a separate right to older people. It is the general obligation of the employer to ensure that all employees undergo several types of training: ▪ Initial training, which must be provided on the start date of the employment relationship. The purpose is to acquaint new hires with the employer's basic OHS rules and requirements, the type and the nature of the work to be performed, and the specific hazards and risks. ▪ On the job training before the employee starts to perform his or her duties independently. In smaller enterprises (up to 50 employees) this can be combined with the initial training. ▪ Periodic training at least once per quarter for staff occupied in activities with a high production risk and once per year for all other employees. ▪ Additional training in certain specific cases (e.g., after a labor accident, fire or natural disaster, or to employees who have been absent from work for more than 45 calendar days). These trainings are regulated by law. They are to be provided during business hours, with all costs being borne by the employer, and must be properly recorded by the employer in special books. Trainings are provided to every employee, including to temporary employees, seconded employees, employees from other enterprises that will operate within the employer site, and all other persons who will visit the production units of the enterprise.

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Contributions for health insurance for pensioners from the state social insurance or from a professional pension fund are paid over the amount of the pension/s, without the supplements to them, and are at the expense of the state budget.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	An increasing amount of older people continue working after retirement in order to increase the amount of their pensions.

1.4 Survey results – Europe Region

Bulgaria

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	On 15 March 2019 the Council of Ministers adopted the National Strategy for Active Ageing in Bulgaria for the period 2019 - 2030.
Region	Europe

1.4 Survey results – Europe Region

Croatia

Question	Answer
Jurisdiction	Croatia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Under Croatian Social Welfare Act „older person" is defined as a person who has reached the 65 or more years of age. According to the data of the State Institute of Statistics of 2021, 22.45% of people in Croatia are the older people and 1.6% of the older people actively work.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	1. Pension - regular payment made by the state to the retired people; 2. Health insurance cover – health insurance cover financed by the state; 3. Accommodation or housing benefit – accommodation or housing service financed by the state for older people;

1.4 Survey results – Europe Region

Croatia

Question	Answer
Please list and give a simple description of these rights.	4. Personal needs allowance – state financed allowance for older persons using the accommodation or housing benefit; 5. National fee for older people – regular payment made by the state to older people with insufficient income who are not retired and are residing in Croatia for more than 20 continuous years. 6. Extended unemployment subsidy – subsidy made by the state to persons entitled to unemployment subsidy, who are unemployed for over 15 months, have at least 32 years of pensionable service and lack 5 or less years to be eligible for the old-age pension.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Discrimination is generally defined as situation in which a person is treated unfavorably based on specific statutory-defined features (or a false impression of such features), including the person's age. The discrimination is prohibited by law and is subject to various misdemeanor offenses. According to the Croatian Ombudsman's report for 2021, older people were exposed to the age discrimination when looking for employment, with respect to lack of social services for the elderly in the country, as well as practices that include age restrictions on access to goods and services (e.g., some insurance companies deny the service of voluntary health insurance to people aged over 65; under the local health insurance laws, unlike any younger persons, the people older than the age of 70 if still employed, are not entitled to for their sick-leave pay to be covered by the state, but only by their employer).
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Croatia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There are several types of pensions in Croatia, and only those listed below are related to people who reach a certain age. Old-age pension: An insured person acquires the right to an old-age pension when he/she reaches the age of 65 and has 15 years of pensionable service. In the transitional period from 2020 to 2029, women exercise the right to an old-age pension under more favorable conditions, with a lower age threshold, however from January 1, 2030, the conditions for women and men will be equalized. Old-age pension for a long-term service: An insured person has the right to old-age pension for a long-term service when he/she reaches 60 years of age and 41 years of pensionable service. Early-age pension: An insured person acquires the right to an early-age pension when he/she reaches the age of 60 and has 35 years of pensionable service. In the transition period from 2020 to 2029, women exercise the right to an early-age pension under more favorable conditions, with a lower age and shorter retirement years, however from January 1, 2030, the conditions for women and men will be equalized. There is no given range of minimum/maximum pension benefit amount provided on a national level in Croatia. With regard to minimum pension benefit, the Croatian Pension Insurance Institute issues semi-annually the amount of minimum base/pension benefit per year of service (which multiplied by minimum years of service required results in the minimum pension benefit at specific time, subject to certain exemptions/specifics for different types of retirement). Currently (and effective until 1 January 2024) the amount of minimum base per year of service is set at Euro 12,13 which in turn practically means that currently (up to and until 1 January 2024) the minimum amount of "the old age pension" in Croatia (for a minimum of 15 years of service required for a person to be entitled to the old age pension) is set at Euro 181,95. According to statistical data for February 2023, most of the pension beneficiaries in Croatia have a pension of about EUR 400 net monthly.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.4 Survey results – Europe Region

Croatia

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The pension insurance system in Croatia is based on three pillars of insurance: ▪ The first pillar is mandatory, is supported by the state and the contributions to it (15% of gross salary) are withheld and paid by employer; ▪ The second pillar is mandatory, is supported by the private insurance companies and the contributions to it (5% of gross salary) are withheld and paid by employer; and ▪ The third pillar is voluntary, is supported by the private insurance companies, and contributions to it are paid by employees subject to their discretion.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	Under the Croatian Labor Act, the employment will automatically terminate when the employee cumulatively satisfies two conditions for old-age retirement (being employee reaching 65 years of age and reaching 15 or more years of pensionable service with any and all employers), unless employer and employee agree otherwise.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	A person may work after retirement (with either simultaneously receiving pension or without receiving the pension) in order to ensure additional income. Generally, in case of full-time employment, the payment of the pension is suspended, where in case of part-time employment, the retired person remains entitled to pension payment. An individual who continues to work (part time) while receiving a pension would be entitled to request for his/her pension to be increased at the earliest once the time spent in work during pension accrues to (minimum) one full year (12 months) of service in full time.

1.4 Survey results – Europe Region

Croatia

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	Croatian Employment Institute introduces from time-to-time aids or benefits for different types of groups. Currently, there are in place programs encouraging the employment and self-employment of persons who are not easily-employable (including persons older than 50 years of age) by the state co-financing the cost of the gross salary for such employees.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	In case of redundancy, mandatory criteria for employer to select redundant employee between multiple employees include employee's age (where it is expected that the closer the person is to a retirement age, the more unlikely is for that person to be made redundant). The dismissal of employees who are older than 60 years of age is subject to the prior consent of the works council, or union trustee, if any. In case of dismissal which is subject to notice period, the employees who have reached 50 or more years of age are entitled to additional (extended) notice period.

1.4 Survey results – Europe Region

Croatia

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Trainings are provided by the public institution (Croatian Employment Institute) and intended for all unemployed persons (i.e., not only the older people) to acquire practical knowledge and skills necessary for their active inclusion in the labor market, and to strengthen their motivation to seek and accept employment.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The cost of health insurance coverage for older people in Croatia is covered by the state if they are retired.
Please explain how "older people" cope with healthcare.	N/A

1.4 Survey results – Europe Region

Croatia

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	There are no specific prospects or social plans for older people once they stop working.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	We believe that some of the measures that could be implemented in Croatia to improve the rights of older people include: ▪ Introducing higher tax-reliefs for the severance that is (voluntary) paid by employer to employee who is retiring; ▪ Introducing co-financing of retirement homes for people with insufficient income by the state (currently only some of the local communities have introduced this measure); ▪ Introducing state-financed or state co-financed programs for older people to actively include them in the community (e.g., different educational courses for older people, organized school-children visits or theater-visits to retirement homes); ▪ Introducing state-financed annual general medical examination/check-up for older people.
Region	Europe

1.4 Survey results – Europe Region

Czechia

Question	Answer
Jurisdiction	Czechia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	There is no legal definition of "older people". In demographic, economic and social statistics an "older person" is considered to be any individual aged 65 or over, in accordance with general practices used by the UN and Statistical Office of the European Union ("Eurostat"). The current percentage of people aged 65 or over was 20.6% (as of 31 December 2021), and approximately 7.2% of them are economically active.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	After a certain age and a certain period of insurance, a person can apply for retirement or "early retirement" pursuant to the Pension Insurance Act.

1.4 Survey results – Europe Region

Czechia

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The Anti-Discrimination Act prohibits employers from discriminating against employees on the basis of a number of protected characteristics, including age. This means that employers cannot treat employees differently or make decisions about employees based on their age.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The Czech pension system is based on compulsory basic pension insurance and voluntary supplementary pension insurance with a state contribution. The voluntary supplementary systems also include products of commercial insurance companies - in particular life insurance. The basic compulsory pension insurance is defined benefit (DB) and pay-as-you-go (PAYGO); it is universal and covers all economically active persons. The legislation is uniform for all insured persons; there are no special sectoral or occupational schemes, etc. To qualify for an old-age pension, an individual must have completed the required period of insurance (35 years) and have reached a specified retirement age. The retirement age is 65 years for all individuals born after 1 January 1972, and varies depending on several factors for individuals born until 31 December 1971.

1.4 Survey results – Europe Region

Czechia

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	While receiving a regular retirement pension, an individual may work or run a business without any restrictions. As long as pension contributions are paid from this gainful activity, he/she can always apply for an increase in his pension after 360 days.

1.4 Survey results – Europe Region

Czechia

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	The employer may not terminate employment unilaterally solely because the employee has reached retirement age.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.4 Survey results – Europe Region

Czechia

Question	Answer
Please provide a simple description of this training right.	There are no particular trainings for older people. However, in general any individuals have the opportunity to retrain through retraining courses organized by the Ministry of Labor and Social Affairs. To be eligible for a retraining course, a job seeker must be registered in the Czech Labor Office's Register of Job Seekers as a job seeker or an applicant for employment, have the appropriate entry-level qualifications, and be medically fit.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The state is the payer of health insurance contributions for retired people in full extent.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes

1.4 Survey results – Europe Region

Czechia

Question	Answer
Please give a simple description of these measures.	In the Czech Republic, as part of the Strategic Framework for the Preparation of an Aging Society, the number of places at Universities of the Third Age has increased. This is to ensure that older people who are still interested in learning have the opportunity to do so. In addition, there has been an increase in senior movements, senior clubs, and a number of interest groups and civic associations. At the same time, intergenerational centers are being established, which effectively address the issue of intergenerational dialogue.
What prospects or social plans do "older people" have when they stop working in your country?	Older people can be involved through volunteer movements, senior clubs and the like, which offer activities for older people - joint trips, interest groups, education and spending time with others. However, the family still plays an important role in preventing isolation among older people.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The following measures should be taken to improve the rights of older people: ▪ Fairer pensions should be introduced. ▪ Proposals should be prepared for earlier retirement for employees in demanding professions. ▪ Quality, timely, and accessible social services should be supported. ▪ Counseling and prevention services should be supported.
Region	Europe

1.4 Survey results – Europe Region

Denmark

Question	Answer
Jurisdiction	Denmark
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	A publicly provided pension for all eligible individuals.

1.4 Survey results – Europe Region

Denmark

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	An employer may not - directly or indirectly - discriminate against employees or applicants for vacant positions in relation to hiring, dismissal, relocation, promotion, or in terms of salary and working conditions based on their age. A general example could for example be where elderly individuals are being made redundant instead of their younger colleagues in spite of more seniority, skillset, etc.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Pension amount will differ based on how much an individual has paid into their pension during their years of employment, however, the government insures a minimum retirement pension. The retirement age is gradually raised and is currently 65 years.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.4 Survey results – Europe Region

Denmark

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	It is common practice for employees to pay into a pension provider through the employer each month to increase the available pension upon retirement. Furthermore, there is a publicly provided pension for all eligible individuals.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Individuals who has reached retirement age can choose to either postpone retirement or receive both salary and public pension at the same time.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.4 Survey results – Europe Region

Denmark

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.4 Survey results – Europe Region

Denmark

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Paid through taxes, full medical service for all citizens.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Many people choose to travel or pursue hobbies, etc.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, depending on the measure.
Region	Europe

1.4 Survey results – Europe Region

Estonia

Question	Answer
Jurisdiction	Estonia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	There is no legal definition for an older person in Estonia. We recognize that people over the age of 64 or people that have retired are "older people". There are about 276 659 people who are 64 years old or older in Estonia. About 28,2% of "older people" in relation to the total population are actively working in Estonia.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Estonia

Question	Answer
Please list and give a simple description of these rights.	Old age pension - A person is granted pension after reaching a certain age limit. This year people who are aged 64 years and 6 months can get old-age pension. They must also have 15 years of pension qualifying period. The pension qualifying period is the result of your life's activities, such as studying, raising children, working, serving in the military. There are also other types of pensions such as flexible pension, early old age pension, deferred old age pension, old-age pension under favorable conditions and survivor's pension. Allowance for a pensioner living alone - The allowance for a pensioner living alone is 200 euros, and it is paid once a year - together with the October pension. Assistance organized by the State: Assumption by State of Obligation to Pay Fee upon Purchase or Lease of Technical Aid - Upon purchasing or leasing a technical aid entered in the list of technical aids, the state shall assume from the entitled person the obligation to pay the fee Provision of social welfare assistance from local authorities such as: Domestic service - the objective of which is to ensure independent and safe coping of an adult in his or her home by maintaining and improving his or her quality of life. General care service provided outside the home - the objective of which is to ensure a safe environment and coping of an adult who is temporarily or permanently unable to cope independently at home due to reasons relating to state of health, operational capacity or physical and social environment. Support person service - the objective of which is to support the ability to cope independently in situations where a person needs significant personal assistance in performing his or her obligations and exercising his or her rights due to social, financial, psychological or health problems. Personal assistance includes guidance, motivation and development of greater independence and responsibility of a person. These services are not only provided to "old people" but also people who are in need of the service. Some local authorities also provide elderly people with a birthday benefit when they reach a certain age.

1.4 Survey results – Europe Region

Estonia

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	In Estonia we have the Equal Treatment Act that entered into force in 2009. It is stated in the first paragraph that "The purpose of this Act is to ensure the protection of persons against discrimination on grounds of nationality (ethnic origin), race, colour, religion or other beliefs, age, disability or sexual orientation." Discrimination of persons on grounds of religion or other beliefs, age, disability or sexual orientation is prohibited upon: 1. Establishment of conditions for access to employment, to self-employment or to occupation, including selection criteria and recruitment conditions, as well as upon promotion; 2. Entry into employment contracts or contracts for the provision of services, appointment or election to office, establishment of working conditions, giving instructions, remuneration, termination or cancellation of employment contracts or contracts for the provision of services, release from office; 3. Access to vocational guidance, vocational training, advanced vocational training and retraining, practical work experience; 4. Membership in an organisation of employees or employers, including a professional organisation, and grant of benefits by such organisations. Unfortunately, I do not have any specific examples of age discrimination to provide.
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Estonia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Retirement age To receive an old-age pension, a person must have reached retirement age and whose pension qualifying period earned in Estonia is at least 15 years. Starting from January 1st, 2017, the pensionable age will gradually increase, reaching 65 years of age by 2026. The old-age pension age increases in correlation with the year of birth. Year of Birth Pensionable Age 1958 64 y 3 months 1959 64 y 6 months 1960 64 y 9 months 1961 65 y The pension qualifying period is divided into two: 1. Years of pensionable service until 31.12.1998, calculated according to the employment record book and documents; 2. Pension accumulation period starting from 01.01.1999, calculated according to the social tax paid for you . The pension qualifying period can also consist only of the years of pensionable service, or of the pension accumulation period. Years of Pensionable Service The following activities shall be considered as included among the years of pensionable service (until 31.12.1998): 1. Working 2. Working as a self-employed person (provided that you paid the social tax) 3. Military service at the Estonian defence forces 4. Studying at a vocational educational institution, institution of professional higher institution, or at the university (full-time)

1.4 Survey results – Europe Region

Estonia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	5. Raising a child until the age of three (to one parent) 6. Raising a child for at least eight years (for one parent, two years per each child) 7. Participating at an employment training through the employment office, and time during which you received the unemployment benefit 8. Taking care of a Category I disabled person, or a disabled child under the age of 18 9. Membership at artistic or trade associations 10. Working at a farm if the farm was exempt from paying taxes 11. Mandatory work when punished with a conditional detention, participation at corrective works without detention, or time at preventive treatment and work Types of pension from the State I pillar: 1. Old-age pension; 2. Survivor's pension; 3. Deferred old age pension; 4. National pension; 5. Flexible Pension 6. Old-age pension under favourable conditions; 7. Early old age pension

1.4 Survey results – Europe Region

Estonia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There are also II and III pillar pensions, but it is your own choice to keep paying for those pensions. The money can be withdrawn at any time. Pension amount The pension calculation consists of 4 parts: 1. The pension base part - starting from April 1st, 2023, the base part is 317,9193 euros. 2. The pension qualification period part - depends on the time worked, studied, and served in the army until December 31st, 1998. 3. The insurance part of the pension - depends on the sum of insurance components that are calculated since January 1st, 1999, according to the social tax paid for you. 4. Joint part of pension Starting from the beginning of 2021, a fourth part – joint part – has begin accumulating. The joint part consists of: 1. An insurance component of 50%. The size of the insurance component is calculated based on the received social tax. It is calculated in the same manner as the currently accumulated insurance component. For example, the size of the insurance component of a person earning average wages in Estonia is 1.0; 2. A solidary component of 50%. The solidary component is 1.0, if the social tax has been paid for the person on at least 12 times the minimum wages during the year. If the social tax paid for the person is less than the minimum annual wages, the solidary component shall be calculated proportionally.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.4 Survey results – Europe Region

Estonia

Question	Answer
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	They can just work after also reaching the age where they are able to receive pension. (and also if they are already receiving pension) There are no certain requirements, if a person is able bodied and wants to work they are able to do so. Working during retirement is beneficial as the social tax paid by your employer will increase your pension. As your employment continues, you will continue to collect the joint part that the pension calculations are based on. The Social Insurance Board shall take the employment period into consideration, and increase your pension yearly, on April 1st. From 2021, people on who are receiving pension can get pension payments in parallel with their wages – regardless of whether they retired before or after the official retirement age. However, if they retired earlier before 2021, then this early retirement pension will not be paid out together with the wages earned during retirement even after 2021.

1.4 Survey results – Europe Region

Estonia

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.4 Survey results – Europe Region

Estonia

Question	Answer
Please provide a simple description of this training right.	The training is not only meant for older people but all unemployed people who are having trouble with adjusting to the labor market. These are the usual labor market services that are provided by the State and can also be used by older people: 1. Provision of information on situation on labor market, and of labor market services and benefits; 2. Job mediation; 3. Labor market training; 4. Career counselling; 5. Work practice; 6. Coaching for working life.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The majority of healthcare in Estonia is provided and paid for by the state via Estonian Health Insurance Fund. The national health insurance scheme covers approximately 95% of the population with a broad range of curative and preventive services as well as some monetary benefits. People who are receiving pension or working are covered by the Estonian health insurance system.

1.4 Survey results – Europe Region

Estonia

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	This is a subjective answer, since I am not entirely sure what all "older people" do in Estonia after they stop working. For example, my grandparents from my fathers side started gardening and spending time with their grandchildren. The other grandparents also spent time with the grandchildren, but my grandmother is still working after she has reached her retirement age and my grandfather died before the retirement age. I would say there is no big social plan after "older people" stop working, either they start spending more time with their families or maybe travel a bit more. Some people may also move out of Estonia after they have stopped working because the weather here is not the best.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	There are always possibilities to improve the rights of any class of people. Therefore, my answer would be yes.
Region	Europe

1.4 Survey results – Europe Region

France

Question	Answer
Jurisdiction	France
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

France

Question	Answer
Please list and give a simple description of these rights.	*From an employment perspective: Older people are generally protected against all types of discrimination at work (hiring, working conditions, termination, etc.). Differences in treatment based on age may not constitute discrimination when they are objectively and reasonably justified by a legitimate aim, in particular by the concern to protect the health or safety of workers, to promote their integration at work, to ensure their employment, or their compensation in the event of loss of employment, and when the means of achieving this aim are necessary and appropriate. Such differences may include : ▪ The prohibition of employment or the establishment of special working conditions to ensure the protection of older workers; ▪ Setting a maximum age for recruitment, where this is based on the training required for the position concerned or the need for a reasonable period of employment before retirement. *From a social security perspective: Elderly people may benefit from the solidarity allowance for the elderly ("Aspa"). To qualify for ASPA, the beneficiary must (i) reside in France or French territory (DOM-TOM), and meet (ii) age and (iii) low income criteria. The beneficiary must be at least 65 years old, except in special cases (e.g., disabilities, war veteran or prisoner) for which this criterion is reduced to the minimum legal age of retirement. In 2023, the monthly income limit is €961.08 for a single person, and €1492.08 for a couple. The beneficiary of ASPA can also benefit from: ▪ Coverage of medical expenses by the French social security system; ▪ Family subsidies; ▪ Exemption from certain taxes (income tax, residency tax, etc.)

1.4 Survey results – Europe Region

France

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Principle: Any discrimination based on age is prohibited by the French labor Code (article L. 1132-1) and deemed to be null and void (article L. 1132-4). Examples of discrimination defined by law: no employee may be sanctioned, dismissed or subjected to a discriminatory measure, in particular with regard to remuneration, profit-sharing or distribution of shares, training, reclassification, assignment, qualification, classification, professional promotion, working hours, performance evaluation, transfer or renewal of contract because of his age. Various tools to combat discrimination: Employees who believe they have been the victims of discrimination can either take legal action, or use one of the existing non-contentious channels. Non-contentious channels: Before taking legal action, employees can report acts they believe to constitute discrimination to a member of the social and economic committee (aka works council), to a telephone hotline, to the "Défenseur des droits" or via the whistleblowing procedure that may be applicable to their company. Action group: Other persons (trade unions, associations) are also entitled to take legal action, notably within the framework of group action through civil courts. Labour court proceedings: employees or job applicants have recourse to the labour court to have the decision based on discriminatory grounds overturned, and to claim compensation for the damage suffered.

1.4 Survey results – Europe Region

France

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Burden of proof: in case of discrimination, in civil/labour court actions, the burden of proof makes it easier for the claimants to demonstrate that they have been discriminated against: ▪ The claimant presents the judge with factual evidence suggesting the existence of discrimination; ▪ In the light of these factors, it is up to the employer to prove that its decision is justified by objective factors unrelated to any discrimination. The judges form their conviction after ordering, if necessary, any investigative measures they deem useful. Criminal proceedings: If employees or job applicants feel that they have been discriminated against, they can also lodge a complaint with the public prosecutor or police station, to launch the criminal procedure.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	In France, private-sector employees' basic pensions are topped up by the compulsory supplementary pension scheme Agirc-Arrco, which is also financed on a pay-as-you go basis. It is generally allowed to combine work and retirement, subject to specific rules which vary depending on whether the person was admitted to retirement before September 1st, 2023 or from September 1st, 2023, and whether or not they are receiving a full-rate retirement pension. The basic pension is granted at the full rate in one of the following 2 cases: ▪ Retirement before age 67 with a sufficient number of pension insurance quarters (this number varies depending on the year of birth); ▪ Retirement at age 67, regardless of the number of quarters of pension insurance.

1.4 Survey results – Europe Region

France

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Minimum retirement age depends on the date of birth and has recently been revised by law (as of September 1st, 2023). For example (without this list being exhaustive): ▪ If an employee was born before September 1st, 1961: the minimum age for retirement is 62 years old. ▪ If an employee was born in 1964: the minimum age for retirement is 63 years old. ▪ If an employee was born on or after January 1st, 1968: the minimum age for retirement is 64 years old. It is possible to take early retirement before the minimum retirement age if the individual is in one of the following situations and meets the required conditions: ▪ Having started work before the age of 20 and being eligible for early retirement for a long career; ▪ Having worked while disabled; ▪ Being permanently disabled as a result of an accident at work or an occupational disease; ▪ Having been exposed to asbestos during their working life. The pension amount a retiree will receive is calculated based on either basic salary or average annual earnings, the pension rate and the total period of insurance (number of quarters). There's a pension amount calculator on the French government's website.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system

1.4 Survey results – Europe Region

France

Question	Answer
Please provide an explanation of the mixed system applicable to your country	In France, private-sector employees' basic state pensions are topped up by the compulsory supplementary pension scheme Agirc-Arrco, which are administered by private industry bodies. Basic pensions under the general state scheme are awarded by: ▪ The (regional) retirement and occupational health funds (caisses d'assurance retraite et de santé au travail/CARSAT), ▪ The Île-de-France national old-age insurance fund (caisse nationale d'assurance vieillesse d'Île-de-France) for the Paris region, ▪ The general social security funds (caisses générales de sécurité sociale/CGSS) for the overseas Departments, ▪ The CSS in Mayotte. Membership in a supplementary retirement pension scheme is compulsory for all employees subject to statutory old-age insurance through the general social security scheme. For private-sector employees, supplementary pensions are administered by the Agirc-Arrco scheme, which is the result of the merger of the Arrco scheme (Association for Employees' Supplementary Pension Schemes), covering all categories of employees, with the Agirc scheme (General Association of Retirement Institutions for Executives), covering only managerial and executive staff ("cadre" status). Like the basic retirement pension scheme, Agirc-Arrco functions on a pay-as-you-go basis: the contributions paid by salaried workers and the employers are immediately used to pay current retirees' pensions.
Can an employee in your country be forced to retire at a certain age?	Yes

1.4 Survey results – Europe Region

France

Question	Answer
Please provide a simple description of the obligation and its practical implications.	Unless there is an exception, the age at which an employee can be compulsorily retired, i.e., without their agreement, is 70. The exceptions concern situations where the employment contract or collective agreement stipulates an age condition higher than 70 for compulsory retirement: where such provisions exist, retirement may not take place before the age set by the contract or agreement, even if the employee is in a position to have his or her full pension settled before then. Finally, there is the case of an employee who had already reached the age of 70 when he/she was hired by the company, and who cannot, therefore, have his/her age invoked as a reason for the employer to terminate the employment contract.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	1. The gradual retirement scheme provides a transition between work and retirement by enabling employees to draw a provisional pension while continuing to work exclusively part-time or, for employees on a fixed working day scheme, on a reduced working day scheme, between 40% and 80% of the legal or contractual working time applicable in the company (i.e., between 87 and 174 days worked when the maximum working time is 218 days per year). To qualify for gradual retirement, employees must be at least 60 years old and have at least 150 quarters of insurance. The fraction of the old-age pension, which varies according to the amount of part-time or reduced-time work, is equal to the difference between 100% and the proportion of part-time or reduced-time work, between 40% and 80%, of the full-time working time (or maximum working time expressed in days) applicable in the company. For example, for a 75% working week, the amount of the pension fraction is 25%. Gradual retirement lasts as long as the part-time or reduced-time activity continues. Access to gradual retirement is available only once. The full pension granted to the insured person when he/she completely ceases his/her activity is liquidated taking into account the amount of the full pension that served as the basis for calculating the gradual retirement, and the length of insurance completed since he/she began receiving it, under legal conditions.

1.4 Survey results – Europe Region

France

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	2. The combination of pension and work: The insured person may combine a retirement pension and a professional activity from the age of entitlement to a pension (depending on the date of birth) if he/she can prove the length of insurance to benefit from a full rate pension, or, regardless of the length of insurance, from the age at which he/she can automatically benefit from the full rate. The insured person must also provide proof that their personal old-age pensions have been paid by all the French and foreign basic and supplementary schemes that are legal or compulsory, as well as by the schemes of the international organisations to which they belonged. It is possible to return to work for the last employer as soon as the retirement takes effect. In this case, the pensioner must terminate his or her employment contract and sign a new one. A pensioner who does not meet the conditions for combining employment and retirement as described above may still return to paid employment if the income from this job position, added to the basic and supplementary pensions, does not exceed the average monthly salary for the last 3 months of paid employment or, if this ceiling is more favourable to the pensioner, 160% of the minimum hourly wage based on 1,820 hours per calendar year (i.e., €2,734.85 per month as at 1 January 2023). Where applicable, this income is revalued on the date on which the insured person's situation is assessed. If the ceiling is exceeded, the pensioner must inform the relevant fund(s) and pension payments will be reduced accordingly, which may result in the suspension of pension payments. If the pensioner returns to work for the last employer, he or she must do so at least 6 months after the date on which the pension became payable. Failing this, pension payments will be suspended.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.4 Survey results – Europe Region

France

Question	Answer
Please explain your answer	i. For employees aged between 67 and 69, Article L. 1237-5 of the French Labour Code makes their retirement conditional on compliance with a procedure that establishes a genuine "right of refusal" for those concerned. It is only when the employee has reached the full retirement age that the employer can question them about their willingness to retire. This age is set at 67, with some exceptions (e.g., for certain disabled people). ii. The employee can refuse the termination The employer must ask the employee in writing, 3 months before his/her anniversary date, "about his/her intention to leave the company voluntarily in order to receive an old-age pension". The employee has 1 month from receipt of this document to respond. If the employee refuses to retire, the employer may not retire the employee within 12 months of his/her birthday. Conversely, this means that the employee's silence is tantamount to acceptance. In such a case, the employer will be able to initiate the retirement procedure at the end of the 1-month cooling-off period. In practice, it is strongly recommended that the employer always ask the employee to reply in writing and to organise a face-to-face meeting. In case of refusal to retire, this procedure should be repeated every year between the employee's 67th and 70th birthdays, if the company so wishes. After the age of 70, the company may retire the employee without his or her permission. iii. Unless the national collective bargaining agreement or the employment contract provides for a higher amount, an employee who gets retired is entitled to an indemnity equal to the statutory dismissal indemnity. The amount of the minimum statutory dismissal indemnity is set as follows: up to 10 years of seniority : 1/4th of the monthly salary per year of accrued seniority; more than 10 years of seniority: 1/3rd of the monthly salary per year of accrued seniority above 10 years.

1.4 Survey results – Europe Region

France

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	i. State aid of €2,000 is granted if a jobseeker aged 45 or over is recruited under a professionalisation contract at the start of the contract. The application must be sent to Pôle emploi (the French unemployment body) within 3 months of the start date of the professionalisation contract. The aid is paid in 2 instalments (€1,000 at the end of the 3rd month of the contract and the balance at the end of the 10th month). Within 3 months of each of these two dates, the employer must send Pôle emploi a declaration stating that the professionalisation contract is still in progress. The amount of aid is capped at €2,000 and is in addition to exemptions from employers' social security contributions (sickness, maternity, invalidity, old age and death insurance) and family allowances. This type of recruitment enables the senior employee to acquire a new professional qualification through the training provided under the professionalisation contract, and to undertake professional retraining. ii. The Indefinite-term Inclusion scheme is designed to keep older people in long-term employment by enabling social integration organisations ("SIAE") to take on people aged 57 and over who are experiencing particular social and professional difficulties, on permanent contracts, after a minimum period of 12 months from the start of their social integration programme. The recruitment of people aged 57 under indefinite term inclusion contracts is encouraged by the payment of job subsidies to the SIAEs concerned for the entire duration of the contract (100% of the basic amount of the job subsidy in the first year of recruitment, then 70% in subsequent years).

1.4 Survey results – Europe Region

France

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Companies have a general duty to adapt all employees (including senior employees) to their job and must ensure that they remain capable to occupy a job. However, collective negotiations on the employment of older employees are still optional. The obligation to negotiate on the management of jobs and career paths only applies to companies and groups with 300 or more employees, and EU-scale companies with at least one establishment or a company with at least 150 employees in France. The provisions relating to the content of these negotiations stipulate that they must cover the following in particular: ▪ The implementation of a GPEC system (for future management of jobs and skills); ▪ The broad outlines of vocational training within the company over the next 3 years and the objectives of the skills development plan. These negotiations can also cover "the employment of older employees and the transfer of knowledge and skills" and "the improvement of working conditions for older employees".

1.4 Survey results – Europe Region

France

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	It is more of a general recommendation. Any worker whose state of health, age, working conditions or exposure to occupational risks so require is entitled to appropriate medical monitoring at intervals set by the occupational doctor, which may not exceed 3 years. In this context, the occupational doctor may also propose, in writing and after discussion with the employee and the employer, individual measures for the adaptation or transformation of the workstation, justified by considerations relating in particular to the age, physical stamina or state of physical and mental health of the workers.
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	i. In France, all employees are in principle covered by statutory health coverage, regardless of their age. Employers must ensure that all their employees, regardless of how long they have been with the company, benefit from a supplementary health expenses reimbursement scheme. The compulsory collective cover must meet the following conditions: ▪ The employer's financial contribution must be at least 50% of the contribution (the employee must pay the remainder). ▪ The contract must provide a minimum level of cover (minimum care basket) ▪ The contract is compulsory for all employees, except in cases where the employee can refuse the mutual insurance company (for example already insured through his/her spouse). Employees whose contracts are terminated for reasons other than wilful misconduct are entitled to continued health cover for a period equal to the period of unemployment benefit (up to a maximum of 12 months).

1.4 Survey results – Europe Region

France

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	ii. In the event of retirement, no later than 2 months after the end of the contract, the insurer will send the retired employee a proposal to maintain cover on an individual basis. This new contract : ▪ Is subject to a fee ▪ Is not limited in time ▪ Only covers healthcare costs, not contingency coverage (death, disabilities, etc.). Retired employees can apply for the contract no later than 6 months after the end of their employment contract.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	As previously mentioned (question 7), retirees may continue working after they retired. Since September 2023, French legislation now authorises the acquisition of new pension entitlements under this job-retirement accumulation scheme. These new rights will enable a new pension to be paid to supplement the first.

1.4 Survey results – Europe Region

France

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	According to recent stats, combination of retirement and work remains quite rare within the French population. In 2020, 4.1% of direct pensioners under the general scheme combined their pension with a job as an employee, craftsman or shopkeeper. "Younger" retirees (in case of early retirement) and men are more likely to combine work and retirement. Finally, retirees are more likely to work part-time than the working population as a whole. Volunteering and involvement in charities or associations is also more common among older people.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes ▪ The "ageing well" reform bill will be debated again in the National Assembly from 20 November. The draft bill, which aims to combat isolation and mistreatment of the elderly and guarantee them quality accommodation, includes provisions for the creation of a professional card for home carers and the introduction of visiting rights in retirement homes. When the bill was first examined in April 2023, the government added measures to simplify the procedures for people losing their independence. Unfortunately, the bill had to be suspended for lack of time. ▪ Improve the rights and protection of the persons helping older people (the French government has recently announced new measures reinforcing the rights of the helpers in the National Strategy Plan 2023-2027).
Region	Europe

1.4 Survey results – Europe Region

Germany

Question	Answer
Jurisdiction	Germany
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	There is no static or legal definition of "older person", however, it is generally considered to be a person above the age of 60 and 65. The Federal Statistical Office (Statistisches Bundesamt), for example, bases its statistics on the elderly population group or "older people" on all persons aged 65 and over. In addition, the so-called "very elderly" (Hochbetagte) is defined as all persons over 85 years of age. The proportion of people defined as "older persons" within the meaning of those aged over 60 years old in Germany in 2022 was 29.4% in relation to the total population. In 2022, the labor force participation among those aged between 60 and 65 amounts to 63% (2022) and 19% among those aged between 65 and 70. Overall, about 8% of all people over 65 in relation to the total population are working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Germany

Question	Answer
Please list and give a simple description of these rights.	List of individual old-age pension types in Germany: ▪ Old-age pension for persons insured for many years, § 236 SGB VI ▪ Old-age pension for seriously disabled persons, § 236a SGB VI ▪ Old-age pension for particularly long-serving insured persons, § 236b SGB VI ▪ Old-age pension due to unemployment or old age part-time employment, § 237 SGB VI ▪ Old age pension for women, § 237a SGB VI ▪ Old-age pension for miners who have worked underground for many years, § 238 SGB VI
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	"Age discrimination" may be defined as the discrimination of a person on the basis of age. Discriminatory conduct in this context refers to any disadvantageous, different, less favorable or unfavorable treatment on the basis of age. Under German law, age discrimination is prohibited. In particular, the General Equal Treatment Act (Allgemeines Gleichbehandlungsgesetz, AGG) protects all people in employment, occupation as well as in everyday business activities against discrimination on the basis of their age. In addition, the general prohibition of discrimination on grounds of age under EU law applies. Age discrimination in Germany takes place in all areas of life, but is particularly prevalent in the sphere of work. Young women are disadvantaged when looking for a job or advancing in their careers because employers fear long breaks due to pregnancy and maternity. Moreover, younger and older employees are often considered to be less competent, which has an impact on the evaluation of their performance and on their salary. One specific example of age discrimination that is relatively common is the wording of job advertisements in a way that suggests better opportunities for younger applicants, e.g., "young and dynamic team" or "searching for young professionals".

1.4 Survey results – Europe Region

Germany

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Germany operates on a pay-as-you-go system. Currently employed members and their employers pay a percentage of their gross pay into the statutory pension insurance each month. The money is paid directly to the pensioners as a statutory pension. The retirement age in Germany is dependent on the year of birth of the employee, however it ranges between the age of 65 and 67. Employees born before 1947 retire by the age of 65. For employees born between 1947 and 1964, the retirement age will gradually increase to 67 by the year 2031 in the following steps: For those born after 1947, the retirement age increases from 65 by one month each year. For those born after 1959, beginning in 2024, the retirement age will increase by two months per year. All employees born after 1964 reach retirement by the age of 67. In case of an earlier retirement, the employee has to accept deductions. The timing of the pension application is usually determined by the pension entitlements already acquired, the state of health, and the private and professional situation. The age limit for a pension without deductions will be gradually raised to 67 by 2031. The amount of the statutory pension depends on the current pension value. Those who retired in 2022 will receive on average EUR 1,256. According to Sec. 42 Social Security Code VI (Sozialgesetzbuch, SGB), insured persons can choose whether to receive the pension as full or as a partial pension in the amount of at least 10% of the full pension. The partial pension is intended to ease the transition to retirement. With a partial pension, insured persons can control the extent to which they still want to work or retire.

1.4 Survey results – Europe Region

Germany

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The German pension system is organized in three pillars: (1) the statutory pension insurance system regulated by the state, (2) company pensions and (3) private pensions. The statutory pension insurance system (gesetzliche Rentenversicherung) is mandatory for every person working in Germany and provides pension payments from retirement age based on annual earnings of the employee. The current pension insurance contribution is 18.6% of net income and is paid half by the employer and half by the employee. However, the contribution only has to be made up to a maximum contribution ceiling (Beitragsbemessungsgrenze) determined by the legislator. As of 2023, the monthly contribution ceiling amounts to EUR 7,300 in the old federal (western) states and EUR 7,100 in the eastern states. During working years, the employee collects "pension" points, dependent on the amount of contribution. With retirement, the pension points determine the monthly pension rate. If the monthly pension rate falls below a certain amount, the pension is topped up by the state (so called "basic rent" (Grundrente)). Supplementary to the statutory pension insurance system, employees may participate in company pensions (betriebliche Altersvorsorge). Typically, the employer pays into the pension fund directly from the salary of the employee and usually also tops up the contributions. Private pension plans are set up through banks and insurance companies. They are widely promoted by the government through encouragements such as bonuses and tax incentives.

1.4 Survey results – Europe Region

Germany

Question	Answer
Please provide an explanation of the mixed system applicable to your country	In addition, there are independent pension funds for certain liberal professions (e.g., that are eligible for membership in a chamber. Anyone who practices a liberal profession that is eligible for a chamber of professions is automatically a member and is thus at the same time a compulsory member of the relevant pension scheme of this chamber. A professional pension is therefore not a voluntary supplementary insurance to the statutory pension insurance. The liberal professions include physicians (including dentists and veterinarians), pharmacists, architects, notaries, lawyers (attorneys, patent attorneys), tax consultants/tax agents, auditors/sworn accountants, engineers and psychotherapists. Lastly, civil servants receive a pension plan which is separate from the statutory pension plan. The state pays them a pension from current tax revenues, however, they are still free to make use of an additional private pension plan.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The law specifies statutory age limits for certain professions. If the employee reaches these, he or she must resign from the profession without giving extra notice. Examples of occupations with age limits are professional soldiers, police officers and judges. In addition, age limits are also regularly specified in collective agreements or employment contracts. However, these are only permissible if there is an objective reason for the premature termination of the employment relationship and the employee is economically protected by a pension and/or social security benefits arranged by the employer. Beyond that, there is no possibility of forcing the employee to terminate his or her employment prematurely.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.4 Survey results – Europe Region

Germany

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Under German law, any employee may continue to work despite receiving a retirement pension without meeting specific eligibility requirements. On reaching retirement age, employees have the option of either continuing to work while receiving their pension or not drawing their pension until a later date. In both cases, this has a positive impact on the employee's situation. If he/she decides to take the pension later, the future pension increases by 0.5% for each month of continued work. In addition, the pension increases due to the ongoing payment of pension contributions. If the employee decides to draw pension and continue working, the remuneration does not negatively affect the pension. All contributions to the pension insurance are waived at the employee's request, but he may continue to pay them and thereby improve his later pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes

1.4 Survey results – Europe Region

Germany

Question	Answer
Please give a simple description of such aids or benefits.	In general, hiring older people mostly benefits the employer by discontinuing the duty to make certain social security payments, for example: ▪ Waiver of unemployment insurance contributions when the employee has reached the age of 63 years; ▪ Discontinuation of the employer's contribution to accident insurance as of the employee's 60th birthday; ▪ Discontinuation of the employer's monthly insolvency pay protection payment (IESG-Zahlung) for employees from the age of 63 onwards
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Older employees are given special protection against termination/dismissal through various mechanisms. For example, the age of employees must be taken into account in the event of termination for business reasons, which has a favorable effect on older employees and protects them from dismissal. In addition, employees over 50 are entitled by law to demand a higher severance payment. Lastly, termination of an employee simply on the grounds of age or the receipt of pension payments is prohibited.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.4 Survey results – Europe Region

Germany

Question	Answer
Please provide a simple description of this training right.	In general, older people have the same opportunities for further training as other employees. However, in 2019 the Qualification Opportunity Act (Qualifizierungschancengesetz) was introduced. It serves the purpose of promoting further training in the digital field, especially for older employees who are affected by digital structural change, by offering reimbursement for training costs as well as subsidies on wages for further training. In addition, the Federal Employment Agency (Bundesagentur für Arbeit) promotes further training by partially or fully covering the cost of training courses and providing subsidies for wages. Different educational institutions and private companies also offer training programs. For example, the "Arbeiter Samariter Bund" (ASB) holds computer courses for older people nationwide, which help to overcome fears of technology.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	Although there is no direct obligation on the part of the employer to adapt the job to the age of the employee, such an obligation can be derived from the employer's duty of care. It applies to all employees, but the duty of care extends with regard to older persons. In particular, it covers the area of work safety, so that workplaces must be set up in a way that protects the employee's health in the best possible way. This duty can have a greater impact on older people and may, for instance, require the employer to adapt the workplace to the older employee's special needs.
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	There are several ways to get health insurance in old age. ▪ Mandatory insurance in the statutory health insurance ▪ Voluntary membership in the statutory health insurance ▪ Private health insurance with a private insurance company

1.4 Survey results – Europe Region

Germany

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Older people in retirement must also pay contributions to the health insurance fund. The obligation to pay health insurance as a pensioner begins on the day the pension application is submitted, i.e., not when the pension begins. Currently, the general contribution rate for health insurance for older people in pension is 14.6% uniformly for all health insurance. Half of this is paid by the pension insurance. The contribution rate for long-term care insurance is 3,4% and must be paid in full by the pensioner himself. This means that people remain insured for health and long term care in the same way as in their working life. The statutory health insurance is a solidarity-based community.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	In order to be able to live a self-determined life and participate in society even at advanced age, there are state benefits for older people. There are many discounts - for example, at the theater and cinema or for train rides. Often, the pension certificate must be presented for this. There are also possibilities to use driving services, cleaning services, repair services or laundry services for help with daily activities.

1.4 Survey results – Europe Region

Germany

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	This depends very much on the specific situation of the person, in particular on their health, social and financial circumstances. Many older people are involved in voluntary work, for example in a church community or a sports club. In addition, many cultural and social projects are available in Germany specifically for retirees. In addition, older people can take advantage of various offers where they pay reduced admission, such as in museums.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	There are certainly many ways to improve the rights of older people in Germany and to ensure a higher level of human rights protection. Probably one of the strongest measures that could bring about a significant and sustainable improvement in the rights of older people is the reform of the German pension system. Many people in Germany live in old-age poverty, and while a reform has been planned for quite some time, it still has not been implemented. This would certainly be highly desirable.
Region	Europe

1.4 Survey results – Europe Region

Greece

Question	Answer
Jurisdiction	Greece
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Although there is no legal, demographical or social definition of "older people", from the information provided by the Hellenic Statistical Authority regarding the percentage of "older people", it results that for statistical reasons, people over 65 years old are defined as "older people". 22% of the total population of Greece is over 65 years. There are no official statistics regarding the percentage of older people, namely-for the purposes of the present survey-pensioners who work and a significant portion work without declaring it to the competent authorities. According to information available by the Unified Social Insurance Body, an estimate is that 38.364 pensioners are actively working and this constitutes approximately 0,36% of the total population (this percentage is calculated on the basis of data on the entire population of Greece deriving from the 2021 Population-Housing Census). However, this percentage might not representative, as non declared work is common.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Greece

Question	Answer
Please list and give a simple description of these rights.	1. Old-Age Pension: People who reach a certain age are entitled to a reduced or full pension depending on their age and their social security status (years of employment for which social security contributions have been paid). For better understanding we note that as a general rule, people over 62 years old are entitled to a reduced pension and people over 67 years old to a full pension, depending also on the social security status of each person. 2. Solidarity Allowance: for people over 67 years who do not fulfil the requirements for retirement and for people who are not insured with the Unified Social Insurance Body, is provided, amounting to 360 Euro. 3. Daily Care Centres (Open Care units) and Care Units (Closed Care Units) for older people who are not able to take care of themselves and whose family environment cannot take care of them are available for older people. Furthermore, Centres of Open Protection of Older People are also operating in each Municipality, where people usually above 60 years old may participate regardless of their financial or social status. The aim of these Centres is to protect the social rights of older people and provide non-institutional care so that older people remain active and equal members of the community. Said Centres provided organized entertainment (access to theatre and cinema productions, book presentations etc.), medical care, social work, physiotherapy, education etc..
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Age constitutes one of the factors which may lead to discrimination upon and during employment and such discrimination is prohibited by law (e.g., termination of employment due to age is deemed as null and void, unless the employee is entitled to a full pension)

1.4 Survey results – Europe Region

Greece

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The eligibility criteria for retirement vary depending on the year on which each person entered the social insurance system. People who reach a certain age are entitled to a reduced or full pension depending on their age and their social security status (years of employment for which social security contributions have been paid). The general rule is that for people who were insured for the first time before 1993, people over 62 years old are entitled to a reduced pension and people over 67 years old to a full pension, depending also on the social security status of each person, namely on the years of employment and on the amount of social contributions paid during said years. Furthermore, depending on the field of employment, people may also be entitled to a supplementary pension. The pension amount cannot be calculated as this varies depending on the years of employment, on the age, on whether the person eligible to a pension was insured as a salaried employee or as a self-employed person, on whether a supplementary pension shall be awarded, on whether the employee was insured with more than one Social Insurance Bodies (in the past there were more social insurance bodies depending on the field of employment, e.g., a different Body for lawyers, a different Body for engineers, a different Body for employees in the hotel industry etc., while now all different Bodies are unified under one Body, the Unified Social Insurance Body). For the sake of completeness we note that the minimum threshold for the calculation of the pension is the national pension which amounted to 384€ and, as of 1.1.2023 it was increased 413,76 €. Therefore, each employee is entitled to, at least, this amount of pension.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.4 Survey results – Europe Region

Greece

Question	Answer
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No.
Please provide a simple description of the obligation and its practical implications.	Employers cannot oblige the employee to retire. If the employee decides to retire and provides evidence to the employer that is entitled to a full pension, then the employer is entitled to proceed with the termination of the employment agreement with the following payments: (i) 50% of the legal severance provided for in case of dismissal, or (ii) 40% of the legal severance in case the employee is entitled also to supplementary pension.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The employee is entitled to work and receive a pension. In case a pensioner continues to work, he/she either declares this upon the filing of the application for the issuance of the pension, or, if the pensioner decides to start working again after filing an application for retirement, the pensioner declares the commencement of employment to the Social Insurance Body at a later stage. The amount of the pension is reduced by 30% regardless of the number of days the pensioner works within the month. However, the government is currently drafting a bill to amend the relevant legislation and eliminate such reduction so that pensioners can receive full pension. The pensioners will pay a special contribution calculated on the income deriving from their salary, which may range from 10% to 15% of the salary.

1.4 Survey results – Europe Region

Greece

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	Employers can terminate the employment agreement of an employee who is entitled to a full pension, which normally happens between 62-67 years. Normally, an employee eligible to retire files an application to the Unified Social Insurance Body and submits evidence thereof to the employer who may, thereafter, proceed with the termination. For the sake of completion we note that: - In case the employee is entitled to a full pension, the employee may resign and the employer will be obliged to pay the legal severance indemnity provided for in the law (i.e., is entitled to receive 50% of the legal severance indemnity provided for in case of dismissal, or 40% of the legal severance indemnity in case the employee is entitled also to supplementary pension. - An employee with +15 years seniority at the company or who fulfils the threshold provided for by the Unified Social Insurance Body for full pension or, if no such threshold is provided, who is 67 years old, may resign with the employer's consent and receive 50% of the legal severance.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	An incentive has been established for employers who hire long term unemployed persons at the age of 55 and over who have been employed in the past and insured for at least 6.000 days. Namely, the State subsidizes the employer's participation in the employee's social security contributions by 50%.

1.4 Survey results – Europe Region

Greece

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	There is no limitation provided for in the law for the termination of older people's contracts. However, in accordance with case law, an older employee and, in particular, one who is close to retirement, has a reinforced right to employment. Taking this into account, a termination of such an employee's contract may be deemed as null and void by the competent court, in case an employee files a relevant lawsuit before it and claims discrimination due to age. Therefore, the risk of having a court ruling on the invalidity of termination, leading, thus, to the reinstatement of the employee and the payment of salaries due as of the termination date, may constitute a disincentive for the termination of older people's contracts.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Llife-long learning centres operating in the form of entities of private or public law provide to older people the possibility for ongoing vocational training, reskilling, upskilling, consultancy regarding professional orientation.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	No. However, the principle of equal treatment should be taken into account in case of adaptation of a job to the age of the employee, as well as the right for difference of treatment in cases where the nature of the particular occupational activities concerned or of the context in which they are carried out, can justify such a difference of treatment.

1.4 Survey results – Europe Region

Greece

Question	Answer
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The coverage is paid through the social contributions paid by employers and employees throughout the years of employment of older people who retire and it provides access to hospitals and medical treatment, as well as to medication with a percentage of participation of the person involved to the related cost. Depending on the case, said the participation may reach 100%, if the specific treatment/medicine is not covered by the public health system.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Centres of Open Protection of Older People which operate in each Municipality, where people usually above 60 years old may participate regardless of their financial or social status. The aim of these Centres is to protect the social rights of older people and provide non-institutional care so that older people remain active and equal members of the community. Said Centres provided organized entertainment (access to theatre and cinema productions, book presentations etc.), medical care, social work, physiotherapy, education etc..
What prospects or social plans do "older people" have when they stop working in your country?	..

1.4 Survey results – Europe Region

Greece

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	...
Region	Europe

1.4 Survey results – Europe Region

Hungary

Question	Answer
Jurisdiction	Hungary
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	An individual will be considered an "older person" at the age of 65. Pursuant to the data provided by the Hungarian Statistical Office, the percentage of people in active age (persons between the age of 15-64) was 65,1% on 1 January 2021. The percentage of older people (person at or above 65 ages) was 20,3 %. Source: https://www.ksh.hu/sdg/1-1-sdg-1.html
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Hungary

Question	Answer
Please list and give a simple description of these rights.	1. Retirement pension: Generally, an old person with at least 20 years service are entitled to a retirement pension when they reach 65 years old. 2. Old-age allowance: The old-age allowance provides benefits for older people who have not completed the minimum service years to receive a retirement pension or have a low level of pension.. 3. Nursing care allowance: Persons suffering from long-term illness are entitled to this allowance. 4. Municipal aid: including different benefits such as (i) housing-related assistance, (ii) economic aid for a person caring for a relative who is permanently ill and over 18 years of age, (iii) contribution towards medical expenses or (iv) contribution towards the settlement of arrears relating to housing costs.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Hungary

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	As a rule, people are entitled to an old-age pension when they reach 65 years of age and have, at least, 20 years' service. In this case, a full retirement pension is awarded. A person who has not completed 20 years of service but has completed at least 15 years of service is also entitled to an old-age pension at the age of 65. In this case, a partial old-age pension is awarded. A reduced old-age pension for women is also considered an old-age pension if the woman has at least 40 years of qualifying service, regardless of her age. The qualifying period is defined as the period of service in gainful employment and the period of receipt of child-care benefits, as well as any period treated as such.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The pension is public and supported by the state.
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.4 Survey results – Europe Region

Hungary

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Older people can work in (i) employment relationship, (ii) as a sole entrepreneur or (iii) as a member of a pensioners' cooperative, while receiving their pension. The system encourages older people to continue working by: ▪ The pension will not be reduce. ▪ Older people will not pay social security contributions.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	Companies might obtain tax benefits and social security exemptions.

1.4 Survey results – Europe Region

Hungary

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	The employment relationship of persons within 5 years of their retirement can only be terminated due to their conduct in connection with the employment relationship.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.4 Survey results – Europe Region

Hungary

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Older people are covered by the social security system.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Older people receive retirement pension, however the amount of such pension barely covers the costs of living. Therefore, the Hungarian Government provides temporary aid or increases the amount of retirement pension from time to time.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Older people shall be provided a full medical support and training to support them in finding jobs in the labour market.
Region	Europe

1.4 Survey results – Europe Region

Italy

Question	Answer
Jurisdiction	Italy
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Older people working in Italy: 12% of the entire population with a critical age between 55 and 67 years old.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	1. Old age pensions for individuals with 67 years who have contributed at least 20 years to the Italian social security. 2. Anticipated pension for individuals with 62 years who have contributed approximately 43 years to the Italian social security

1.4 Survey results – Europe Region

Italy

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Companies can not terminate the employment relationship of an individual based on their age. However, once the employee reaches out the age of 67 years, the employer can dismiss validly with a written notice of termination based on such circumstance.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The current eligibility is when the individual is 67 years old and has contributed to the Italian Social Security Regime for at least 20 years. The pension amount depends by many factors, including the overall amount of social security contributions paid by the individual.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.4 Survey results – Europe Region

Italy

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	State System: All individuals working must be covered by a pension coverage. Private System: In addition, individuals can contribute to complementary or pension schemes held by private companies.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	Once the employee reaches out the age of 67 years, the employer can dismiss validly with a written notice of termination based on such circumstance.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Employees can retire and immediately after continuing working, without reduction in their pensions, and thus being entitled to receive their salary and the pension. The social security contributions paid after being retired do increase the overall value of the pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No.

1.4 Survey results – Europe Region

Italy

Question	Answer
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	There are tax benefits for the employee. For instance hiring an individual who always resided abroad, is beneficial for the employee, since his taxes for the first 5 years shall be paid on the 30% of the gross annual salary.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.4 Survey results – Europe Region

Italy

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The coverage is paid through the taxes paid by all the individuals to the tax authority. This guarantees an obligatory health coverage.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No

1.4 Survey results – Europe Region

Italy

Question	Answer
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Not applicable.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	No.
Region	Europe

1.4 Survey results – Europe Region

Latvia

Question	Answer
Jurisdiction	Latvia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Latvia

Question	Answer
Please list and give a simple description of these rights.	1. Pension benefits after reaching the specified age 2. Advantages in case of redundancy if less than 5 years remain until retirement 3. Discounts for transportation and healthcare 4. If the person continues to work after retirement age, it is possible to receive certain part of pension benefits on top of the salary
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Age discrimination is covered under the general concept of differential treatment as one of the characteristics. Differential treatment (discrimination) is not allowed in the hiring process, as well as during employment relationship depending on the person's gender, age, sexual orientation and other criteria. Harassment is also included under the notion of discrimination. Three main options are available in such situations: 1) the person can submit a complaint to the employer. The complaint must be reviewed in 7 days. 2) If this does not yield results, the person can submit a complaint to the Labor Inspectorate which can initiate administrative proceedings, request additional information from the employer and impose administrative penalty in case a breach is established. 3) If the person wishes to recover a compensation from the employer, then a claim must be submitted to the court as the Labor Inspectorate cannot directly order the employer to make any payments to the employee.
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Latvia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	At the moment retirement age is 64 years and 6 months. It will be increased up to 65 years until 1 January 2025. In order to receive pension, the person must have been socially ensured at least 15 years (as of 2025 it will be 20 years). Premature pension is possible 2 years before the retirement age if the person has been socially insured at least 30 years. The pension amount in this case would be lower for the entire duration of the pension. The amount of pension is calculated according to special formula which takes into account the taxes paid by the person, i.e., the pension is higher if the person received higher salary during the working years. It is possible also to continue working after reaching the retirement age and to receive pension at the same time. The current minimum old age pension is 173 EUR per month. Maximum is somewhat fluid, currently the maximum is 6500 EUR per month.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No

1.4 Survey results – Europe Region

Latvia

Question	Answer
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Full amount of pension is received if the person continues working after retirement age. There are no limitations.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A

1.4 Survey results – Europe Region

Latvia

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	If there are less than 5 years until retirement age, then in case of redundancy situation such person has an advantage to stay employed (unless the work results are significantly lower than for other employees).
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	They have the same rights to requalification/tuition as any other unemployed persons. The aid is provided by State Employment Agency.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.4 Survey results – Europe Region

Latvia

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Older people can receive the same state-guaranteed basic healthcare as any other individual.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	They can continue working part time, participate in various social activities, NGOs, etc.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	In many cases the pension is very low which could be improved.
Region	Europe

1.4 Survey results – Europe Region

Liechtenstein

Question	Answer
Jurisdiction	Liechtenstein
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Liechtenstein

Question	Answer
Please list and give a simple description of these rights.	In Liechtenstein, the material protection needs of older people are taken into account by the social insurance schemes. The entitlement to social security for older people is generally guaranteed by the legislation on old-age and survivors' insurance (AHV) and the 2nd pillar (Liechtenstein Law on Occupational Pensions, BVG). In cases where there is no entitlement to AHV benefits, there is a subsidiary entitlement to social assistance (Ergänzungsleistungen) in Liechtenstein, which is derived from the Liechtenstein Constitution (right to assistance in emergency situations). The right to health is secured by compulsory health insurance. In Liechtenstein, the Health Insurance Act (KVG) 1971 is elementary in this context. Basic health insurance is compulsory and is intended to guarantee universal health care. A health insurance company may not refuse to include a person in the basic insurance or cancel the basic insurance. The insured person, for his part, cannot terminate the basic insurance either; he can only transfer the cover from one health insurance fund to another. The right to health is secured by compulsory health insurance. In Switzerland, the Federal Health Insurance Act (KVG) of 1994 is elementary in this context. Basic health insurance is compulsory and is intended to guarantee universal health care. A health insurance company may not refuse to include a person in the basic insurance or cancel the basic insurance. The insured person, for his part, cannot terminate the basic insurance either; he can only transfer the cover from one health insurance fund to another.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Art 25 and 26 of the Constitution is the basis of the protection.

1.4 Survey results – Europe Region

Liechtenstein

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The system is regulated in the AHV Act (old-age and survivors insurance act): II. old-age pension Art. 55 Persons who have reached the age of 65 are entitled to an old-age pension. The right to early withdrawal of a pension in accordance with Art. 73 is reserved. Entitlement arises on the first day of the month following the attainment of age 65. the 65th year of age. It expires upon death.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system

1.4 Survey results – Europe Region

Liechtenstein

Question	Answer
Please provide an explanation of the mixed system applicable to your country	In Liechtenstein exists a 3 pillor system: The first pillor is the AHV. The second pillar : The occupational benefit scheme, also called pension fund or BVG, is compulsory for most employed people. It supplements the AHV pension and is intended to enable you to maintain a decent standard of living after retirement. The amount from the first and second pillars guarantees an income that is roughly equivalent to 60 per cent of your pre-retirement income. The third Pillar The third pillar can be used to improve the retirement pension. Unlike the other two pillars, the third pillar is not compulsory. It is an individual and private, voluntary insurance. You can insure yourself as long as you are gainfully employed.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	If someone works longer is has no impact on the first pillar. It may have a positive impact on the second and third pillar depending on the legal framework and contractual regulation of the third pillar.

1.4 Survey results – Europe Region

Liechtenstein

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	The periods of notice are different.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.4 Survey results – Europe Region

Liechtenstein

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	see above (AHV and the 3 pillar system).
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.4 Survey results – Europe Region

Liechtenstein

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	this is on a private basis.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	No
Region	Europe

1.4 Survey results – Europe Region

Lithuania

Question	Answer
Jurisdiction	Lithuania
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	In Lithuania, the target group for developing healthy lifestyles and other preventive healthcare services among older people consists of individuals aged 60 years and older. According to the Law on Social Insurance Pensions of the Republic of Lithuania, a person of retirement age in Lithuania today is a man aged 64 years and 6 months, and a woman aged 64 years. Starting from January 1, 2026, the retirement age in Lithuania will be 65 years, while the pre-retirement age refers to when the retirement age is no more than 5 years away. The Action Plan for Healthy Ageing in Lithuania 2014-2023, approved by the Minister of Health of the Republic of Lithuania, defines older persons as the Lithuanian population aged 55 and over. As of the beginning of 2023, the older age group (aged 55 and over) comprised 1,001,953 individuals, accounting for 35% of the population. According to 2022 statistics, the employment rate for 55-64-year-olds is 69.8%, and for those aged 65 and above, it is 11.7%.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Lithuania

Question	Answer
Please list and give a simple description of these rights.	Individuals of retirement age who have attained the statutory retirement pension age and have completed the minimum social pension insurance period of 15 years are eligible for a social insurance retirement pension. The pension amount is determined based on the person's duration of social pension insurance and the acquired pension units. Individuals under 5 years until they reach retirement age may apply for an early retirement pension. Additionally, social services are available, including information, counselling, mediation, and representation for the elderly. Employment law also provides certain guarantees: older workers have the option to terminate their contracts more easily. They are required to submit a request at least five working days in advance if they have already reached the statutory retirement age and are entitled to a full retirement pension. Upon contract termination, the employer is obligated to provide the employee with a severance payment equivalent to two times their average salary. If the employment relationship has lasted less than one year, the payment is one time the average salary. Typically, when an employer seeks to terminate an employment contract without fault on the part of the employee, one month's notice must be given. However, it's important to note that notice periods are doubled for workers less than five years away from the statutory retirement pension age and tripled for workers less than two years away. In the case of group redundancy, those within three years of retirement hold priority for retention in employment.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.4 Survey results – Europe Region

Lithuania

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The principle of non-discrimination is enshrined in the Labour Code of the Republic of Lithuania, wherein no discrimination is permitted based on sex, race, nationality, citizenship, language, origin, social status, religion, beliefs or opinions, age, sexual orientation, disability, ethnicity, health condition, intention to have a child (children), adopted child(ren), foster child(ren), ward(s) (hereinafter referred to as 'the child'), marital and family status, membership in political parties, trade unions and associations, or any circumstances unrelated to the staff member's professional qualities. Although the Labour Code prohibits discrimination, instances of age-based discrimination persist. For instance, job advertisements seeking 'young and attractive female waiters' or excluding individuals over 50 from job applications constitute discriminatory practices. If employers deny workers the opportunity for training solely due to being over 55 or nearing retirement, this constitutes an act of discrimination. In such cases, individuals should reach out to and inform the National Labour Inspectorate. However, exceptions can be applied within the realm of employment, where differential treatment based on age can be objectively justified by a legitimate aim. Distinct exceptions related to age might also be applicable in the realm of goods and services. For instance, it is a common practice to restrict access to specific goods and services for individuals under a certain age, typically 18
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Lithuania

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	According to the Law on Social Insurance Pensions of the Republic of Lithuania, a person of retirement age in Lithuania today is a man aged 64 years and 6 months, and a woman aged 64 years. Starting from January 1, 2026, the retirement age in Lithuania will be 65 years. The pre-retirement age refers to when the retirement age is no more than 5 years away. Individuals of retirement age who have reached the statutory retirement pension age and completed a minimum social pension insurance period of 15 years are eligible for a social insurance retirement pension. The pension amount is determined based on the person's duration of social pension insurance and the acquired pension units. Individuals with less than 5 years until they reach the retirement age may apply for an early retirement pension. The average old-age pension in 2023 is €542, while the average old-age pension with pensionable service is €575. For those without a minimum length of service, a pension of €184 is provided. The pension insurance length of service refers to the time during which individuals either make social pension contributions, receive payments, or are obligated to make statutory contributions themselves. In 2023, the required length of service is 33 years. This requirement increases by 6 months each year until it reaches 35 years in 2027.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system

1.4 Survey results – Europe Region

Lithuania

Question	Answer
Please provide an explanation of the mixed system applicable to your country	The Lithuanian pension system consists of three tiers: The first tier encompasses state social insurance, where working Lithuanians contribute to the State Social Insurance Fund Board (Sodra) from their wages. Entitlement to an old-age pension is achieved upon accumulation of the required length of service. The minimum period of pensionable service in Lithuania is 15 years, and the maximum is 30.5 years, increasing to 35 years in 2027. To accumulate years of pensionable service, individuals need to contribute at least 12 minimum monthly salaries per year. The second pillar is known as pension fund accumulation, wherein part or all of the contributions to pension funds are made by Sodra and/or the state budget, and workers may also contribute to the accumulation. Starting from 2019, the second pillar of pensions in Lithuania has been undergoing reform. Employees now contribute 3% of their salary 'on paper', while the state incentive is set at 1.5% of the country's average salary in the preceding year. On the 1st of January each year, employees under 40 years of age with a Lithuanian identity number are automatically enrolled in the pension scheme, with the option to opt-out. The third pillar of pension saving is fully private, where employees personally contribute at their desired level and frequency by entering into a contract with a pension company.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.4 Survey results – Europe Region

Lithuania

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	In Lithuania, the majority of workers are employed permanently, and the nature of their work typically does not entail strict physical requirements. Upon reaching retirement age, an individual has the option to either continue working and receive both a pension and a salary or to retire fully. There are exceptions for officials and soldiers, who also have distinct retirement ages. Pensions for those who continue working are higher. Working pensioners have their pensions renewed annually, and in most cases, the pensions increase due to their work, social security contributions, and accumulated additional years of service and credits. Additionally, similar to all other old-age pensioners, pensions are indexed on an annual basis.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.4 Survey results – Europe Region

Lithuania

Question	Answer
Please provide a simple description on the limitations or disincentives	Normally, if an employer wants to terminate an employment contract without fault on the part of the employee, it must give the employee one month's notice. However, it is important to note that the notice periods are doubled for workers who are less than five years from the statutory retirement pension age and tripled for workers who are less than two years from the statutory retirement pension age. In the event of redundancy in the group, those who are within three years of retirement shall have priority to be retained in employment.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	The Lithuanian Labour Code stipulates that an employer must take measures to enhance the qualifications, professionalism, and adaptability of employees to changing business, professional, or working conditions. For this purpose, in cases and according to procedures outlined in this Code, labour law regulations, or agreements between the parties, the employer must provide employees with the opportunity to undergo training, improve their qualifications, and foster professional development, irrespective of their age.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.4 Survey results – Europe Region

Lithuania

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	National social security constitutes the largest component of the social protection system. It encompasses nearly all individuals in Lithuania, providing benefits predominantly to those unable to work, the elderly, and those caring for young children. The primary objective of the State Social Insurance System is to ensure income for insured individuals in the event of incapacity to work due to sickness, maternity, old age, disability (incapacity to work), or in other circumstances defined in the Law on State Social Insurance. Every employed person is required to make monthly social security contributions, which are deducted from the employee's salary.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	In Lithuania, municipalities allocate a percentage of their budgets to provide free activities for seniors. In most cases, municipalities and NGOs provide sports and exercise classes for seniors to encourage them to move and socialise.

1.4 Survey results – Europe Region

Lithuania

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	In Lithuania, numerous free programs are available for the elderly, aimed at encouraging them to maintain an active and social lifestyle. These programs encompass free senior exercises, both on land and in the water, as well as dancing and social events. Additionally, a third-age university for seniors has been established in Lithuania, catering to seniors for a yearly fee of €50. Apart from providing learning and knowledge acquisition, this institution provides extracurricular activities and opportunities for socializing with peers.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	It is heartening to observe that municipalities and non-governmental organizations are aiding the elderly in maintaining their social interactions and mobility, along with ensuring access to essential provisions like food. I firmly believe that there should be an increase in voluntary organizations dedicated to assisting the elderly who face difficulties in movement, offering shopping support, and providing advice on crucial life matters. Comprehensive inclusivity for all elderly individuals in events and better dissemination of information, including educating them about scams and prevention measures, should be a priority. The elderly represent a vulnerable social group, and they are the ones most adversely affected by scams.
Region	Europe

1.4 Survey results – Europe Region

Luxembourg

Question	Answer
Jurisdiction	Luxembourg
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Luxembourg

Question	Answer
Please list and give a simple description of these rights.	▪ Aid for hiring older unemployed workers: employers who hire unemployed workers over 45 can, under certain conditions, recover the social security contributions paid (employer's share only) for a certain period of time. ▪ Retirement pension: Retirement under the general pension insurance scheme may be requested by insured persons who have reached the maximum working age or who have contributed long enough to claim their pension rights. The retirement pension starts on the day of the insured's 65th birthday. ▪ Long-term care insurance ("assurance dépendance"): covers the cost of care and assistance for dependent people .
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Yes, "age discrimination" is mentioned in article L. 251-1 (1) of the Law of 7 November 2017. The article states : "Any direct or indirect discrimination based on religion or belief, disability, age, sexual orientation, membership or non-membership, real or assumed, of a nationality, race or ethnic group is prohibited." Age discrimination can be direct or indirect: 1. Direct age discrimination is when one person is treated less favorably than another is, has been or would be treated in a comparable situation, based on the person's real or assumed age. This would be, for example, the employer rejecting all applications from people aged over 50. 2. Indirect age discrimination is where an apparently neutral provision, criterion or practice is likely to place people of a certain age at a particular disadvantage compared with other people, unless that provision, criterion or practice is objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary. This would be, for example, the employer making differentiations based on seniority.

1.4 Survey results – Europe Region

Luxembourg

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Specific tools to combat this discrimination: ▪ Adoption of "good practices" by companies under the Lëtzebuerg Diversity Charter ▪ Legal repression: prohibition of any discrimination linked to real or assumed age, as well as any behavior consisting in instructing someone to discriminate against people ▪ Adoption of legal positive discrimination measures by the employer: measures designed to prevent or compensate for a disadvantage that could be linked to age, in order to ensure full equality in practice (the typical case being the introduction of quotas). Please note that these measures should only be temporary
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	▪ Retirement under the general pension insurance scheme may be requested by insured persons who have reached the maximum working age or who have paid contributions long enough to be entitled to a pension. ▪ The benefits granted are calculated on the basis of the years of employment completed and contributions paid, which together make up the insurance career. ▪ Depending on their insurance career, insured persons may opt for an old-age pension or an early old-age pension. The pension insurance scheme provides for various old-age pensions subject to specific conditions of entitlement. ▪ The old-age pension starts on the day of the insured's 65th birthday.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.4 Survey results – Europe Region

Luxembourg

Question	Answer
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	When an employee turns 65, their employment contract is automatically terminated.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.4 Survey results – Europe Region

Luxembourg

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The regime depends on whether it is a normal retirement pension or an anticipated retirement pension. 1. Normal retirement pension In principle, the cumulation of salaried employment and a retirement pension is not forbidden. It does not matter whether it is a part time or a full time job. 2. Anticipated retirement pension The beneficiary of an anticipated retirement pension can work as long as the activity is either insignificant or occasional. An insignificant or occasional activity is any continuous or temporary activity generating income which, spread over a calendar year, does not exceed 1/3 of the reference minimum social wage per month. When the compensation exceeds this amount, the retirement pension is reduced by half. This half may also be reduced if, the anticipated retirement pension is combined with salaries or pecuniary indemnities paid under sickness, maternity and accident insurance schemes, earned or obtained in Luxembourg or abroad, and the amount of all these combined incomes exceeds a ceiling corresponding to the average of the five highest annual incomes during the insurance career. If the compensation from a salaries employment exceeds the aforementioned ceiling, the pension is refused or withdrawn.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.4 Survey results – Europe Region

Luxembourg

Question	Answer
Please explain your answer	i. The employment contract is automatically terminated, without notice and without entitlement to compensation, (i) on the day when the employee is awarded an old-age pension or an early old-age pension and (ii) on the day when the employee reaches the age of 65, provided he or she is entitled to an old-age pension at that age. ii. The dismissed person does not have to agree with the termination since the contract is automatically terminated. iii. There are no mechanism or incentive to encourage employees to leave. However, they have the possibility to conclude a new employment contract. Furthermore, if the employment relationship continues after the automatic termination of the employment contract, a new employment contract is implicitly formed between the parties. When terminating the new contract that has been tacitly concluded, the parties must observe the notice period based on seniority. In the event of successive employment contracts with the same employer, the seniority resulting from these two contracts will be taken into account in determining the notice period .
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	An aid is available to any private-sector employer legally established in Luxembourg for the recruitment of an unemployed person aged 45 or over and registered as a jobseeker with ADEM for at least 1 month. With this aid, The employer's share of social security contributions is reimbursed to the employer: ▪ For 2 years for unemployed workers aged 45 to 49 at the time of hiring; ▪ Up to retirement age for unemployed workers aged 50 or over at the time of hiring. If the proposed employment contract is for a fixed term (18 to 24 months), contributions are reimbursed only for the duration of the contract.

1.4 Survey results – Europe Region

Luxembourg

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.4 Survey results – Europe Region

Luxembourg

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Yes, as long as these are either employed, retired, receiving unemployment benefits or having a job allowing the coverage. For those having lost their job and not being entitled to any benefits, the coverage automatically ceases (e.g., older people terminated for gross misconduct with immediate effect).
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	The Chambre des salariés offers, through its formation center, a diversity of formations to help older people get some information, gain knowledge or get some training with computers or photography for example. Several ministries work together to help making older people's life easier and better. They give some information on the help they can get, on the activities that are directed to them, on the associations and clubs they can join, etc. There are for example 21 senior clubs throughout the country that offer several activities like sport, formations, seminars, classes, volunteering, social encounters etc.
What prospects or social plans do "older people" have when they stop working in your country?	Same answer as before: The Chambre des salariés offers, through its formation center, a diversity of formations to help older people get some information, gain knowledge or get some training with computers or photography for example. Several ministries work together to help making older people's life easier and better. They give some information on the help they can get, on the activities that are directed to them, on the associations and clubs they can join, etc. There are for example 21 senior clubs throughout the country that offer several activities like sport, formations, seminars, classes, volunteering, social encounters etc.

1.4 Survey results – Europe Region

Luxembourg

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, these measures could be implemented: ▪ Adaptation of the workload and work conditions depending on the age of the worker ▪ Encouraging seniors to work by putting in place incentives ▪ Open an option when the person turns 65 to allow them to retain their position if there is no objective reason to let them off, since the whole administrative process of re-hiring an older person might be a disincentive for both parties ▪ Open formations for older employees to allow them to adapt to the current economic situation without having to pay thousands to do it ▪ Create links between younger and older people, in the workplace and in the society, for example by creating some sort of godfather/godmother relationship ▪ Find ways for older people to feel more included and useful to the society for example by giving them a role in the formation of new workers ▪ Fight against older people loneliness and exclusion through campaigns ▪ Launch studies of general happiness of the older community in Luxembourg
Region	Europe

1.4 Survey results – Europe Region

Malta

Question	Answer
Jurisdiction	Malta
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	According to the Commissioner for older persons Act (Chapter 553 of the laws of Malta) and "older person" is defined as a person aged over sixty years. According to the regional statistics Malta 2023 published by the NSO, 140,472 individuals from the entirety of the population are 60 or older. This equals to 25% of the population, of which 9.5% are employed full time. Older people over sixty-five years of age that are still active in the labour market amounts to five thousand four hundred(5,400) individuals.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Malta

Question	Answer
Please list and give a simple description of these rights.	▪ Pensions - eligibility will arise according to contributions made from a specified age. ▪ According to a recent 2023 MOU elderly persons are entitled to receive free legal assistance through the legal aid referral system. ▪ The elderly can also benefit from the following schemes put forth by the government: Active Ageing Centres The Active Ageing Centres offer opportunities for older adults to remain physically, mentally and socially active. These centres enable senior citizens to meet other people their age and enjoy themselves during the activities organised. Each centre offers a varied programme of activities which include talks, outings, a variety of games and lifelong learning programmes and sessions. Apart from promoting socialisation and entertainment, these centres are hubs where the individual can learn in an informal way and share their skills with others. Carer at Home The Carer at Home scheme aims to provide another service within the community. Through this scheme, the Government provides financial support to senior citizens who employ a carer of their choice so as to assist them in their daily needs. The Carer at Home scheme is being offered both in Malta and Gozo. Community Geriatrician Service The Community Geriatrician Service aims to provide a comprehensive geriatric assessment to older persons who are homebound due to physical or mental health problems. The Community Geriatrician will carry out a domiciliary medical visit together with professionals from the CommCare Assessment Unit and the Dementia Intervention Team. Continence Service The Continence Service aims to alleviate the psychological problems to which a person may encounter due to bladder or bowel symptom problems resulting from incontinence. The objective of this service is to provide financial support to those persons by partial or full subsidy of continence products.

1.4 Survey results – Europe Region

Malta

Question	Answer
Please list and give a simple description of these rights.	Day/Night Dementia Activity Centre Dementia Activity Centres (DACs) are situated in different localities in Malta and Gozo and provide day and night care that is specifically designed to cater for the needs of persons living with dementia. DACs provide respite and support and relieve caregiver burden whilst providing therapeutic activities to the persons with dementia. Several studies have demonstrated that caregivers of relatives with dementia who use dementia activity centres experience lower levels of caregiving-related stress and better psychological well-being than control groups not using this service. Trained professional carers also facilitate and provide therapy to those that attend the centres and this directly helps to manage the consequences of the condition. Dementia Intervention Team The Dementia Intervention Team (DIT) provides a community-based service to persons with dementia and their caregivers. A holistic assessment of the caregivers' and care recipients' situation, is carried out in the home, where the person with dementia is residing. Following an assessment, a care plan is tailor made for each case – which might include information and training; support, advice on safety and coping strategies for both the person with dementia and their caregivers. Ultimately, the main aim of the team of professionals is to enable people with dementia to continue actively ageing in the community. Domiciliary Dietitian The Domiciliary Dietitian Service is designed to assess, diagnose and treat diet and nutrition problems. This service aims to provide access to housebound senior citizens to obtain a comprehensive dietetic assessment. Elderly Services The Active Ageing and Community Care Directorate provides a number of services. This application form incorporates all the major services offered by the Department, which are: ▪ Active Ageing Centres ▪ Home Help Service ▪ Respite at Home

1.4 Survey results – Europe Region

Malta

Question	Answer
Please list and give a simple description of these rights.	▪ Respite ▪ Handyman Service ▪ Telecare+ ▪ Telephone Rent Rebate ▪ Meals on Wheels ▪ Continence Service ▪ Domiciliary Nursing ▪ Domiciliary Caring ▪ Carer at Home Scheme ▪ Dementia Activity Centre ▪ Social Work ▪ Night Shelter ▪ Home Admission ▪ Community Geriatrician ▪ Podiatry Service ▪ Physiotherapy Service ▪ Occupational Therapy Service ▪ Free Medical Tests for Conditions of the Ears, Nose and Throat (ENT) and Hearing Tests

1.4 Survey results – Europe Region

Malta

Question	Answer
Please list and give a simple description of these rights.	▪ The Service of free Medical Tests for Ear, Nose and Throat (ENT) Conditions and Hearing Tests will allow all elderly persons over 65 years to have free tests for conditions of the ears, nose and throat, while they will also be offered a hearing examination. ▪ Handyman Service ▪ Home Admission ▪ Home Admission provides residential care service in an emotionally safe and secure environment for senior citizens and persons with disability, who can no longer cope with living in their own homes. ▪ Home Help Service The aim of the Home Help Service is to support beneficiaries to keep on living in their community independently and as long as possible. It also aims to provide support for informal carers. ▪ Meals on Wheels The aim of the Meals on Wheels service is to support senior citizens and other persons who are still living in their own home but are unable to prepare a meal. ▪ Night Shelter The aim of the Night Shelter service is to offer shelter during the night to senior citizens who live alone and who, for various reasons, may feel insecure in their home. A number of night shelters are offered in Malta and Gozo. This service is offered by the Active Ageing and Community Care in collaboration with other entities. ▪ Occupational Therapy Service The Occupational Therapy Service is concerned with promoting health and well-being of a senior citizen through occupation. The primary goal of this service is to enable a senior citizen participate in the activities of everyday life. This outcome is achieved by working with a senior citizen and communities to enhance their ability to engage in the occupations they want or need to, else by modifying the environment to better support their occupational engagement.

1.4 Survey results – Europe Region

Malta

Question	Answer
Please list and give a simple description of these rights.	▪ Phlebotomy This service consists of the withdrawal of blood for blood investigation and transporting the blood samples to the Pathology Department at Mater Dei Hospital. The aim of this service is the provision of phlebotomy to housebound senior citizens and persons with a disability at their own home. ▪ Physiotherapy Service The Physiotherapy Service is aimed at helping a senior citizen reach his maximum potential so as to enjoy independent living to the best possible level. The physiotherapist who forms part of a team of Allied Health Professionals, will provide therapy and rehabilitation advice/training to address any problems related to mobility. ▪ Podiatry Service The Podiatry Service is designed to assess, diagnose and treat conditions of senior citizens, related to the foot and lower limb. The podiatrist who forms part of a team of Allied Health Professionals, offers a comprehensive range of footcare services, such as skin (e.g., warts, calluses and blisters); toenail (e.g., thickened, discoloured and ingrown toenails); injury to the foot and ankle and other complications related to diabetes in the foot or having a problem with walking. ▪ Psychotherapy Service Psychotherapy helps people who have difficulties on an emotional and behavioural level. Through psychotherapy, the person can identify and change these emotions, thoughts, and behaviours with the aim of living a better quality of life. The psychotherapy service can help senior citizens in Residential Homes as well as in the community to address issues that may be contributing to emotional difficulties. ▪ Residential Respite The aim of the Residential Respite service is to provide planned short-term breaks for the informal caregivers of senior citizens who are dependent. ▪ Respite at Home The aim of the Respite at Home service is to provide temporary relief to the informal caregiver who is taking care of a senior citizen at home. The Respite at Home service will provide: companionship, socialisation and/or personal care within the senior citizen's home. Personal care includes but is not limited to bathing, dressing, feeding and toileting.

1.4 Survey results – Europe Region

Malta

Question	Answer
Please list and give a simple description of these rights.	▪ Silver T Service The Silver T Service consists of local transport for older persons to conduct their daily errands within the community, without having to depend on their families and friends. ▪ Telecare + The aim of the Telecare+ service is to provide peace of mind to senior citizens, their careers and relatives when assistance is required at the senior citizen's home, , thus encouraging encouraging senior citizens to continue living in their own home and in the community. ▪ Telecare on the Move The aim of the Telecare on the Move service is to provide people with dementia the right to achieve the highest quality of life with the least restrictions placed on their personal liberties. This service thus encourages people with dementia over 60 years of age to continue living in their own home and in the community. ▪ Telephone Rent Rebate The aim of the Telephone Rent Rebate service is to provide a bi-monthly discounted rental charge on an applicant's residence direct telephone line. This service is only intended for senior citizens having a GO plc telephone service. There is no discount on telephone calls made by an applicant.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.4 Survey results – Europe Region

Malta

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Any discrimination on grounds of age is prohibited completely in the field of employment and occupation. This is governed by Directive 2000/78/EC on employment equality, complementing the EU Charter of fundamental human rights which states that any discrimination on grounds of age is prohibited. The Times of Malta gives a comprehensive description of what such discrimination consists of: "The Directive classifies discrimination as direct and indirect. Direct age discrimination occurs where one person is treated less favourably than another in a comparable situation because of their age. Indirect age discrimination occurs when an apparently neutral criterion or practice puts a person of a particular age at a disadvantage compared with other persons in a comparable situation. Direct age discrimination may take the form of age limits. Age limits may be imposed for the commencement of a particular career, or at which an employment relationship terminates. The directive limits the circumstances in which national laws of member states may permit employers treat employees differently on grounds of age. Such difference in treatment is only allowed under the exception laid down in the EU directive, where the legislator or the employer are pursuing a legitimate aim and if the means of achieving that aim are appropriate and necessary." Specific tools to combat such discrimination include but are not limited to cases applied for with the Industrial Tribunal and the Courts of Malta. Case law: Professor Roger Ellul Micallef as Rector of the University of Malta & Chairman of the Board of Selection of the University of Malta First Hall, Civil Court Judge Lino Farrugia Sacco, 6 December 2006
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Malta

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The main retirement system in Malta revolves around a contributory retirement pension. There are 3 categories of pension that a person can receive: ▪ TTP – Two-Thirds Pension which is earnings related according to the social security contribution average. ▪ RP – Retirement Pension which is based on flat rates and is paid to claimants in receipt of a Service Pension. ▪ NMP – National Minimum Pension which is paid to claimants paying a low rate of social security contributions. Payment to all the individuals eligible for the above criteria are paid four(4) weeks in advance. Amount payable is to be calculated mainly on the number of contributions made. Eligibility for retirement according to the Department for social security is as follows: 1. If a person is born: ▪ Between 1952 and 1955, the pension age is sixty-two (62) years – for employed persons, pension will be calculated on the best three (3) consecutive years in the last eleven (11) years. While for self-employed/self-occupied persons, pension will be calculated on the best ten (10) consecutive calendar years in the last eleven (11) years. ▪ Between 1956 and 1958, the pension age is sixty-three (63) years for employed persons, pension will be calculated on the best three (3) consecutive years in the last twelve (12) years. While for self-employed/self-occupied persons, pension will be calculated on the best ten (10) consecutive calendar years in the last twelve (12) years. ▪ Between 1959 and 1961, the pension age is sixty-four (64) years – for employed persons, pension will be calculated on the best three (3) consecutive years in the last thirteen (13) years. While for self-employed/self-occupied persons, pension will be calculated on the best ten (10) consecutive calendar years in the last thirteen (13) years. ▪ Between 1962 and 1968, the pension age is sixty-five (65) years – for employed, self-employed or self-occupied persons, pension will be calculated on the best ten (10) calendar years out of the full forty (40) years.

1.4 Survey results – Europe Region

Malta

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	- On or after the 1st January 1969, the pension age is sixty-five (65) years – for employed, self-employed or self-occupied persons, pension will be calculated on the best ten (10) calendar years out of the full forty-one (41) years. A person who reaches the age of sixty-one(61) years can also opt for an earlier pension entitlement provided that he/she will not remain in any gainful occupation and has paid stipulated contributions between the ages of eighteen (18) and the date of retirement as follows: - Thirty-five (35) years, paid or credited contributions for a person born during calendar years 1952 to 1961. Total number of Social Security Contributions required for this period is one-thousand, eight-hundred and twenty (1820). - Forty (40) years, paid or credited contributions for a person born during calendar years 1962 to 1968. Total number of Social Security Contributions required for this period is two-thousand and eighty (2080). - Forty-one (41) years, paid or credited contributions for a person born on or after 1st January 1969, of which thirty-five (35) need to be paid contributions. Total number of Social Security Contributions required for this period is two-thousand and one-hundred and thirty-two (2132). When the pension age as stipulated above has been reached, then the early pensioner of minimum sixty-one(61) years of age may have a gainful occupation. - Claimant has been employed or self-employed prior to retirement/pension age. - On the date of retirement/pension age, claimant satisfies the relevant Social Security Contribution conditions. - A Contributory Retirement Pension is awarded as from the day following date of retirement/pension age.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.4 Survey results – Europe Region

Malta

Question	Answer
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.4 Survey results – Europe Region

Malta

Question	Answer
Please explain your answer	An employer can terminate the employment of an employee when he/she attains the retirement age of sixty-five(65). Any notice payment or reason is not required by law. This is reciprocated by the employee who can also terminate his employment with the only reason being the attainment of retirement age. The employee can also opt to go for an early retirement where the same conditions are applicable.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	According to the social security department. "Persons who satisfy the eligibility conditions to claim their Retirement Pension prior to their pension age or persons who have reached their pension age, but opt to defer such claim and continue in employment or self-employment, are eligible to a percentage increase in their pension rate as follows: ▪ For persons entitled to a Retirement Pension at age 61 who opt to continue working till age 62 without claiming their retirement pension at age 61, a 5% increase in pension rate entitlement at age 62 ▪ For persons entitled to a Retirement Pension at age 62 who opt to continue working till age 63 without claiming their retirement pension at age 62, a 5.5% increase in pension rate entitlement at age 63 ▪ For persons entitled to a Retirement Pension at age 63 who opts to continue working till age 64 without claiming their retirement pension at age 63, a 6% increase in pension rate entitlement at age 64 ▪ For persons entitled to a Retirement Pension at age 64 who opts to continue working till age 65 without claiming their retirement pension at age 64, a 6.5% increase in pension rate entitlement at age 65

1.4 Survey results – Europe Region

Malta

Question	Answer
Please give a simple description of such aids or benefits.	Those opting to postpone their Retirement Pension award for more than one year, will have their pension percentage increase accumulated as follows: ▪ For persons entitled to a Retirement Pension at age 61 who opt to continue working till age 63 without claiming their retirement pension at age 61, a 10.5 % increase in pension rate entitlement at age 63 ▪ For persons entitled to a Retirement Pension at age 61 who opt to continue working till age 64 without claiming their retirement pension at age 61, a 16.5% increase in pension rate entitlement at age 64 ▪ For persons entitled to a Retirement Pension at age 61 who opt to continue working till age 65 without claiming their retirement pension at age 61, a 23% increase in pension rate entitlement at age 65 ▪ For persons entitled to a Retirement Pension at age 62 who opt to continue working till age 63 without claiming their retirement pension at age 62, a 5.5% increase in pension rate entitlement at age 63 ▪ For persons entitled to a Retirement Pension at age 62 who opt to continue working till age 64 without claiming their retirement pension at age 62, a 11.5% increase in pension rate entitlement at age 64 ▪ For persons entitled to a Retirement Pension at age 62 who opt to continue working till age 65 without claiming their retirement pension at age 62, a 18% increase in pension rate entitlement at age 65 ▪ For persons entitled to a Retirement Pension at age 63 but choose to work till age 64 without claiming their retirement pension at age 63, a 6% increase in pension rate entitlement at age 65 ▪ For persons entitled to a Retirement Pension at age 63 but choose to work till age 65 without claiming their retirement pension at age 63, a 12.5% increase in pension rate entitlement at age 65 The percentage pension increase is cumulative and will be paid till date of pensioner's demise. The percentage pension increase will be payable to all eligible persons in receipt of a Contributory Retirement Pension who satisfy the above conditions including those in receipt of the Maximum Two Thirds Pension. The percentage increase is payable apart from other pension increases, included Cost of Living Adjustment.

1.4 Survey results – Europe Region

Malta

Question	Answer
Please give a simple description of such aids or benefits.	The percentage increase is transferred in the case of a Widows Pension." There are also incentives given to employers who employ mature workers who are people who are between the ages of forty-five(45) and sixty-five(65) years on the unemployment register for at least 6 months,(Article 3 of S.L 123.159): ▪ Employers hiring such employees will benefit from a tax reimbursement of a maximum of €11,600 for 2 years. If training is outsourced and provided by third parties employers will be reimbursed for up to €400 (50% of the cost of training).
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.4 Survey results – Europe Region

Malta

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The government pays for such coverages. The extent of the coverage depends on the services provided by the public service which include but are not limited to; Active aging centres, Home help service, Dementia activity centres and more. These services do not exclude the free or reduced cost health care that is offered to each and every individual in Malta upon the presentation of the EHIC.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	There are active aging centres, offering older people opportunities to remain physically, mentally and socially active. There is also the social work service to provide emotional support, guidance and assistance to the elderly to live an active lifespan within the community. This service deals with social work cases, provides support to clients, facilitates the management of personal assistance, action plans, crisis intervention, Home Help Service assessment, and coordination with geriatric hospitals and rehabilitation hospitals. There is also the occupational therapy service that promotes the health and well-being of the elderly through occupation. The main purpose of this service is to enable older people to participate in activities of everyday life. This result is achieved by working with the elderly and communities to improve their ability to enter the occupations they want or need, or by modifying the environment to better support their occupations.

1.4 Survey results – Europe Region

Malta

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Services including social plans include but are not limited to: ▪ Psychotherapy Services ▪ Eligibility for contributory pension plans ▪ Active Aging centres ▪ Occupational therapy service The full list can be found on https://www.servizz.gov.mt/en/Pages/Inclusion_-Equality-and-Social-Welfare/Social-Inclusion/Elderly-Care-and-Services/default.aspx?page=2
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The main measure that could be implemented is the eligibility to receive a pension while still active in the labour market. The current law prohibits anyone from receiving a pension while still in employment, yet incentivises elderly people active people in the labour market by increasing a percentage on their pension upon retirement. According to the Chamber of Commerce argued that: "the fact that those who opt for early retirement are banned from undertaking any form of active legal employment as an employee or self-employed person has many adverse impacts. It is contrary to the EU and government's declared policy of institutionalising active ageing. It prevents employers from legally retaining or recruiting from a pool of skilled and experienced senior citizens that are immediately available in the labour market. It prevents many experienced and skilled senior citizens from working on a flexitime basis, which would allow them to balance work with the need for more personal time due to health care issues, burnout, and informal care responsibilities such as helping with grandchildren."
Region	Europe

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Jurisdiction	Netherlands
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Please list and give a simple description of these rights.	1. Pension benefits All residents of the Netherlands are entitled to a state old age pension (AOW) when they reach the state old age pension age, subject to some conditions. A full state old age pension will be paid in the event the person concerned have been covered by the Dutch national insurance schemes for 50 years. For each year that a person was not covered by the Dutch national insurance schemes during the 50-year period, the full state old age pension will be reduced with 2%. The state old age pension age is currently 66 years and 10 months. In 2024 the state old age pension age will increase to 67. As of 2025 the state old age pension age will be linked to two-thirds of the remainder of life expectancy at 65 years. The (full) state old age pension provides for a minimum pension. In case a person who lives in the Netherlands have reached the state old age pension age, but is not entitled to a full state old age pension and does not have sufficient assets, the Supplementary Income Provision for the Elderly (Aanvullende inkomensvoorziening ouderen, in Dutch abbreviated as "AIO") supplements the income up to the social minimum income. On top of the state old age pension employees could receive supplementary pension benefits in the event they have participated in a pension plan offered by their employer or mandatory industry wide pension fund (if applicable) during employment. 2. Additional unemployment benefits Persons who are born prior to 1 January 1965 who have become unemployed after they have reached the age of 50 (and have not yet reached the state old age pension age) could receive a supplementary unemployment benefit after the expiration of the general unemployment benefit. The supplementary unemployment benefit contributes to (family) income till the Dutch welfare level. 3. Subsidy In the event an employer hires one or more employees who are at least 56 years old, the employer could receive a wage expense allowance, subject to certain conditions. One of the conditions is that prior to the hire date the employee concerned received unemployment benefits.

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Please list and give a simple description of these rights.	In addition, in case an employee - born prior to 1 January 1962 - received unemployment benefits prior to its hire date becomes sick, the employer could make use of a compensation scheme for older employees, provided the commencement date of the employment contract was between 1 January 2018 and 1 January 2020. The compensation scheme consist of a limitation of the obligation to continue salary during illness; the obligations will be limited to a maximum of 13 weeks instead or 104 weeks. Instead, the government will pay sickness benefits. 4. Employment Based on the Dutch Constitution and specific legislation age discrimination is not allowed. No specific legislation applies to prevent age discrimination. However, employment legislation have been changed for employees who have reached the state old age pension age in order to make it more interesting for employers to hire older employees/continue employment of older employees. ▪ The statutory notice period will be 1 month (both for employer and employee) in case the employee has reached the state old age pension age. ▪ In case of illness, the period during which the employer is obliged to continue salary is reduced from 104 weeks to 6 weeks. Furthermore, less reintegration obligations apply for the employer. ▪ The chain of contracts rule is less strict for employees who have reached the state old age pension age. In case a fixed-term contract will be renewed, it will automatically convert into an indefinite-term contract if: (i) the chain of fixed-term contracts covers 48 months or more (instead of 36) without a rest period between contracts of at least six months; or (ii) the chain of fixed-term contracts consists of more than six fixed-term contracts (instead of three) without a rest period of at least six months between contracts. ▪ An employer could give notice of termination as per the date the employee will reach or has reached the state old age pension age, provided that (i) the employment contract has been agreed upon prior to the date the employee has reached the state old age pension age and (ii) parties have not agreed upon otherwise. ▪ In case of termination as of or after the date the employee has reached the state old age pension age no severance payment is required.

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The Dutch Constitution stipulates that discrimination based on age is not allowed. In general, age discrimination means treating someone unequally because of his or her age. Based on the Dutch Act on Equal Treatment in Employment (Age Discrimination) (Wet gelijke behandeling op grond van leeftijd bij de arbeid, in Dutch abbreviated as: "WGBL") all work-related discrimination based on age is not allowed, unless an objective justification exists. This rule does not only apply to all employers, but also to for instance temporary employment agencies, head-hunters and other intermediaries, independent professionals. Any age discriminatory terms or conditions in an employment contract are null and void. Both direct and indirect age discrimination can be objectively justified if the reason for discrimination is legitimate, suitable and proportionate. Harassment and victimization cannot be justified. Individuals could submit a claim to the Committee for Equal Treatment. In addition, an employer can apply to the Committee as to whether a particular measure is discriminatory. Although not legally binding, the Committee's decisions are usually complied with. Legal actions can be brought for the Civil Court either after proceedings with the Committee for Equal Treatment or in lieu of such proceedings. However, these proceedings are not very common. Several collective labour agreements contain provisions relating to grievances which enable employees to complain about discrimination, bullying (also known as mobbing) and harassment. Compensation for age discrimination is uncapped.
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The Dutch pension system consists of three pillars: (i) a state old age pension (a basic income based on the General Old Age Pensions Act), (ii) supplementary pension plans through the employer (if any) and (iii) individual pension insurance. All residents of the Netherlands are entitled to a state old age pension (AOW) when they reach the state old age pension age, subject to some conditions. A full state old age pension will be paid in the event the person concerned have been covered by the Dutch national insurance schemes for 50 years. For each year that a person was not covered by the Dutch national insurance schemes during the 50-year period, the full state old age pension will be reduced with 2%. The state old age pension age currently is 66 years and 10 months. In 2024 the state old age pension age will increase to 67. As of 2025 the state old age pension age will be linked to two-thirds of the remainder of life expectancy at 65 years. The full net AOW benefit amounts (i) €939.24 per month for people with a partner or (ii) €1,378.98 per month for single people (amounts in July 2023).
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The Netherlands has a pension system that combines both public and private elements. The pension system consists of three pillars, (i) the state old age pension (a public basic pension), (ii) supplementary pension through the employer (administrated with pension funds or pension insurers) and (iii) individual pension savings and investments. The public basic pension is provided by the Social Insurance Bank (Sociale Verzekeringsbank), an independent administrative body which manages and administers various national insurance and benefits for various government agencies.
Can an employee in your country be forced to retire at a certain age?	No

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Yes. An employee could both receive a state old age pension and/or retirement pension and continue working. Continuing to work after the state old age pension age does not have any impact on the amount of the state old age pension. This might be different with respect to any supplementary retirement benefits. At retirement these pension benefits will be based upon a target pension date (the target pension date is defined in the pension plan regulations, but generally this is 68). It is also possible that a parttime retirement pension will be received. The (parttime) retirement pension could be accelerated or postponed while continuing parttime working (in case of accelerating retirement pension they received pension benefits will be decreased while in case of postponement the received pension benefits will increase). Subject to the pension plan regulations an employee could continue accruing pension entitlements while continuing accruing pension entitlements. Note that the state old age pension age (66 + 10 months) is currently not in line with the target pension date as defined in most supplementary pension plan regulations (68). Consequently, most employees either accelerate payment of their supplementary pension benefits to the state old age pension age or continue working after the state old age pension age till the target pension date as defined in the applicable pension plan regulations.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Please explain your answer	Employers could include a retirement clause in the employment. If so, the employment contract ends automatically when the employee reaches state old age pension age. Alternatively, Dutch labor legislation provides the possibility to an employer to give notice of termination as per or after the date the employees has reached the state old age pension age (provided the employment contract has been agreed upon prior to the date the employee has reached the state old age pension age and parties have not agreed upon otherwise). When giving notice the applicable notice period should be taken into account (the statutory or contractual (if any) agreed notice period. No consent of the employee is required nor prior approval of the Employee Insurance Administration Agency (in Dutch abbreviated as "UWV") or court decision is required for the termination. No severance payment is required. The past decades Dutch tax legislation tried to avoid that employers and employees would agree upon early retirement schemes by means of introducing a tax-levy for employers. For tax purposes the definition of early retirement scheme was very broad (it includes severance payment, garden leave, etc.). This in order to ensure that older employees would continue working till the state old age pension age. The tax levy amounts 52% of the amount paid in relation to the early retirement, which levy is for the account of the employer (on top of the regular wage tax). Recently, the tax legislation has been relaxed temporarily. As a consequence, the tax levy does not apply in case an employee will early retire during a period of maximum 36 months prior to the state old age pension age while receiving an amount of maximum € 2,037 a month (2023 amount). It is at the discretion of the employer whether or not to offer such early retirement (unless the employer is bound by a collective labor agreement that includes a right for employees to apply for such early retirement scheme).
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Please give a simple description of such aids or benefits.	In the event an employer hires one or more employees who are at least 56 years old, the employer could receive a wage expense allowance, subject to certain conditions. One of the conditions is that prior to the hire date the employee concerned received unemployment benefits. In addition, in case an employee - born prior to 1 January 1962 - received unemployment benefits prior to its hire date becomes sick, the employer could make use of a compensation scheme for older employees, provided the commencement date of the employment contract was between 1 January 2018 and 1 January 2020. The compensation scheme consist of a limitation of the obligation to continue salary during illness; the obligations will be limited to a maximum of 13 weeks instead of 104 weeks. Instead, the government will pay sickness benefits. In case an employer employs an employee who have already reached the state old age pension age, no social premiums for state old age pension and unemployment benefits are required anymore. Furthermore, no severance payment is required when terminating the employment contract with an employee who have reached the state old age pension age. In addition, the period during which an employer is obliged to continue salary during illness is 6 weeks (instead of 10 weeks) in case the employee has reached the state old age pension age. Finally, the statutory notice period amounts 1 month with respect to employees who have reached the state old age pension age, irrespective of the duration of the employment contract.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	There are no possibilities for an employer to unilaterally terminate an employment contract with an older employee if the employee has not reached the state old age pension age. Dutch case law shows that retirement clauses in an employment contract which state that the employment contract will end automatically at an age prior to the state old age pension age, will in principle null and void unless an objective justification applies for such earlier age. Only in specific circumstances such an objective justification is upheld in court (e.g., for pilots).

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	There is no separate health care provision for older people. The Dutch Health Insurance Act (Zorgverzekeringswet) requires everyone who lives or works in the Netherlands and is over 18 years of age to take out a health insurance. The costs are shared between individuals and the government, with subsidies for lower income. The Long-Term Care Act (Wet langdurige zorg) provides coverage for long-term care services like nursing homes and home care for those in need. This comprehensive system ensures older individuals have access to necessary healthcare services.

1.4 Survey results – Europe Region

Netherlands

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	No specific social plans or arrangements apply for older people. As mentioned previously, people who lives and/or work in the Netherlands are entitled to a basic state old age pension as of the date they reach the state old age pension age.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Earlier this year, several organizations argued that people who already reached the state old age pension age but continued employment should also have access to the STAP-scheme of the Dutch government. The STAP-scheme provides for an allowance for training and courses to improve the labor market position of the person involved. The employee can apply for an allowance up to €1,000 per year to be used for training. Due to the fact that during the past decade the number of self-employed persons has been increased without taking out proper pension insurances themselves, it is expected that in the future less people are entitled to supplementary pension benefits on top of the state old age pension. Consequently, the purchasing power of an increasing group of people will decrease upon retirement. Furthermore, in certain industries it is not common that the employer offers any supplementary pension plan. The Dutch government is assessing measures in order to avoid that a growing group of people is not entitled to supplementary pension benefits upon retirement. The aforementioned might trigger future measures to improve the situation of older people without having supplementary pension benefits.
Region	Europe

1.4 Survey results – Europe Region

North Macedonia

Question	Answer
Jurisdiction	North Macedonia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	According to the Law on Labor Relation, employees aged 57 (women) and 59 (men) are considered as "older people". There is no publicly available statistical data on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	1. Additional 3 days of annual leave 2. The employer must not assign an older employee to overtime or night work without employee's consent

1.4 Survey results – Europe Region

North Macedonia

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	According to the Law on Labor Relations, the employee retires when turns 64 years of age and has 15 years of pensionable service. According to the Law on Pension and Disability Insurance, the female employee retires when she turns 62 years of age and at least 15 years of pensionable service, and the male employee retires when he turns 64 years of age and at least 15 years of pensionable service. According to data published by the Pension and Disability Insurance Fund, the average old-age pension in July 2023 was MKD 20,614.

1.4 Survey results – Europe Region

North Macedonia

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The pension and disability insurance system is composed of: ▪ Mandatory pension and disability insurance based on generational solidarity (first pillar); ▪ Mandatory capital funded pension insurance (second pillar); ▪ Voluntary capital funded pension insurance (third pillar).
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	As a general rule, the employer is entitled to terminate the employment when the employee turns 64 years of age (or 62 for women) and 15 years of pensionable service, unless otherwise regulated by any other law.
Is it possible for an employee to continue working while receiving a retirement pension?	No

1.4 Survey results – Europe Region

North Macedonia

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	i. The employer is entitled to terminate the employment when the employee turns 64 years of age (men) and 62 years of age (women) and 15 years of pensionable service. ii. The employee is not entitled to object the termination and must retire. iii. The employee is entitled to a compensation in amount of 2 average monthly net salary per worker in the Country paid in the last three months. For example, according to the latest published data of the State Statistical Office, the average monthly net salary paid per employee in June 2023 was 36.527 denars, in July was 36.286 denars, and in August was 36 390 denars. The average amount of the salary paid in those three months would be 36.401 denars. Based in this, the severance compensation would be 72.802 denars. Employees employed in the public sector are also entitled to a severance compensation in the same amount
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A

1.4 Survey results – Europe Region

North Macedonia

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Every employed person in the country, regardless of their age, is mandatory health insured.

1.4 Survey results – Europe Region

North Macedonia

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	The Country has no organized social plans. There are 53 associations of retired people, as a non-governmental non-political multi-ethnic associations and Union of Associations of Pensioners in which the associations are voluntarily united for the purpose of protecting and promoting the common goals and interests of pensioners in the Country, for a more complete and unique advocacy for the realization of pension rights and disability insurance, for better health care, for the promotion of the cultural, sports and humanitarian needs of pensioners. For the realization of these common rights of the member associations of the Union, the Union cooperates with municipalities and local self-government, with mayors, with other associations and their alliances, with non-governmental organizations and foundations and with pensioner associations from other countries. Occasionally the government decides on increasing the pensions, sometimes financial support is given, and home care assistance for the elderly people from vulnerable social groups is organized at the local level of the municipalities.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	N/A
Region	Europe

1.4 Survey results – Europe Region

Norway

Question	Answer
Jurisdiction	Norway
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Not a legal definition, but in general use for statistical purposes etc. we use: Older adult (No: "Eldre") 65-75 Old/elderly (No: "Gamle" 75+
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Older 65-75 years of age (approx. 10% of population) Old 75+ (Approx 9 % of population) Among older people 65-69, approximately 30 % still work. In the age group 70-75, this number drops to about 10 %.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Public old age pension Mandatory occupational pension Discounted public services and transportation

1.4 Survey results – Europe Region

Norway

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Unequal treatment based on age may constitute discrimination, unless the unequal treatment is warranted by a lawful reason and the aim is proportionate to the outcome.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Lifelong old age pension from the state, with flexible start up of benefits from age 62 - 72, partial or full. Based on an accrual equal to 18,1% of taxable income through the working years (up to a cap). Benefits are higher if you start later, and will be lifelong with the annual amount based on average life expectancy. Occupational pension from the employer is also mandatory, with a minimum additional accrual of 2 % of salary.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.4 Survey results – Europe Region

Norway

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	State pension is accrued with 18,1% on all pensionable salary up to a cap equal to upper-middle income (approx. USD 80.000/annum). Employers are required to provide additional pension accrual on top, with a minimum of 2 %. Favourable tax treatment will be given to employer-sponsored programmes offering up to an additional 7 % accrual on income up to the USD 80.000 cap, and up to 7+18,1 % accrual beyond that cap, to allow for a total tax-favoured accrual of 25,1 % of annual salary. As of 2023, the average public pension payout is NOK 270.000 pr. year. Private pension comes on top of this, for an average pension income of around NOK 390.000 pr. year (Approx. USD 40000).
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	Employees no longer enjoy protection against unfair dismissal, and can be terminated at will from the age of 72. Companies are allowed to set internal guidelines specifying a lower threshold of 70. Where health and safety requires it, lower levels can be set (e.g., pilots, police, fire, rescue ...).
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Individuals may work as much as they want in combination with the state pension (keeping in mind that the benefit is smaller the earlier you start retirement benefits). This is also true for most employer-funded pension schemes, although there can be limitations in certain defined benefit-type employer funded schemes.

1.4 Survey results – Europe Region

Norway

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	The general one is at 70 years of age. However, it is common to retire at 67, which used to be the standard retirement age until a few years ago. In addition, most collective bargaining agreement include membership in a nation-wide CBA-based supplemental early retirement scheme called AFP, which can be taken out from age 62. It is not uncommon to encourage older employees to take out this benefit from age 62.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	By and large, both age and tenure will be important metrics when assessing selection for redundancy, and also indirectly for performance issues when considering whether sufficient training and feedback has been provided. Further, age discrimination is forbidden as mention previously.

1.4 Survey results – Europe Region

Norway

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	University is free, and employers need to allow leave of absence for training if it can be done without undue disruption for the employer. Not specific to the elderly.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Publicly funded universal healthcare
Please explain how "older people" cope with healthcare.	N/A

1.4 Survey results – Europe Region

Norway

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Private clubs and associations, municipal government functions arranging activities, trips, games etc.
What prospects or social plans do "older people" have when they stop working in your country?	Relatively good retirement benefits and universal healthcare to cover the basics. Loneliness, lack of meaningful roles and interactions with society are still reported as significant issues for retirees.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Personally, i believe we should make it cheaper for companies to maintain older employees for longer, especially if they want to. As of today, people typically are at their most expensive right before they retire, which is counter productive. It would take a change in culture and mindset to accept a reduction in salary or public grants to cover reduced productivity for older workers.
Region	Europe

1.4 Survey results – Europe Region

Poland

Question	Answer
Jurisdiction	Poland
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Based on the Act on Elderly People, elderly person is a person over 60 years of age. According to the Polish Statistical Office at the end of 2021 there were 9,7 m of older people in Poland, which corresponds to 25,7% of population.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Poland

Question	Answer
Please list and give a simple description of these rights.	Under the Polish Labor Code the employees in pre-retirement age are protected against termination of employment for 4 years prior to reaching the retirement age. This protection is conditional however, upon eligibility to obtain retirement benefit after reaching the retirement age. Currently retirement age in Poland is 60 years of age for women and 65 for men. The other condition to obtain retirement benefit is reaching certain number of years of service. After reaching retirement age the individuals obtain right to retirement benefit financed by the state.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	In general, Polish Labor Code forbids to discriminate employees (or candidates to work) based on age (next to many other characteristics). Age discrimination consists of worse treatment an employee with regard to the establishment and termination of the employment relationship, terms and conditions of employment, promotion and access to training to improve professional qualifications concerning the employee's age. The employee who is discriminated may claim for compensation equal at least to the amount of the statutory minimum wage in Poland. The amount of such compensation is not capped. Examples of age discrimination in employment may be as follows: not choosing an employee to attend training; lower remuneration for work requiring comparable responsibility; designating to termination of employment; imposing additional duties and responsibilities (not imposed to younger employees). Older people are often excluded from the labor market or may be digitally excluded. These form of exclusion may also be claimed to be a form of discrimination, however it is not legally protected and possible to be legally claimed.

1.4 Survey results – Europe Region

Poland

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	- Older people who stop working usually obtain a right to retirement benefit financed by Social Security Institution (Zakład Ubezpieczeń Społecznych). The amount of this benefit is calculated based on several factors, e.g., length of service, age, amount of contributions paid during the life-time. There are also additional benefits for older people, e.g., nursing allowance after reaching 75 y.a., allowance for retirees who reached 80 y.a. who have problems with living independently and meet the income criterion specified by the legislator. - Poland provides for support for those citizens whose retirement benefits are the lowest. They can count on allowances from social welfare centres, which may also be financed by the local governments. - Individuals who cannot work (entirely or partially) due to the poor health condition, regardless of their age, may apply for full or partial pension that is financed by the state. The eligibility and the amount of pension is calculated based on age and contributions period.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A

1.4 Survey results – Europe Region

Poland

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	- Persons who obtained right to so called early retirement (women below 60 y.a. and men below 65 y.a., but with the adequate number of years of service) may perform work, but their retirement benefit may be impacted as follows: - If their remuneration from work will exceed 70% of average salary in Poland determined for one of previous quarters – the retirement benefit will be limited. - If remuneration from work is equal or exceeds 130% of average salary – than their retirement benefit could be suspended. - If pensioners have already reached the retirement age, than there is no limitation of income. Retirees who take up additional employment must notify the Social Security Institution, stating the date of commencement of work and the amount of income. In addition, when applying for a retirement, they should indicate this information (if they know that additional work will be undertaken).
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.4 Survey results – Europe Region

Poland

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	▪ In Poland it is not allowed to unilaterally terminate employment contract with the employee due to the fact that the employee reached retirement age. In practice, the employer and employee may agree on such termination in a mutual termination agreement. ▪ The employees in pre-retirement age (4 years before retirement) are protected against termination of employment.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	▪ There are no training plans provided by public institutions. If a company decides to train employees to help them adapt than they do it in their own training programmes.

1.4 Survey results – Europe Region

Poland

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Public health coverage is paid from contributions to the National Health Fund. It is financed by employees.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	There are measures organized by the state, e.g., "Aktywni+" Under the program, non-governmental organizations and public benefit institutions could apply for funding for projects to activate and support older people. There are also measures provided by local authorities like sports and cultural activities, meetings in senior clubs and targeted projects financed or co-financed by the EU.
What prospects or social plans do "older people" have when they stop working in your country?	- Retirement - Staying active in employment

1.4 Survey results – Europe Region

Poland

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The following measures could be taken or developed: ▪ Social activity, which includes supporting older people in actively spending their free time, including: by developing volunteering or increasing interest in the labor market, as well as providing help to less independent seniors. ▪ Social participation which contributes to strengthening the self-organization of seniors and increasing their influence on the life of local communities. ▪ Digital inclusion, which includes helping digitally excluded older people by increasing their skills in using modern technologies and ensuring safe functioning using modern digital tools. ▪ Preparation for old age, consisting in strengthening lasting intergenerational relationships, shaping empathetic attitudes towards older people, as well as disseminating a positive image of people in the fall of age and taking actions for their safety.
Region	Europe

1.4 Survey results – Europe Region

Portugal

Question	Answer
Jurisdiction	Portugal
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes. The commonly accepted definition is anyone that is 65 or more year qualifies as a senior citizen.
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Only around 220 thousand people above 65 years of age remain employed.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Portugal

Question	Answer
Please list and give a simple description of these rights.	▪ Retirement pension; ▪ Old age social pension; ▪ Solidarity Supplement for the Elderly (with low income); ▪ Beneficiaries of Solidarity Supplement for the Elderly can also access free dental consultations through the dentist cheque; ▪ Purchase of medicines (50% of the part paid by the person, i.e., the part that is not reimbursed); ▪ Purchase of spectacles and lenses (75% of the cost, up to a limit of €100 per two years); ▪ Purchase or repair of removable dental prostheses (75% of the cost, up to a limit of €250 per three-year period); ▪ Other benefits provided by the state of municipalities: ▪ Social Centre ▪ Home help ▪ Day centre ▪ Night centre ▪ Family care centre ▪ Residential Centre for the Elderly (ERPI) ▪ Holiday and leisure centre
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.4 Survey results – Europe Region

Portugal

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Article 13 of the Portuguese Constitution provides that all citizens are equal and that any form of discrimination is prohibited. Article 22 of the Labour Code states that "no worker or applicant for employment may be privileged, benefited or disadvantaged" on the grounds of age - among other characteristics, "unjustified differences in treatment between persons" based "on age represent a violation of the rights to equal treatment, dignity and personal respect" Any citizen that is targeted by age discrimination may resort to Courts or Labour Authorities to eliminate such discrimination or repair the damages caused by such discrimination. Typical situations of age discrimination are: - Exclusion of recruitment processes due to age; - Lack of career progression or exclusion of salary increases due to age; - Age as a selection criterion to identify employees to be made redundant.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The normal retirement is age (66 years and 4 months in 2023) and have fulfilled the guarantee period: 15 calendar years at least, consecutive or not, with social security contributions; or 144 months with earnings record for beneficiaries covered by the Voluntary Social Insurance. The amount to be received depends on the pensioner's contributory career and recorded earnings. Early retirement as of the age of 60 is also possible with severe penalties. Early retirement due to long term unemployment is also possible once the employee as used all the unemployment benefit period and has reached at least 57 years of age. Pre-retirement by agreement between the company and employee is also possible. This scheme is not state funded (although there is a reduction of % to calculate social security contributions) and it may result on part-time work or full time garden leave.

1.4 Survey results – Europe Region

Portugal

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The employee cannot exactly be forced to retire but that would be the natural consequence. Once the employee reaches the age of 70 years, the employer may lapse the contract without any severance being due to the employee.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	This is only possible for normal retirement pension (excluding therefore early retirement). The employee will continue to contribute to social security (with a lower % of social security contribution) and the social security services will increase yearly the pension in amount corresponding to 1/14th of 2% of the total recorded remuneration.

1.4 Survey results – Europe Region

Portugal

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	It is not exactly an age range. Once employees reach 70 years of age, their employer is entitled to unilaterally lapse the employment contract without any severance being due to the employee. No mechanisms or incentives are offered to encourage employees to leave.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	The social security contribution is lower concerning retired employees (16,4% for the company and 7,5% to the worker, which compares to the standard rates, respectively of 23,75% and 11%)
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.4 Survey results – Europe Region

Portugal

Question	Answer
Please provide a simple description of this training right.	During the employment relation all employees, irrespective of age, are entitled to 40 hours of vocational training per year
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	All citizens are entitled to access the National Health Service, which is paid by the state (in certain cases used of the NHS may be required to pay a small fee for specific treatments).
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.4 Survey results – Europe Region

Portugal

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	No particular plans are in place with this purpose.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. I believe that the state should procure to stimulate the active ageing programs as there are many senior citizens that want to remain actively employed (additional social security incentives should be put in place, as well as tax benefits for companies). In addition, senior citizens should be prioritized in access to health care.
Region	Europe

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Jurisdiction	Republic of Moldova
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The term "older people" is widely recognized to refer to individuals aged 60 and above. As of the beginning of 2022, Moldova was home to 593,000 individuals aged 60 and over, constituting 22.8% of the total population with usual residence. About 356,400 (or 60.1%) of the total number of older people were women. Approximately one-third fell within the age range of 60 to 64, while 61,000 individuals (10.2%) were over 80 years old. In 2021, the number of economically active individuals aged 60 and over stood at 80,300, making up 9.2% of all economically active individuals and 13.8% of the total population within this age bracket.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Please list and give a simple description of these rights.	a. Retirement Pension: Eligibility for the old-age pension is based on reaching the legally mandated standard retirement age and completing a minimum social security contribution period of 15 years. Currently, men qualify at the age of 63, while women are eligible at 60.5. Starting from 2028, the retirement age will be standardized at 63 for both men and women. b. Old-Age Allowance: The old-age allowance caters to individuals who have reached the retirement age as defined by current legislation but do not meet the criteria for receiving state social security pension. This support is intended for those who are not entirely dependent on state assistance. The allowance is calculated at 50% of the annual minimum old-age pension established by the Government. c. Social Assistance: Under local laws on social assistance, older individuals from financially disadvantaged families are entitled to social assistance and cold weather assistance in the form of monthly payments. d. Employment Guarantees: In situations involving workforce reductions or changes in job statuses, priority for retaining their positions is given to employees who have less than five years remaining until they reach the official retirement age due to old age. e. Miscellaneous One-Time Payments: Additional, occasional one-time payments may be approved periodically to support various needs and circumstances.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Age discrimination happens when someone is unfairly treated or denied equal opportunities compared to others in a similar situation solely due to their age, whether it's being considered too old or too young. The law strictly prohibits age discrimination, as well as other forms of discrimination. To address it, the primary recourse is to initiate a complaint with the Moldovan Equality Council, followed by legal action if necessary. In a 2021 case, the Equality Council reviewed the age restriction (applicants must be under 63) for the Executive Director role at the "Agency for the Development and Modernisation of Agriculture". The Council found that this age limit wasn't justified based on job requirements. They recommended removing it from the competition regulations. In Moldova, there are instances where age-related discrimination is deemed justifiable. For example, recent amendments to the Labor Code allow employers to terminate the employment of individuals who have reached retirement age and are receiving old-age pension. This change garnered praise from employers but faced criticism from unions, alleging age-based discrimination. The arbitrary termination of employment for old-age pensioners is an ongoing issue, with employers often exploiting these provisions to circumvent more expensive processes that would otherwise reduce employee roles or lead to the dismissal of no longer necessary staff members. In a specific case in 2022, a 62-year-old petitioner, who was perfectly capable of working, faced dismissal solely because she was classified as an old-age pensioner. The Equality Council emphasized the necessity of conducting a comprehensive fitness-for-work assessment, which the employer neglected to do. The Equality Council's stance is clear: merely being an old-age pensioner is insufficient grounds for terminating an employment contract unless it directly contributes to optimizing the labor force and improving job opportunities for young individuals with qualifications matching the job requirements. The Equality Council has advised local authorities to revise the Labor Code's provisions concerning dismissals based on reaching retirement age. These revisions should ensure that employers can only invoke these provisions when their actions are objectively justified, reasonably necessary, and the measures taken are both essential and appropriate for their intended purpose.
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Moldova offers a retirement system to provide financial security for older individuals when they stop working. This retirement system operates on a contribution-based model, where individuals who have contributed during their working years become eligible for pensions once they meet specific criteria. There are two primary types of pensions available to individuals who cease working due to old age: old-age pensions and early pensions for those with long careers. a. Old-Age Pension. To qualify for the standard old-age pension, individuals must reach the standard retirement age, which is 63 years for men and 60 years and 6 months for women in 2023, and accumulate a minimum of 15 years of contributions. However, the law provides exceptions for certain vulnerable categories of individuals (e.g., women with more than 5 children may have a reduced standard retirement age, individuals who have worked under special conditions may have a reduced standard period of contributions etc.). b. Early Pension for Long Career. The early pension for long career is granted until reaching the standard retirement age. To be eligible, individuals must have a contribution period of at least 39 years for men and 36 years and 6 months for women (in 2023). Effective from 1 April 2023, the minimum old-age pension amount is set at MDL 2,620.62 (USD 143.32). The amount of any particular old-age pension is determined using the following formula: Pension = 1.35% x Tt x Vav , Where: 1.35% is the accumulation rate for contributions made after 1 January 1999, Tt is the total contribution period in years, and Vav is the average insured monthly income determined according to Annex 1 to the Moldovan Law on public pension system dated 14 October 1998. As mentioned in one of our previous answers, in addition to the contributory pension system, Moldova also provides a social assistance system for older people who may not have contributed sufficiently to the pension system or do not meet the eligibility criteria for a contributory pension. This social assistance takes the form of financial aid aimed at enhancing the quality of life for older people.

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	Moldova operates a public pension system designed to provide financial support to older people. This system is primarily funded and administered by the state through various revenue sources, such as mandatory state social insurance contributions, transfers from state budget, other revenues. Since 2021, individuals in Moldova have the option to contribute to private pension funds. These private pension funds are typically managed by private insurance or investment management companies. Participation in private pension funds is voluntary and allows individuals to plan for their retirement independently of the state pension system.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	The general answer should be NO, but there are some exceptions related to certain jobs expressly provided by law (e.g., Moldovan Labor Code provides that the employment agreement shall be terminated when the head of a state-owned or majority state-owned entity reaches the age of 65; the employment contract entered into with teaching staff and personnel in the field of science and innovation may be terminated on the sole ground of holding the old-age pensioner status, etc.).
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The Moldovan legislative framework does not impose specific eligibility requirements in this regard. If an employee chooses to continue working while receiving the old-age pension, such employee is even entitled to request a reassessment of their pension. Nonetheless, it's worth noting that certain provisions within the Moldovan Labor Code provide employers with the option to terminate the employment of individuals who have reached retirement age and are also receiving an old-age pension. While simply being an old-age pensioner shall not be in itself adequate grounds for termination, employers sometimes exploit these provisions as a means to avoid more expensive and complex procedures.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	As mentioned in our previous responses, the Moldovan Labor Code contains provisions that permit the termination of employees who hold the status of old-age pensioners. Employers frequently exploit these provisions as a means to avoid more costly processes that would otherwise involve downsizing or the dismissal of no longer essential staff members. It's essential to clarify that being an old-age pensioner alone is insufficient grounds for terminating an employment contract unless it directly contributes to streamlining the workforce and creating better job opportunities for qualified young individuals who match the job requirements. Therefore, such terminations must be justified and conducted in accordance with the legal procedures applicable to all cases of employer-initiated terminations, without requiring the employee's consent.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Please give a simple description of such aids or benefits.	In Moldova, several programs and benefits have been established to promote the hiring and employment of older people, as well as to incentivize employers who hire them. These initiatives include: a. Partial Salary Compensation for Employers. Employers who hire individuals aged 50 and over, as recommended by the local branch of the National Employment Agency, for indefinite or fixed-term contracts lasting at least 12 months, are eligible to receive monthly subsidies. These subsidies amount to 80% of the employee's basic salary specified in the individual employment contract, capped at 50% of the average monthly salary in the economy for the preceding year. This subsidy is provided for a duration of 6 months for each unemployed individual hired. b. Unemployment Benefits for Older Workers. Older individuals who are registered as unemployed at the local branch of the National Employment Agency are entitled to receive unemployment benefits. The amount of the unemployment benefit is determined based on the circumstances under which the person ceased working. It can range from 50% of the average insured monthly income for the last 12 months of the previous 24 calendar months before registration, to 40% of the monthly average insured income for the same period. The monthly amount of the unemployment benefit cannot exceed the average monthly wage in the economy for the previous year. The duration of benefit payments is determined by the contribution period. Unemployed individuals, including older workers, can receive unemployment benefits for a period of 5 to 9 months, depending on their contribution history. These programs aim to support both older job seekers and employers, providing financial incentives and assistance to promote the employment of older individuals and their continued participation in the workforce.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Please provide a simple description on the limitations or disincentives	According to the Moldovan Labour Code, in the event of staff reductions or position cuts, employees with superior qualifications and work productivity are afforded priority in retaining their employment. Should qualifications and work productivity be equal, priority for continued employment is granted to employees who are within a maximum of 5 years from reaching the retirement age.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Older individuals have the general right to training for adapting to new job market circumstances, but it is not regulated by law, and employers are not obligated to provide such training conditions.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Moldovan compulsory health insurance represents an autonomous system guaranteed by the state to provide financial protection to the population in the field of healthcare. This is achieved through the establishment of financial funds, based on principles of solidarity, funded by insurance premiums. These funds are specifically earmarked to cover the expenses related to the treatment of conditions resulting from insured events, such as illness or medical conditions. The compulsory health insurance system ensures that the citizens of the Republic of Moldova have equal opportunities to access timely and high-quality medical assistance. This means that regardless of one's socioeconomic status, every individual has the assurance that they will receive the necessary medical care when they need it. The government extends health insurance coverage to retired persons who are receiving pensions, thereby ensuring their access to essential healthcare services. These individuals, who hold the pensioner status, do not bear the burden of paying the monthly premium for compulsory health insurance. Instead, their healthcare expenses are covered by the state, providing them with financial security in their retirement years. Conversely, for older persons who are still actively employed and have not yet attained the status of a pensioner (i.e., they are not receiving old-age pensions), a different approach is taken. They are obligated to contribute to the compulsory health insurance system by paying a monthly premium. This premium is calculated as a percentage of their salary and other forms of compensation, with the rate set at 9.0%. This contribution is designed to ensure that working older individuals have access to healthcare services and share in the financial responsibility of supporting the healthcare system. In some cases, specific categories of individuals (including older people) are required to make an annual payment for the compulsory health insurance premium (instead the monthly payment mentioned above). This annual payment is a fixed amount, ranging from MDL 1,014 (USD 55) to MDL 12,636 (USD 692), depending on the nature of their occupation or activity. This approach acknowledges the diverse economic circumstances and income levels among older workers, allowing for a more tailored contribution to the healthcare system.
Please explain how "older people" cope with healthcare.	N/A

1.4 Survey results – Europe Region

Republic of Moldova

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Unfortunately, the prospects and social plans available to older people when they cease working in Moldova are quite limited. A significant number of retirees find themselves compelled to continue working beyond retirement age due to the inadequacy of old-age pensions, which often fall short of meeting their essential expenses.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, there are several measures that could realistically be implemented in Moldova to improve the rights of older people: a. Encouraging older people to engage in lifelong learning and skill development programs to help them stay mentally active and adapt to changing job markets if they wish to continue working; b. Strengthening legal protections against elder abuse and ensuring that the rights of older individuals are safeguarded; c. Supporting advocacy efforts by organizations and community groups focused on older people's rights and raising awareness about the challenges they face; d. Encouraging intergenerational interactions and initiatives that promote understanding and cooperation between different age groups in society; And a measure that may be challenging to implement due to unfavorable economic circumstances, budget limitations, and competing priorities (that can make it difficult to allocate the necessary resources to implement it): e. Expanding and improving social security and pension systems to provide better financial support to retirees, ensuring their economic security.
Region	Europe

1.4 Survey results – Europe Region

Romania

Question	Answer
Jurisdiction	Romania
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Older persons are persons who have reached the age of 65. The employment rate of elderly people in the second trimester of 2023 is 50.8% (55-64 years) and 2.2% (above 65 years).
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Romania

Question	Answer
Please list and give a simple description of these rights.	Individuals who contribute to the social security system through employment become eligible for a pension upon reaching retirement age, provided they have contributed to the public pension system for a minimum period. The standard retirement age for women is currently 62 years and 1 month, gradually increasing to 63 years by January 2030. For men, the standard retirement age is 65. Both genders must have contributed for at least 15 years, with the full-service requirement being 32 years for women (increasing to 35 years by January 2030) and 35 years for men. The full-service requirement increases month by month until reaching 35 years in January 2030. Various pension categories are available, including those for old age, disability, and survivors. These categories offer financial assistance to retired individuals, those with disabilities, and the dependents of deceased contributors. The pension amount is typically determined by the person's earnings history and the years of contributions. More years of contributions and higher earnings result in a higher pension amount. Aside from pensions, the law also provides for additional benefits such as spa treatment, rest tickets, and death grants. Spa treatment benefits are allocated through treatment tickets, available within specified limits of treatment facilities owned by the National Pension House and contracted places allocated for this benefit by the state social insurance budget law. Eligible individuals can receive free treatment as part of rehabilitation programs or with a beneficiary contribution. The duration of spa treatment ranges from 12 to 18 days, with the state social insurance budget covering the cost under specific conditions. Spa treatment is available in units owned by the National Public Pension Fund and other contracted establishments. Rest tickets may be granted to insured individuals working in public institutions lacking a regulated social fund, with the state budget covering the cost difference. Pensioners within the public pension system, as well as other social security systems, enjoy discounted travel benefits, including rail, car, and passenger ship journeys. This law's implementation costs are supported by the state budget. Permanent Bucharest residents, regardless of pension amount, enjoy free or reduced fares.

1.4 Survey results – Europe Region

Romania

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	In Romania, the legal framework promotes workplace equality and guards against age-based discrimination. The protection against discrimination is enshrined in the Constitution of Romania, Labor Code (Law No. 53/2003), Government Ordinance No. 137/2000 on preventing and sanctioning all forms of discrimination, and Law No. 202/2002 on equal opportunities and treatment between women and men. Within this legal context, any form of direct or indirect age-based discrimination, discrimination through association, harassment, or victimization is strictly prohibited. Direct discrimination encompasses actions that involve differentiating, excluding, limiting, or favoring based on, inter alia, age with the intention or effect of obstructing rights granted by employment laws. Indirect discrimination refers to apparently objective provisions, actions, criteria, or practices that disadvantage individuals due to age. Harassment refers to age-related behaviors that violate dignity, leading to a hostile, degrading, or offensive environment. Discrimination also involves any age-based differentiation that impairs equal enjoyment of human rights recognized by law. Harassment is considered a criminal offense if it creates an intimidating, degrading, or offensive environment based on age or other criteria. In Romania, multiple tools combat discrimination within the legal framework. Employers are mandated to incorporate in the internal regulations (mandatory handbook of the employer) the rules regarding compliance with non-discrimination principles and on ensuring dignity prevention, to adopt equal opportunity policies, to maintain transparency in hiring and promotions, and provide anti-discrimination training. Employers must also investigate discrimination claims and support victims, with age-based dismissals being prohibited.

1.4 Survey results – Europe Region

Romania

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Individuals who believe they have faced discrimination can report incidents to the National Council for Combating Discrimination (CNCD), an institution responsible for investigating discrimination cases. CNCD can penalize employers found guilty of discriminatory actions. Age discrimination in employment can manifest in various ways. In a recent case-law, the applicant alleged age-based discrimination, asserting a violation of the principle of "equal work, equal pay". The applicant contended that younger colleagues in the same sub-engineer position received preferential salary increases despite equivalent education and previous basic salary. The Bucharest Court of Appeal noted the applicant's evidence suggesting differential treatment in terms of salary increases under a new scale, and the alleged criterion for discrimination was age. The burden fell on the employer to demonstrate that this treatment stemmed from legitimate objective factors rather than violating equal treatment. The court highlighted that while the employer was not obligated to grant the applicant's salary increase request, they were required to provide a valid reason for excluding the applicant from the increase others received. The employer failed to justify why the new salary scale did not apply to the applicant or offer evidence that it was not applicable. As a result, a distinction arose between the applicant and colleagues with the same previous salary, without reasonable grounds for this differentiation. The court concluded that the employer's actions negatively impacted the employee's dignity at work. Treating the applicant unfavourably based on age could harm the employee's image and lead to adverse social and professional consequences. Given these circumstances, the court upheld the applicant's claim for moral damages, ordering the employer to compensate for proven and justified moral harm. Consequently, the employer was mandated to pay 5,000 lei as compensation for awarded moral damages. However, age-related employment or dismissal discrimination involves certain specifics. For instance, the Constitutional Court considered constitutional the prohibition for doctors reaching retirement age from occupying management roles in healthcare entities. This was viewed as compatible with granting pensions as substitute income for professional loss. Likewise, the legislator determined that automatic termination of employment upon reaching standard retirement age and minimum contribution period is not discriminatory.

1.4 Survey results – Europe Region

Romania

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The public pension system provides the following types of pensions: a. Old-age pension achieved upon reaching the retirement age, provided a minimum of 15 years of contributions to the social security system. The standard retirement age for women is currently 62 years and 1 month, gradually increasing to 63 by January 2030. For men, the standard retirement age is 65. Pension amount is calculated by multiplying the average annual score by the value of one pension point (in 2023, the value of a pension point is 1,785 RON). Annual average score is calculated by dividing the number of points resulting from summing the annual scores by the number of years corresponding to the full contribution period. b. Pension for early retirement, Granted up to 5 years before standard retirement age, to those who have contributed at least 8 years longer than the full contribution period of 32 years for women (increasing to 35 years by January 2030) and 35 years for men. Early pension transforms into old-age pension upon meeting conditions, considering assimilated periods. The amount of the anticipated pension is determined under old-age pension conditions. Note, a reduction of standard retirement age by 2 years is provided for those living in pollution-affected areas for at least 30 years. These provisions apply until December 31, 2030. c. Partial pension for early retirement, Granted up to 5 years before standard retirement age for those completing or exceeding the full contribution period by up to 8 years. The amount of partial pension for early retirement is calculated from the old-age pension, reduced by 0.75% for each month of anticipation, until the conditions for obtaining the old-age pension are met. d. Invalidity pension, Granted to those who have lost working capacity due to specified reasons: a) work accidents and occupational diseases, according to the law; b) neoplasias, schizophrenia and AIDS; c) common illnesses and accidents not related to work. Calculated based on contribution period, income level, degree of disability, and the value of the pension point.

1.4 Survey results – Europe Region

Romania

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	e. Survivor's pension, Due to children and surviving spouse of a deceased pensioner or one meeting pension conditions. Children will benefit from survivor's pension (i) up to the age of 16; (ii) up to the age of 26 if they continue their studies in a form of education organized according to the law, until their completion; (iii) for the entire duration of the disability of any degree, if it occurred until the age of 16 or 26, respectively. The amount of the survivor's pension is determined as a percentage of the average annual score achieved by the supporter, depending on the number of entitled descendants, as follows: a) 50% – for a single descendant ; b) 75% – for 2 offspring; c) 100% – for 3 or more offspring. Individuals under the public pension system can receive only one of these pension categories. If someone is eligible for multiple pensions under specific laws, they must choose one of the options.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The pension system in Romania is comprised of a public pension scheme, administrated through the National House of Public Pensions, and a voluntary private pension scheme.
Can an employee in your country be forced to retire at a certain age?	Yes

1.4 Survey results – Europe Region

Romania

Question	Answer
Please provide a simple description of the obligation and its practical implications.	As outlined in the Romanian Labour Code, the individual employment agreement will automatically terminate when the conditions of reaching the standard retirement age and minimum contribution period for retirement are met. In special cases, the employment agreement shall automatically terminate at the age of 65, if the employee chooses to continue the employment and notifies the employer in writing within 30 days of reaching the standard retirement age and minimum contribution period. Termination also occurs upon receiving notification of a pension decision for a third-degree invalidity pension, partial early retirement, early retirement, or retirement due to age-limit with a reduced standard retirement age. Similarly, the date of the medical decision on work capacity for first or second-degree invalidity automatically determines termination of employment. The determination of the automatic termination of the individual employment agreement takes place in writing, within 5 working days of the event, through an employer's decision. This decision is communicated to the affected individuals within the subsequent 5 working days. Furthermore, following an individual's retirement, the employer has the option to hire pensioners who, as per the law, are allowed to combine their pension with a salary. This can be achieved through a fixed-term individual employment agreement.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Upon submitting a request 30 days prior to meeting the standard retirement age and minimum contribution period conditions, and with the employer's approval, an employee can remain in the same role for up to 3 years past the standard retirement age. This extension can be renewed annually through the individual employment agreement. In this scenario, the pension amount can increase if an employee chooses to work up to 3 years beyond retirement age, considering additional income earned.

1.4 Survey results – Europe Region

Romania

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Moreover, within the public pension system, the following groups of pension recipients can blend their pensions with earnings from dependent activities, without regard to the income level: a. Those receiving old-age pensions, b. Individuals who are blind, c. Third-degree invalidity pension recipients and their children, along with survivors' pension recipients categorized in the third degree of invalidity, d. Children who are pension beneficiaries, as well as survivors' pension recipients, e. Pensioners who earn from roles as local or county councillors, f. Disability pension recipients categorized in degrees I or II of invalidity, and similarly, survivors' pension beneficiaries in degrees I or II of invalidity, g. Invalidity pension beneficiaries in the third degree of invalidity and their children, alongside survivors in the third degree of invalidity, h. Those who receive early or partial early retirement pensions, i. Surviving spouses who receive a survivor's pension. In the public pension system, pension recipients can also combine their pension with earnings from self-employment and intellectual property rights, irrespective of the earnings level. In this scenario, the pension remains constant, but the individual is eligible for supplementary income from employment, self-employed activities, and intellectual property rights alongside pension rights.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.4 Survey results – Europe Region

Romania

Question	Answer
Please explain your answer	i. The individual employment agreement will automatically terminate when either the standard retirement age and minimum contribution period are met, or in special cases, at the age of 65, when an employee who chooses to continue the employment notifies in writing within 30 days of reaching the standard retirement age and minimum contribution period. Additionally, termination occurs on the date of receiving a pension decision for a third-degree invalidity pension, partial early pension, early retirement pension, or reduced old-age pension at the standard retirement age. For first or second-degree invalidity, termination happens upon receiving the medical decision on work capacity. ii. Employee agreement is not needed for automatic employment termination. iii. Employees don't require encouragement to leave when employment ends automatically.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A

1.4 Survey results – Europe Region

Romania

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Elderly individuals possess the entitlement to training under the same terms as other employees within a company. As stipulated by the Romanian Labor Code, employers are compelled to ensure that all employees participate in professional training programs. The associated expenses for professional training are borne by the employers. Nevertheless, the specifics of professional training methods, the rights and responsibilities of the parties involved, the duration of training, and other relevant aspects, including the contractual obligations of employees concerning the employer's covered training expenses, are established through mutual agreement and documented as addenda to individual employment contracts. Employers retain the option to organize in-house professional training programs and may appoint experienced employees within their establishment as trainers. However, certificates of completion will hold validity exclusively within those organizations. Moreover, from a health and safety perspective, employers must implement targeted measures to tailor work conditions, particularly concerning job design, equipment selection, work methods, and production practices. This adaptation aims to alleviate the impact of monotonous work and tasks executed at a fixed pace on employees' health. In such cases, training involves providing appropriate instructions to elderly individuals for the execution of their duties.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes

1.4 Survey results – Europe Region

Romania

Question	Answer
Please provide a simple description of this obligation or recommendation.	The prophylactic medical services ensuring workers' health monitoring include medical exams during employment, adaptation, periodic check-ups, return-to-work assessments, special monitoring, and workplace health promotion. Employees engaged in tasks at a height of at least 2 meters from the ground undergo specific medical supervision by the occupational physician. This physician must also determine the fitness for work for employees over 60 years of age.
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Pensioners and individuals receiving social benefits fall into vulnerable groups and are exempt from direct contributions. Their contributions are covered by the state budget for the Single National Health Insurance Fund. Consequently, elderly individuals access a range of basic services via the social health insurance system. This package includes preventive and curative medical services, healthcare, medications, sanitary materials, and medical devices, subject to specific criteria. Additionally, social support for the elderly is delivered through social services and benefits. Eligibility for these services and benefits is determined by various circumstances: a. Lack of family support or dependency on caregivers obligated by law to provide for them, b. Inadequate housing and inability to self-fund their needs, c. Insufficient income to cover necessary care, d. Inability to manage alone or requiring specialized care, e. Inability to fulfil socio-medical needs due to health or mental conditions. The assessment of elderly individuals' needs involves a social survey based on factors like their ability to manage daily life, living conditions, and income that meets basic needs.

1.4 Survey results – Europe Region

Romania

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Community services for those meeting the aforementioned criteria are provided based on their consent and can be either temporary or long-term. These services are delivered: a. In the person's own home or residence, b. In day care and rehabilitation centers, c. In homes for the elderly, sheltered housing, or similar centers. Services provided at home include personal care, rehabilitation and environmental adaptation, and medical assistance. Long-term care, applicable when assistance with basic and instrumental daily activities exceeds 60 days, can be administered in various settings, including at home or in community facilities.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Law No. 292/2011 on Social Assistance outlines the eligibility criteria for elderly individuals to receive social support. The law also defines the assessment process for those needing social assistance and establishes community services, both at home and in special facilities, encompassing social, socio-medical, and medical services. One of the important aspects of safeguarding older people (considered vulnerable due to risks like reduced participation, job loss, decreased income, and declining health) involves addressing poverty and promoting social inclusion. Elderly people who are unable to provide for their social needs, who cannot manage themselves, require specialized care, benefit from social assistance services, assured medical care. Social welfare institutions, whether public or private, are specialized units designed to provide protection, housing, care, recovery, and social reintegration for various groups, including the elderly, based on their specific needs, as indicated in the previous response.

1.4 Survey results – Europe Region

Romania

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Elderly individuals in Romania, upon retiring, have several prospects and support options available to them. These include receiving pensions for financial stability, accessing healthcare services, benefiting from social assistance programs, participating in community activities, in cultural and recreational activities, choosing different housing arrangements, enjoying legal protections, engaging in volunteering, and relying on family support.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	To enhance the rights and well-being of elderly people in Romania, several actionable measures can be implemented: - Prepare individuals to retire through counselling centres, - Strengthen social assistance programs, offering home care and medical services, - Improve the pension system to ensure consistent financial support, - Prevent elder abuse through awareness campaigns and legal safeguards, - Provide accessible healthcare services for age-related needs, - Enhance quality of care in long-term facilities and create elder-friendly infrastructure, - Attract qualified elderly people in various forms of vocational training, especially in rural areas, - Involve elderly people who have worked in the health field in volunteer activities in rural areas to support the activity of communal dispensaries and pharmaceutical points, - Attract volunteers from among the elderly in order to carry out activities for those in difficulty (preparing food at home, supplying food, paying bills for various services, counselling for the disposal of personal property, etc.), - Attracting of pensioners by National Employment Agency (A.N.O.F.M.) who can teach professional reconversion courses for certain categories of unemployed, - Raise public awareness to combat discrimination. Still, some of the above measures involve interventions in related legislation in the field of the unitary public pension system, social assistance, employment, etc.
Region	Europe

1.4 Survey results – Europe Region

Slovakia

Question	Answer
Jurisdiction	Slovakia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	There is no legal definition of "older people". In demographic, economic and social statistics an "older person" is considered to be any individual aged 65 or over, in accordance with general practices used by the UN and Statistical Office of the European Union ("Eurostat"). The current percentage of people aged 65 or over exceeded 17% in 2021. Approximately 20% of people aged 60.74 years are economically active.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Slovakia

Question	Answer
Please list and give a simple description of these rights.	After a certain age and a certain period of insurance, a person can apply for early retirement or retirement. Individuals who reached the retirement age (varies depending on gender, number of children, exact year of birth) and have at least 15 years of pension insurance, are entitled to receive a retirement pension. An early retirement pension is a pension benefit paid from the old-age insurance and its purpose is to provide the insured person with an income in old age before he or she reaches retirement age. Early retirement pensions can help in particular those who have lost their job just before retirement and are unlikely to find a new job, or who are unable to find a job in the long term and have no other options to deal with their economic situation.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The Anti-Discrimination Act prohibits employers from discriminating against employees on the basis of a number of protected characteristics, including age. This means that employers cannot treat employees differently or make decisions about employees based on their age. Individuals that believe they have faced discrimination may initiate court proceedings. Such individuals may request the assistance of the Slovak National Center for Human Rights who can represent them in the proceedings. Furthermore, if the discrimination is related to: ▪ Employment, the individual may formally complain with the employer, or the Labor Inspectorate; ▪ Healthcare, the individual may formally complain with the Health Care Supervisory Activity; ▪ Education, the individual may formally complain with the State School Inspection; ▪ Access to goods and services, the individual may formally complain with the Central Inspectorate of the Slovak Trade Inspection.

1.4 Survey results – Europe Region

Slovakia

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The pension system in the Slovak Republic consists of: i. Pillar I - compulsory pension insurance is a defined-benefit and continuously funded insurance administered by the Social Insurance Institution; ii. Old-age pension savings is a contributory defined benefit insurance funded through capitalisation, administered by pension management companies; iii. Voluntary supplementary pension savings ▪ Supplementary pension saving is a defined contribution insurance funded through capitalisation and administered by supplementary pension companies; ▪ Pan-European personal pension product - an individual's voluntary saving for retirement through the use of long-term savings and investment products provided by various financial institutions. The retirement age of insured persons born before 1967 is currently known, and depends on various factors (number of children, exact year of birth). The retirement age of insured persons born after 1966 shall be known five years before the insured person reaches retirement age and shall be determined by a measure of the Ministry of Labour, Social Affairs and Family of the Slovak Republic. The pension amount is individual and depends on: ▪ The length of the pension insurance period. ▪ The amount of gross earnings earned during working life (gross earnings include social security contributions). ▪ Whether the individual participated in the 2nd pension pillar; ▪ Whether the person acquired a period of pension insurance after becoming entitled to a pension

1.4 Survey results – Europe Region

Slovakia

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The pension system in the Slovak Republic consists of: i. Pillar I - compulsory pension insurance is a defined-benefit and continuously funded insurance administered by the Social Insurance Institution; ii. Pillar II - old-age pension savings is a contributory defined benefit insurance funded through capitalisation, administered by pension management companies; iii. Voluntary supplementary pension savings: ▪ Supplementary pension saving is a defined contribution insurance funded through capitalisation and administered by supplementary pension companies; ▪ PAN-EUROPEAN personal pension product - an individual's voluntary saving for retirement through the use of long-term savings and investment products provided by various financial institutions.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.4 Survey results – Europe Region

Slovakia

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Employment in addition to the old-age pension has no effect on pension payments and the pensioner can work without restriction. The Social Insurance Authority will recalculate the old-age pension for the pension insurance period earned in the previous calendar year up to 31 March of the following calendar year on 1 January each year without an application.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.4 Survey results – Europe Region

Slovakia

Question	Answer
Please provide a simple description on the limitations or disincentives	The employer may not terminate employment unilaterally solely because the employee has reached retirement age. The Slovak Labor Code lists specifically applicable termination reasons, and retirement age is not one of those reasons.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	There are no specific trainings for older people. However, Individuals have the opportunity to retrain through retraining courses organized by Labor offices, social affairs and family offices . To be eligible for a retraining course, a job seeker must be registered in the Slovak Labor Office's Register of Job Seekers as a job seeker or an applicant for employment, have the appropriate entry-level qualifications, and be medically fit.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Within the framework of public health insurance, the state is the payer of health insurance contributions for older people after retirement in the full extent.

1.4 Survey results – Europe Region

Slovakia

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	In Slovakia, the number of places at Universities of the Third Age has increased. This is to ensure that older people who are still interested in learning have the opportunity to do so. In addition, there has been an increase in senior movements, senior clubs, and a number of interest groups and civic associations. At the same time, intergenerational centers are being established, which effectively address the issue of intergenerational dialogue.
What prospects or social plans do "older people" have when they stop working in your country?	Older people can be involved through volunteer movements, senior clubs and the like, which offer activities for older people - joint trips, interest groups, education and spending time with others. However, the family still plays an important role in preventing isolation among older people.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The following measures should be taken to improve the rights of older people: ▪ Fairer pensions should be introduced. ▪ Proposals should be prepared for earlier retirement for employees in demanding professions. ▪ Quality, timely, and accessible social services should be supported. ▪ Counselling and prevention services should be supported.
Region	Europe

1.4 Survey results – Europe Region

Spain

Question	Answer
Jurisdiction	Spain
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes

1.4 Survey results – Europe Region

Spain

Question	Answer
Please list and give a simple description of these rights.	In Spain there are two types of retirement pensions: (i) contributory; and (ii) non-contributory. The requirements for a Spanish citizen to receive a contributory retirement pension are mainly age and a minimum period of contribution to the social security system. Currently, and until 2027, the regulations provide for a progressive increase in the minimum contribution period and age required to obtain said retirement pension. Contribution period Age requirement 2024 38 years or more 65 Less than 38 years 66 and 6 months 2025 38 years and 3 months, or more 65 Less than 38 years and 3 months 66 and 8 months 2026 38 years and 3 months, or more 65 Less than 38 years and 3 months 66 and 10 months From 2027 38 years and 6 months, or more 65 Less than 38 years and 6 months 67 The main difference between contributory and non-contributory pensions is that with the first, social security contributions are an indispensable requirement. The non-contributory pension is an economic benefit that corresponds to those persons who lack sufficient resources to subsist, under the legal provisions, and who have never contributed for the time required to receive a contributory pension. To qualify for a non-contributory retirement pension, the beneficiary must be 65 or older, reside legally in Spain (and have done so for 10 years between the age of 16 and the date on which they apply for the pension, two of which years must be consecutive and immediately prior to the date of application), and their income or earnings must be classified to be insufficient. Other types of allowances: Allowance for unemployed individuals who are 52 years or older and who exhausted their unemployment allowance. Allowance for unemployed individuals who are 55 years or older and who exhausted their unemployment allowance.

1.4 Survey results – Europe Region

Spain

Question	Answer												
Please list and give a simple description of these rights.	Active-Insertion Income (Renta Activa de Inserción "RAI"). For employees under the age of 65 who are not entitled to contributory benefits or unemployment allowance. Extraordinary Unemployment Allowance (Subsidio Extraordinario por Desempleo "SED"). Requirements: (i) have exhausted any of the unemployment benefits provided for in Article 274 of the Restated General Social Security Act after 05/07/2018, or have exhausted such benefits between 01/03/2018 and 04/07/2018; and (ii) Long-term unemployed individuals that exhausted their unemployment benefits, PREPARA or RAI allowances and were registered as a jobseekers by 01/05/2018. (long-term unemployed individuals are those that have been registered as a jobseeker for at least 360 days in the 18 months immediately preceding the date of their application for extraordinary unemployment allowance). Lastly, "Mandatory Old Age and Disability Insurance" (Seguro Obligatorio de Vejez e Invalidez "SOVI") is a residual scheme applied to employees and rightful claimants who met the requirements of the scheme that was cancelled but are not entitled to a retirement or disability pensions under the current social security system, apart from the pension for widows and widowers, which may still be applicable to them. In 2023, the amount of the non-contributory pension is calculated on the basis of the individual's personal income. In 2023, to qualify for this pension the individual's personal must be less than a maximum annual amount of €6,784.54 and the minimum annual amount of €1,696.14. If the individual's income falls within that range, they can apply for a non-contributory pension. In addition, for those who certify they have a 75% disability or greater, a supplement of 50% will be applied. If the relevant requirements are met, the non-contributory pension amounts are as follows: <table><tr><td>Type of pension</td><td>Monthly amount (€)</td><td>Annual amount (€)</td></tr><tr><td>Maximum amount</td><td>484.61</td><td>6,784.54</td></tr><tr><td>Minimum (25%)</td><td>121.15</td><td>1,696.14</td></tr><tr><td>Full amount (plus potential supplements of 50%)</td><td>726.91</td><td>10,176.81</td></tr></table> However, if two or more beneficiaries of a non-contributory pension live together in the same family, the maximum amount that each can receive shall be reduced.	Type of pension	Monthly amount (€)	Annual amount (€)	Maximum amount	484.61	6,784.54	Minimum (25%)	121.15	1,696.14	Full amount (plus potential supplements of 50%)	726.91	10,176.81
Type of pension	Monthly amount (€)	Annual amount (€)											
Maximum amount	484.61	6,784.54											
Minimum (25%)	121.15	1,696.14											
Full amount (plus potential supplements of 50%)	726.91	10,176.81											

1.4 Survey results – Europe Region

Spain

Question	Answer
Please list and give a simple description of these rights.	The minimum contributory retirement pension in 2023 ranges from €692.50 to €1,449.30 per month. Said amount will depend on whether or not the pension is paid after the age of 65, or if the retirement is based on permanent severe disability. The maximum limit for public pensions, including those pensions for which an individual becomes eligible in 2023 and those pensions for which they were already eligible on 31 December 2022 will be the following (irrespective of whether they receive only that pension or it is received along with others) : €3,058.81 euros per month paid in 14 instalments, which includes the bonus payments in July and December (i.e., €42,823.34 per year), without prejudice to any extra payments that the pension holder may be entitled to, the amount of which is also affected by the aforementioned limit.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Spain

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	In 2023, employees can obtain a regular retirement pension, provided they contributed to the social security system for a period of at least 37 years and 9 months. If the employee's contribution period is less than 37 years and 9 months, the employee who intends to retire must be at least 66 years and 4 months old. Over the next few years, the regulations establish a progressive increase in the minimum age required to qualify for regular retirement, which minimum age shall eventually be 67 years old. Aside from regular retirement pensions, employees in Spain may choose one of the following alternatives (under certain circumstances and/or with a reduction in the pension they will receive): ▪ Early retirement. The employee no longer works due to their professional activity, a disability, a non-voluntary employment termination, the employee's resignation, or a dismissal due to a redundancy procedure. ▪ Flexible retirement. The situation of flexible retirement is when the employee chooses make the retirement pension, once in effect, compatible with a part-time contract, within the limitations regarding working hours set out by Article 12.6 of the Spanish Labour Act. In this case, the individual's pension is inversely proportional to the reduction applicable to the pensioner's working hours, considering the working hours of a comparable full-time employee. ▪ Partial retirement. Employees who are at least 60 years of age can opt for partial retirement while working under a part-time employment contract, irrespective of whether or not said contract is linked to a relief contract executed as an unemployed individual or a worker that has agreed a fixed-term contract with a company. ▪ Compulsory retirement. Compulsory retirement can only be established by a Collective Bargaining Agreement, under certain circumstances, or in the case of civil servants.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state

1.4 Survey results – Europe Region

Spain

Question	Answer
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	A retirement pension may be supplemented when the pensioner is performing the following activities and circumstances: ▪ People receiving the pension may supplement their pension with a part-time job under the established terms. During this situation, known as "partial retirement", the pension will be reduced inversely, in proportion to the reduction of the pensioner's working hours compared to those of a comparable full-time employee. ▪ Retired pensioners may collect their "pensión correspondiente" (the pension they are entitled to) and at the same time hold a part-time job as established by law. During this situation, known as "flexible retirement", the pension will be reduced inversely, in proportion to the reduction of the pensioner's working hours compared to those of a comparable full-time employee. ▪ Receipt of a retirement pension is compatible with self-employment, when total annual income does not exceed the Minimum Professional Wage, calculated annually. Those performing such economic activities are not obliged to pay social security contributions and will not generate rights to receive additional social security benefits.

1.4 Survey results – Europe Region

Spain

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	▪ Activities performed on a self-employed basis by professionals affiliated under an alternative mutual society or exempt from being affiliated to the Self-Employed Social Security Regime (as per acronyms in Spain, "RETA"). ▪ Retaining ownership of a business and carrying out the activities inherent to said ownership. ▪ Active Retirement. Retirement pension and active ageing, Article 214 of the Social Security Act (as per acronyms in Spain, "LGSS"): Receipt of a contributory retirement pension may be received while the pensioner carries out work on behalf of another employer or on a self-employed basis, under the following terms: ▪ The right to receive the pension must have been obtained at least one year after the pensioner reached the applicable retirement age, with instances in which the interested party retires retirement under the benefit of bonuses or takes early retirement not being applicable to this end. ▪ The percentage applicable to the relevant pension base, in order to establish the pension amount, must be 100%. ▪ Work carried out while receiving the pension can be full-time or part-time, on behalf of a third party or through self-employment. ▪ The retirement pension amount that is compatible with work carried out will be equal to 50% of the amount calculated at the initial recognition, once, where applicable, the maximum limit of the public pension, or the pension being paid, is applied at the time when compatibility with work starts. In all instances, minimum supplements, regardless of whether the working day or the activity performed by the pensioner, will be excluded. ▪ However, if the activity is carried out on a self-employed basis and proof is provided that at least one worker employed by another person has been hired, the amount of the pension compatible with work will reach 100%. The sixth final provision of the General Law on Social security also provides for the possibility of extending this 100% compatibility to employees and other self-employed workers in the future. ▪ The pension will be revalued in full under the terms established for Social Security System pensions. However, as long as the compatible job is maintained, the amount of the pension plus the accumulated revaluations will be reduced by 50%, except in the case of self-employment at under the terms indicated in the previous paragraph.

1.4 Survey results – Europe Region

Spain

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	▪ The pensioner will retain no right to supplements for pensions beneath the minimum amount during the period in which the pension is supplemented with work. ▪ The beneficiary will be considered a pensioner for all intents and purposes. ▪ Once the employment relationship has ended, full payment of the retirement pension will be restored. The same shall apply in the case of cessation of self-employment if the circumstances are not such that 100% of the retirement pension can be combined with the work. ▪ This "compatibility scheme" (where the employee receives some pension but continues to work) is not applicable to cases where the individual holds a job or senior position in the public sector, which shall be incompatible with the receipt of a retirement pension. ▪ Said scheme is not applicable when the individual receives an additional percentage for working past the standard retirement age, as set out in Article 210 of the General Social Security Act. Contributions: When working for an employer or on a self-employed basis, and when said work can be performed while receiving a retirement pension, employers and employees will only make the social security contributions for temporary disability or occupational contingencies, according to the regulations governing the relevant social security regime; however, they will be required to make special solidarity contributions of 9%, which are not taken into account when calculating benefits in the future; for employees, this obligation will be shared by the employer and the employee, with the former responsible for 7% and the latter responsible for 2%. Please note that special requirements and eligibility criteria may apply to specific professional categories (e.g., artists, primary-care physicians, family doctors and paediatricians who are assigned to the national health system with statutory or civil servant positions, etc.).
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No

1.4 Survey results – Europe Region

Spain

Question	Answer
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	There are reductions in social security contributions for companies that execute indefinite-term contracts with employees who are 45 years or older (€1,300 per year are excluded for these contributions), or 52 years or older (€1,500 per year are excluded for these contributions). If the new hire is disabled, the reduction can be from €5,700 to €6,300 per year, depending on the degree of their disability. Entrepreneurial projects can also benefit from these reductions in social security contributions. Furthermore, if the person hired under an open-term contract is an employee that is eligible for an ordinary retirement pension, the reduction in the social security contribution comes to 100% of company' s contribution for common contingencies.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	As mentioned previously, when an employee is dismissed and there are obvious circumstances that point to their age having been a determining factor for the dismissal, it is very likely that the termination decision will be contested. If Courts consider the dismissal is discriminatory, the consequences are the reinstatement of the employee, plus back pay and the potential payment of damages to the employee.

1.4 Survey results – Europe Region

Spain

Question	Answer
Please provide a simple description on the limitations or disincentives	In collective redundancy processes, even though the process ends up by agreement between the company and employee representatives, there are certain disincentives when the process includes employees over the age of 50 or 55 and certain thresholds are reached. Covenant with social security. Companies carrying out a collective dismissal that includes employees over the age of 55 are obliged to bear the cost of the Special Covenant with the Social security (Convenio Especial con la Seguridad Social), which is approximately equal to the cost of the social security contributions for those employees until they reach the age of 61. This equates to a maximum amount of approximately €11,400 per year. As of 1 January 2013, this obligation was extended to the time the employees reach the age of 63, unless the reason alleged for the economic redundancy was economic. Financial contribution to the Spanish Treasury. Companies carrying out a collective dismissal affecting employees over the age of 50 will also have to make a financial contribution to the Spanish Treasury, provided the following conditions are met: ▪ The percentage of employees aged 50 or over that are dismissed (as compared to the total number of employees dismissed) is greater than the percentage of employees aged 50 or over who remain employed (as compared to the total number of employees who remain employed) — for the purposes of calculating the percentage of employees aged 50 or over who are dismissed, certain prior and future dismissals may need to be taken into account. ▪ The company (or group of companies) has more than 100 employees. ▪ The company is profitable as defined by the regulations; in this regard and according to the regulations, profitability before and after the collective dismissal procedure must be taken into account. ▪ The employees over the age of 50 included in the redundancy procedure have not been employed in the six months following their dismissal. The contribution is roughly calculated according to the amount of the public unemployment benefits and subsidies to be paid to the affected employees that are over 50, including social security contributions made by the Public Employment Office.

1.4 Survey results – Europe Region

Spain

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	The Public Employment Offices (both National and Regional) offer public training courses to the employees of companies and unemployed individuals to improve their skills and qualifications. The purpose of the Public Training System is to promote and carry out training that contributes to the personal and professional development of employees (employed and unemployed), improving their employability and promotion at work. This training is based on the needs of the labour market and is aimed at improving business competitiveness. These public training courses are not offered specifically to an age group (e.g., the elderly), but in general to all employed and unemployed people. Further, there are specific programs offered to "the elderly". For example, the Official Chamber of Commerce of Madrid, through its "45+ Program" (Are you over 45 and unemployed? Receive free training with the Official Chamber of Commerce of Madrid (sepe.es)), offers unemployed individuals the possibility of participating in free training courses throughout the year. The purpose of the 45+ Program is to offer direct action to the group of people over 45 to 60 years of age (both inclusive) who are unemployed. It is a training that is adapted to their abilities so that they obtain the necessary training and/or qualification that best suits companies' requirements, so it all leads to labour insertion. On a side note, when a company implements technological developments, it is mandatory to provide adequate training for the employees when these developments affect their job position. The objective of this training is to adapt the employee to the new developments and acquire the necessary skills. The employee's failure to adapt to reasonable technological developments (provided that two months have passed from the date the new conditions were implemented or the training to adapt to those technical changes has concluded), would be considered a cause for redundancy/dismissal based on objective grounds.

1.4 Survey results – Europe Region

Spain

Question	Answer
Please provide a simple description of this training right.	Please note this is not a right to training to adapt to the new circumstances of the market but only to the specific job position of the employee. Further, also note that this training is not for older employees specifically but is provided to all employees whose job position requires adaptation.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	In Spain, all legal citizens are entitled to public health coverage. Therefore, there is not a specific public health coverage for the elderly. Spain has universal healthcare, which guarantees access to healthcare services to all Spanish citizens or residents that pay (or have paid) monthly social security contributions, as well as their partners and dependant family members. This includes expats, freelancers and the self-employed. Under this system, all basic medical services are free. These include emergency hospital and doctor visits, doctor consultations, paediatric visits, midwife appointments and services, inpatient and outpatient care, among others. There are some services that aren't covered, such as certain dental treatments for adults. And there are other costs, like medications, which aren't always fully covered but are heavily subsidised, so the individual only incurs a small fee.

1.4 Survey results – Europe Region

Spain

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Furthermore, there are specific subsidies to the elderly from Social Services that are included in the protective action of the Social Security System. The purpose of these subsidies is to supplement financial benefits, while at the same time improve the living conditions of the beneficiaries, by reducing, insofar as is possible, the personal constraints that are caused by age or disability. Said subsidies are provided via the social services network of the Regional Governments ("Comunidades Autónomas"). For example, the Madrid Regional Government's Social Services Program for the Elderly includes: nursing homes and day centres for the elderly, medical assistance at home, caregivers and volunteers, among others.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	National and Regional Governments promote social and cultural life through programs and actions. On a national level, the Institute for the Elderly and Social Services (Instituto de Mayores y Servicios Sociales "IMSERSO") offers subsidised domestic and international trips and spa services for the elderly, programs to develop the autonomy and independence of the elderly, and non-contributive aids. Municipalities and regional governments also promote activities for the elderly. For example, the Madrid Regional Government regularly offers these activities to elderly people: ▪ Cultural routes. ▪ University program for people over 45. ▪ Workshops (e.g., Balance and healthy habits, Memory and cognitive stimulation, Learn to use your cell phone, Laboratory of ideas on how to grow old happily, Dietetics and nutrition). ▪ Day centres and nursing homes for the elderly.

1.4 Survey results – Europe Region

Spain

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Usually when people retire in Spain they can dedicate more time to their families (children, grandchildren), travel, take courses and study, visit museums, read, play sports and stay active, etc.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	An improvement of the minimum public retirement pensions.
Region	Europe

1.4 Survey results – Europe Region

Sweden

Question	Answer
Jurisdiction	Sweden
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Some of the more material entitlements as the following. According to the Swedish Employment Protection Act, seniority, both in terms of aggregate term of employment and actual age affects an employee's preferential right to remain in employment in a redundancy situation. At the age of 63 a person can start withdrawing the public/state pension. Retired people with low pension can apply for housing allowance and income support for the elderly from the Swedish Pensions Agency. A person is normally entitled to housing allowance if their monthly income is less than SEK 15,000 (approx. EUR 1,300) after tax. The income support for the elderly is calculated on the basis of a reasonable standard of living and depends on income and housing costs.

1.4 Survey results – Europe Region

Sweden

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The Swedish Discrimination Act prohibits discrimination based on age. The prohibition of discrimination applies to discrimination against people of all ages. The law applies in areas such as labour, education and health care. In the labour market, discrimination can mean that individuals lose out on jobs, skills development or promotion. It can also mean being harassed at work because of your age. There are also studies showing, for example, that younger people are more likely to be called for interviews. Discrimination can be reported to the Swedish Equality Ombudsman (Sw. Diskrimineringsombudsmannen), a government agency that promotes equal rights and opportunities and works to combat discrimination. All employers must actively prevent discrimination and promote equal rights and opportunities in the workplace. This includes e.g., analyzing the causes of identified risks and challenges, taking preventative and proactive measures, and monitoring and evaluating the process. In the Swedish context this does not mean enhancing/promoting measures on an individual level but rather educational measures on a structural group level.
Does your country have a retirement system for older people when they stop working?	Yes

1.4 Survey results – Europe Region

Sweden

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	▪ For the public/state pension, a person can choose whether to collect 25, 50, 75 or 100 percent per month. It is also possible to combine this with continued employment. ▪ A person can start collecting the public/state pension at the age of 63. Regarding occupational pension and private pension, the age of when the payments can start varies. ▪ It is not possible to provide a fixed amount of the highest or lowest possible pension payment. ▪ Every year a person works, money is earned for their pension. In simple terms, the more a person earns, the higher their pension will be. For most people, the later they choose to retire, the higher their pension will be.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	▪ Pension can come from several different sources. The Swedish Pensions Agency is responsible for the public/state pension and most individuals also receive an occupational pension from their employer. In addition, a person may also have their own pension savings. Payments from the public/state pension can start from the age of 63. Regarding occupational pension, the age of when the payments can start varies. ▪ Private pension insurance is an option for those who are self-employed or have no occupational pension in their employment. Payments can normally start from the age of 55 at the earliest and the duration of the pension must be at least five years.
Can an employee in your country be forced to retire at a certain age?	Yes

1.4 Survey results – Europe Region

Sweden

Question	Answer
Please provide a simple description of the obligation and its practical implications.	▪ The employer can unilaterally terminate a person's employment at the age of 69 solely on the grounds of age and thus force the employee to retire. The employee is in such case entitled to the statutory minimum notice period of one month.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	▪ For the public/state pension, a person can choose whether to collect 25, 50, 75 or 100 percent per month regardless of how much they continue to work. ▪ If a person is self-employed, they can collect a pension and continue to run their business. When they continue to receive a salary or have a profit, they also contribute to their public/state pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	i. The employer can unilaterally terminate the employee at the age of 69 subject to a statutory minimum notice period of one month. ii. The employee must not agree to the termination. iii. If the employer wants to terminate an employee's employment earlier than at the age of 69, the employer must have just cause for termination of employment (redundancy or personal reasons). If wishing to part ways without having to prove just cause the employer may offer a settlement – having the employee retire earlier in exchange for financial compensation. A mutual separation on such terms must be agreed between the parties.

1.4 Survey results – Europe Region

Sweden

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	For employees who have reached the age of 66 at the beginning of the year, the employer's contribution by law is lower compared to younger employees. Employee insurance costs may sometimes also be lower due to adjustment in the applicable insurance. When employees reach a certain age the employer will typically cease with paying premiums to their occupational pension plan (typically around age 65-66 for private sector employees and somewhat older, 67-69, for public sector employees).
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	

1.4 Survey results – Europe Region

Sweden

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	Employers have a far-reaching responsibility to adapt the work situation to the worker's circumstances. This is not specifically related to age, however, with age may follow certain limitations. Adapting the work may involve altering tasks or working conditions or relocating the employee to an alternative position.
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	In Sweden, there is general access to public healthcare provided by the state, regardless of age, for citizens, individuals residing in Sweden at a registered address, and individuals covered by insurance in an EU/EES country, Switzerland or the UK.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes

1.4 Survey results – Europe Region

Sweden

Question	Answer
Please give a simple description of these measures.	However, any such measures and/or activities would typically be connected to and provided by public actor such as lower-level local government entities (regions and municipalities), or in residential/elderly care contexts or by civil society organisations. These can be initiatives to help promote an active lifestyle, ensure independence, enhance social connections and prevent loneliness etc.
What prospects or social plans do "older people" have when they stop working in your country?	There are no prospects or social plans for older people on a structural societal level.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	In Sweden, there is an organization called the "PRO" which promotes and raises awareness of social issues related to the life as a pensioner. These issues relate to e.g., equality and economy. They aim to raise the public/state pension, increase housing allowance and reduce taxes, among other things.
Region	Europe

1.4 Survey results – Europe Region

Switzerland

Question	Answer
Jurisdiction	Switzerland
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No. Under Swiss law, statutory retirement age is 65. People of this age receive certain benefits granted to retired people such as 50% price reduction in public transportation. It can therefore be considered that people older than 65 are considered as "old persons".
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Switzerland's population continues to age. The number of seniors (65 years or over) increased from 1,661,300 in 2021 to 1,691,600 in 2022 (+1.8%). Compared to 2021, their number is increasing in all cantons. In 2022, there will be 485,600 people aged 80 or over compared to 472,000 in 2021 (+2.9%). Switzerland also has more centenarians, 1,948 in 2022 compared to 1,888 in 2021 (+3.2%, or 60 more people). In this aging population, women outnumber men. One in five women (928,600; 20.9%) and one in six men (763,000; 17.4%) are over 64 years old. The older we get, the higher the number of women. Among people over 79, there are 294,500 women (6.6%) and 191,200 men (4.4%). Among centenarians, women are four times more represented than men (1601 and 347 respectively).
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Right to social security and pension Discounts in a number of activities

1.4 Survey results – Europe Region

Switzerland

Question	Answer
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Mandatory retirement at 64 for women and 65 for men Early retirement possible as from 58 Amount of the pension depends on the amount and years of contributions paid to mandatory social security and pension fund as well as on private savings.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.4 Survey results – Europe Region

Switzerland

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	Swiss retirement benefits is based on a three-pillar system: ▪ Mandatory social security ▪ Mandatory pension fund ▪ Private savings encouraged via tax incentives
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	Employment terminates at the end of the month during which an employee reaches the mandatory retirement age. Following end of employment, the retired person will receive the pension benefits he/she is entitled to in accordance with the contributions paid during active live.
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No

1.4 Survey results – Europe Region

Switzerland

Question	Answer
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Limitation: cost of pension fund contribution is higher for older people Incentive: employees must provide an alternative job (if available) when they decide to termination an employee who is close to retirement. An employee is close to retirement when he reaches the age of 58 when he/she qualifies for an early retirement.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No

1.4 Survey results – Europe Region

Switzerland

Question	Answer
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	All individuals (including old people) residing in Switzerland must contract a mandatory health insurance. For people with limited financial means, public subsidies can be granted by the canton in which they are domiciled. Limited financial means can be defined as not having sufficient financial resources to cover the costs of accommodation, boarding and payment of health insurance premium.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	A number of associations propose activities for old people. Those activities include cultural, sport and social activities.

1.4 Survey results – Europe Region

Switzerland

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	The objective of the mandatory social security system applied in Switzerland is to secure to old people benefits amounting to a minimum of 60% of their last salary. This allows old people to have an active social life and to cover the cost of the basic health insurance.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	No
Region	Europe

1.4 Survey results – Europe Region

Turkey

Question	Answer
Jurisdiction	Türkiye
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	There is not a clear and encompassing definition of "older person" under Turkish legislation. However, the age of 65 is regulated as a threshold for most pensions and social services. Therefore, it could be concluded that the age of 65 is considered the threshold to enter the old age status. According to the statistics published by TUIK in March 2023, the population aged 65 and over, which is considered the elderly population, increased by 22.6% in the last five years and reached 8 million 451 thousand 669 people in 2022 from 6 million 895 thousand 385 people in 2017. The proportion of the elderly population in the total population increased to 9.9% in 2022. In 2022, 44.4% of the elderly population was male and 55.6% was female. According to population projections, the proportion of elderly population will be 12.9% in 2030, 16.3% in 2040, 22.6% in 2060 and 25.6% in 2080.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	▪ Annual Leave: Employees aged 50 and over cannot be granted less than 20 days of annual leave. ▪ Old-Age Pension: Employees will be entitled to old age pension depending on the criteria of (i) social security premium payment days, (ii) duration of being insured, and (iii) age. ▪ In-Need Pension: Citizens who are over the age of 65 and are in need of financial help may be qualified for in-need pension.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Please list and give a simple description of these rights.	▪ Holiday Bonuses: People who receive payment from Social Security Institution, including the old-age pension, are entitled to holiday bonuses twice a year. Currently, the bonus amount is 2.000 Turkish Liras. ▪ Care Services: Citizens who are over the age of 65 may benefit from care services, providing them psycho-social support and personal care. Care services can also be conducted in special centers. ▪ Healthcare Benefits: There is a public health insurance system in Turkey, which includes all people receiving income or pension according to former or current social security laws. People who receive old-age or in-need pensions are also entitled to healthcare benefits. These benefits can be summarized as follows: ▪ Universal Health Coverage: Turkey has a universal healthcare system that provides access to medical services for all citizens, including the elderly. ▪ Free Medical Care: Elderly individuals (65 years and older) are entitled to free healthcare services at public hospitals and clinics. This covers a range of medical treatments, consultations, and medications. ▪ Prescription Medications: Many essential medications are provided free of charge to elderly patients through public healthcare facilities. ▪ Home Care Services: Elderly individuals with limited mobility or medical conditions that require regular care may receive home care services and visits from healthcare professionals. ▪ Emergency Services: Access to emergency medical services is available to all citizens, including the elderly.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.4 Survey results – Europe Region

Turkey

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Article 5 of the Turkish Labor Code No. 4857 ("Labor Code") states that "No discrimination based on language, race, color, sex, disability, political opinion, philosophical belief, religion and sect and similar reasons can be made in the employment relationship". While Article 5 of the Labor Code does not explicitly refer to age as a condition requiring protection against discrimination, the provision covers "similar reasons," which is likely to include age. Depending on the specific circumstances, courts can prohibit ageism. As per the Law on the Turkish Institution of Human Rights and Equality, if it is required to employ a person at a certain age due to the nature of work, then discrimination allegation due to age will not be acceptable, provided that such criteria are necessary and proportionate for the work. For example, not hiring one of two equally qualified candidates solely on the basis of age, or terminating the employment agreement of one of two similarly qualified employees solely due to his/her age, would constitute a violation of this prohibition.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There are two separate pension systems in Turkey. The first one is the statutory pension system in which both the employer and the employee pay premiums to the government. This system is related to the health and retirement of the employees. The second one is called as automatic enrolment private pension system. It is mandatory for employers that have more than 5 employees, to enroll their employees in such private pension system. In order to establish the automatic enrolment private pension system, employers must execute an agreement with one of the private pension companies authorized by the government. Employees must contribute 3% of their monthly salaries subject to their monthly social security premiums' calculation, which employers will automatically deduct from their salaries and pay to the private pension company. Employees can request a higher contribution rate. The state's contribution equals 30% of the employee's contribution to the pension plan. If the employee does not cancel their registration in the plan, the state pays a one-off contribution of TRY 1,000. The President of the Turkish Republic is authorized to reduce the state contribution rate down to 10%, with respect to the employee contributions paid in foreign currency. Currently, the state's contribution rate with respect to employee contributions paid in foreign currency is determined as 10%. Per Law No. 4632, only companies established with the authorization of the Ministry of Treasury and Finance can provide private pension plans for employers to enroll their employees in such plans.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Within the scope of the statutory pension, employees can choose to receive their statutory pension retirement as a salary or a lump-sum payment. The amount for each depends on the employee's circumstances, such as length of employment, total premium value, and the total number of days worked. Private pension participants are eligible for retirement at 56 years old, as long as they have been enrolled in the system for a minimum of ten years. When a participant becomes eligible, they can choose to receive their accrued funds as a lump-sum payment or a monthly pension. With the Law on the Amendment of the Social Security and General Health Insurance Law No. 5510 and Decree No. 375 (the "Law on Early Retirement") published in the Official Gazette on March 3, 2023, which is also known as The Law on Early Retirement Despite Failing to Meet the Age Requirement, the conditions for the individuals who were deemed registered with the Social Security Institution before September 9, 1999 to be eligible for retirement have been rearranged. Individuals who were deemed registered with the SSI before September 9, 1999 will benefit from the relevant legal legislation. To qualify for retirement within the scope of the Law on Early Retirement, those who work under the 4/1-(a) status of the Social Security and General Health Insurance Law No. 5510 must (i) complete a 20-year social security period if female, or a 25-year social security period if male, and (ii) fulfil the conditions of having paid 5000-5975 days of statutory social security insurance which vary gradually according to the insurance start date. According to the Law on Early Retirement, the following individuals will be entitled to retirement without any age requirement: ▪ Individuals who started working before September 8, 1999 (inclusive) within the scope of long-term insurance branches (disability, old age, and death insurance). ▪ Individuals who started working after September 9, 1999 (inclusive) within the scope of long-term insurance branches, but whose insurance start date has been brought back to a date before September 8, 1999 (inclusive) with the service debt they incurred, as per the provisions of the legislation that allows it. Insured individuals will be able to retire under the Law on Early Retirement regardless of whether they are subject to 4/1-(a), 4/1-(b), or 4/1-(c) status. On the other hand, individuals who were deemed registered with the Social Security Institution after September 9, 1999 (inclusive) will be eligible to get retired between the ages of 58 and 65 depending on whether they are male or female, the premium payment days and insurance period.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	Statutory Pension System: This is the traditional pension system in which both the employer and the employee pay premiums to the government. Premiums are deducted from employee salaries, and the employer then pays the employee's share directly to the government on their behalf. The total social security percent premium is 15% for the employee and 22.5% for the employer. If the employee's monthly salary exceeds TRY 75,060 for 2023, such capped amount will be taken into account when calculating the social security contributions for the employee. Automatic Enrollment Private Pension System: In addition to the statutory pension system, Turkey introduced a voluntary private pension system to encourage individuals to save for their retirement beyond the basic public pension. This system allows individuals to contribute to private pension funds, which are managed by licensed pension companies. These contributions are invested in various financial instruments, such as stocks, bonds, and other assets. Upon retirement, individuals receive pension payments based on the performance of their investments.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.4 Survey results – Europe Region

Turkey

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	There is no requirement or restriction for older people to continue working while receiving a pension. However, in terms of the effect of starting to work again on the employee's pension the Social Insurance Institution, the Social Insurance Institution for Self-Employed and the Turkish Pension Fund have established different standards with regard to reemployment of the retired. However, in general, there are two options available for the retired in the current legal system. The first option is that the retired person should demand the Social Security Institution to stop the pension to him/her and restart paying the premiums for the related insurance branch. In the second option, the retired person pays only "social security support contribution" while he/she continues drawing pension from the Social Security Institution.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	Under Turkish law, reaching a certain age is not regulated as a reason for termination of the employment agreement by the employer. In addition, age-based terminations are invalid in principle due to the prohibition of age discrimination. However, cases where retirement eligibility or reaching a certain age is seen as a social selection criterion for dismissals have been observed. In other words, if the employee's age causes negative effects on the performance of the workplace, it may be considered a valid reason for termination due to the employee's poor performance (incapacity). Here, a subjective evaluation should be made on the basis of the employee. This is because age-related negativities may arise as a result of professional and technological development.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Please explain your answer	While terminating an employee for valid reason due to poor performance, the employer must be able to prove, among other things: (i) the employee was not capable of performing the role; (ii) all necessary support and training were provided to him/her; (iii) the employee's business targets were reasonable and these were provided to the employee beforehand, so that he/she knew the targets that he/she had to meet; (iv) performance reviews were conducted with the employee's participation; (v) the employee was warned of his/her poor performance and given additional, reasonable time to improve but the employee failed to improve his/her performance despite all these measures. The following items must be paid to an employee in termination for valid reason due to poor performance: ▪ Accrued salary as of the termination date ▪ Notice compensation, if the employee will not be allowed to use his/her notice period ▪ Statutory seniority compensation, if the employee has worked for at least one year with the employer ▪ Accrued untaken annual leave pay, if any, as of the termination date ▪ Any outstanding overtime pay or pay for work on public holidays ▪ All other contractual entitlements of the employee, such as accrued pro-rated bonuses/commissions, if any, as of the termination date It should be pointed out that, upon termination for just cause due to poor performance, the employee can file a reinstatement lawsuit. The risk for the employer in a reinstatement lawsuit is 8-12 months' gross salary, which is determined based on the employee's term of employment with the employer. Such risk is in addition to the employee's legal and contractual rights listed above, which must be paid due to the termination of the employment agreement. For this reason, it would be a better and safer way to terminate the employee's employment agreement through a mutual termination agreement or settlement in mediation.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Please explain your answer	The following items must be paid to an employee in case of a mutual termination agreement or settlement in mediation: ▪ Accrued salary as of the termination date ▪ Notice compensation, if the employee will not be allowed to use his/her notice period ▪ Statutory seniority compensation, if the employee has worked for at least one year with the employer ▪ Accrued untaken annual leave pay, if any, as of the termination date ▪ Any outstanding overtime pay or pay for work on public holidays ▪ All other contractual entitlements of the employee, such as accrued pro-rated bonuses/commissions, if any, as of the termination date ▪ An additional benefit (ex-gratia payment).
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	The advantages of rehiring older people after their retirement have two aspects, as follows: From the employee's perspective: The employee's share of the social security premiums is 15% for a standard employee – who is not a retired employee. After being retired and rehired within the same employer, the employee's share of the social security premium will be 7,5%. Therefore, it will be more beneficial for the employees who work under gross salaries.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Please give a simple description of such aids or benefits.	From the employer's perspective: As a rule, the employer share of social security contributions for a standard non-retired employee is 22.5%. In addition, employers can benefit from a 5% premium reduction if they pay social security contributions regularly. In this case, the premium burden for an employer who pays contributions regularly is currently 17.5%. The employer's share of social security contributions for retired and rehired employees is 24.5%. However, if the employee starts working again within 30 days after the date of termination, the employer's share of the social security contribution is five percentage points of the employer's share of the social security contribution, which is covered by the state treasury for the employees who retire due to early retirement. In this case, the employer's share of the social security premium will be 19.5%. However, it should be pointed out that this 5% contribution is not applied as an additional incentive on top of the 5% social security discount provided if the employer makes regular social security premium payments. That said, there are other advantages such as not losing the skills and memory in the workplace in rehiring an employee who is retired. That is why, in the market practice, companies prefer to rehire an employee who does not have performance issues even after retirement under the same working conditions. In this way, by continuing to work with experienced personnel who know the workplace and are familiar with the work, the companies prevent the loss of skills and memory in the workplace.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	There is no legal provision specifically bans the termination of employment agreements of older persons. However, as explained in question 3 above, discriminating between employees solely on the grounds of age and terminating the employment agreement of one of employees with the same or similar qualifications and working in the same or similar conditions solely on the grounds of age would constitute a violation of the prohibition of discrimination. As a result, the employer may be subject to compensation and administrative fines.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	Under Turkish law, the regulations on the adaptation of work according to the age of the employee are as follows: ▪ In principle, it is illegal to employ children who have not yet completed the full age of 15. However, children who have completed the full age of 14 and completed their primary education can be employed to do light work that does not threaten their physical, mental, social, and moral development. Children who are continuing their education cannot have their school attendance disrupted because of their employment. Children who have not completed the full age of 14, if their employment does not threaten their physical, mental, social, and moral development, and those under the specified age and who continue their education, provided that their employment does not disrupt their school attendance, can be employed in art, culture and advertisement-related activities. These types of employment require separate written agreements for each activity. ▪ Men under 18 years old cannot be employed in underground or underwater work, such as mining, cable laying, and sewer and tunnel construction. ▪ Children and young employees under 18 years old cannot perform industrial work in the night-time. ▪ Employees aged 50 and over cannot be granted less than twenty days of annual leave.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Both employees and employers contribute to public health insurance through payment of social security premiums. All individuals receiving income or pension according to former or current social security laws are entitled to health coverage. Moreover, individuals who benefits from in-need pension are also entitled to health coverage and almost all services except for cosmetic surgery and some dental treatments are covered by public healthcare.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	There are various legislative and social measures and programs that apply to older people to keep them busy or engaged in society, as simply elaborated below. ▪ Article 10 of the Turkish Constitution guarantees the principle of positive discrimination for the elderly: Accordingly, the measures to be taken for children, the elderly, the disabled, widows and orphans of war and duty martyrs, disabled and veterans shall not be considered contrary to the principle of equality. ▪ "Daytime Elderly Living Centers Model" has been implemented in order to facilitate the lives of healthy elderly people who live alone at home or continue their lives with their family and relatives and to increase their quality of life. In the centers where support services are provided in daily life activities, activities are organized according to the interests of the elderly and it is aimed to improve social relations. In addition, within the scope of the ongoing YADES program, which started to be implemented in 2016, municipalities provide home care, psycho-social support and cultural activity services and various projects targeting the elderly are implemented.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Please give a simple description of these measures.	▪ According to Article 14 of the Municipal Law No. 5393 titled Duties and Responsibilities of the Municipality, municipal services are provided to citizens in the closest places and by the most appropriate methods. In service delivery, methods appropriate to the situation of the disabled, elderly, infirm and low-income people shall be applied. According to Article 77 titled Voluntary Participation in Municipal Services, the municipality implements programs for the participation of volunteers in order to ensure solidarity and participation in the municipality in the provision of health, education, sports, environment, social services and assistance, library, park, traffic and cultural services and services for the elderly, women and children, the disabled, the poor and the disadvantaged, and to increase efficiency, savings and productivity in services. ▪ According to subparagraph (v) of Article 7 of the Law No. 5216, which lists the duties and powers of metropolitan municipalities, activities such as carrying out and developing all kinds of social and cultural services for the elderly, establishing social facilities for this purpose, opening, operating or having operated vocational and skill acquisition courses, cooperating with universities, colleges, vocational high schools, public institutions and non-governmental organizations in carrying out these services are among the duties of metropolitan municipalities. ▪ In the area of education, within the framework of Active Ageing and Lifelong Learning, higher education programs for elderly individuals (3rd Age University) have started to be implemented under various names within the universities in some provinces in our country in recent years. Trainings can be determined in line with the programs of the relevant universities and the demands of the participating elderly. Although the age group is flexible, in general, any individual over the age of 60 can apply to the 3rd Age University. Elderly individuals can benefit from these universities free of charge. ▪ Regarding transportation, citizens over 65 years of age benefit free of charge from the urban lines of railways and maritime railways and from the urban public transport services of municipalities, companies, unions, institutions and enterprises established by municipalities, or private individuals or companies authorized by municipalities. Citizens over 65 years of age benefit from intercity lines of railways and maritime railways with a 50% discount. A 20% discount is applied for passengers aged 60 and over and a 50% discount is applied for passengers aged 65 and over traveling on main line trains of High Speed Trains (HSR). In suburban trains, seats near the doors are given priority to elderly, disabled and pregnant passengers, and warning signs have been placed inside the vehicles. In domestic and international flights, some airline companies occasionally offer discounts to elderly people with special campaign tickets.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Please give a simple description of these measures.	- Regarding culture and arts activities, citizens of the Republic of Turkey aged 65 and over can enter museums and archaeological sites affiliated to the Ministry of Culture and Tourism free of charge. Citizens over the age of 65 can be issued a Museum Card valid for 1 (one) year for a small fee. Persons within the scope of the Law No. 2022 on the Granting of Monthly Allowance to Turkish Citizens Over 65 Years of Age, Needy, Powerless and Orphaned, are given the opportunity to watch performances free of charge, provided that they obtain a seat number from the box office. No fee is charged at the State Theaters for persons within the scope of this law. - In the area of social aid, these are granted to certain groups of elder people: Social Assistance and Solidarity Foundation Pension, Pension for Women Whose Spouses Deceased. For those who fall within the scope of Article 1 of the Law No. 2022 on Provision of Pension to Needy, Powerless and Orphaned Turkish Citizens Over 65 Years of Age, a pension is provided to needy elderly Turkish citizens who do not receive income and pension from any social security institution, without any insurance and premium payment conditions. - Within the scope of its projects, Housing and Public Partnership Administration allocates a certain portion of the planned number of housing units to senior citizens from time to time. - Municipalities can provide various services for the elderly. In this context, while some municipalities provide institutional care services, some municipalities provide services such as home care support (self-care services, etc.), home health, home maintenance, cleaning and repair, soup kitchen/meals, social assistance, social cultural activities, counselling, etc. to the elderly due to age-related health problems, physical weakness or economic inadequacies.
What prospects or social plans do "older people" have when they stop working in your country?	The answer to this question is divided into two for retirees: People below a certain income level face an even lower wage upon retirement. For this reason, they get employed again as retired personnel in order to make a living or to keep their living standards above a certain level. The other group plans to rest after retirement. In general, the idea is to go to a seaside settlement in the Mediterranean or Aegean regions and take a long term vacation. We can say that people who have worked in senior positions are also closely involved in politics when they retire. In addition, local administrations and relevant ministries offer various lobby courses and retired people show great interest in these.

1.4 Survey results – Europe Region

Turkey

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Improving elderly rights in Turkey requires a comprehensive approach that addresses various aspects of their well-being, including healthcare, social support, legal protections, and quality of life. Here are some measures that could be considered: Legislation and Policy Changes: Develop and enforce comprehensive legislation specifically focused on elderly rights, covering areas such as healthcare, social security, inheritance, abuse prevention, and housing. Implement and enforce anti-discrimination laws to protect the rights of elderly individuals in various settings, such as employment, healthcare, and public services. Healthcare and Medical Services: Ensure accessible and affordable healthcare services for the elderly, including regular check-ups, preventive care, and specialized geriatric services. Promote the establishment of geriatric clinics and hospitals equipped to address the unique health needs of older adults. Provide subsidies for medications and medical equipment to alleviate financial burdens on elderly individuals. Social Support and Community Engagement: Develop community-based programs that offer social activities, support groups, and recreational opportunities to combat isolation and loneliness among the elderly. Establish senior centers and day-care facilities that provide a safe and engaging environment for older adults. Financial Security: Strengthen pension systems to ensure that elderly individuals have a stable source of income during retirement. Provide financial literacy programs to help the elderly manage their finances and make informed decisions about investments and savings. Housing and Accessibility: Encourage the construction of elder-friendly housing and communities that are accessible, safe, and equipped with necessary amenities. Implement home modification programs to enable elderly individuals to age in place comfortably.
Region	Europe

1.4 Survey results – Europe Region

Ukraine

Question	Answer
Jurisdiction	Ukraine
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Older persons are defined as persons (i) of retirement age (i.e., 60 years old for both female and male employees unless certain exceptions apply) or (ii) less than a year and a half under retirement age. Due to martial law, there are no up-to-date statistics in Ukraine. Such information should be made public after termination or cancellation of martial law. According to publicly available information, in 2018, the percentage of "older people" in Ukraine was almost 30% of the total population. In 2021, the percentage of officially employed "older people" was approximately 30% of the total number of employed persons. Other statistics are unavailable.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Generally, older persons have the following key employment or social security rights: ▪ The right to work on an equal basis with others ▪ Specific work arrangements: (i) The possibility to establish part-time work arrangements with a pro-rata salary; (ii) the possibility of working at night time, during weekends or on non-working days, or doing overtime work subject to the consent of the older person and if it is not detrimental to their health; and (iii) the preferential right to keep a job in the event of redundancy (under certain conditions) for those employees who are less than three years from reaching retirement age allowing them to receive a state-funded old-age pension.

1.4 Survey results – Europe Region

Ukraine

Question	Answer
Please list and give a simple description of these rights.	▪ Occupational safety: The right to proper occupational safety implies the employer's obligation to (i) constantly improve the working conditions and production environment for older persons; and (ii) equip the workplace with appropriate technical or other means to help older persons maintain good health and work efficiency. ▪ Retirement preparation programmes: To ensure a gradual transition from employment to retirement, employers should develop and implement retirement preparation programmes providing for, among other things, gentle working conditions, a gradual reduction of working hours at the employee's request, etc. ▪ Professional reorientation and retraining of the employed older persons ▪ Social services connected with finding a suitable job, professional reorientation, information and counselling services on employment and/or social insurance. ▪ Formal registration of older people (before reaching the retirement age) as unemployed and the right to receive all benefits due to unemployed persons. ▪ Old-age pensions or social aid: Older persons are entitled to receive the state-funded old-age pensions if they reach retirement age and have the required employment record. Those older persons who are not entitled to old-age pension are entitled to receive monetary state social aid. ▪ Early retirement due to age: An employee (who is no more than a year and a half from reaching retirement age) terminated at the employer's initiative (i.e., through redundancy, the company's dissolution, the employee's deteriorating health condition, etc.) has the right to early retirement under the condition that the employee is formally registered as unemployed and there is no vacant positions for them, and they have the minimum employment record required to receive the state-funded old-age pension. ▪ Monetary assistance in connection with temporary disability and the need for sanatorium treatment: Working older persons are entitled to receive temporary disability allowance. In addition, all older persons may receive targeted assistance in connection with the additional expenses for sanatorium treatment, long-term treatment and purchase of medicines.

1.4 Survey results – Europe Region

Ukraine

Question	Answer
Please list and give a simple description of these rights.	▪ Medical-related rights: Older persons are entitled to medical care and sanatorium treatment as provided by law. If necessary, older persons are provided with prostheses, hearing aids and dental prosthetics free of charge or on preferential terms. ▪ Social services: Older persons are entitled to receive social services provided by law (e.g., counselling, day care, shelter, social integration, social adaptation, etc.).
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The concept of "age discrimination" exists in Ukraine. The definition is not expressly provided by law but can be identified from the general definition of discrimination. Thus, age discrimination can be defined as a situation in which a person and/or a group of persons is subject to restrictions in the recognition, exercise or use of their rights and freedoms through direct or indirect discrimination, incitement to discrimination, complicity in discrimination and/or harassment based on their age. In addition to the general prohibition of discrimination, the specific laws expressly prohibit (i) any discrimination in the workplace, including depending on age; and (ii) discrimination against older people. In 2022, the Cabinet of Ministers of Ukraine approved the State Strategy for Ensuring Equal Rights and Opportunities for Women and Men until 2030 and its implementation operational plan for 2022-2024. Among other things, the strategy aims to unite society in understanding the values of human rights and freedoms, which are ensured and protected based on the principles of equality and non-discrimination.

1.4 Survey results – Europe Region

Ukraine

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	In 2021, the National Strategy on Human Rights was approved by the President of Ukraine. The strategy provides for the introduction of positive actions in the field of preventing and combating discrimination, ensuring comprehensiveness and consistency of Ukrainian laws in the field of preventing and combating discrimination. Other specific tools include the possibility to address the Ukrainian ombudsman with a complaint about discrimination and/or file a claim with the court. Examples of age discrimination may include cases when a job vacancy announcement lists specific age requirements or a person is refused employment because of their age or terminated after reaching a certain age.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	There are three levels of pension system in Ukraine: (i) the solidarity system; (ii) the accumulation system; and (iii) the non-state pension system. While the pension systems mentioned in (i) and (ii) are mandatory, the pension system mentioned in (iii) is voluntary. i. The solidarity system (the first level) is a compulsory state pension insurance system based on the principles of solidarity and subsidization. All payments within this system are performed at the expense of the State Pension Fund. Among other things, state-funded old-age pensions are provided for older people who are retired or continuing to work. To receive a state-funded old-age pension, the individual should reach the retirement age (i.e., 60 years old for both female and male employees, unless certain exceptions apply), and have an employment record (i.e., a period during which the social contributions were paid to the relevant state funds) of at least 30 years. The employment record should increase each year by one year until 1 January 2028, when it reaches 35 years. The state-funded minimum old-age pension for men with a 35-year employment record and women with a 30-year employment record is UAH 2093 (approx. USD 57). Certain employees (e.g., those in harmful or dangerous working conditions, working in certain industries, with certain disabilities, or belonging to certain other categories, etc.) are entitled to pensions on preferential terms.

1.4 Survey results – Europe Region

Ukraine

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	ii. The accumulation system (the second level) provides for the accumulation of funds of insured persons in the special state Accumulation Fund or in relevant non-state pension funds. The participants in this system are entitled to receive lifetime pensions or a one-time payment subject to reaching retirement age. The amount of the lifetime pension is calculated considering the amount paid for the life pension insurance contract, future investment income, the costs associated with the further investment of these amounts, and the average life expectancy for men and women. As opposed to lifetime pensions, the one-time payment is made if there is no accumulated minimum amount of pension funds required to receive the lifetime pension. The accumulation system has not been implemented yet. According to Draft Law No. 9212, it should be implemented from 1 January 2024. iii. The non-state pension system (the third level) is based on the principles of voluntary participation in it of citizens, employers and their associations. This system is based on non-state pension funds. As opposed to the abovementioned pension systems, it is a voluntary system. If the individual wishes to receive additional pension payments, they can choose a non-state pension fund (or even several) and make contributions there. Appropriate payments in favour of a person to the pension fund may also be made by their employer (or trade union). The participants in this system are entitled to receive a pension during a defined period or a one-time pension payment. The amount of payment is defined considering the pension amounts recorded in the individual pension account, the duration of payments and the formula used to calculate the pension amount according to the special methodology.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	As mentioned in Q8 above, there are three levels of pension system in Ukraine: (i) the solidarity system; (ii) the accumulation system; and (iii) the non-state pension system. Please refer to Q8 above for more details.

1.4 Survey results – Europe Region

Ukraine

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The law expressly prohibits terminating older people in connection with reaching retirement age. Older people have the right to work on an equal footing with other citizens. At the same time, they generally have the right to receive a pension even if they continue working. In general, a working older person's pension is recalculated every two years (considering their employment record after being granted a pension) either at this person's request or automatically by the pension fund without any requests. Such recalculation should lead to the corresponding pension increase.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.4 Survey results – Europe Region

Ukraine

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	The law expressly prohibits terminating older people in connection with reaching retirement age. Terminating older people is generally possible as provided by law. However, in the case of redundancy, employees who have less than three years before reaching retirement age (allowing them to receive a pension) have the preferential right to keep the job under certain conditions (i.e., if they have approximately equal productivity and qualifications to the employees holding the same job position).
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes

1.4 Survey results – Europe Region

Ukraine

Question	Answer
Please provide a simple description of this training right.	Older persons are entitled to training to adapt to the new circumstances. This training could be carried out by their employing entities in necessary cases and generally involves professional reorientation and retraining of older persons, which may include training in new professions (at the older person's request) taking into account their abilities. The relevant training could be carried out by the state employment service if the older person requests. Moreover, to ensure a gradual transition from employment to retirement, employers should develop and implement retirement preparation programmes providing, among other things, for gentle working conditions, gradual reduction of working hours at the employee's request, etc.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	The law expressly provides for employers' general obligation to constantly improve the working conditions and environment for older people. Moreover, at the employee's request, the employer could (but is not obliged to do so) establish part-time working arrangements for older persons. As mentioned above, to ensure a gradual transition from employment to retirement, employers develop and implement retirement preparation programmes providing, among other things, for gentle working conditions, gradual reduction of working hours at the employee's request, etc.
Is there public health coverage for older people in your country?	Yes

1.4 Survey results – Europe Region

Ukraine

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Under the law, every citizen have the right to receive free medical care in state and municipal healthcare facilities. Such medical care includes emergency medical care, primary medical care, secondary (specialised) medical care, tertiary (highly specialised) medical care and palliative care, and it is covered from the state budget. Older people are guaranteed free of charge qualified medical care in state and municipal healthcare facilities. They also have an opportunity to receive certain medicines free of charge or with a small surcharge. If necessary, they are provided with prostheses, hearing aids and dental prosthetics free of charge or on preferential terms. Additionally, individuals who qualify as labour veterans (i.e., generally, retired male and female employees with 40 or 35 years of service, or those who have been granted pensions on preferential terms, or some other categories) have a right to priority free dental prosthetics (except for precious metal prosthetics) under certain conditions, a preferential right to health resort treatment and compensation for the cost of self-paid health resort treatment, annual medical examinations, priority service in medical institutions, pharmacies and priority hospitalisation.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	After older people stop working, they may study for free at the third age universities located in different cities of Ukraine. The purpose of such universities is to adapt older people to modern social life and maintain their physical and intellectual health. Alternatively, they may attend leisure centres for older people, which provide an opportunity to socialise and reduce their stress levels.

1.4 Survey results – Europe Region

Ukraine

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Please see our response to Q25 above. In addition, after older people stop working, they may do volunteer work, start their own business, etc.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Currently, Draft Law No. 4688 provides, among other things, for benefits for employers that hire retired older people. These benefits involve a reduction in the rates of the Unified Social Contribution (USC) from 22% to 9.573% of the USC calculation base. If adopted, this measure could encourage employers to hire older people after retirement.
Region	Europe

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Jurisdiction	United Kingdom
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Social Security State Pension – a regular pension to receive from the government which can be claimed for people who reach State Pension Age (age 66 at the time of writing). The amount of State Pension received depends on the number of 'qualifying' years of National Insurance payments you have. Benefits related to health costs – for example free NHS prescriptions if at the time the prescription is dispensed, you are aged 60 or over.

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please list and give a simple description of these rights.	For people over the State Pension Age and have an illness or disability: ▪ Attendance Allowance – for people who for at least 6 months (excluding in the case of terminal illness) has had a disability severe enough to require somebody to look after them. This is regardless of how much income or savings somebody has. Receipt of this benefit can entitle you to extra Pension Credit, Housing Benefit or Council Tax Reduction. ▪ Industrial Injuries Disablement Benefit – a weekly payment due to either (i) being disabled due to an accident in the workplace, or (ii) an illness caused by work or employment training scheme. ▪ Constant Attendance Allowance – a payment for individuals who are disabled or ill and (i) receive Industrial Injuries and Disablement Benefit or War Disablement Pension and (ii) need daily care because of a disability. For older people who receive Attendance Allowance: ▪ Cold Weather Payment – entitlement to receive payment if the average temperature in your area is recorded as, or forecast to be, zero degrees Celsius or below over seven consecutive days. You can receive £25 for each seven day period of very cold weather between 1 November and 31 March. ▪ Winter Fuel Payment – for people born before 25 September 1957, between £250 and £600 to contribute to heating bills. Pension Credit – provides assistance with living costs for people over the State Pension Age and on a low income. Pension Credit can also assist with housing costs like service charges and ground rent.

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please list and give a simple description of these rights.	For older people who receive Pension Credit: ▪ Housing Benefit – provides assistance with all or part of your rent payments, and depends on whether you rent privately or from the council. ▪ Cost of Living Payments – entitlement to up to three non-taxable Cost of Living Payments of £301, £300 and £299. ▪ Support for Mortgage Interest – assistance for homeowners on interest payments on mortgages or loans they've taken out for certain repairs and improvements to their home. This is paid as a loan which will need to be repaid with interest after a homeowner sells or transfers ownership of their home. ▪ Council Tax Reduction – reduced council tax contributions ▪ Warm Home Discount – a £150 discount on bills for people
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	What age discrimination consists of Under the Equality Act 2010, age is one of nine features called protected characteristics. This means that an employee or job applicant is generally protected against discrimination related to their age, including protection against unfair treatment due to being: a different age or being in a different age group to another job applicant or employee; or thought to be a particular age; or associated with someone belonging to a particular age group. There are four main types of discrimination per the Equality Act: direct discrimination; indirect discrimination; victimisation; and, harassment. Both direct and indirect age discrimination can potentially be objectively justified under the Equality Act 2010 for age, unlike for other protected characteristics. Tools to potential combat age discrimination include diversity, equity and inclusion training relating to ageism and mentoring/coaching.

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Specific cases of age discrimination Direct age discrimination: ▪ <i>Perrin v Christophers and Sons Ltd</i> and another ET/1401278/14 - an employee was made redundant as her employer intended to replace her with "a young, blonde". ▪ <i>Clements v Guy's and St Thomas' NHS Foundation Trust</i> ET/2303535/2018 - an older job applicant was rejected because a younger applicant was "the best fit". The relevant role had typically been carried out by women aged between 30-32. When informing the claimant that his application had been unsuccessful, the Trust explained that team members would have felt "uncomfortable asking [him] to do things given that [he had] an 11-year-old daughter" and that it was "better to employ someone at an early stage of their career". Indirect Age discrimination: ▪ <i>Naidoo v Haringey Sixth Form Education</i> ET/3314655/2021 - a 71-year old teacher, who was at greater risk from COVID-19 due to her age, brought a successful indirect age discrimination claim against her employer due to the application of provisions, criteria or practices (PCPs) related to ventilation (including using a classroom where windows could not be opened), overcrowding (including not capping student numbers to facilitate social distancing) and relying on the college's generalised COVID-19 safety measures. ▪ <i>Homer v Chief Constable of West Yorkshire Police</i> [2012] IRLR 601 - the Supreme Court held that a requirement to possess a law degree to move into the top band of an employer's career structure had put Mr Homer at a comparative disadvantage to a person approaching compulsory retirement age (Mr Homer would be beyond the normal retirement age of 65 by the time he could complete his degree) and was indirectly discriminatory on grounds of age. Harassment: ▪ <i>Hutchinson v Asda Stores Ltd</i> ET/1602504/2020 - the employer repeatedly suggested to Mrs Hutchinson, who was 73 and showing clear symptoms of dementia, that she might want to consider retirement. The fact that the suggestion of retirement was repeated more than once, after being rejected by Mrs Hutchinson the first time, was age-related harassment: it was unwanted conduct which violated Mrs Hutchinson's dignity and reasonably made her feel as if she was not wanted at work and was too old to be there.

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Victimisation: Page 8, ACAS age discrimination guidance - Manager Alan tells apprentice Reyansh he is happy with his progress and performance. Reyansh then feels confident enough to tell Alan that some of the older employees regularly make fun of him because of his age and play pranks such as leaving toys where he's working. Reyansh wants this to stop. Alan tells Reyansh to toughen up and that the firm has no time for complainers. Some weeks later Alan punishes Reyansh for complaining by cancelling his training course. This is likely to be victimisation.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Eligibility for retirement Employees can stop rendering services at any age; however, full retirement benefits such as pensions are only payable after you reach a certain age. Retirement age The state pension age is 66 at the time of writing. Most personal pensions are set an age from which you can take money from them, which is most commonly age 55. Types of retirement Phased retirement – some employers may allow phased retirement. This is where employees can draw part of your pension, increasing the amount later on. Early Retirement – when employees take their pension benefits before reaching their relevant pension age provided they are aged 55 or over and are leaving service. Benefits will be Actuarially Adjusted Benefits (AAB). Normal Age Retirement – upon reaching the relevant pension age, employees who are out of service can claim their pension benefits. If an employee continues in pensionable service after reaching their pension age, benefits are paid from the last day of pensionable service.

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Premature Retirement – an employer may decide to grant an employee premature retirement when terminating the employment of an employee who is over age 55. Ill Health Retirement – this can be taken if an employee becomes too ill to work. This can be taken before an employee reaches their pension age without the usual reduction applied to an early retirement pension. Pension amount There are three main types of pension in the UK: ▪ The State Pension, funded by National Insurance contributions ▪ Workplace pensions, where employers are required to enrol and contribute for eligible employees; and, ▪ Personal pensions, available to anyone, including self-employed individuals. The State Pension amount depends on an employees' National Insurance record. The full new State Pension is £203.85 per week. You can get more than the full State Pension are if: ▪ You have over a certain amount of Additional State Pension, which is an extra amount of money paid by the State that men born before 6 April 1951 or women born before 6 April 1953 may be entitled to on top of their basic state pension. People who are eligible for the Additional State Pension will receive this pension automatically unless they have contracted out of it. Men and women born after these dates receive the new state pension, so would not qualify for the Additional State Pension. ▪ You defer (delay) taking your State Pension There is no set amount of pension for workplace pensions and personal pensions so these amounts may vary depending on the pension scheme. There are also two types of pension plans - direct benefit and direct contribution – in which the pension amount is calculated by taking into account different factors. For personal pensions, you can usually take up to 25% of the amount built up in any pension as a tax-free lump sum. This amount is capped at 25% of your available lifetime allowance. The standard lifetime allowance is currently £1,073,100, and applies to most individuals. You'll then have 6 months to being taking the remaining 75%, which is usually taxable.

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	Personal pensions and state pension.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Employees can claim their pension while working, so long as they have reached: ▪ For a State Pension - State Pension age ▪ For a personal/workplace pension - the age agreed with the pension provider Some employers may allow phased retirement. This is where employees can draw part of your pension, increasing the amount later on (see question 4 of this document). Deferring taking a State Pension would mean the employee receives larger weekly payments when they do start receiving this retirement pension. Employees may consider continuing working with reduced working hours whilst receiving a pension; however, reducing working hours could affect the amount of pension payments an employee receives.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	There are some non-legally binding guidelines but no specific right to training for older people.
Please provide a simple description of this training right.	Government Strategy Department of Work and Pensions, 'Fuller Working Lives' (2017) This publication encourages businesses to retain, retrain and recruit older workers and presents the benefits of a fuller working life "...on the one hand, retaining older workers, and their skills and experience, in the workforce is good for the economy and makes the state pension more affordable. On the other hand, working longer is viewed as benefiting the financial, health and social wellbeing of individuals." The publication suggested methods of re-training older people, including: ▪ Running inter-generational schemes to allow employees of different ages to share their knowledge and experience. ▪ Ensuring older workers are offered/included in training and development courses.

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please provide a simple description of this training right.	▪ Including training/retraining questions in staff satisfaction and engagement surveys. ▪ Including retraining aspirations and needs in workplace career reviews. ▪ Introducing volunteering activities. ▪ Auditing training programmes to check training spend is evenly distributed across age groups. Recent government strategy The government has since upheld this approach, renaming their 'fuller working lives' strategy to '50 plus: choices' in 2021. As part of its 2019 General Election manifesto, the UK Government committed £3 billion over 5 years, from 2021, to a National Skills Fund to retrain and upskill the adult workforce to meet identified skills gaps, including in digital skills. Further, in October 2021, the Government announced a £500 million expansion to its plan for jobs. The expansion includes an enhanced support package for workers over age 50 to help them stay in and return to work. Subsequently, in March 2023, the government announced a 'Back to work Budget' which included £70 million investment in support for over-50s staying in or getting back to work. For older people, this will include: ▪ A new digital Mid-life MOT to help older workers understand what their employment choices now mean for the longer-term. ▪ The expanded Job Centre Plus midlife MOT offer will see 50+ Champions continue to provide in person financial planning and awareness sessions, aiming to reach up to 40,000 individuals a year. ▪ A boost to skills and better access to training through the Sector-based Work Academy Programme (SWAP), Train and Progress and the new 'Returnerships' programme. Training for people who have had a career break (which may include older people)

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please provide a simple description of this training right.	In March 2023, the Department for Education launched 'returnerships', an initiative to encourage adults over the age of 50 to re-join the workforce and embark on new career ventures. This is a fixed-term contract, usually for 3 to 6 months, and is competitively paid. There is a strong likelihood of a permanent role at the end if it goes well for both the returner and employer. This usually includes support such as coaching, mentoring and training. Some employers also offer a 'return to practice' programme. This is sector-based and provides training and work experience related to a particular area, typically a regulated profession, such as health or teaching. Non-binding human rights resolutions United Nations Principles for Older Persons Adopted by General Assembly resolution 46/91 of 16 December 1991 This has been adopted by countries including the UK but is not legally binding. It states: "4. Older persons should have access to appropriate educational and training programmes"
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes
Please provide a simple description of this obligation or recommendation.	Employees have certain rights which may help to mitigate some potential challenges/concerns which older people may have while working. Flexible working Employees have the right to request flexible work (which employers can decide whether to reject or allow). Flexible working is said to be a useful way to encourage older people to have a longer and more sustainable career by enabling a better work-life balance. Reasonable adjustments Further, employers may be under a duty to make reasonable adjustments in relation to any disabilities that older people may be likely to develop or worsen for age-related reasons (e.g., according to the United Nations, more than 46 per cent of older persons – those aged 60 years and over—have disabilities)

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please provide a simple description of this obligation or recommendation.	Reasonable adjustments are changes an employer makes to remove or reduce a disadvantage related to someone's disability, such as: ▪ Making changes to the workplace ▪ Changing someone's working arrangements ▪ Finding a different way to do something ▪ Providing equipment, services or support These adjustments are specific to an individual person and may cover any area of work. What is reasonable depends on the situation. Employers must carefully consider if the adjustment: ▪ Removes or reduces the disadvantage ▪ Is affordable ▪ Is practical to implement ▪ Could harm others' health and safety Employers must make reasonable adjustments when: ▪ They know, or could reasonably be expected to know, that someone is disabled ▪ Someone who's disabled is having difficulty with any aspect of their job ▪ A disabled staff member or job applicant asks for adjustments ▪ Someone's absence record, sickness record or delay in returning to work is due to, or linked to, their disability
Is there public health coverage for older people in your country?	Yes

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Everyone including older people has free access to healthcare via the NHS which a state-provided service that is mostly funded by general taxation and boosted by national insurance contributions, as well as by revenue in a smaller proportion. This includes general practice, dental services, optometry services and community pharmacies. Older people have access to benefits related to healthcare costs, for example free NHS prescriptions if at the time the prescription is dispensed you are aged 60 or over.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Volunteering e.g., at organisations like the Citizens Advice Bureau. Attending events at local community centres – e.g., "older people day centres" which offer a chance for older people to socialise through running activities, alongside offering services like assisted bathing and footcare. Charity led events/programmes e.g., befriending services to combat loneliness in elderly people. Older people may live in assisted living facilities or retirement communities, which may organise regular social events for older people.

1.4 Survey results – Europe Region

United Kingdom

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Many measures can be implemented to increase the social/economic/civil rights of older people: Payment for social care - England and Wales offer means-tested social care funding, which has been criticised as being confusing, unfair and unsustainable. Different funding approaches such as social insurance, free personal care, and systems involving private insurance may be helpful alternatives to consider. Broader affordable housing - a much broader range of affordable housing options available for older people, including accessible homes that have been adapted to the needs of older people with a view to enabling them to live with dignity. This important due to the increase in the ageing population - e.g., The Department of Communities and Local Government (DCLG) predicts that older households over 65 will make up 48 per cent of all household growth up to 2026. Social care for people receiving ongoing healthcare support – implement a national accreditation scheme for training providers who wish to offer Care Certificate training. Regulations should set out minimum standards for supervision. Positive obligations on employers – the introduction of legislation that create a positive duty on employers to implement reasonable adjustments related to the needs of the older working population due to age, as well as disability. More detailed information can be found here: https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23768&lang=en https://www.ageuk.org.uk/globalassets/age-uk/documents/reports-and-publications/reports-and-briefings/care--support/rb_apr14_services-what_works_spreads.pdf https://www.ageuk.org.uk/globalassets/age-uk/documents/reports-and-publications/reports-and-briefings/equality-and-human-rights/age-uk---human-rights-of-older-persons-and-their-comprehensive-care---july-2017.pdf https://demos.co.uk/wp-content/uploads/2023/08/Home-Improvement_A-Triple-Dividend-1.pdf
Region	Europe

Middle East Region



1.5 Survey results – Middle East region

Libya

Question	Answer
Jurisdiction	Libya
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	There is no specific legal definition for an older person. The generally accepted concept defining an 'older person' refers to an individual experiencing a permanent impairment that either entirely or partially hinders their ability to engage in work or to conduct themselves in a normal manner within the community. The percentages have been requested to the relevant bodies however they have yet to respond, as obtaining this information is a lengthy process.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	In accordance to Article 11 under Law No. 13/1980 and its Regulations, Financial benefits include: 1. Pensions: includes, old age pension, disability pension due to work injury, total disability pension due to other than work injury, pensions to dependence to the secured, basic pension to those that are deprived of their breadwinner and to those who have no income. 2. Family allowance to pensioners. 3. Short term benefits: i.e., daily financial assistance to the self-employed in cases of temporary disability due to sickness work injury or confinement. 4. Lump sum grants: These are grants estimated at specific amounts, each of which is due in one lump sum when its conditions are met, namely: pregnancy allowance. Birth grant. Burial allowance. Disaster and emergency grants.

1.5 Survey results – Middle East region

Libya

Question	Answer
Please list and give a simple description of these rights.	Non-financial benefits 1. Social case: suggests that, considering society serves as a family for those without shelter or family, it becomes the caregiver for anyone whose personal or social circumstances prevent them from caring for themselves 2. Quality health care: aims to ensure industrial security, occupational safety, care for workplace injuries and occupational diseases, rehabilitation, care for the disabled and impaired, and providing healthcare services for residents of social care facilities. 3. The above non-financial benefits shall be provided as described under Article 12 under Law No. 13/1980 and its Regulations.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes

1.5 Survey results – Middle East region

Libya

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	1. Compulsory retirement: When you reach the legal age and exceed the period of work (35 years), the value of your pension is 80% of your current average salary (total) in the last three years before retirement (this is the highest percentage you can receive as retirement pension). Example: If your average salary is 1,000 dinars, then your pension will be 800 dinars. Your current average salary (total) is calculated over the last 3 years that preceded retirement, i.e. by adding the last 36 salaries you received and then dividing by 36. 2. Optional retirement: When you reach the required years of work, which is 20 years, the value of your pension will be 50% of your current average salary in the last three years before retirement. Example: If your average salary is 1,000 dinars, your pension from the guarantee will be 500 dinars. As specified in Articles 14, 17, 18, 21, 22 under law No.13\1980 of Social Security.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	Yes

1.5 Survey results – Middle East region

Libya

Question	Answer
Please provide a simple description of the obligation and its practical implications.	(Law No. 12 of 2010 regarding the issuing of Labor Relations Law): - Article 42 The service of the worker or employee shall terminate for one of the following reasons: - Reaching the legally prescribed age for the end of service. - Article 43 The service of the worker or employee shall terminate upon reaching the age of 65 for men and 60 for women, as determined by the solar year. For workers in occupations or industries detrimental to health, as defined by relevant regulations, exceptions to the prescribed retirement age may be allowed for certain positions, jobs, and categories, by the conditions and guidelines specified by the executive regulations of this law. These articles allow the companies to end the services of their employees, Certain procedures do not appear in the written rules, it is more like a practical procedure based on the rules mentioned above.
Is it possible for an employee to continue working while receiving a retirement pension?	No
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes

1.5 Survey results – Middle East region

Libya

Question	Answer
Please explain your answer	i. It is not considered termination, it is more like a legal end of service, as the law states when an employee reaches the retirement age (Law No. 12 of 2010 regarding the issuing of Labor Relations Law): ▪ Article 42 The service of the worker or employee shall terminate for one of the following reasons: 1. Reaching the legally prescribed age for the end of service. ▪ Article 43 The service of the worker or employee shall terminate upon reaching the age of 65 for men and 60 for women, as determined by the solar year. For workers in occupations or industries detrimental to health, as defined by relevant regulations, exceptions to the prescribed retirement age may be allowed for certain positions, jobs, and categories, by the conditions and guidelines specified by the executive regulations of this law. These articles allow the companies to end the services of their employees, Certain procedures do not appear in the written rules, it is more like a practical procedure based on the rules mentioned above. ii. The dismissed person could continue after reaching the defined age for retirement if there was an agreement between him and the company. The employee's consent has no effect if it is not approved by the employer. iii. The law divides the outcome of the end of service caused by reaching the age of retirement depending on whether the employee was a Libyan national or not. For Libyan nationals: Article 13 social security law A. A contributor shall be entitled to a retirement pension when his employment or work terminates due to attaining the age that the law specifies for ceasing work or employment. For Foreigners There are two possible outcomes: 1. They will get a pension if they are registered in social security generally for 20 years, as well as establish residency in order to be eligible for retirement pension benefits. This pension even if officially living in Libya (with a permanent residence visa) will be stopped for the duration of any holiday taken outside of Libya

1.5 Survey results – Middle East region

Libya

Question	Answer
Please explain your answer	2. If they were not registered, article 78 of Law No. 12 of 2010 regarding the issuing of Labor Relations Law applies which states that: "By international agreements where the Greater Jamahiriya is a party, non-national workers are entitled to end-of-service compensation upon the completion of their service, calculated based on half a month's salary for each year of service until the end of the fifth year, and one month's salary for each year thereafter. This is provided that the worker is not already benefiting from social security systems established under prevailing laws. The last salary received by the worker forms the basis for determining the compensation. Compensation is not owed if the contract is terminated by the worker without adhering to the notice period specified in this law".
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A

1.5 Survey results – Middle East region

Libya

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	If older people were set here to target the people who passed the age of retirement then the answer would be no, but if it meant old people who did not reach the retirement age yet then there is an article about training related to training the Libyan nationals for the parts performed by foreigners. Article 81 (Law No. 12 of 2010 regarding the issuing of Labor Relations Law) Employers are obliged to accept a certain number of job seekers, equivalent to 20% of the total number of foreign workers they employ, to train them in acquiring a specific trade, craft, or job within a specified period. Alternatively, employers may cover the costs of their training at specialized institutions, subject to the conditions and regulations stipulated by a decision from the competent authority.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A

1.5 Survey results – Middle East region

Libya

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	N/A
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	While Libyan law offers substantial guidance and benefits for older people, there remain opportunities for improvement in the rights of older individuals in Libya. Specifically, measures can be implemented to enhance social security and healthcare. Programs could be introduced to address mental health issues, which may be widespread among older individuals. Additionally, efforts should be made to strengthen and expand social security systems, ensuring adequate financial support for older members of the population.
Region	Middle east

1.5 Survey results – Middle East region

Saudi Arabia

Question	Answer
Jurisdiction	Saudi Arabia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Retirement pension. See response below, i.e., Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable. Other Rights and Services ▪ Legal rights – The Basic Law provides that "the state guarantees the right of the citizen and his family, in case of emergency, disease, disability, and old age, and supports the social security system, and encourages institutions and individuals to contribute to charitable works."

1.5 Survey results – Middle East region

Saudi Arabia

Question	Answer
Please list and give a simple description of these rights.	▪ Elderly Rights and Care System ("Elderly Rights Law") – This law provides special protection to the rights of the elderly and their care. This is a comprehensive law and covers financial, physical, psychological and mental aspects of the elderly. It also sets out the obligations of the Ministry of Human Resources and Social Development ("MHRSD") to achieve these goals. ▪ Positive obligations on family members – The Elderly Rights Law provides that family members must provide and protect the rights of the elderly and imposes sanctions on person who carry out any acts which may negatively impact the elderly; such as abuse. ▪ Government financial support – If a provider is unable to support the elderly financially, and no one in the elderly's family can support them, the MHRSD shall support them financially. ▪ E-services – Saudi Arabia offers elderly people exclusive e-services which provide phone consultations, home healthcare services, e-prescription requests and e-service to request in-person consultations. ▪ Social Care Homes – Homes for citizen who are 60 years old or more, and unable to manage their affairs and their family and relatives are unable to do so, in addition to caring for the sick and elderly who have no breadwinner and are referred from hospitals, if they are free of infectious and mental diseases. ▪ Medical care – Free healthcare provided to Saudi nationals, as well as the MHRSD providing free medical devices and supplies. ▪ Elderly education and literacy – The government offers various free special programs aimed at eliminating illiteracy. ▪ Justice services – Mobile notarial offices offer a free service provided by the Ministry of Justice to beneficiaries who are unable to attend the headquarters of notarial for elderly people (65 years or older), patients, people with disabilities, hospital inmates, nursing homes, and Awlawia card holders issued by the Ministry of Health.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No

1.5 Survey results – Middle East region

Saudi Arabia

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The retirement age for male and female employees is 60 years old. Employers are only required to make social insurance/pension contributions for the Saudi (and other Gulf Cooperation Council country) nationals to the General Organization for Social Insurance ("GOSI"). OSI also operates a pension scheme and unemployment insurance scheme for Saudi national employees. The employer and employee each contribute to GOSI 9% of the employee's wage toward the pension,. The employee's pension contributions are deducted by the employer from the employee's monthly salary and paid to GOSI on the employee's behalf. In order for a Saudi national to retire at 60 he/she would need to have made at least 120 months contributions to GOSI. If the Saudi national intends to retire before the age 60, then he/she would need to have made at least 300 months contributions to GOSI. A Saudi national who is engaged in arduous or unhealthy occupations listed below may retire at the age 55 or over and receive his/her pension provided he/she has completed at least 120 months' contribution: ▪ The mining workers who work inside the mines. ▪ The quarry workers who work in the breaking, exploding and packing of rocks and raw materials. ▪ The workers who work in casting of metal such as iron and steel and do their job in front of furnace with high temperature.

1.5 Survey results – Middle East region

Saudi Arabia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	▪ The divers whose regular work requires diving deep into the sea. If the pensioner re-engages in employment which is not subject to the scheme, payment of his/her pension shall continue regardless of period. If he/she returns to a work that is subject to the scheme, payment of his/her pension will discontinue for the duration of this employment, taking into account the following: • If the pensioner returns to employment before attaining the age of 60, his/her pension will be suspended for the duration of this employment. • If his/her age at the date of returning to employment is between the ages of 60 to 65, the pensioner can choose between exemption from contribution for his/her new work or resumption of contribution in the scheme. If he/she chooses the exemption from contribution, payment of his/her pension will continue. If he/she chooses to continue payment of contribution, his/her pension will discontinue. In the latter case, if his/her wage is less than the average wage over the last two years or his last contributory wage on which the calculation of this average was based, the pensioner is paid an amount to raise his/her income to be equal to such average. • If his/her age at the date of returning to employment is 65 years or over, his/her new work period will not be subjected to the Annuities Branch. His/her pension will not be suspended and will be subjected to the Occupational Hazards Branch. If the pensioner leaves his/her new employment, his/her entitlements are settled based on one of two ways, whichever is greater: • Re-calculating the pension following the aggregation of the new period to the previous one, on the basis of the average wage over the last two years of the last contribution period. • Or, setting the due amount of the new employment period on the basis of its average wages for the last two years, or the total contribution period. If this settlement is less than such average, settlement will be added to the first pension. The contributor will receive the total of these two pensions.

1.5 Survey results – Middle East region

Saudi Arabia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	If the new contribution period is ended due to non-occupational disability or death, the contributor or his/her family members will receive a pension in accordance with the previous calculation rules, or according to the method of calculating the non-occupational disability or death pension, whichever is greater The minimum pension amount is SAR 1,500 a month, and the maximum is SAR 45,000 a month.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	Please see response to the previous questions. Employers are statutorily required to contribute amounts to GOSI for Saudi (and other GCC country) nationals' pension. There is no pension for foreign nationals in Saudi Arabia.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	As mentioned in our response to the previous question, the retirement age is 60. An employer could terminate an employee's employment when he/she reaches the retirement age, but is under no obligation to.
Is it possible for an employee to continue working while receiving a retirement pension?	No

1.5 Survey results – Middle East region

Saudi Arabia

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	N/A
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A

1.5 Survey results – Middle East region

Saudi Arabia

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Yes for Saudi nationals. A foreign national cannot remain in Kingdom without being employed/sponsored by a local employer/sponsor. If he/she is employed/sponsored by a local employer/sponsor, it would have to provide its employees, regardless of age, with health insurance in accordance with the Cooperative Health Insurance Law.
Please explain how "older people" cope with healthcare.	N/A

1.5 Survey results – Middle East region

Saudi Arabia

Question	Answer
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Not aware of any.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Saudi laws and regulations promote and protect older people's rights, and imposes obligations on family members and government to support them, as well as provide special programs to the elderly – see response above. As such, it is arguable what additional measures could realistically be taken to improve older peoples' rights.
Region	Middle east

1.5 Survey results – Middle East region

UAE

Question	Answer
Jurisdiction	United Arab Emirates
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	UAE nationals are entitled to retire at the age of 49 years old provided they have completed 20 years of service on retirement. If these requirements are met, they will be entitled to claim their pension. UAE nationals over the age of 60 ("Senior Emiratis") are also guaranteed the following rights: ▪ The right to independence and privacy ▪ The right to protection from violence and abuse ▪ The right to an enabling environment, housing, education and work ▪ The right to social care including the provision of elderly community centres and social clubs ▪ The right to medical care including preventive health services, medical insurance, mobile nursing units and supportive medical devices

1.5 Survey results – Middle East region

UAE

Question	Answer
Please list and give a simple description of these rights.	▪ The right of confidentiality of information pertaining to them ▪ The right to preferential treatment with respect to government transactions, facilities, social aid and medical services. The law provides punishments which include jail, fines or both to elderly care providers who abuse or neglect their duties towards Senior Emiratis and to elderly care institutions that violate the provisions of the law.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Under the Mainland UAE labour laws, there is no such concept of age discrimination. However, the Dubai International Financial Centre ("DIFC") and Abdu Dhabi Global Market ("ADGM") freezone labour laws provide a definition of "age discrimination".
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Under the ADGM and DIFC Laws, an employer must not discriminate against an employee regarding employment or any term or condition of employment on the grounds of the employee's age. In practice, in order to reduce the risk of age discrimination, often employers in the UAE seek to (i) provide training, seminars and webinars on discrimination in the workplace, (ii) have inclusion policies and procedures in place, (iii) provide anonymous avenues for concerns to be raised, and (iv) run investigations where necessary.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	UAE Nationals The statutory retirement system is applicable to UAE nationals working in government and private sectors. Emiratis are eligible to receive pensions after reaching the retirement age of 49, or serving a minimum of 20 years in total. The amount of pension of an employee with a retirement age of 49 or who has served at least 20 years in total is equal to 70% of their salary.

1.5 Survey results – Middle East region

UAE

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The amount of pension increases by 2 per cent for every year the employee works after 20 years of service until they completes 35 years of service. When a male employee completes 35 years he qualifies to get a pension equal to his salary. Female employees can qualify earlier after completing 25 years (subject to industry and other factors). Expats Expats in the DIFC benefit from a pension savings scheme known as DEWS. Employer contributions are 5.83% for employees with less than 5 years' and 8.33% for employees with more than 5 years' service. Upon 'retirement' or exit from the UAE, any amount can be withdrawn from the employees. There is no set payment structure. In mainland UAE, expat employees cannot benefit from the statutory retirement system as expat employees are provided an end of service benefit, rather than a pension. The end of service benefit is calculated in accordance with the New Labour Laws and is a one-off payment on termination of employment. However, they have the opportunity to contribute to their retirement through investment of their end of service benefit in private companies. The UAE have also recently introduced a voluntary alternative benefits scheme which works similar to a pension. We are awaiting implementation regulations to understand the mechanics on how it will work. In terms of the current private pension scheme available to expats, National Bonds, the Sharia-compliant savings and investment company owned by the Investment Corporation of Dubai, offers a Golden Pension scheme to help private-sector foreign employees invest their end-of-service benefits. Companies can register for the National Bonds' Golden Pension scheme by either investing their employees' end-of-service benefits accumulated over the years as a lump sum or invest a portion of it. Employees have the flexibility to also contribute to the pension scheme from as little as Dh100 (\$27.22) a month. Under the pension scheme, employers open individual accounts for their employees and the money will be proportionately distributed.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	An Emirati's economic outlook at retirement will change from person to person. We do not have data to provide an accurate assessment on common practice for Emirati's on retirement. We would assume the majority of Emirati's will rely upon savings and family support during their older years.

1.5 Survey results – Middle East region

UAE

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The contribution rate due from insured Emiratis employed in both government and private sectors is 20 per cent, out of which the insured individual bears 5 per cent, while the entity pays 15 per cent, out of which 2.5 per cent is paid as support by the UAE government for Emirati employees working in the private sector.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Under the United Arab Emirates' Pension Law, retirees and pensioners can return to work if they wish to do so. The pensioner must however understand the provisions of the law prior to returning back to work, since a pension is not released if the individual's salary in the new job is equal to, or greater than, the pension salary received previously..
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.5 Survey results – Middle East region

UAE

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.5 Survey results – Middle East region

UAE

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Government covers Senior Emiratis benefits after retirement. As mentioned previously UAE nationals over the age of 60 are guaranteed with certain rights, which includes, the right to medical care including preventive health services, medical insurance, mobile nursing units and supportive medical devices and the right to preferential treatment with respect to government transactions, facilities, social aid and medical services.
Please explain how "older people" cope with healthcare.	All UAE Nationals are provided health insurance throughout their lifetime. As such, older people will have access to healthcare by nature of their nationality.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Al Qasimi Foundation supports elderly people with care plans, engagement in physical activities and engagement in activities to support their mental health and wellbeing. Also, non-profit organisations recruiting elders for voluntary work to feed the labourers in the UAE, raise funds for worldwide causes.
What prospects or social plans do "older people" have when they stop working in your country?	Continued rights to education and work (if required), access to elderly community centers and social clubs and preferential treatment in respect to social aid and medical services (as and when required).

1.5 Survey results – Middle East region

UAE

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Implementation of age discrimination in law onshore and within the freezone (outside DIFC/ADGM).
Region	Middle east

North America Region



1.6 Survey results – North America region

Canada

Question	Answer
Jurisdiction	Canada
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	N/A
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	The Old Age Security (OAS) pension is a monthly payment you can get if you are 65 and older. The amount you receive depends on your income and how long you lived in Canada or specific countries after the age of 18. In addition to your OAS, you could also be eligible for other benefits, including Guaranteed Income Supplement and a corresponding benefit to a spouse or common-law partner. These benefits are monetary and consist of monthly payments for eligible individuals.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.6 Survey results – North America region

Canada

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Generally, age discrimination involves treating persons in an unequal fashion due to age in a way that is contrary to human rights law. Human rights laws vary by province, and each province has its own human rights legislation, but age discrimination is a prohibited ground of discrimination in all provinces. As one example, the Ontario Human Rights Code prohibits age discrimination in: employment, housing accommodation, goods, services and facilities, contracts and membership in trade and vocational associations. A leading age discrimination case is <i>Nelson v. Lakehead University</i>, 2008 HRTO 41 (CanLII), where the Ontario Human Rights Tribunal found that a university did not discriminate against an assistant professor applying for a full-time tenure track position on the basis of age. However, the university did fail to take appropriate steps to investigate the allegations of discrimination and as such, violated the Ontario Human Rights Code. There is no legal requirement to have specific tools to combat such discrimination practice such as internal protocols, a whistleblowing channel, etc. However, in some provinces, such as Ontario and Quebec, employers with a certain number of employees are legally required to conduct a pay equity analysis (which could function as a specific tool). Generally, employers have the discretion to implement any tools they wish to ensure legal compliance with human rights and pay equity laws.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	While there is no mandatory or prescribed retirement age, the Canada Pension Plan retirement pension is a monthly, taxable benefit that replaces income once someone retires. If you qualify, you'll receive the CPP retirement pension for the rest of your life. To qualify you must: (i) be at least 60 years old, and (ii) have made at least one valid contribution to the CPP. Valid contributions can be either from work you did in Canada, or as the result of receiving credits from a former spouse or former common-law partner at the end of the relationship.

1.6 Survey results – North America region

Canada

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The amount you receive each month is based on your average earnings throughout your working life, your contributions to the CPP, and the age you decide to start your CPP retirement pension. Your contributions to the CPP are based on your earnings. The standard age to start the pension is 65. However, you can start receiving it as early as age 60 or as late as age 70.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	Older people rely on a combination of savings, family support, and retirement benefits. Their economic outlook is generally favourable with these supports, but varies on a case-by-case basis.
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The pension system consists of both Canada Pension Plan (CPP) and Old Age Security (OAS) payments. CPP is paid both employers and employees. ▪ Employers must contribute the same amount of CPP that they deduct from employee's remuneration. ▪ Employees must make mandatory contributions while working before taking CPP payments. CPP payments can begin once someone is 60-70 years old. The amount depends on pensionable earnings and varies every year. In 2024, maximum pensionable earnings is \$68,500, the employee and employer contribution rate is 5.95%, and the maximum annual employee and employer contribution amount is \$3,867.50. In contrast, the OAS pension is a monthly payment you can get once you are 65 and older, and does not require the applicant to contribute or even apply for the benefit. Persons in Canada can receive both CPP and OAS once eligible.

1.6 Survey results – North America region

Canada

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	You may continue working while you're receiving the Canada Pension Plan (CPP). If you're between 60 and 65 years old, you must continue to contribute to the CPP. Your CPP contributions will go toward post-retirement benefits. These benefits will increase your retirement income when you stop working. When you're 65 years old, you can choose to stop making CPP contributions. If you decide to keep paying into the CPP at 65, your employer will also have to continue to contribute. If you're self-employed, you'll have to pay both the employee and employer The Old Age Security (OAS) pension may allow you to receive your pension while you're working. You may need to pay some of the OAS pension back if your income goes over a certain amount. This is called the OAS recovery tax. The income threshold varies by income year and age.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.6 Survey results – North America region

Canada

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Age is a factor courts consider in determining an employee's reasonable notice period in a wrongful dismissal claim. Reasonable notice is a common law concept that refers to the amount of notice an employee should have been provided, or pay in lieu of notice, upon termination of their employment. In the absence of a contract expressly limiting an employee's entitlements upon termination to the minimum amounts prescribed by the relevant provincial employment standards legislation, the Courts will default to providing common law reasonable notice. Courts generally find that the "reasonable" notice period is between 3 and 6 weeks per year of service, particularly for middle ranking and senior employees. At least one court has found a "reasonable" notice of termination to be as long as 27 months. The courts' decisions regarding what constitutes "reasonable" notice are based on the length of time the court believes the employee will need to find a similar job, considering the employee's age, profession, experience, position, and length of service, among other factors. This reasonable notice includes the minimum statutory notice period under applicable law.

1.6 Survey results – North America region

Canada

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Canadian taxpayers pay for the coverage, which is universal for medically necessary health services and provided on the basis of need.
Please explain how "older people" cope with healthcare.	Most older people rely on public health coverage. Only a minority of older people with unique needs and circumstances purchase alternative private health insurance programs.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No

1.6 Survey results – North America region

Canada

Question	Answer
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Spend more time with friends and family and pursue other endeavours of passion and interest, besides working full-time.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Certain measures could be implemented to supplement older people with less income/savings who require care in an old-ages facility but cannot afford high-quality facilities (or do not live close to such a facility and must either move a long distance to go to one or have a personal support worker come to their residence).
Region	North America

1.6 Survey results – North America region

USA

Question	Answer
Jurisdiction	United States of America
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The US generally recognizes "older people" or "seniors" as those who are ages 65 and above- this is the age you can begin receiving senior benefits, such as Medicare, Social Security Disability Insurance, and Supplemental Security Income. The most recent US Census was conducted in 2020 (one is conducted every 10 years) and reflects that 16.8% (or 55.8 million) of the US population is age 65 or above. As of 2022, the Bureau of Labor of Statistics (BLS) reflects that the 19.2 % of the civilian labor force is age 65 or older. (https://www.bls.gov/cps/cpsaat03.htm)
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	At age of 65, individuals become eligible for the following social security benefits (they can also claim these benefits at age 62, but for a lesser amount): ▪ Medicare: provides partial or full health coverage depending on the individual's income and which coverage he/she requests (Parts A, B, C, and D). Parts A, B, and C refers to different Medicare plans. Part A provides inpatient/hospital coverage; Part B provides outpatient/medical coverage; Part C offers alternate ways to receive Medicare benefits; and Part D provides prescription drug coverage. ▪ Social Security Disability Insurance (SSDI): a payroll tax-funded federal insurance program of the United States government. It is managed by the Social Security Administration and designed to provide monthly benefits to people who have a medically determinable disability that restricts their ability to be employed.

1.6 Survey results – North America region

USA

Question	Answer
Please list and give a simple description of these rights.	Supplemental Security Income (SSI): a means-tested program that provides monthly cash payments to individuals that are US citizens or nationals, or noncitizens in one of the certain alien classifications granted by the Department of Homeland Security (DHS). These amounts vary based on income, living arrangements, and other factors.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Federal and state laws prohibit employers from discriminating against employees ages 40 years and up. For example, employers cannot refuse to hire, terminate, discipline, or otherwise treat employees adversely because of their age. Employers generally have policies and handbooks outlining procedures (or hotlines) for reporting discrimination that can help combat all forms of discrimination including age. Appropriate training for employees and supervisors on how to avoid discrimination can also help. Also, the Older Americans Act prohibits discrimination based on age in programs or activities that receive federal financial assistance, for instance, financial assistance to schools and colleges, provided by the US Department of Education.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Individuals who work for the State, Local or Federal Government Most pension plans in the US are offered to individuals who work for the state, local, or federal government. Their pension amounts vary depending on their earnings and contributions to those plans. The Civil Service Retirement Act, which became effective on August 1, 1920, established a retirement system for certain Federal employees. It was replaced by the Federal Employees Retirement System (FERS) for Federal employees who first entered covered service on and after January 1, 1987.

1.6 Survey results – North America region

USA

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The Civil Service Retirement System (CSRS) The Civil Service Retirement System (CSRS) is a defined benefit, contributory retirement system. Employees share in the expense of the annuities to which they become entitled. CSRS covered employees contribute 7, 7 1/2 or 8 percent of pay to CSRS and, while they generally pay no Social Security retirement, survivor and disability (OASDI) tax, they must pay the Medicare tax (currently 1.45 percent of pay). The employing agency matches the employee's CSRS contributions. CSRS employees may increase their earned annuity by contributing up to 10 percent of the basic pay for their creditable service to a voluntary contribution account. To be eligible, employees must have at least 5 years of credible civilian service and be 62 years of age. The basic annuity is computed based on your length of service and "high-3" average salary. Examples of how the CSRS annuity is calculated are located here. Federal Employees Retirement System (FERS) Congress created the Federal Employees Retirement System (FERS) in 1986, and it became effective on January 1, 1987. Since that time, new Federal civilian employees who have retirement coverage are covered by FERS. FERS is a retirement plan that provides benefits from three different sources: a Basic Benefit Plan, Social Security and the Thrift Savings Plan (TSP). The Basic Benefit and Social Security parts of FERS require you to pay your share each pay period. Your agency withholds the cost of the Basic Benefit and Social Security from your pay as payroll deductions. Your agency pays its part too. Then, after you retire, you receive annuity payments each month for the rest of your life. The employee must contribute 4.4% to the FERS Basic Benefit Plan and 6.2% to Social Security. Eligibility is determined by the employees age and number of years of creditable service as explained here. To be eligible for immediate retirement employees must have at least 5 years of credible civilian service and be 62 years of age. Your basic annuity is computed based on your length of service and "high-3" average salary. Examples of how the CSRS annuity is calculated are located here. The eligibility, retirement age, and percentage of contributions for state and local level pension plans vary by jurisdiction.

1.6 Survey results – North America region

USA

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Individuals who work for private companies Certain industries and big companies still offer their employees pension plans, but this is no longer the norm. So generally, workers must: (1) benefit from the retirement plan offered by the Company (if the case); (2) fund their own retirement plans (such as 401k plans, which some employers may/may not contribute); and/or (2) rely on social security benefits discussed under the previous questions. In the United States, a 401(k) plan is an employer-sponsored, defined-contribution, personal pension (savings) account. Periodic employee contributions come directly out of their pay checks, and may be matched by the employer. There are two types: traditional and Roth 401(k). For Roth accounts, contributions and withdrawals have no impact on income tax. For traditional accounts, contributions may be deducted from taxable income and withdrawals are added to taxable income.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	Most traditional pension plans in the US are offered to individuals who work for the state, local, or federal government, as explained below. Employers in specific industries and big companies still provide their workers with defined pension plans, but this is not generally the norm in the US. But generally, workers must: (1) benefit from the retirement plan offered by the Company (if the case); (2) fund their own retirement plans (such as 401k plans); and/or (2) rely on social security benefits discussed under the previous questions.

1.6 Survey results – North America region

USA

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Many employees continue to work after they begin receiving their pension. Generally, in the private sector, once an employee's rights to his pension benefits vest, those rights cannot be forfeited. Employees rights to funds that they have contributed to their pension plans automatically vest. Therefore, as long as their pension rights have vested they can work for a different employer after retirement without losing those rights. However, if you decide to return to work for the same employer from whom you are collecting a pension, they may have specific rules around how you can collect these payments in retirement. These vary conditions vary by private employer. For retired federal employees, they can work in the private sector without having any portion of their annuity reduced. However, if they return to the federal government after retirement, the salary of their new government position would be reduced by the amount of their annuity. For retired state and local level employees, the requirements vary by jurisdiction. The terms for vesting with respect to the employer's contributions vary depending on the terms of the plan.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No

1.6 Survey results – North America region

USA

Question	Answer
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	Generally, US discrimination laws prevent employers from making hiring decisions based on age. However, the federal government offers benefits to employers who hire individuals "with barriers to employment." For example: ▪ The Work Opportunity Tax Credit (WOTC) offers employers up to \$2,400 in federal tax savings for hiring individuals with barriers to employment, which includes those who receive supplemental security income (ages 62 and up). ▪ The Hiring Incentives to Restore Employment (HIRE) Act provides payroll tax breaks and incentives for businesses to hire unemployed workers. In order to take the payroll tax credit, the employee must have either been unemployed for at least 60 days prior to hire or worked fewer than 40 hours for another employer during the previous 60 days. This could benefit older workers. Specifically, employers do not pay the employer portion of social security tax on wages paid to eligible new hires. In addition, employers receive a general business income tax break if the employer continues to employ the new hire for at least 52 weeks.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	There are federal and state anti-discrimination laws that prohibit adverse employment actions against a person based on their age (ages 40 and up).

1.6 Survey results – North America region

USA

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Medicare is a federal health insurance program for people 65 years or older. This program is funded by: ▪ Payroll taxes paid by most employees, employers, and people who are self-employed ▪ Income taxes paid on Social Security benefits ▪ Interest earned on the trust fund investments ▪ Medicare Part A premiums from people who aren't eligible for premium-free Part A

1.6 Survey results – North America region

USA

Question	Answer
Please explain how "older people" cope with healthcare.	If older people can afford to purchase their own private health insurance plans they rely on those. If older people do not have enough money to purchase private health insurance plans they rely on Medicare and SSDI benefits describe above.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Various foundations across the country support elderly citizens remain engaged with society. For example, New York's "Silver Stars" programs offers retired New York City civil servants part-time, temporary work assignments, where they can apply their skills and experience to continue serving the city. The California Department of Aging (CDA) also administers programs that enable older adults to access services that support healthy living and promote independence. Together, these services promote older adults' ability to maintain the highest possible levels of function, participation, and dignity in the community.
What prospects or social plans do "older people" have when they stop working in your country?	Many. They can volunteer, sit on boards, or become part of affinity/civic groups that keep them active and engaged.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The US already has many measures aimed at supporting the elderly, and providing them with a better quality of life.
Region	North America

South/Latin America Region



1.7 Survey results – South/Latin America region

Argentina

Question	Answer
Jurisdiction	Argentina
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	No
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	8.32% of the total population is aged 70+ (2021 data). As to population actively working, 22% male + 64, and 12% female +64.(2019 data)
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	1. Individuals who have not accessed to regular retirement benefits are entitled to an allowance based on advanced age. The system is state-sponsored, and funded by mandatory social security withholdings on employee's salaries and employers contributions. 2. A state pension scheme known as the Argentinian Integrated Pensions System (Sistema Integral Previsional Argentino, SIPA), and administered by the National Social Security Administration (Administración Nacional de la Seguridad Social, ANSES).
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No

1.7 Survey results – South/Latin America region

Argentina

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	There is no definition of discrimination based on age. The Argentine National Constitution provides for the equality principle and expressly states that all residents are eligible for employment without any condition other than suitability. Moreover, labor contract law specifically prohibits discrimination among employees due to gender, race, nationality, religion, political or union opinion or age. Similarly, general anti-discrimination law mandates the cessation of all discriminatory acts and practices and provides for a claim of damages in case of violation, taking into consideration factors such as the economic position, social condition and physical characteristics of the offended party. Based on the above, historically, employers have always been bound by non-discrimination obligations, but we are now seeing increasing compliance particularly in light of recent regulations on diversity and inclusion. Companies are currently demonstrating commitment to diversity and inclusion by implementing relevant policies and training programs. Additionally, Argentina ratified the Convention for the Protection of Human Rights of Elderly People(https://www.argentina.gob.ar/justicia/derechofacil/leysimple/proteccion-de-los-derechos-humanos-de-los-adultos-mayores#titulo-1) by enacting law 27,360 (https://www.argentina.gob.ar/normativa/nacional/ley-27360-275347/texto). The principles of the convention (now internal law in Argentina) are: ▪ The promotion and defense of human rights and fundamental freedom of the elderly. ▪ The appreciation of the elderly, their role in society and contribution to development. ▪ The dignity, independence, leadership and autonomy of the older person. Equality and non-discrimination. ▪ Participation, integration and inclusion in society. ▪ Well-being and care. ▪ Physical, economic and social security.

1.7 Survey results – South/Latin America region

Argentina

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Self-actualization ▪ Equity and gender equality. ▪ Solidarity and strengthening of family and community protection. ▪ Good treatment and preferential attention. ▪ Respect and appreciation of cultural diversity. ▪ Effective judicial protection. ▪ The responsibility of the State and the participation of the family and the community in the integration of the elderly person, as well as in their care and attention, in accordance with their internal legislation. As to specific examples, if an elderly person is discriminated against in his/her employment, there would be legal remedies available (cease the discriminatory act, and/or claim damages).
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	State old-age pensions are generally payable at 65 for men and 60 for women, although an employee may decide not to retire and continue working for the employer until the age of 70. Autonomous workers can retire at 65 for men and 60 for women. To be entitled to a state old-age pension, an individual must generally have made at least 30 years of social security contributions. Unemployed people may receive a pension from the age of 60 for men and 55 for women, if they have made at least 30 years of social security contributions. Individuals who have worked under hazardous or unhealthy conditions may have their retirement age and required contribution record reduced by up to 10 years. In such cases, since 1 September 2018, employers must contribute an additional 2% of gross pay.

1.7 Survey results – South/Latin America region

Argentina

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The state old-age pension comprises a universal basic benefit, plus an earnings-related benefit. The total pension payable is subject to a minimum and maximum amount. Individuals who do not qualify for the state old-age pension at normal retirement age are entitled to an "advanced" old-age pension from the age of 70 if they have made at least 10 years of social security contributions, including at least five years' contributions in their last eight years of employment. The pension is 70% of the universal basic benefit, plus an earnings-related benefit. Employers may require employees who have reached the age of 70 and have contributed to the social security regime for at least 30 years, but have not yet retired, to initiate the retirement process. Employers must maintain the employment relationship in force with these employees until the state old-age pension is obtained for a maximum term of one year. For those employees who continue to work after reaching the retirement age, employers are required only to pay contributions to health insurance and work-related accident insurances (around 6% and 3% of an employee's gross pay respectively). A non-contributory social assistance pension is payable to individuals over the age of 70 with income below a certain level who receive no social security benefits or support from family members. As well as old-age pensions, the state pension system pays disability and survivors' pensions. Employers may provide private supplementary pension plans to employees as an employment benefit. Pension amount would depend on the contributions to the system of the last ten years of employment. Retirement in USD range from 313 to 1307. There is no partial retirement available. Note that retired people may continue working without losing the retirement benefit.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	Pension amount received by the government, family support and life savings.

1.7 Survey results – South/Latin America region

Argentina

Question	Answer
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	Male may opt to retire at 65, female at 60. They could be forced to retire at age 70, assuming they are eligible for retirement (30 or more years of contributions to the social security system). However, early retired employees may continue rendering services, either as employees or as autonomous workers.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	No eligibility, he/she would continue receiving retirement benefits. In relation with the impact on the employee's pension, the employees may continue working for the same or another employer, and even as autonomous workers. For those employees who continue to work after reaching the retirement age, employers are required only to pay contributions to health insurance and work-related accident insurances (around 6% and 3% of an employee's gross pay respectively).
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A

1.7 Survey results – South/Latin America region

Argentina

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.7 Survey results – South/Latin America region

Argentina

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Payment is state sponsored and covers all the potential contingencies through a specific HMO: PAMI (acronym for Programa de Asistencia Médica Integral). Also they can retain the services of private HMOs.
Please explain how "older people" cope with healthcare.	With state sponsored HMO or private HMOs.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	The HMO (PAMI) has programs to this end.
What prospects or social plans do "older people" have when they stop working in your country?	Cultural activities, entertainment, many times state sponsored. Many NGOs are also addressing this social need.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Always. The convention for elderly people's rights is programmatic. It aims to achieve desirable targets, needs to be complemented with actual regulations securing additional rights.
Region	South/Latin America

1.7 Survey results – South/Latin America region

Bolivia

Question	Answer
Jurisdiction	Bolivia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	To the purpose of this questionnaire, "older person" are people of sixty years of age or older, in the Bolivian territory, that are holders of the rights of Law No. 369, General Law of Older Persons. The percentage of older people is 9.3% in relation to the total population. The percentage of older people actively working is 56% for men and 30% for women.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	There is the Law N°369 of May 1st, 2013, that regulates the rights, guarantees and institutional framework for their protection. It guarantees the benefits of the social security system and access to health.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.7 Survey results – South/Latin America region

Bolivia

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	▪ The Ombudsman, defines that the discrimination in reason of age, constitutes a form of abuse, even though society might perceive it as normal. This abuse can be any situation that causes some kind of harm or/and that prevents their well being. ▪ The Ombudsman, indicates that from the family we can revalue the contribution of the elderly within the life and economy of the home. ▪ The media should contribute to improving the image of the older adults by banishing negative stereotypes surrounding their figure. ▪ The government should promote their integration, promoting a greater participation of this population. ▪ By information from the Ombudsman, between 2013 and 2022, there has been reported 94 cases of discrimination or abuse against elderly people. Among the different cases of discrimination, we can mention the following: ▪ Discrimination and/or abuse due to neglect or abandonment, which consists of failing to provide the elderly person with the care or supervision they need for their food, clothing, hygiene, housing and family care. ▪ Discrimination and/or economic abuse, which occurs when the assets or money of older adults are used without their consent, through theft or falsification of objects, work instruments, personal documents, goods, values, rights, etc. An specific example, is marginalizing them in their own home, in the use by third parties of the Dignity Income or retirement income, as well as the appropriation of movable or immovable property through fraud (spoliation of assets), or threats to the elderly person.
Does your country have a retirement system for older people when they stop working?	Yes

1.7 Survey results – South/Latin America region

Bolivia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	- There's an "old age income" a right for elderly people that have been insured by their employer, that have accredited at least 120 monthly contributions and have reached the ages of 58 years for men and 55 years for women. However, if the insured has saved an amount that allows them to finance a pension equal to or greater than 60% of their Old Age Salary Reference, they can retire regardless of their age. - Additionally, the law 3791 of the Universal Old Age Income (Dignity Income) grants a lifetime and universal pension to all people over 60 years of age, whether or not they have retired, this income is the equivalent of 3.900 Bs (BOB) yearly for those employees who also receive the old age income and of 4.550 Bs (BOB) for those person who do not receive the old age income. There isn't specifically a partial retirement.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	This question is very subjective. There are people who live of their savings, others who live off their relatives and others who clearly live only of what they receive with their dignity and/or retirement income. It could be said that approximately 50% of older adults live in "monetary and/or subjective poverty" and would be supported purely by the Dignity Income.
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	- There's an "old age income" a right for elderly people that have been insured by their employer, that have accredited at least 120 monthly contributions and have reached the ages of 58 years for men and 55 years for women. However, if the insured has saved an amount that allows them to finance a pension equal to or greater than 60% of their Old Age Salary Reference, they can retire regardless of their age. - Additionally, the law 3791 of the Universal Old Age Income (Dignity Income) grants a lifetime and universal pension to all people over 60 years of age, whether or not they have retired, this income is the equivalent of 3.900 Bs (BOB) yearly for those employees who also receive the old age income and of 4.550 Bs (BOB) for those person who do not receive the old age income.

1.7 Survey results – South/Latin America region

Bolivia

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	The article 48 paragraph II of the Constitution indicates that the continuity and job stability are guaranteed, this also includes the elderly people. Also, the Law 065 indicates that the employee insured retired, can receive the retirement pension and continue to work under a relationship of labor dependency, only that he will not receive an "old age solidarity fraction", that is a little fraction additional to the retirement pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.7 Survey results – South/Latin America region

Bolivia

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	There's the limitation included in the Constitution of the guarantee of the job continuity and stability, included in the article 48 paragraph II and also the stipulated in the law 065 that indicates that there's compatibility between work and being retired and receive a retirement pension.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	There's no explicit right or common practice by private companies, but there's legal recognition in the law No. 369 in favour of the elderly people, of their incorporation into the productive economic development, according to their capacities and possibilities and the promotion of the technical, alternative and higher education.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A

1.7 Survey results – South/Latin America region

Bolivia

Question	Answer
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	There's two types of "public health coverage": ▪ The elderly that were employees that contributed with pensions for their health insurance and retirement, have the right to continue being insured to the "Managing Entities of Health" as well as their beneficiaries and their right holder. There are a few of these health institutions. ▪ There also is the "SUS" or "Universal Health System", guaranteed by the public government for everyone without discrimination. The extent of this coverage is more than 1.200 health benefits.
Please explain how "older people" cope with healthcare.	As of 2016, older adults who had public health insurance reached 60.9% those who had private health insurance reached 1.0% and those who did not have insurance reached 38.0%, according to the National Statistics Institute.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	There are a few principles contained in the law No. 369 in favour of the elderly people, for example, of protection, that seeks to prevent and eradicate socioeconomic marginality and geography, intercultural, intolerance, and institutional and family violence, to guarantee the development and incorporation of older adults into the society with dignity and integrity. Also the principle of participation, that is the relationship by which older adults exercise an effective and legitimate participation through its forms of representation and organization, to ensure its social, economic, political and cultural integration.

1.7 Survey results – South/Latin America region

Bolivia

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	This response can vary a lot because each person's situation is unique, and retirement plans can vary significantly. Some people may plan trips, recreational activities, or spend more time on social activities. Others may focus on health and well being. Some people take the opportunity to invest in businesses that they can invest also all their free time once retired.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, for example: ▪ The improvement of the access to quality public health attention because it is of common knowledge that it is precarious and often saturated. ▪ The improvement of the amount of the dignity pension "renta dignidad" that is currently only 250 Bs (BOB) or the equivalent of 35.9 \$us, per month, while the minimum salary is 2.362,50 Bs (BOB) monthly (that is considered not enough to subsist with dignity either)
Region	South/Latin America

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Jurisdiction	Brazil
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Please note that there is not a general and legal definition about what is meant by "older person" in Brazil, but, according to the general provisions of Brazilian law 10.741/2003 - the Elderly Persons Statute - the rules are established with the intention to regulate the rights guaranteed to people aged 60 (sixty) years and above. According to a research carried out by the Ministry of Health , Brazil has 31.2 million elderly people out of a total population of more than 206 million, with 14.7% of the population aged 60 or above. According to a recent survey carried out by the IBGE , in the third quarter of 2022, people aged 14 to 17 accounted for 7.0% of people of working age. Young people aged 18 to 24 accounted for 13.1%. The largest groups were 25 to 39 yo (29.5%) and 40 to 59 yo (31.7%). Those considered elderly in developing countries by the WHO, 60 years of age or older, represented 18.8%.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	There are no specific labour entitlements for elderly employees according to labor legislation. However, Collective Bargaining Agreements often provide extra protection from termination to employees who are approaching retirement age. In addition, as previously mentioned, Brazilian legislation includes the Statute for the Elderly (Law No. 10,741 of October 1, 2003, amended by Law No. 14,423 of 2022) which includes special entitlements. Article. 26, Law No. 10,741 of October 1, 2003, amended by Law No. 14,423 of 2022: Elderly people have the right to exercise professional activity, respecting their physical, intellectual and mental conditions.

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Please list and give a simple description of these rights.	- Article. 27, Law No. 10,741 of October 1, 2003, amended by Law No. 14,423 of 2022: In the admission of the elderly to any job or employment, discrimination and the setting of a maximum age limit are prohibited, including for competitive examinations, except in cases where the nature of the position so requires. Sole paragraph. The first criterion for a tie-breaker in public tenders shall be age, with preference being given to the person with the highest age. - Article 29, Law No. 10,741 of October 1, 2003, amended by Law No. 14,423 of 2022: Retirement and pension benefits under the General Social Security System shall comply with calculation criteria that preserve the real value of the salaries on which contributions were made, under the terms of the legislation in force. There are also social security rights, further detailed ahead.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	According to article 27 of Law No. 10,741 of October 1, 2003, amended by Law No. 14,423 of 2022, in the admission of elderly people to any job or employment, discrimination and the setting of a maximum age limit are prohibited, including for competitive examinations, except in cases where the nature of the position so requires. A situation of ageism/etarism occurs when a person is disadvantaged, humiliated or belittled because of their age. The more specific tool to combat age discrimination is the Statute for the Elderly which sets forth particular regulations for combat of discrimination, including crimes. This is further controlled by the general administrative authorities (Police, District Attorney and the Judiciary) who impose fines and other penalties (including imprisonment for discrimination). In relation to specific examples of age discrimination, note the following: - Not hiring someone who is qualified for the job solely because of their age. - Managers who make age-related comments or speak to older employees in an ironic or demeaning tone. - Stop assigning challenging tasks and responsibilities to older people and thus encouraging them to leave their jobs.

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Yes, there is age retirement in Brazil, but it is not related to the fact of stop working or not. In November 2019, a major reform of the Brazilian public pension system was approved, which led to several changes in the benefits of the General Social Security Regime. The Public Pension Fund maintains the following social security benefits, excluding those of welfare nature funded by Social Security, as follows: ▪ Old-age pension: benefit granted to working men at the age of 65 upon the completion of at least 20 years of social security tax payments to the Public Pension System and, to working women at the age of 62 upon the completion of at least 15 years of social security tax payments. ▪ Teachers who prove to have taught in Elementary, Middle or High Schools shall be eligible to such benefit five years early, which means, men shall be granted with the benefit at the age of 60 and, women at the age of 57, as long as either have completed at least 25 years of social security tax payments during the practice of such profession. ▪ Agricultural workers and those who practice activities in family economy regime, including prospectors, agricultural producers and small-scale fishermen, the minimal age for retirement shall be of 60 years for men and of 55 for women (as long as either have completed at least 15 years of social security tax payments). ▪ Pension due to Social Security Tax Payment Period Completion: the withdrawal of such kind of benefit from the public pension fund system was the most significant change brought about by the Social Security System Reform/2019, remaining in its place different rules of transition, applicable only to those who were already affiliated with the Public Pension Fund System before the reform, but which have in common the requirement of at least 35 years of social security tax payments for men and 30 years for women.

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	▪ Pension due to Insured Person with a Disability: the insured people with a disability have the right to two different retirement options which are subject to distinct conditions from the rest: (i) old-age pension: minimum age requirement of 60 years for men or of 55 years for women, as long as either have completed at least 15 years of social security tax payments; (ii) pension due to social security tax payment period completion: the insured people with a disability shall have to right to such pension for the period of time correspondent to their gender and the following disability degrees: women shall have such right upon the completion of 20, 24 or 28 years of social security tax payment, whereas men upon the completion of 25, 29 or 33 years of social security tax payment, pursuant the respective degrees of severe, moderate or light disability. ▪ Pension due to Exposure to Agents Harmful to the Human Health: benefit granted to the insured person who has been exposed to chemical, physical or biological agents harmful to their health while working, pursuant to the applicable law. Except for the transition rules in force, to the insured persons already affiliated to with the Public Pension Fund System before the approval of the reform, it is possible to retire after the following period of exposure/payment of social security tax and the respective minimal age, which vary according to the noxiousness degree of the agent to which the insured person has been exposed: 25 years of exposure and 60 years of age, 20 years of age and 58 years of age or 15 years of exposure and 55 years of age. ▪ Pension due to permanent disability: due to the insured people who are disabled and insusceptible to rehabilitation for the practice of an activity that provides themselves with material subsistence conditions, until the recovery of the ability to work which shall be verified in an assessment conducted by the National Institute of Social Security every two years. All social security benefits are at least the minimum federal wage, currently BRL 1,320.00, and capped at BRL 7.507,49 (amount periodically updated).

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	In practical terms, we understand that generally people live from the retirement compensation, supplemented by life savings, family assistance or general assistance from ONGs.
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	i. Public mandatory system: According to the Federal Constitution and to Law no. 8,212/1991, comprises an integrated set of actions related to initiatives from the Public Powers and from the Society that are aimed at protecting the rights to health, social security and social assistance. ▪ Health: a right of every citizen which aims to offer a social and economic policy designed to mitigate risks of illnesses and other complications, affording actions and services to protect and recover the individual. ▪ Social Assistance: aims to establish a social policy to the disadvantaged party through private and state funded activities envisaging the extension of minor benefits and services, regardless of contribution by the interested party. ▪ Social Security: aims to assure to its beneficiaries the indispensable means for survival in the event of occurring a contingency established in the law, such as a loss of work capacity, illness, disability, advanced age, death and involuntary unemployment, or even maternity or reclusion. The system is funded by the following revenues: ▪ Revenues of the Federal, States and Municipal treasuries; ▪ Revenues from social contributions; ▪ Revenues from other sources.

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Please provide an explanation of the mixed system applicable to your country	There are the following types of social contributions: ▪ Social Security contributions due by the companies: levied upon the remuneration paid to the workers in view of the service rendered; ▪ Social Security contributions due by the domestic employers: levied upon the remuneration paid to the workers in view of the service rendered; ▪ Social Security contributions due by employees: levied upon the remuneration paid to the workers in view of the service rendered; ▪ Social contribution (PIS, COFINS and CSLL) or substitutive social security contributions due by the companies: levied upon revenues and profits; ▪ Other social contributions: levied on revenues of lotteries. According to the information above, this topic will discuss only the contributions to fund the social security benefits. Please see below the Contributions levied upon the payment of remuneration paid to individuals: ▪ Calculation basis: the total amount of remuneration paid or credited, at any title, during the month, to the individuals rendering services, with the scope of remunerate the work performed, including tips, routine payments, utilities, advance payments and other advantages; ▪ Contribution of the companies: 20% (without limits); ▪ Additional contributions of the financial institutions: 2.5% (without limits) applicable to Financial institutions, commercial leasing companies, financial cooperatives, insurance and capitalization companies, independent insurance agent, private pension entities, etc.; ▪ Labor Accidents Insurance SAT/RAT: 1%, 2% or 3% according to the main activity in each branch of the company. The SAT/FAP rate is multiplied by the Accidents Prevention Factor - FAP which index varies from 0,5 to 2 depending on the investments in prevention and control of employment related accidents and according to the history of diseases and employment related accidents occurred;

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Please provide an explanation of the mixed system applicable to your country	▪ Additional rate of SAT/RAT: 6%, 9% or 12% according to the activity performed by the employee who is subject to hazardous conditions that allow special retirement after 25, 20 or 15 years of contributions; ▪ Contributions to Other Entities - Third Parties (FNDE, INCRA, SENAI, SESI, SENAC, SESC, SEBRAE, DPC, FUNDO AEROVIÁRIO, SENAR, SEST, SENAT, SESCOOP): from 0.2% to 5.8% according to the main activity in each branch of the company. In summary, the contributions of the company may vary from 20% to 35%, approximately. The payments that represent exceptions and are not considered remuneration are the following: ▪ Social security benefits; ▪ Maternity leave (120 days); ▪ Cost allowances Received by the aeronaut; ▪ Feeding allowance granted under the rules established by the Ministry Of Labor and Employment; ▪ Indemnified vacation and 1/3 additional; ▪ Severance fund; ▪ Indemnifications established on the Labor Code; ▪ Incentives for Volunteer Dismissal Program; ▪ Non-routine payments and allowances disconnected from the salary; ▪ Transportation allowance (updated by the Labor Reform); ▪ One time allowance to bear the cost of the change of the city of work; ▪ Trip allowances (updated by the Labor Reform); ▪ Salary of the intern/trainee;

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Please provide an explanation of the mixed system applicable to your country	▪ Profit sharing payments in compliance with the law; ▪ The PIS allowance paid by the government; ▪ Transport, feeding and living to render services out of the city; ▪ Complementation of the sick leave benefit, provided that it is offered to all employees; ▪ Private pension contributions, provided that it is offered to all employees; ▪ Health insurance and medical reimbursements (updated by the Labor Reform); ▪ Uniforms and work tools granted to the work force; ▪ Reimbursements for the use of the personal car; ▪ Child care reimbursement, in accordance with the labor legislation; ▪ Education allowances limited to 5% of the salaries and related to the activities of the employee or basic formation; ▪ Copyright; ▪ Culture allowance in accordance with the law; ▪ Awards, provided that are paid as liberality due to extraordinary performance of services (updated by the Labor Reform); ▪ First 15 days of sick leave. In addition to these payments expressly exempt from social security contributions by the legislation, here are several judicial discussions regarding other payments that would have indemnified nature rather than salary nature that are still pending decision by the Supreme and Superior Courts.

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Please provide an explanation of the mixed system applicable to your country	ii. Private pension voluntary system: This scheme includes funded occupational and personal pension plans privately managed by closed and open pension funds and insurance companies. The affiliation is not mandatory and the reform efforts have been focused on the modernization of the rules and the extension of the regime's coverage. The Closed Private Pension Entities (Entidades Fechadas de Previdência Complementar – EFPC) are private, non-profit organizations, established by single employers, multiple employers and recently by labor unions or professional associations. The regime is financed by employers and/or employees contributions on occupational or associative basis. The pension funds' assets are legally segregated from the sponsors' and submitted to specific accounting, financing and actuarial regulations. The Open Private Pension Entities (Entidades Abertas de Previdência Complementar – EAPC) – that manage the plans – may be operated by insurance companies, bank's subsidiaries and non-profitable organizations and offer pension plans to employees, employers, self employed and non-employed. The plan can be contracted out by enterprises as fringe benefit to their employees or, more commonly, contracted directly by individuals. Closed pension funds offer defined benefit plans, defined contribution plans or mixed arrangements, except funds sponsored by labor unions, professional associations and the pension funds for civil servants, all of which that can only manage defined contribution plans. According to Brazilian regulations, the mixed arrangements are defined contribution plans with some ingredients of defined benefit provision like the cash balance plans, floor benefit plans and target benefit plans. In occupational schemes, the accumulated funds in individual accounts are portable under certain restrictions, as a vesting period of 3 years at most, and withdrawals are conditioned to the act of retirement or the termination of employment. Generally, the contributions to all private pension plans represent labor and tax benefits: - Labor aspects: Brazilian Labor Code expressly excludes the contributions to the private pension plans from the concept of salary. - Tax aspects: the contributions to all private pension plans are tax-deductible up to 12% of the employee's salary for workers and 20% of the wage bill for employers. According to the legislation, since 2005, the investment returns of the private pension entities are no longer taxed. This change intends to encourage the development of Pension Funds on a long-term basis.

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Current Brazilian legislation allows workers to retire and continue working. Retirement nowadays is not a reason for the termination of employment. In relation with the impact on their pension, the retired employees are also required to pay social security contributions, although such contributions paid after the retirement will not impact the amount of the benefit.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Not spelled out in the legislation, although terminations based on age are likely to trigger discrimination claims.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	Article 28 of the Statute of the Elderly states that the government should create and encourage programs for: i. Specialized professionalization for the elderly, taking advantage of their potential and skills for regular and paid activities; ii. Preparing workers for retirement, at least one year in advance, by encouraging new social projects, according to their interests, and providing information on social and citizenship rights; iii. Encouraging private companies to take on older people. Example: "São Paulo Amigo do Idoso" project aims to promote and coordinate public policies aimed at guaranteeing the rights of the elderly and promoting active ageing, in accordance with the 4 strategic pillars recommended by the World Health Organization (WHO): participation, health, protection and education.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	Yes

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Please provide a simple description of this obligation or recommendation.	As provided by article. 26, Law No. 10,741 of October 1, 2003, amended by Law No. 14,423 of 2022 provides that elderly people have the right to exercise professional activity, respecting their physical, intellectual and mental conditions.
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A.
Please explain how "older people" cope with healthcare.	Public health coverage (SUS - Sistema Único de Saúde) is for all Brazilians, not just to the elderly persons. There are other private healthcare systems (health insurers) but the prices to the general public are very high subject to the increase due to the age, but the majority uses the SUS. Note that 77% of the Brazilian citizens count only on SUS.
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Social programs provided by the government, but they can be done by any Brazilian citizen, not just the elderly, such as painting courses, cooking courses, languages, among others.
What prospects or social plans do "older people" have when they stop working in your country?	Most often, they spend more time with their family and dedicate themselves to humanitarian work and hobbies.

1.7 Survey results – South/Latin America region

Brazil

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	The Statute of the Elderly has a quite comprehensive set of measures, but it is really important that they are regulated and implemented in practice. In our view, tax incentives for companies to hire elderly people would be welcome, and have reasonable chances of actually encourage employers to foster an age-diverse workforce.
Region	South/Latin America

1.7 Survey results – South/Latin America region

Chile

Question	Answer
Jurisdiction	Chile
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Law No. 19.828 in its article 1, paragraph second, defines "older people" as "every person who has reached sixty years". Considering a 2021 study carried out by the Older People National Service (Servicio Nacional del Adulto Mayor), there are, approximately, 3.472.000 older people which is equivalent to a 17,81% in relation of the total population up to that year (19.493.184 people). Of the referred amount of older people to 2021, about a 26,7% were actively working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	- Old Age, Disability and Survivors' Pension System (Sistema de Pensiones de Vejez, de Invalidez y Sobrevivencia): Individual capitalization system that, meeting the established requirements, grants men of 65 or more years old and women of 60 or more years old an old age pension. - Universal Guaranteed Pension (Pensión Garantizada Universal): Fiscal benefit, of up to CLP \$206.173, that improves the old age pension's if the pensioner belongs to the 90% of the country's lower-income population. - Rental Subsidy for Older People and Disabled People (Subsidio de Arriendo para Personas Mayores y Personas con Discapacidad): Economic benefit for people of 60 or more years old, belonging to the most vulnerable 70% of the population according to the Social Household Registry (RSH), that do not have enough incomes for the payment of a rental. - Elder People Transportation Fare Discount (Rebaja Tarifaria Transporte para Adultos Mayores): Every person of 65 or more years old have access to a 50% discount on the public transportation fare.

1.7 Survey results – South/Latin America region

Chile

Question	Answer
Please list and give a simple description of these rights.	▪ Child Bonus (Bono por Hijo): Benefit that increases the amount of woman's of 65 or more years old pension through the payment of a bonus for each child, born alive or adopted. ▪ Free Access for Older People to Parks, National Reserves and Monuments (Acceso Gratuito para Personas Mayores a Parques, Reservas y Monumentos): People of 60 or more years old are granted free access to the parks, national reserves and natural monuments that form part of the National System of State Wildlife Protected Areas (SNASPE), which is administered by the National Forestry Corporation (CONAF)
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	In a general perspective, article 2 of Law No. 20.609 defines as arbitrary discrimination any distinction, exclusion or restriction that lacks of reasonable justification and that causes deprivation, disturbance or threat to the legitimate exercise of fundamental rights, particularly when they are based on reasons such as age, among other. From a labor perspective, article 2 of the Chilean Labor Code defines the acts of discrimination as the distinctions, exclusions or preferences based on motives of age, among others, that have for objective the annulation or alteration of the equal opportunities or of treatment in the employment and occupation. There are several judicial sentences that have concluded that the real and hidden reason for the dismissal of an employee is, in fact, his age. For example, in 2016 the 2nd Labour Court of Santiago, in trial number T-318-2016, established that dismissal of several employees was due to discriminatory reasons, as all them were 56 or more years old and served for the employee for over 35 years.
Does your country have a retirement system for older people when they stop working?	Yes

1.7 Survey results – South/Latin America region

Chile

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	In a general perspective, article 2 of Law No. 20.609 defines as arbitrary discrimination any distinction, exclusion or restriction that lacks of reasonable justification and that causes deprivation, disturbance or threat to the legitimate exercise of fundamental rights, particularly when they are based on reasons such as age, among other. From a labor perspective, article 2 of the Chilean Labor Code defines the acts of discrimination as the distinctions, exclusions or preferences based on motives of age, among others, that have for objective the annulation or alteration of the equal opportunities or of treatment in the employment and occupation. There are several judicial sentences that have concluded that the real and hidden reason for the dismissal of an employee is, in fact, his age. For example, in 2016 the 2nd Labour Court of Santiago, in trial number T-318-2016, established that dismissal of several employees was due to discriminatory reasons, as all them were 56 or more years old and served for the employee for over 35 years.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is a private pension system supported by companies or individuals
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.7 Survey results – South/Latin America region

Chile

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	There are no special rules or requirements to do so, though the pensioner has the option of exempting himself from making further pension contributions and, to do so, he must declare it in writing both to his employer and to the pension fund manager to which he is affiliated.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	The law establishes a lower minimum monthly wage for employees of 65 or more years old, of USD \$364.34, approximately, while for employees between 18 and 65 years old the current minimum wage is of USD \$510.60, approximately. There is also the "Senior Experience" (Experiencia Mayor) program developed by the National Service of Capacitation and Employment, that consists on a subsidy for the hiring and capacitation of unemployed senior citizens, of 55 years of age or older, through a bonus of 60% of the minimum monthly income and a training bonus of up to USD \$444.00, approximately, for each person hired, that had 500 vacancies nationwide for year 2023.

1.7 Survey results – South/Latin America region

Chile

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	The limitation consists in the fact that there is no legal ground that entitles a company to terminate older people's employment agreement based on the age of an employee, which is, by the contrary, a criteria forbidden by law as it its considered to be constitutive of possible arbitrary discrimination.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	The limitation consists in the fact that there is no legal ground that entitles a company to terminate older people's employment agreement based on the age of an employee, which is, by the contrary, a criteria forbidden by law as it its considered to be constitutive of possible arbitrary discrimination.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.7 Survey results – South/Latin America region

Chile

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	The National Health Fund (FONASA), is a public agency in charge of providing health care coverage. FONASA is financed by the 7% of the monthly income of each of its affiliates, and by the State through a direct fiscal contribution. Regarding the coverage, FONASA classifies its affiliates in the following in groups, according to their taxable income: (A) lacking resources, therefore they have no co-payments associated with the health care required; (B) income below the minimum wage, no co-payment is associated; (C) and (D) income higher than the minimum wage, have co-payments established. Old age people of groups A and B have free care in public clinics and hospitals; while groups C and D will have, in general terms, a 90 and 80% coverage, respectively, in public clinics and hospitals.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	The Older People National Service has developed the Active Aging Program that aims to contribute for the active aging of older people in social vulnerability situation, granting knowledge and opportunities for their personal development, cognitive, physical and social participation. The aim of the program is to promote older people to participate in different activities.
What prospects or social plans do "older people" have when they stop working in your country?	This is not an issue we handle in detail. It is rather settled fact that older people have a hard time when reaching retirement age. Many have to continue working due to insufficient retirement.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Sure. The focus is currently on improving pensions by making changes to the pension system.
Region	South/Latin America

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Jurisdiction	Colombia
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes An "older person" is someone who is 60 years old or above. Several provisions establish this definition, as follows: 1. The Ministry of Health and Social Protection defines an elderly person as whoever is 60 years of age and older. (available at https://www.minsalud.gov.co/proteccionsocial/promocion-social/Paginas/envejecimiento-vejez.aspx#:~:text=Generally%2C%20an%20older%20person%20is,a%C3%B1os%20of%20age%20or%20m%C3%A1s) 2. Law 2055 of 2020 approved the Inter-American Convention on the Protection of the Human Rights of Older Persons. This convention defines an elderly person whoever is 60 years old and above (Article 2). (available at https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=141981) 3. Law 1251 of 2008 defines an elderly as a person who is 60 years of age or older (Article 3). (available at https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=33964). 4. Law 1276 of 2009 defines an elderly person as a person who is 60 years of age or older. However, at the discretion of the life center specialists, a person may be classified as elderly being under 60 years old and over 55 years old, pursuant to their physical, vital and psychological specific conditions. (Article 7). (available at https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=34495) 5. The Colombian Constitutional Court (C-177/16) has established that the term "elderly" does have a legal meaning in Colombian constitutional case-law, and is linked to those people who, because of their advanced age or because they are in the last period of life, have lost some of their faculties and therefore deserve special constitutional protection. In general, the concepts of "senior citizen", "third age" or "elderly" can be used interchangeably to refer to old age as a preponderantly natural phenomenon that has constitutional implications. (available at https://www.corteconstitucional.gov.co/RELATORIA/2016/C-177-16.htm).

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	According to the National Department of Statistics of Colombia - DANE (for its acronym in Spanish), and the most recent data (from 2020 and 2021), we have the following statistics: ▪ In year 2018 the National Population and Housing Census estimated that for year 2019, approximately 6.5 million elderly people were to live in Colombia, representing the 13.2% of the country's total population. 45% of this group were to be men and 55% women. For year 2019, these projections stated that out of this 13.2% of elderly, the 37.8% were actively working. ▪ This same National Population and Housing Census in 2018, estimated that for year 2021, approximately 7.1 million elderly people were to live in Colombia, representing the 13.9% of the country's total population. 44.9% of this group were to be men (3,189,614) and 55.1% women (3,918,300). For the first half of 2021, out of this 13.9% of elderly, the 32.5% were actively working. ▪ There is no official documentation confirming the projections made by this 2018 National Population and Housing Census. ▪ The branches of economic activity that concentrate the highest number of employed elderly people during 2020 were: agriculture, livestock, hunting, forestry and fishing (26.0%) and trade and repair of vehicles (19.3%). ▪ DANE estimates that by 2030, the elderly population will have increased to 9,739,701 people, this means that they will represent 17.5% of the total population of the country by that time. DANE does not include in its figures the percentage of elderly that would be actively working in Colombia. The sources consulted for this information were: https://www.dane.gov.co/files/investigaciones/notas-estadisticas/nov-2021-nota-estadistica-personas-mayores-en-colombia-presentacion.pdf https://www.dane.gov.co/files/investigaciones/notas-estadisticas/nov-2021-nota-estadistica-personas-mayores-en-colombia.pdf https://www.dane.gov.co/files/investigaciones/genero/presentacion-caracteristicas-generales-adulto-mayor-en-colombia.pdf https://archivo.cepal.org/pdfs/ebooks/Informe_defensorial_vejez_colombia_agosto2020.pdf

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Based on Article 46 of our Political Constitution, older people are a vulnerable group of our society, given their physical, economic and/or sociological conditions, who are entitled to a special protection by the State. Accordingly, Colombia has implemented a series of protections aimed to protect the elderly: 1. Retirement pension: Colombian Social Protection System includes the pension subsystem, which is aimed to guarantee protection against contingencies arising from elderly, disability or death. Employees and individuals with incomes equal or above the minimum monthly statutory salary must affiliate to this subsystem and pay monthly contributions based on their salary or income. Citizens must pay contributions to the pension subsystem while actively working, so that when they reach certain age established by law, they are entitled to receive a retirement pension that ensures they can live in dignity without the need of working. Only those who meet the legal requirements for this purpose may obtain a retirement pension. Worthy to mention that only the 45% approximately of the total working population is formal and, thus, is affiliated to the pension subsystem and makes the monthly quotations. Thus, the majority of the population does not really obtain a retirement pension when they reach elderly. 2. Periodic Economic Benefits ("BEPS", for its acronym in Spanish): This is a voluntary savings program that is part of the Social Protection System, which favors people who do not have the possibility of contributing to the pension subsystem because they do not have earnings over the minimum monthly statutory salary, or who have contributed to the system but not enough to obtain a retirement pension. Under this program, elderly receive some periodic payments that are significantly lower than a retirement pension and which are not ensured to be paid during the lifetime of the elderly, as happens with a retirement pension. Bear in mind that these amounts are usually below USD \$100 and, thus, they cannot really guarantee the basic needs of elderly population under the BEPS program.

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please list and give a simple description of these rights.	3. Protection against dismissal for people who are close to meeting the requirements to access the retirement pension: Employees who are three years or less away to reach the conditions to receive a retirement pension are entitled to this special protection against unilateral termination without cause. To determine the applicability of this protection, two factors must be analyzed: (i) age; and (ii) number of weeks contributed to the sub-pension system. As mentioned below, less than the 50% of the total population is formal and, thus, the majority of people is not covered by these special protections. 4. Social programs: There is subsistence subaccount of the Pension Solidarity Fund financed by mandatory contributions from employees who earn more than four minimum monthly statutory salaries. This subaccount is intended to protect people in a state of indigence, extreme poverty (including elderly citizens) through the granting of economic allowances. One of the most representative social programs is "Colombia Mayor", which is a social protection program for the elderly, that grants an economic allowance for those elderly who are homeless, do not have a pension and/or live in extreme poverty. The economic allowance may be direct (granted in cash directly to the elderly) or indirect (granted in basic social services and delivered through the Elderly Welfare Centers and Day Centers). The program has limited spaces available and those spaces are determined by the Administrative Department For Social Prosperity. The allocation of spaces for the Colombia Mayor program is distributed as follows: i) quotas for allocation by municipality; ii) quotas for allocation to the Indigenous Older Colombia program (CMI); iii) quotas for allocation to Social Protection Centers for the Elderly and Day Care Centers and; iv) quotas for the beneficiary population of the Periodic Economic Benefits (BEPS) program.

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please list and give a simple description of these rights.	In general, the program prioritizes seniors citizens over 70 years old who are registered in the lists of potential beneficiaries. To apply for receiving the allowance, the following requirements must be fulfilled: ▪ Being Colombian citizen. ▪ Have lived in Colombia for the last 10 years. ▪ Be at least 54 years old for women and 59 years old for men. In the case of having applied for the BEPS, the required age is 57 years for women and 62 years for men. ▪ Lack sufficient income to subsist according to the System for the Identification of Potential Beneficiaries of Social Programs (SISBEN, for its acronym in Spanish). 5. Promotion of the hiring of senior citizens mainly through tax benefits (The explanation of this measure can be found in question 16 and 17).
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	The Constitutional Court, in case rulings number SU 109/22 and T-237 de 2023, and some administrative entities, have established the concept of ageism by relying on international definitions of this concept. The Constitutional Court used the concept of the World Report on Ageism, prepared by the Office of the United Nations High Commissioner for Human Rights, the United Nations Department of Economic and Social Affairs and the United Nations Population Fund. The concept of age discrimination is defined by exclusionary acts against an individual, solely on the basis of age.

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Below some comments on this definition: 1. Political Constitution - 1991 (Article 13 available at https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=4125) provides for the right to equality, contemplating that everyone must receive the same protection and treatment from the authorities, and the enjoyment of the same rights, freedoms, and opportunities. Also establishes that the Government will adopt actions in favor of discriminated or marginalized groups. 2. Colombian Labor Code (Article 10 http://www.secretariasenado.gov.co/senado/basedoc/codigo_sustantivo_trabajo.html#25.) provides that all employees are equal before the law and have the same protections and guarantees. Law prohibits any type of distinction by due to the intellectual or material nature of the work, its form or remuneration, gender or sex, except for the exceptions established by law. Age must be understood to be included in this law, by means of application of Article 13 of the Political Constitution. 3. Law 1171, 2007 expressly prohibits age discrimination in access to higher education. 4. Law 931, 2004 expressly prohibits age discrimination in access to employment and establishes an equal treatment right among people on the basis of age. Also, provides that the requirements to access a vacant position or to perform a job must refer to merits or qualities of experience, profession or occupation. In addition, this Law provides that job announcements may not contemplate limitations of age, among other criteria. 5. Protection against termination without cause for people who are close to meeting the requirements to access the old age pension adopted by Law 790, 2002 and the Constitutional Court (SU-003 of 2018). (The explanation of how the protection works can be found in answers to questions 18 and 19) 6. Constitutional Court (T-098 of 1994 available at https://www.corteconstitucional.gov.co/RELATORIA/1994/T-098-94.htm): An arbitrary act aimed to harm a person or group of persons based primarily on stereotypes or social prejudices, usually beyond the individual's control, such as sex, race, national or family origin, or for reasons irrelevant to the purpose of receiving a harm or benefit, such as language, religion, or political or philosophical opinion (...) The discriminatory act is the conduct, attitude or treatment that seeks - consciously or unconsciously - to annul, dominate or ignore a person or group of persons, often appealing to preconceptions or social or personal prejudices, and that results in the violation of their fundamental rights.

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	7. Significant and recent events of age discrimination occurred by the measures adopted in the pandemic caused by COVID-19 (gray hairs rebellion): The Constitutional Court studied actions (SU-109 of 2022) against administrative acts that limited the fundamental rights of older people solely on the basis of their age (limitations to mobility). In this case, the Court warned the National Government from decreasing measures limiting rights based exclusively on an age criterion.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The Colombian Social Protection System is composed by various subsystems, including the pension one. The Colombian pension subsystem is composed of two regimes: the public and the private one. Citizens are free to decide to which subsystem they wish to affiliate. Regimes work as follows: - Public system: Administered by a public-nature Pension Fund Administrator (called Colpensiones) in which all contributions go to the same fund. This means that the retirement pensions are financed with the contributions of younger people who are working and who make the corresponding monthly quotations. To obtain a pension under this regime two requirements, law establishes two requirements: (i) age (57 years for women and 62 for men); and (ii) number of weeks with contributions duly paid to the pension subsystem (1,300 weeks - worthy to mention that the Constitutional Court recently ordered the Congress to issue a regulation on this requirement from a gender perspective, as the law currently expects women to have the same number of weeks contributed to the system in a shorter period of time). - Private system: Administered by private-nature Pension Funds Administrators. Here each affiliate has his/her own savings where all contributions go to an individual savings account of each affiliate who will save to finance his/her own pension. To obtain a pension in this system only one requirement needs to be met: to have an amount that allows the individual to finance a pension equivalent to, at least, the 110% of one minimum monthly legal wage.

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Worth to reiterate that in order to be part of the system, the individual needs to have monthly income so contributions are duly paid. Individuals who do not have formal jobs or activities cannot be part of the system, which makes the system a privilege, in practice, instead of a right. More than 50% of the working population in Colombia is informal and has no access to pension fringe benefits. There is no specific amount of the pension, except that it cannot be less than the minimum statutory monthly salary. The amount of the pension in the public regime depends on the number of weeks contributed to the subsystem and the average salary income reported to the system during the last 10 years of quotations. In the private regime, the amount of the pension will depend on the amount saved in the individual account, the individual's life expectancy and his/her beneficiaries. Individuals have different options to calculate their pension amount expressly established by law. For both systems, it is calculated on an individual basis.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	In Colombia, the pension sub-system is composed of two coexisting and mutually exclusive regimes. One is administered by private entities (Pension fund) and the other one is administered by a public entity, as mentioned and explained in our answer to question 8. Affiliation to the pension is mandatory in the following cases: i) all individuals bound by an employment agreement, ii) public employees, iii) individuals who directly provide services under the modality of independent contractors, iv) population groups that due to their characteristics or socioeconomic conditions are chosen to be beneficiaries of subsidies through the Pension Solidarity Fund and v) public employees who join Ecopetrol as of the effective date of Law 797 of 2003 (January 29, 2003).

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please provide an explanation of the mixed system applicable to your country	Both regimes are built over the principle of solidarity: In the public regime the contributions of the affiliates and their yields constitute a common fund of a public nature that guarantees the payment of benefits. In the private regime, there is a guarantee of a minimum retirement pension as a mechanism through which all affiliates contribute to finance a pension of at least one legal minimum wage for those who meet the conditions established by law: i) Age: (for women 57 years old and for men 62 years old) and ii) a minimum number of weeks of contributions (1150).
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	From the sector perspective: ▪ In the public sector, there is an obligation to retire when reaching 70 years old (Law 1821 of 2016 available at https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=78874). There is an exception that applies to hold positions of popularly elected officials. ▪ In the private sector, there is no obligation to retire from service upon reaching a certain age. Employees can continue working regardless of their age. ▪ However, when the employee is pensioned, the employer may use as just cause for termination of the employment agreement the recognition of the retirement pension (article 62 A, numeral 14 of Colombian Labor Code). This cause could apply once the person has been included in the monthly payroll of pensioners and already received the payment of at least the first pension allowance. In practice, this has implied that in the private sector, companies are allowed to terminate elderly employees once they have obtained their retirement pension. It is a market practice that employers seek termination of these employees, primarily, to promote generational replacement within the organizations.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	1. In the private sector are no special eligibility requirements. Pensioners can be hired as employees or contractors. The only difference is that they are not required to pay pension contributions and must report the "Pensioner" novelty before the social security system while paying the other systems quotations (labor risks, health and payroll taxes). This does not trigger any effects or implications in the employee's pension. 2. An employee from the public sector cannot receive simultaneously salary and a retirement pension from public entities or a pension financed with public funds. Therefore, the employee would only receive his/her salary as public official/employee and the pension allowances would be suspended while the individuals holds a public position with salary assignments. 3. In the public sector, employees who are 70 years old or older cannot be hired, except in very specific situations. Therefore there are no impacts on pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	From a practical and market standpoint, this age is of around 50 - 60 years old. Normally the termination of employment contracts is conducted through mutual termination agreements, in which the will of the worker and the employer converge. In the case of mutually agreed terminations of employment contracts, employers offer a package of transactional benefits to the employees. This package may vary depending on the specific case, the business sector and the company itself. Transactional benefit packages may include sums of money, prepaid medical coverage, among others.
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please give a simple description of such aids or benefits.	1. There are tax benefits to those employers who hire elderly employees (Law 2040 of 2020 available https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=137231#:~:text=DECRETA%3A,saludable%20de%20la%20poblaci%C3%B3n%20colombiana.). There is an income tax deduction applicable to employers who hire people who are not beneficiaries of a retirement pension and who have met the pension age requirement established in the Law. The deduction is equivalent to 120% of the value of the salaries and social benefits paid to these people. These are the requirements to obtain the tax benefits: ▪ Employers with less than 100 employees, where at least 2.5% of the total payroll corresponds to elderly employees without access to retirement pension. This percentage will increase by 0.5% for each 100 employees without exceeding 5%. ▪ The employment relationship must last for a minimum of one year. 2. There is a Senior Friendly Seal program to promote the employability of elderly citizens. This seal may be displayed in a visible place of the establishment, as well as may be incorporated in advertising to inform the public that the establishment is committed to the inclusion of elderly. Companies may use this seal as a social responsibility initiative which we believe currently is an important benefit as users, clients and providers are seeking to have relationships only with socially responsible companies with these campaigns or seals. 3. In public contracting processes, the employability of senior citizens is a tie-breaker. In the event of a tie in the score of two or more bidders, preference will be given to the bidder that demonstrates the employment of the highest percentage of elderly employees who have met the pension age requirement established by law but are not beneficiaries of a retirement, or survivor's pension.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please provide a simple description on the limitations or disincentives	Protection against dismissal for people who are close to meeting the requirements to access the old age pension. Protection against termination without cause of employment of employees who are close to meeting the requirements to access the old age pension: In the public sector, the pre-pension protection was adopted through Law 790 of 2002 (available at https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=6675) . The Constitutional Court (explained in detail in SU-003 of 2018 available at https://www.corteconstitucional.gov.co/relatoria/2018/SU003-18.htm) extended this benefit to employees in the private sector. Please see answer to question 4.
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	Elderly individuals are covered by the health subsystem, which is part of our Social Protection System. Any individual in Colombia can become affiliated to the health system. As a general rule, the health system has two principal coexisting and mutually exclusive regimes. The selection of any of the regimes depends on the payment capacity: ▪ The Contributory Regime: Individuals with any income and payment capacity must affiliate to this regime. Being an affiliate to this regime is mandatory in the following cases: i) persons bound through an employment contract, ii) public employees, iii) pensioners and self-employed employees with the capacity to pay, including community or substitute mothers, apprentices in the elective stage, apprentices in the productive stage, capital investors, among others. ▪ The Subsidized Regime: Affiliates are individuals who do not have the ability to pay a contribution. The affiliates have access to health services through a subsidy offered by the State. These affiliates are classified as poor or vulnerable population in the System for the Identification of Potential Beneficiaries of Social Programs (SISBEN) survey. The coverage of the health system is mainly determined by the Benefit Plan, which is the set of health care services (medicines and contingencies coverage) to which all members of the health subsystem are entitled to. There is no difference on this regard among the regimes.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Please give a simple description of these measures.	Law 1171 of 2007 grants benefits to persons 62 years of age and older to guarantee their rights to education, health, recreation, culture and accessibility: ▪ A 50% discount is granted on the cost of tuition at official institutions of higher education (Only available for people classified under Sisben I and II). ▪ Assignment by the Health Promoting Companies (EPS) of outpatient medical, dental and specialist doctor services and diagnostic support to members over 62 years of age within 48 hours following the request; ▪ Delivery of the prescribed medicines to the member's home within 72 hours, when they have not been immediately supplied by the EPS. ▪ A 50% discount in the ticket price for public, cultural, sports, artistic and recreational shows held in venues belonging to the Nation or territorial entities; ▪ A discount of not less than 50% on the value of admission fees to tourist sites owned by the State (differential fee). ▪ Free admission to the cultural assets of the Nation, Districts and Municipalities, and cultural centers. ▪ Additional provisions include: i) exclusive seating for senior citizens in public transportation and a differential fare for access to urban mass public transportation systems lower than the ordinary fare; ii) a preferential window for senior citizens in public entities; and (iii) the legal clinics of law schools should give priority attention to queries and requests from senior citizens. consultations and requests from senior citizens.
What prospects or social plans do "older people" have when they stop working in your country?	There are not special social plans. Please refer to previous answer.

1.7 Survey results – South/Latin America region

Colombia

Question	Answer
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. There are some measures that could be implemented to improve the rights of older people mainly through education programs. While many education and literacy programs exist, they tend to be geared toward children and youth. It is possible that programs could be generated to educate and train older adults in skills that will keep them relevant in the labor market and in society itself. In fact, the digital inclusion of the elderly is one of the social mechanisms that can be most valuable in the fight against their social exclusion.
Region	South/Latin America

1.7 Survey results – South/Latin America region

Dominica

Question	Answer
Jurisdiction	Dominica
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The Dominica Council on Ageing ('DCOA') has defined an 'older person' as an individual who has reached the age of 60 years or beyond. The retirement age, according to the Social Security Act, stands at 65 years. Statistical insights obtained from the CIA World Fact Book indicate that approximately 13.36% of Dominica's populace consists of individuals who have attained the age of 65 years.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	The following benefits are payable under the Dominica Social Security Act: Dominica Social Security Age Pension is payable to an Insured person who has attained the Retirement Age, which is 65 years according to the Social Security Act, and had paid a minimum of 500 Credits. Age Grant is a lump sum amount payable to the Insured Person who has attained the Retirement Age, but who has only paid 50 to 499 Credits.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No

1.7 Survey results – South/Latin America region

Dominica

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The system in place is the mandatory insurance coverage provided by the Dominica Social Security for individuals engaged in gainful employment, spanning the age spectrum from 16 to 65 years. Regarding retirement eligibility, early age retirement is an option accessible to Insured Persons upon reaching the age threshold of 60 years. The definition of the Retirement Age as outlined by the Social Security Act is the attainment of 65 years. This demarcation signifies the point at which an Insured Person is deemed to have reached the prescribed Retirement Age. The determination of the pension amount, where applicable, is contingent upon various factors such as the individual's contribution history, employment duration, and other relevant parameters, as stipulated within the framework of the Social Security system.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A

1.7 Survey results – South/Latin America region

Dominica

Question	Answer
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The Dominica Social Security Board is a statutory body established by the Dominica Social Security Act. All individuals between the ages of 16 and 65 who are involved in gainful employment are mandated to be covered by the Dominica Social Security Board's compulsory insurance framework. This foundational element ensures a baseline level of retirement security for a wide spectrum of the working population. In tandem with the statutory insurance coverage, the system permits individuals to supplement their retirement planning through private pension arrangements facilitated by private companies offering pension plans.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	In accordance with the provisions outlined in the Social Security Act, an insured individual who has reached the age of 65 and fulfilled the requisite contribution threshold to the Dominica Social Security Fund is eligible to receive pension benefits, regardless of their ongoing engagement in gainful employment. This mechanism provides the opportunity for individuals to sustain their professional activities beyond the retirement age, should they choose to do so.

1.7 Survey results – South/Latin America region

Dominica

Question	Answer
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	One noteworthy advantage is that employers are relieved of the obligation to contribute to the Social Security Fund for employees who have reached the age of 65.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Within Dominica's legal framework, there are specific guidelines and restrictions pertaining to the termination of contracts for employees who fall under the protective purview of the Protection of Employment Act, primarily encompassing non-managerial staff. The termination of employment contracts for these individuals is bound by well-defined parameters. Such terminations are exclusively permissible when they are substantiated by legally stipulated reasons, which include instances of serious misconduct, demonstrably unsatisfactory performance, or situations of redundancy as defined by the Act.

1.7 Survey results – South/Latin America region

Dominica

Question	Answer
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Medical services rendered to patients who are aged 60 years or above and seek care at state-owned hospitals and primary health care clinics are funded by the government.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No

1.7 Survey results – South/Latin America region

Dominica

Question	Answer
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Older people who require assistance due to health conditions or disabilities can benefit from some forms of support provided by the State, including home care services and caregiver assistance. Many older individuals continue to contribute to society by engaging in volunteer work, mentorship roles, or sharing their knowledge and experiences with younger generations. Access to natural features like the rivers, beaches and sulfur springs, cultural events and social gatherings provide opportunities for older individuals to enjoy their leisure time and maintain an active lifestyle.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Elderly Rights Legislation: Develop and enact comprehensive legislation that explicitly outlines the rights and protections afforded to older individuals. This could cover areas such as employment, healthcare, housing, and social services. Anti-Discrimination Laws: Establish laws that prohibit age-based discrimination in various sectors, including employment, healthcare, and access to services. These laws can help ensure equal treatment and opportunities for older individuals. Accessible Public Spaces: Implement infrastructure modifications to make public spaces, transportation, and buildings more accessible for older people, including those with mobility challenges. Establish well-regulated and high-quality long-term care facilities for the elderly. Education and Awareness: Raise awareness among the general public about the challenges and contributions of older individuals, promoting a more inclusive and respectful society. Elder Abuse Prevention: Develop strategies and resources to prevent elder abuse and provide support for victims.
Region	South/Latin America

1.7 Survey results – South/Latin America region

Ecuador

Question	Answer
Jurisdiction	Ecuador
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes. An "older person" is any person with 65 years old or above.
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The percentage of appropriate employment for older people in Ecuador was 14.2% in 2022.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Older people are entitled to receive an employer's pension or retirement through the social security system as long as they meet the conditions for it. ▪ Employer's pension: Employees who for 25 years or more have rendered continuous, or have rendered services, continuously or interruptedly, are entitled to be retired by their employers. They may receive a monthly pension or a lump sum pension by mutual agreement with their employer. Those who have between 20 and 25 years of service will be entitled to a proportional employer's pension.

1.7 Survey results – South/Latin America region

Ecuador

Question	Answer
Please list and give a simple description of these rights.	▪ The employees affiliated to the Ecuadorian Institute of Social Security, have the right to access the old age pension as long as they meet one of the following conditions: a. 60 or more years of age and accredit at least 360 monthly contributions; b. 65 or more years of age, provided he/she registers a minimum of 180 monthly contributions; c. 70 or more years of age, provided that he/she registers a minimum of 120 monthly contributions; or, d. At any age, and 480 monthly contributions or more.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Elderly population in Ecuador might especially suffer from economic, health and social discrimination. I. On the economic aspect elderly people discrimination could comprehend deprivation from their property by family members and difficulty to access job opportunities due to their condition. In addition, the elderly population often does not have access to retirement plans, or those plans are insufficient to guarantee a decent livelihood. II. On the health aspect, as elders frequently suffer from degenerative or chronical diseases, most of them do not have the access to medical centers that have the equipment and capable personal near their residence.

1.7 Survey results – South/Latin America region

Ecuador

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	III. On the social aspect, elders are usually abandoned having no relatives willing to take care of them. Social discrimination may also be present on the provide public and private services. Ecuador's Constitution recognizes elders as especially protected and vulnerable citizens. Special policies that pretend the social inclusion of older people as physical and cognitive programs are developed by the Ecuadorian government. There are also tax return laws that allow elderlies to recover their IVA contributions. Some examples of elderly people discrimination are preference on hiring younger people as they are considered a better investment and least risky to hire, during the pandemic for COVID medical attention was given to younger people first, among others.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The Ecuadorian government provides two kinds of retirement plans (Old Age retirement Plan and Incapacity Retirement Plan) by means of the Ecuadorian Institute of Social Security. The retirement plan amount is calculated by: multiplying the basis estimate with the annual ratio. The basis estimate is the average of the 5 best years of remunerations and the annual ratio is a value established by IESS according to the number of years the person contributed to the social security. The conditions for the mentioned plans are: ▪ Incapacity Retirement Plan: given to people that have cease working for at least 60 days and with a permanent incapacity to work. ▪ If there is a sickness allowance the person would need at least 60 contributions to social security, 6 of them consecutives and immediately before the retirement plan ▪ Is there is a disability allowance of 24 months the person would need at least 120 contributions to the social security.

1.7 Survey results – South/Latin America region

Ecuador

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	▪ Old Age Retirement Plan: given to elderlies that have cease working for at least 60 days. ▪ People with 60 years of age with at least 360 contributions to the social security. ▪ People with 65 years of age with at least 180 contributions to the social security. ▪ People with 70 years of age with at least 120 contributions to the social security. ▪ The retirement plan would be reduced on a 40% if the retired elder starts working again. ▪ The retirement plan would be suspended if the retired elder starts working again with the same employer on the first 12 months of the retirement plan; and the employer would be obligated to pay for 12 months of the pension.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A

1.7 Survey results – South/Latin America region

Ecuador

Question	Answer
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Ecuadorian law does not establish eligibility restrictions for a retired elderly to work while receiving the retirement pension. Anyhow the conditions are: ▪ The retirement plan would be reduced on a 40% if the retired elder starts working again. ▪ The retirement plan would be suspended if the retired elder starts working again with the same employer on the first 12 months of the retirement plan; and the employer would be obligated to pay for 12 months of the pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	Yes
Please explain your answer	Even though Ecuadorian law establishes retirement by means of the social security institute there is also a retirement plan mandatory to employers. The employers mandatory plan, is given to those employees with 20 to 25 years of work under the same employer which sometimes causes employers to terminate or dismissed employees before that period, whereby, the 19th year of labor the employee is at risk of being terminated. Termination can be carried out either with the agreement of the employee or not, on the first and second case the compensation values will be different. If there is a unjustified layoff there is an special and higher severance payment. If there is a mutual agreement termination employers may offer a higher severance to encourage the employee to leave.

1.7 Survey results – South/Latin America region

Equador

Question	Answer
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No

1.7 Survey results – South/Latin America region

Ecuador

Question	Answer
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Access to health can be fully covered by the government or by means of the social security system.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Government has instated functioning programs, that include recreational activities such as handcrafts, fieldtrips, dance classes and exercises, that allowed elders to be active, interact with each other and not be enclosed.
What prospects or social plans do "older people" have when they stop working in your country?	An example of insteated Social Plans is "60 Y PiQuito".
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	N/A
Region	South/Latin America

1.7 Survey results – South/Latin America region

El Salvador

Question	Answer
Jurisdiction	El Salvador
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Up to July 27, 2021, 596,403 women and 453,236 men older than 60 years. No additional information available.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Retirement fund to be received from a Pension Funds Administrator
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.7 Survey results – South/Latin America region

El Salvador

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	No individual can be discriminated because of age reasons. Some examples of discrimination could be earning lower wages, or not being eligible for certain work positions
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Employees can chose for retirement when reaching 60 years men and 55 years women, the pension amount will depend on the quotes paid by the employee during his/her working years
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	The Pension System will comprise the set of rules and measures that will be applied by the Pension Fund Administrators, in order to administer the resources destined for the payment of benefits that must be recognized to their affiliates, to cover the common risks of Old Age, Disability and Death. The Superintendence of the Financial System, a governmental entity, shall be responsible for supervising compliance with the provisions of the law and the corresponding regulations.

1.7 Survey results – South/Latin America region

El Salvador

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	There are no eligibility retirement, and the employer can not force the employee to retire, but the employee must continue paying the pension funds quote while continue working
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A

1.7 Survey results – South/Latin America region

El Salvador

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	Yes
Please provide a simple description on the limitations or disincentives	Reaching certain age is not a cause for terminating labor contracts
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	In general, according to the Special Law for the Protection of the Rights of Older Persons, they have the right to continuing education, training and training programs at all levels, including new technologies.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	The Social Security scheme was established in 1954 and covers all workers regardless of the type of employment relationship that binds them, the form of remuneration and whether or not they depend on an employer, in the risks of disability, old age and widowhood (for the enjoyment of health benefits).

1.7 Survey results – South/Latin America region

El Salvador

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	Care centers for the elderly are those establishments duly registered in accordance with applicable law, which provide geriatric services. Among these are residences or homes, day centers, canteens, dormitories and various types of homes for the elderly.
What prospects or social plans do "older people" have when they stop working in your country?	None
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Will require to address resources for said purpose
Region	South/Latin America

1.7 Survey results – South/Latin America region

Guatemala

Question	Answer
Jurisdiction	Guatemala
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	An older person is defined as a person who is 60 years old or older regardless of her sex, religion, race or color. According to the last survey issued by the National Estatistics Institute, by 2019 the number of older people actively working were 400,000.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	According to Guatemala's Constitution, the basic needs of older people shall be protected, including their health, education, social security and food supply. As per specific rights, older people who worked and contributed to the Institute of Social Security have the right to a monthly allowance, medicines, and access to doctors and hospitals. There is also a specific pension program for older people who worked for the government. The pension applies to people who is 50 years or older or that contributed to the pension program for at least 20 years. Other specific programs promoted by the government, include benefits for older people who did not contributed to the Institute of Social Security and who are in poverty or extreme poverty. These programs provide older people with food, recreative activities focused on physical health, health programs, psychological support and occupational therapy.

1.7 Survey results – South/Latin America region

Guatemala

Question	Answer
Please list and give a simple description of these rights.	Additionally, a recent program was approved to provide to people of age 65 or older with a monthly allowance of approximately USD 63.00. Some municipalities all over the country also offer occupational activities and donate to older people some goods, like food or tools, to assist older people with their different needs. Other public entities, such as the National University, may have specific pension programs for older people.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Age discrimination is crime regulated in Guatemala's criminal code. The crime implies any distinction, exclusion, restriction or preference based on a person's age that impedes a person or a group the exercise of any right legally established by the law, customs or international treaties in human rights. To combat age discrimination, the Ombudsman institution has a specific office which purpose is to defend the rights of older people. There is also a specific office at the Attorney General institution which addresses claims of older people, including any discrimination actions. An example of a case of age discrimination would be the limited access to jobs for older people.
Does your country have a retirement system for older people when they stop working?	Yes

1.7 Survey results – South/Latin America region

Guatemala

Question	Answer
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	In Guatemala, there is a retirement system only applicable to persons that :1) Contributed to the Social Security Institute while working in the public or private sector; 2) Contributed to the Government Pension Program, which applies only to persons who worked for the government; or 3) Persons who worked for institutions with specific programs or contributed to professional associations (e.g. the National University or the Guatemalan Bar for lawyers). The described systems have different eligibility requirements. For the program promoted by the Social Security Institute, the person shall be at least 60 years old and had contributed a minimum of 240 months to the pension. For the Government Pension Program, the person shall be at least 50 years old and had contributed a minimum of 20 years to the program. The other programs depend on the specific institution. As per the type of retirement, it shall be a full retirement. As per the pension amount, it depends on the contributions made. It usually is between Q. 2,000.00 (USD 250.00) to Q. 5,000.00 (USD 625.00) monthly. However, it could be higher depending on the specific program.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	It is managed by the state but funded by the contributions made by employers and employees.
Can an employee in your country be forced to retire at a certain age?	No

1.7 Survey results – South/Latin America region

Guatemala

Question	Answer
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	For example, a persona can retire of their work at the government but can continue working for the private sector and vice versa. This applies to any type of work or entity (private or public). The eligibility requirements do not change and these actions do not impact the employee's pension. Therefore, a person could be eligible for multiple pensions.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	It is not a benefit or aid per se. However, the Ministry of Labor grants a recognition to companies that hire older people as being consider an inclusive employer.

1.7 Survey results – South/Latin America region

Guatemala

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	According to the Law for the Protection of Older People, older people has the right to be trained according to their capacities for their reintegration to the workforce. Based on this provision, the government and some municipalities have trainings programs to teach older people to read and write, use of computers and others.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.7 Survey results – South/Latin America region

Guatemala

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	For the health services provided or managed by the Social Security Institute, the health public coverage is paid with the contributions made by workers from the public and private sector. The extent of the coverage depends on the people needs. It includes medical assistance and medicines. As per older people who did not contribute to any pension or similar program managed by the Social Security Institute, they can access to national hospitals and could be more affected as national hospitals have less resources.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	Yes
Please give a simple description of these measures.	There are some programs from the government, the Social Security Institute and municipalities on occupational therapy to which older people can assist. However, it is not mandatory for older people to assist.
What prospects or social plans do "older people" have when they stop working in your country?	The plans available for older people when they stop working in Guatemala, are to access to a pension (subject to complying with the requirements previously described), health care (subject to the conditions previously described) and occupational therapy or activities.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. A public retirement program available to all older people regardless of their labor background (mainly since there is a significant number of persons that work in the informal economy). An aid or benefit for companies that hire older people. E.g. Tax incentives.
Region	South/Latin America

1.7 Survey results – South/Latin America region

Mexico

Question	Answer
Jurisdiction	Mexico
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	As of the second quarter of 2022, older people constituted around 14% of the population of Mexico. Of that percentage, around 49% work on their own and 38% have a subordinated work. Source: https://www.inegi.org.mx/contenidos/saladeprensa/aproposito/2022/EAP_ADULMAY2022.pdf
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Pension: Older people registered before the Mexican Social Security Institute have the right to obtain a pension. This right is subject to the older people having the required amount of recognized (registered) weeks before the Mexican Social Security Institute. There is a law reform initiative to oblige employers, that have more than 20 employees, to employ at least 5% of older people.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No

1.7 Survey results – South/Latin America region

Mexico

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Older people registered before the Mexican Social Security Institute can retire and receive their public pension once: (i) they are between 60 (early retirement) and 65 (full retirement) years old; (ii) his or her register before the Mexican Social Security Institute has been cancelled; and (iii) he or she has at least 1,000 recognized weeks. This is applicable to those that started their employment relationship after 1997. For those that started before, the age is the same, but the minimum recognized weeks is 500 weeks. For those that started working before 1997, the pension amount depends on the average salary of the last 5 years before requesting the pension. Those who started after 1997, the pension amount depends on the total amount accumulated and saved throughout the working life.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system

1.7 Survey results – South/Latin America region

Mexico

Question	Answer
Please provide an explanation of the mixed system applicable to your country	There are different types of private and public pensions for older people. Private pensions are the least common and are sustained by contributions made by companies and employees, as any other private pension plan. The most common are the public pensions of the Mexican Social Security Institute (IMSS) and the Mexican Institute for Social Security and Services for State Workers (ISSSTE). The first one is for all employees working in private companies (employers must register before IMSS), and the latter, for employees working for the government. In the public pensions of the IMSS and ISSSTE, contributions are made by employees, companies and the State, with the most contributions made by the first two.
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	This is not applicable for older people working for the government. In this case, the pension is suspended. This is not applicable for older people that starting working after 1997. In this case, the pension is suspended. For older people that started working before 1997 and are registered before IMSS: (i) they must wait at least 6 months since they started receiving pension; (ii) they cannot have the same job position; and (iii) the received salary must be at least 50% less than the one they received before requesting pension.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No

1.7 Survey results – South/Latin America region

Mexico

Question	Answer
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	Yes
Please give a simple description of such aids or benefits.	For tax purposes, companies that employ people older than 65 years, can deduct from their Income Tax obligations, up to 25% of their paid salary.
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	Yes
Please provide a simple description of this training right.	This is applicable for all employees, including older people. Employers with more than 50 employees, have the obligation to regularly provide training every year.

1.7 Survey results – South/Latin America region

Mexico

Question	Answer
Please provide a simple description of this training right.	For employers with less than 50 employees, the Ministry of Labor and Ministry of Economy must provide programs and training. Nonetheless, any employee can attend the programs and trainings provided by the Ministry of Labor and Ministry of Economy.
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	This services are free and are covered by the government. It covers First and Second Level of care. First Level of Care attends primarily outpatient services. Second Level of Care includes actions and specialized services, hospitalization and emergencies. Third Level of Care is not included which attends the most complex diseases, requiring specialized equipment and installations.
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A

1.7 Survey results – South/Latin America region

Mexico

Question	Answer
What prospects or social plans do "older people" have when they stop working in your country?	Usually, older people get into new and easier jobs to keep themselves busy.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes. There is a law reform initiative to oblige employers with more than 20 employees, to employ at least 5% of older people.
Region	South/Latin America

1.7 Survey results – South/Latin America region

Paraguay

Question	Answer
Jurisdiction	Paraguay
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	"Older people" (60+ years) in Paraguay represent 10.5% of the total population. The percentage of "older people" who are actively working is of 4.5%.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Upon reaching 60 years of age + 25 years of contribution to the social security, a person can retire and receive 100% of the retirement benefit. Upon reaching 55 years of age + 30 years of contribution to the social security, a person can retire and receive 80% of the retirement benefit + 4% increase for each additional year of contribution. Upon reaching 65 years of age + 15 years of contribution to the social security, a person can retire and receive 60% of the retirement benefit + 4% increase for each additional year of contribution.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No

1.7 Survey results – South/Latin America region

Paraguay

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	Upon reaching 60 years of age + 25 years of contribution to the social security, a person can retire and receive 100% of the retirement benefit. Upon reaching 55 years of age + 30 years of contribution to the social security, a person can retire and receive 80% of the retirement benefit + 4% increase for each additional year of contribution. Upon reaching 65 years of age + 15 years of contribution to the social security, a person can retire and receive 60% of the retirement benefit + 4% increase for each additional year of contribution.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A

1.7 Survey results – South/Latin America region

Paraguay

Question	Answer
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	Upon reaching 60 years of age + 25 years of contribution to the social security, the employer can unilaterally make the employee retire and the employee will receive 100% of the retirement benefit. The implication of this retirement is that the employment relationship is therefore terminated.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	Retired employees can execute employment contracts. As they are retired, these employees are not enrolled in the employer's social security payroll. Retired employees do not have the right to severance for termination. There is no impact in the retired employees pension who still work.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A

1.7 Survey results – South/Latin America region

Paraguay

Question	Answer
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes
Please explain who pays for the coverage and the extent of the coverage.	Full health coverage is granted by the employees' social security system. Coverage is paid by monthly contributions made by the employee and the employer to the social security system.

1.7 Survey results – South/Latin America region

Paraguay

Question	Answer
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Culturally, there are no prospects or social plans that "older people" make when they stop working. In most cases, when they stop working, "older people" tend to stay at home.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Yes, such as: (i) mandatory trainings; (ii) incentives for employers who hire "older people"; and, (iii) policies aimed to "older people" after the stop working.
Region	South/Latin America

1.7 Survey results – South/Latin America region

Peru

Question	Answer
Jurisdiction	Peru
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	The Law No. 30490, Law of Older Persons, establishes that a person over 60 years of age is considered an "older person". By August 2023, there were 4 million 598 thousand people aged 60 and over, which represents 13.6% of the country's total population. Of the total number of older people, 57.1% are working.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	The Law No. 30490 establishes that the rights for older people regarding employment or social security are the following: i. Access to education and training programs. ii. Actively participate in the social, labor, economic, cultural and political areas of the country. iii. Perform job or tasks in accordance with their physical or intellectual capacity.
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	No

1.7 Survey results – South/Latin America region

Peru

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	N/A
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	The systems are the following: i. Retirement due to legal age: Available from the age of 65. It is not mandatory. ii. Early retirement: Available from the age of 50. The requirements are that the fund allows you to access a pension equivalent to 40% of the current remuneration, demonstrate 72 monthly contributions in the last 120 months prior to your application. iii. Special Regime for Early Retirement due to Unemployment (REJA): Available is available from the age of 50. The requirements are to be unemployed for 12 consecutive months. iv. Early retirement due to terminal illness or cancer: If the Disability Evaluation and Qualification process is carried out and there is a report of terminal illness or cancer that does not determine the condition of disability, early retirement is possible. v. Retirement for high risk work: For people who performed high risk activities such as open pit or subway mining or civil construction. It can be accessed from the age of 40 years depending on the activity performed, with a minimum of 20 years of contributions and 10 years performing the high-risk activity.

1.7 Survey results – South/Latin America region

Peru

Question	Answer
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	The country has a mixed system
Please provide an explanation of the mixed system applicable to your country	There are two pension systems: i. Public Pension System, which is made up of the military and police regime - law decree 19846, public servants - law decree 20530, diplomatic servants - legislative decree 20530, and the National Pension System (SNP) - Legislative Decree Law 19990. You contribute to a common fund, which finances the pensions of current retirees. Under this system, when you retire, your pension will come out of the fund built by the contributors at that time. It is mandatory that you have 20 full years of contributions. If at retirement you had 18 years and 3 months of contributions, unfortunately you would not receive a pension. The maximum pension is S/893.00 US\$ 241.35 and the minimum pension is S/500.00 or US\$ 135.13, both amounts will be subject to the 4% EsSalud discount. ii. Private Pension System, which is managed by private individuals through corporations called AFPs, which administer pensions of public and private employees. under the supervision of the Superintendency of Banking, Insurance and AFP (Superintendencia de Banca, Seguros y AFP). It is based on the individual capitalization system; that is, your contributions go to an account in your name, where you build your pension fund over the years. This fund is made up of your contributions and the returns they have generated.

1.7 Survey results – South/Latin America region

Peru

Question	Answer
Please provide an explanation of the mixed system applicable to your country	Since your fund is yours, there is no minimum mandatory time of contributions. The amount of the pension will depend on the frequency of your contributions, the return generated, your type of fund, among other factors. iii. National Program ""Pensión 65"" Pension granted to adults over 65 years of age who lack basic conditions for their maintenance. They receive S/300.00 or US\$ 81.08 every two months.
Can an employee in your country be forced to retire at a certain age?	Yes
Please provide a simple description of the obligation and its practical implications.	Retirement is mandatory and automatic when the employee reaches seventy years of age, unless the employee agrees otherwise with the employer.
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	There is no procedure for returning to work. The employee only decides to reapply for a job. Acceptance will depend on the requirements of the job. There are some differences between the private and public systems: - Private: there are no mandatory contributions to the pension system and the employee can receive simultaneously pension and remuneration without any limit. - Public: the 13% of the remuneration is a mandatory contribution, and the pension and remuneration can be received simultaneously, as long as the sum does not exceed 50% of a tax unit (approx. US\$ 668.91).
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No

1.7 Survey results – South/Latin America region

Peru

Question	Answer
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A

1.7 Survey results – South/Latin America region

Peru

Question	Answer
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	No
Please explain who pays for the coverage and the extent of the coverage.	N/A
Please explain how "older people" cope with healthcare.	There is a public health system called Sistema Integral de Salud (SIS), for all Peruvians who do not have health insurance. There are 5 SIS insurance plans: ▪ SIS Free: for people in extreme poverty, poverty, pregnant mothers, children, firefighters, among other groups included by regulation. ▪ SIS For All: for people who do not have health insurance, regardless of their economic condition. ▪ SIS Independent: for any citizen at a low cost. ▪ SIS Micro-enterprises: for owners of micro-enterprises who want to enroll their workers. ▪ SIS Emprendor: for independent workers who do not have employees in their charge (such as hairdressers, dressmakers, gasfitters, etc).
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No

1.7 Survey results – South/Latin America region

Peru

Question	Answer
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	Only to receive a pension.
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Specifically, in the labor sector, in order to encourage the companies to hire old people, it could be established as an obligation for all companies to hire a certain percentage of elderly people, as is the case for people with disabilities.
Region	South/Latin America

1.7 Survey results – South/Latin America region

Venezuela

Question	Answer
Jurisdiction	Venezuela
Is there a legal definition of what is meant by "older person" in your country, or at least a commonly accepted concept of what is meant by "older person"?	Yes
Please define and include statistics on the percentage of "older people" in the country in relation to the total population and the percentage of "older people" who are actively working.	Regarding to the latest data recorded by the United Nations Department of Economic and Social Affairs: Population Division (2022), people older than 60 years of age compose an estimate of 12.53% of the total population of Venezuela. Of said percentage, as stated by the National Institute of Statistics of Venezuela in its report from 2018, 32.2% of people 65 or older are active workers in the economy of Venezuela.
Are there any employment or social security rights in your country for people who reach a certain age?	Yes
Please list and give a simple description of these rights.	Elderly retirement
Is there a concept of "age discrimination" (defined by law, by the courts, by any other body or by custom and usage) in your country (from an employment or from any other point of view)?	Yes

1.7 Survey results – South/Latin America region

Venezuela

Question	Answer
Please give a simple description of what such discrimination consists of and whether there are specific tools to combat it. In addition, give specific examples of cases of age discrimination in the country.	Regarding to the Organic Labor and Workers Law, discrimination practices are contrary to the principles of that Law and, consequently, it prohibits any distinction, exclusion, preference or restriction in access and working conditions, based, among others, on reasons of age.
Does your country have a retirement system for older people when they stop working?	Yes
Please describe the system, the eligibility for retirement, the definition used for the different possible types of retirement (partial/full, active), retirement age and pension amount, if applicable.	According to the Social Security Law, females over 55 years old and males over 60 years old qualify for the pension system in Venezuela. In addition, they must have 750 weekly quotes accredited before de Social Security Institute and proof of the last 6 working years. The current amount of pensions in Venezuela is VEF 130.00, or approximately USD 4.00 to date, in addition to the Bonus Against the Economic War valued at Bs. 500.00 (USD 15,00) indexed monthly according to the exchange rate of the Central Bank of Venezuela.
Please explain what the economic outlook is for older people when they stop working (do they have to live on savings or family support, is there any other support in the country, etc.).	N/A
How does the pension system for older people work in your country?	It is public and supported by the state
Please provide an explanation of the mixed system applicable to your country	N/A

1.7 Survey results – South/Latin America region

Venezuela

Question	Answer
Can an employee in your country be forced to retire at a certain age?	No
Please provide a simple description of the obligation and its practical implications.	N/A
Is it possible for an employee to continue working while receiving a retirement pension?	Yes
Please explain how they can do so, the eligibility requirements and the impact this has, if any, on the employee's pension	According to the Social Security Law, females over 55 years old and males over 60 years old qualify for the pension system in Venezuela. In addition, they must have 750 weekly quotes accredited before de Social Security Institute and proof of the last 6 working years. The current amount of pensions in Venezuela is VEF 130.00, or approximately USD 4.00 to date, in addition to the Bonus Against the Economic War valued at Bs. 500.00 (USD 15,00)indexed monthly according to the exchange rate of the Central Bank of Venezuela.
Is there an age range in your country that companies use as a basis for terminating/dismissing employees?	No
Please explain your answer	N/A
Are there any aids or benefits in your country for hiring older people (from an employment and social security point of view, or from the perspective of any other type of benefit, such as taxation)?	No

1.7 Survey results – South/Latin America region

Venezuela

Question	Answer
Please give a simple description of such aids or benefits.	N/A
Are there any limitations or disincentives in your country for the termination of older people's contracts?	No
Please provide a simple description on the limitations or disincentives	N/A
Do older people in your country have the right to training so they can adapt to the new circumstances existing in the job markets (training provided by the companies themselves or by the public institutions of the country)?	No
Please provide a simple description of this training right.	N/A
Is there an obligation or recommendation in your country to adapt the job to the age of the employee?	No
Please provide a simple description of this obligation or recommendation.	N/A
Is there public health coverage for older people in your country?	Yes

1.7 Survey results – South/Latin America region

Venezuela

Question	Answer
Please explain who pays for the coverage and the extent of the coverage.	The state, but it is quite poor
Please explain how "older people" cope with healthcare.	N/A
Are there any measures in your country that apply to older people after they stop working, to keep them busy or engaged in society?	No
Please give a simple description of these measures.	N/A
What prospects or social plans do "older people" have when they stop working in your country?	The pension system
Do you think there are any measures that could realistically be implemented in your country to improve the rights of older people?	Improve the amount of old-age pensions, and create distraction centers so older people can socialize
Region	South/Latin America

Baker McKenzie delivers integrated solutions to complex challenges.

Complex business challenges require an integrated response across different markets, sectors and areas of law. Baker McKenzie's client solutions provide seamless advice, underpinned by deep practice and sector expertise, as well as first-rate local market knowledge. Across more than 70 offices globally, Baker McKenzie works alongside our clients to deliver solutions for a connected world.

bakermckenzie.com

© 2024 Baker McKenzie. All rights reserved. Baker & McKenzie International is a global law firm with member law firms around the world. In accordance with the common terminology used in professional service organizations, reference to a "partner" means a person who is a partner or equivalent in such a law firm. Similarly, reference to an "office" means an office of any such law firm. This may qualify as "Attorney Advertising" requiring notice in some jurisdictions. Prior results do not guarantee a similar outcome.