

Comments Template on CP-12-003 – Draft Technical Specifications QIS IORP II		Deadline 31 July 2012 18:00 CET
Name of Company:	Pensionskasse der Wacker Chemie VVaG Hanns Seidel Patz 4 – 81737 Munich Germany	
Disclosure of comments:	Please indicate if your comments should be treated as confidential:	Public
<p>Please follow the following instructions for filling in the template:</p> <ul style="list-style-type: none"> ⇒ Do not change the numbering in the column "reference"; if you change numbering, your comment cannot be processed by our IT tool ⇒ Leave the last column <u>empty</u>. ⇒ Please fill in your comment in the relevant row. If you have <u>no comment</u> on a paragraph or a cell, keep the row <u>empty</u>. ⇒ Our IT tool does not allow processing of comments which do not refer to the specific numbers below. <p>Please send the completed template, <u>in Word Format</u>, to CP-12-003@eiopa.europa.eu. Our IT tool does not allow processing of any other formats.</p> <p>The numbering of the paragraphs refers to Consultation Paper 12-003.</p>		
Reference	Comment	
General Comment	<p>Dear Sir or Madam</p> <p>The Wacker Pensionsfonds is one of the big Pensionskassen in Germany. It was founded in 1928. The current number of members comes to roughly 17, 000. We pay annuities to more than 7,000 pensioners in the amount of around 50 million Euros. The covering assets are more than 1.6 billion Euros. The Pensionskasse is highly esteemed by the staff and is crucial for the additional pension provisions</p> <p>One distinction between an insurance company and an IORP is, that the IORP, like the German</p>	

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	<p>Pensionskasse VVaG, a kind of pension fund, is not able to require capital from the market e.g. from share holders. Only the plan sponsor, the company that offers occupational pensions to its employees, can provide the pension fund with capital.</p> <p>An introduction of a framework similar or comparable to the Solvency II framework regarding the capital requirements for IORP will result in a situation where the employer can reduce the occupational pension for future service years of the employee in accordance with German labour law. In some cases there will be even the possibility to reduce already earned pension claims to avoid a financial collapse of the sponsoring company. As an other result of an introduction of Solvency II for IORP employers will be forced to change towards other pension vehicles, that are not subject of the IORP-directive, e.g. book reserved pension plans financed by the employer himself without using any kind of pension funds..</p> <p>At short notice the Pensonskasse is not able to comment on the technical specifications for the QIS of EIOPA 's Advice on review of the IORP Directive.</p> <p>We expect strongly that our sponsor companies wil not longer support our pensionfund if the intentional rules will take place - never mind raise additional money. We are convinced there will be uncalculable damages for the German Pensionskassen if the plans of the European Commission will be agreed. From our point of view there is no sense in these plans.</p>	
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