

## **Amendment No. 2 to the Insurance Benefits Regulations of the PKE Energy Pension Fund Cooperative dated 1 October 2008**

pursuant to a resolution of the Assembly of Delegates of 24 September 2010, changes in italics

### **Art. 6a**

#### **Pre-financing of early retirement**

- (1) After purchasing the full benefits under the Regulations, insured members may maintain an additional savings account. This savings account is intended to reduce or balance out any pension reduction resulting from early retirement.
- (2) Deposits or contributions may only be paid into the *additional savings account* up to the *amounts* given in the *relevant Appendix* (see table in the Appendix).
- (3) *The insured benefit plan governs whether and to what extent the company will participate in the costs of early retirement.*
- (4) If the pension reduction on the basis of early retirement has been purchased, the contribution obligation for retirement contributions ceases at the latest on the date when the insured member could take retirement with the same retirement pension that they would receive upon reaching regular retirement at age 65. In the event of continued employment, the retirement pension may not exceed the maximum benefit target at age 65 by more than 5%. Any savings which exceed this 5% limit shall be forfeited to PKE.
- (5) Deposits and regular contributions shall accrue interest from the date of receipt at a rate to be determined by the Board of Directors on an annual basis. The Board of Directors shall endeavour to pay the technical interest rate on the *savings in the additional savings account*. Where justified, the Board may deviate from the technical interest rate and set another rate.
- (6) The *additional savings account* is used on retirement to provide a pension increase or a lump sum payment. In the event of permanent full disability, the savings accrued in this account shall be paid out to the insured member. In the event of death before retirement, this savings capital shall be paid out pursuant to Art. 24 paras. 2 - 5. In the event of the termination of the pension relationship, Art. 29 shall apply as appropriate.

### **Art. 6b**

#### ***Defined contribution schemes for variable salary components and allowances and for the financing of bridging pensions***

*Supplementary to these Regulations, the PKE may set up defined contribution schemes for variable salary components and allowances and for the financing of bridging pensions for the affiliated companies and their insured members. Detailed provi-*

*sions relating to such schemes are set out in the corresponding appendices to these Regulations. The determination and amendment of the appendices is subject to approval by the Board of Directors.*

### **Art. 8**

#### **Payment conditions, due date and delays in payment**

All contributions shall be due and paid by the company to PKE within 15 days of issue of the invoice at the latest. This shall be subject to the provisions governing interest contributions pursuant to Art. 10a para. 3. *From the due date onwards, interest on arrears of 5% per annum shall be charged. Unpaid contributions shall be notified to the supervisory authority within three months of the due date.*

### **Art. 24 para. 2**

#### **Lump sum death benefit**

- (2) The following are entitled to the lump sum death benefit, independently of inheritance law, according to the following order of eligibility:
  - a) the spouse and children of the deceased who are eligible for an orphan's pension;
  - b) in the absence of beneficiaries designated under a), the persons for whose support the deceased was substantially responsible or the person who lived together continuously in a domestic relationship with the deceased in the last five years before their death or who is responsible for supporting one or more joint children, provided that they are not already receiving a spouse's or partner's pension;
  - c) in the absence of beneficiaries designated under a) and b), the remaining children who do not fulfil the requirements pursuant to Art. 22,  
*in their absence, the parents of the deceased,  
in their absence, the siblings of the deceased;*
  - d) in the absence of beneficiaries designated under a), b) and c), the other legal heirs, excluding the public purse, in the amount of one half of the lump sum death benefit.

Persons designated under b) are only eligible if they submit a written application with the relevant proof to PKE at the latest three months after the death of the insured member.

**Art. 26b**

**Conditions regarding payment**

*A lump sum settlement is paid in lieu of a pension if the retirement or disability pension is less than 10%, the spouse's, partner's or divorced spouse's pension less than 6% or the orphan's pension less than 2% of the minimum AHV retirement pension.*

**Art. 32**

**Entry into force**

These Regulations were approved by the Assembly of Delegates at their meeting of 24 September 2010 in Olten and shall enter into force on 1 October 2010.