

Direct Request (CEACR) - adopted 2019, published 109th ILC session (2021)

Social Security (Minimum Standards) Convention, 1952 (No. 102) - Italy (Ratification: 1956)

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Part V (Old-age benefit). Article 26(2) of the Convention. Increase of pensionable age beyond 65 years. The Committee notes from the Government's 34th (2019) annual report on the application of the European Code of Social Security (Code), which contains a similar provision, that the normal retirement age has been gradually increased from age 65 in 2011 to age 67 in 2019. The Committee recalls that in accordance with *Article 26(2)*, the prescribed age shall be not more than 65 years or such higher age as may be fixed by the competent authority with due regard to the working ability of elderly persons in the country concerned. ***The Committee therefore requests the Government to provide information on the working ability of elderly persons, including, for example, data on the healthy life expectancy (HLE), disability free life expectancy (DFLE), and employment rate among elderly persons in Italy.***

Article 28(a), in conjunction with Article 65. Calculation of old-age pension. The Committee notes the calculations provided by the Government in its 2019 annual report on the application of the Code, which contains the same provision, showing that the old-age pension of a standard beneficiary attains a replacement rate of 56.4 per cent. The Committee notes however that the Government does not specify how this standard old-age pension has been calculated, i.e. whether it was based on 30 years of contributions or more and whether the standard beneficiary is assumed to retire at the normal retirement age or later. Moreover, the Committee notes that family allowances for two children have been added to the pension, which is not permitted for this purpose, as the standard beneficiary in case of old age is defined as a man with wife of pensionable age (without children), as set out in the Schedule to Part XI of the Convention. ***The Committee requests the Government to provide more detailed calculations of the old-age pension which a standard beneficiary would be entitled to and to calculate the replacement rate in accordance with Titles I–III, V of Article 65 of the report form for the Convention, i.e. based on a period of contributions of not more than 30 years for a person drawing his/her old-age pension at the normal retirement age.***

Article 29(2)(a). Reduced benefit after 15 years of insurance. The Committee notes the indication provided by the Government in its 2019 report on the application of the Code, which contains the same provision, that, according to Law No. 214/2011, for workers insured after 1 January 1996 under the notional defined-contribution system, the minimum qualifying period for an old-age pension is 20 years (1,040 weeks) of contribution, provided that the amount of pension must not be less than 1.5 times the minimum monthly amount of social allowance (€686.99 in 2019). The Committee further notes from the information provided by the Government that this pension is payable at age 67 (in 2019 and 2020) and that workers insured after 1 January 1996 with less than 20 years of contributions are entitled to a contributory pension (regardless of the amount) only at the age of 71 years (from 1 January 2019 to 31 December 2020), if they have accrued at least five years of effectively paid contributions. The Committee observes that these provisions effectively deprive workers insured after 1 January 1996 of the right to a reduced old-age pension irrespective of their amount, as required under *Article 29(2)(a)*, upon reaching the pensionable age and completion of a qualifying period of 15 years of contribution. ***Based on the above, the Committee requests the Government to ensure that all persons protected have the right to a reduced social insurance pension after 15 years of contribution, in line with Article 29(2)(a).***

Part X (Survivors' benefit). Articles 62(a) and 63(5). Conditions for entitlement. The Committee takes due note of the information provided by the Government in reply to its previous request concerning the conditions for entitlement to survivors' benefit.