

## Do I retain my expatriation allowance? If I acquire the nationality of my country of employment?

Luxembourg, 20 June 2019

The question of maintaining the expatriation allowance for colleagues who acquire the nationality of the country of employment is settled by the Staff Regulations:

### ANNEX VII – ART. 4

An expatriation allowance equal to 16 % of the total of the basic salary, household allowance and dependent child allowance paid to the official shall be paid:

#### a) to officials:

- who are not and have never been nationals of the State in whose territory the place where they are employed is situated,  
and
- who during the five years ending six months before they entered the service did not habitually reside or carry on their main occupation within the European territory of that State. For the purposes of this provision, circumstances arising from work done for another State or for an international organisation shall not be taken into account;

b) to officials who are or have been nationals of the State in whose territory the place where they are employed is situated **but who during the ten years ending at the date of their entering the service habitually resided outside the European territory of that State** for reasons other than the performance of duties in the service of a State or of an international organisation.

see also:

<https://myintracomm.ec.europa.eu/staff/en/working-conditions/mobility/Pages/expatriation-allowance.aspx?ln=en>

The problem seems to be that PMO, in order to grant what is a statutory right, requires the person concerned to provide them with documentation that seems to us to be unreasonable.

In particular, they sometimes request that the colleague in question produce documents such as copy of their employment or lease contracts, which are often impossible to obtain 10 or 20 years after leaving the country in which they had lived before starting their career in the institutions.

On the initiative of **Union Syndicale Fédérale Luxembourg**, several unions have asked DG HR to open a social dialogue with PMO in order to define once and for all which documents can be legitimately requested in order to prove the right to maintain the expatriation allowance despite acquiring the nationality of the country of employment

**Contacter l'USF Luxembourg n'est pas seulement contacter un syndicat ; c'est avoir accès à une expertise, un suivi personnalisé et une disponibilité constante**

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