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STRUCTURAL PENSIONS AND EARLIER RETIREMENTS

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ABSTRACT. Poland, undertaking the activities aiming at rural areas development has introduced structural pensions. These pensions increase the income level of rural areas inhabitants as well as the competitiveness and rentability of agriculture. Moreover, the structural pensions influence the decrease of state expenditure on insurance paid out by Agricultural Social Insurance Fund (ASIF).

Key words: early retirement, structural pensions, state expenditures on social insurance

Introduction

Since 1 May 2004, Poland, having become a member of the European Union, has been receiving financial support from the Cohesion Fund and structural funds. The Cohesion Fund aims at supporting other funds. Its resources have been designed to co-finance environmental projects and investments targeted at building trans-European networks of communication. At the same time, structural funds have been designed to subsidise structural changes in the agriculture of the EU countries and supporting the development of rural areas (The European Agricultural Guidance and Guarantee Fund Guidance Section), actions attempted at preventing unemployment (European Social Fund – ESF), diminishing the differences in regional development of the EU (European Regional Development Fund – ERDF) and modernising the fishing sector (Financial Instrument for Fisheries Guidance – FIG) (Czykier-Wierzba 2005).

Structural pensions are one of the instruments involved in structural changes in agriculture, expected to improve agrarian structure. Apart from these rents, similar benefits enabling earlier retirements are used.

The article aims at comparing both kinds of benefits with respect to the number of beneficiaries, the average amount of benefits and the expenses connected with their functioning.

Data from secondary sources, i.e. Agricultural Social Insurance Fund (ASIF), Central Statistical Office (CSO) and Agency for Restructuring and Modernisation of Agriculture (ARMA), has been used in this publication.

Structural pensions

Attempts at restructuring and modernizing the food sector as well as developing rural areas, including structural pensions, had already been made before 1 May 2004 (**Plan rozwoju...** 2004). The structural pension benefit was the subject to structural pensions act of 26 April 2001 (**Ustawa...** 2001), which came into effect on 1 January 2002. The benefit has encouraged a number of farmers to withdraw from agricultural activity and transfer the property of arable land so as to improve the quality of agrarian structure.

The above act was based on the Council Regulation (EC) No 1257 of 17 May 1999, regulating the support for rural development by the The European Agricultural Guidance and Guarantee Fund (EAGGF), amending or abolishing some other regulations (**Rozporządzenie...** 1999).

The Act of 26 April 2001 defines the rules of granting, paying and financing structural pensions. The list of legitimacy criteria for this benefit includes:

- being between 55 and 60 years old – women or between 60 and 65 years old – men,
- having been subject to old-age insurance, specified in the legal acts concerning farmers' social insurance, for a period required to qualify for agricultural pension after reaching the age of 55 – women or 60 – men,
- having continually run agricultural activity for 10 years before applying for structural pension, the agricultural activity being the sole source of income,
- withdrawing from agricultural activity,
- transfer of farm property of at least 3 ha.

The structural pension amounts to 150% of the lowest pension. The benefit is paid as soon as the beneficiary reaches retirement age or qualifies for pension or old-age pension due to social security insurance or obligatory insurance for employees and their families, for a period not longer than five years. Structural pensions are paid by ASIF and financed from the state budget.

If a farmer remains in bonds of marriage and both spouses fulfil eligibility criteria for structural pensions, a benefit amounting to 150% of the lowest pension is granted to both spouses.

In order to soften the criteria for being granted a structural pension and improve the agrarian structure, the act of support for rural areas development with funds from The EAGGF Guidance Section of 28 November 2003 was introduced (**Ustawa...** 2003). The act included an entry, according to which the deadline for applying for structural pensions on the basis of the Act of 26 April 2001 in ASIF was moved to an earlier date. However, structural pensions granted by ASIF will be issued according to the earlier regulations, independently from the new, EU structural pensions. Applications for the new structural pensions are can only be submitted to the ARMA (**Nowy program...**). Granting these pensions is expected to result in:

- improvement in the structure of farms and their productivity,
- securing incomes for farmers who will withdraw from agricultural activity having reached the pre-retirement age,
- reducing the average age of people running agricultural activities (accelerating the process of generation exchange),
- assigning arable areas for non-agrarian purposes in case running farming activity in these areas cannot be economically viable.

At the same time, the Regulation of the Council of Ministers of 30 April 2004, regulating the conditions and course of granting financial support for gaining structural pensions, included in the agenda for rural areas development, came into effect on 1 August 2004 (**Rozporządzenie...** 2004). The regulation imposes new eligibility criteria for being granted the benefit. A farming producer being a natural person, running their own agricultural activity in the territory of Poland is entitled for the structural pension if they meet the following criteria:

1) they have been recorded in the register of producers, being a part of the national system of registry of producers, registry of farms and registry of applications for financial grants,

2) they have no areas on ground of social insurance contributions.

Furthermore, in order to encourage farmers to apply for structural pensions, the regulation introduces amendments to the previous eligibility criteria for the benefit, i.e.:

1) it standardises the age limit for farmers applying for the pension, making it 55 for both women and men,

2) it reduces the required area of transferred farmland from 3 to 1 ha,

3) it extends the period of paying the benefit and increases its amount.

Presently, the structural pension is granted for a 10-year period and its minimum amount is equal to 210% of the lowest old-age pension. Moreover, the amount can be increased:

1) by 50% of the lowest old-age pension for a transfer of a farm of at least 3 ha of arable land, should the property of arable land be included in the farm be transferred,

2) by 3% of the lowest old-age pension for each transferred hectare of arable land of a farm of over 3 ha of arable land, once the land is transferred to increasing the area of another farm and, additionally, by 3% of the lowest old-age pension for every hectare of arable land if the land has been transferred to a farmer below the age of 40, but for not more than 20 ha of arable land exceeding 3 ha of these land.

The total amount of a structural pension cannot exceed 440% of the lowest old-age pension.

If a farmer remains in bonds of marriage and both spouses fulfil the criteria of eligibility to be granted a structural pension, the benefit is granted to one of them. However, the amount of the benefit is increased by 60% of the lowest pension if the following criteria are met:

1) the transferred arable land was a source of income for both spouses,

2) both spouses met the eligibility criteria on the day of transfer,

3) the spouse of the applicant does not have their own sources of earned income or other kind of employment, being subject to social insurance, except for running a non-farming activity and they are not entitled for an old-age pension, a social insurance pension or obligatory insurance for employees.

Should the farmer entitled for structural pension become eligible for a social insurance pension, obligatory insurance for employees or social insurance for farmers while receiving the structural pension, the amount of structural pension is decreased by the amount of the other pension.

Little interest in structural pensions was noticed between 2002 and 2003. Only 1793 applications for structural pensions were submitted in the period on the basis of the Act of 26 April 2001 of structural pensions in agriculture (**Plan rozwoju...** 2004), of which 451 people were paid the benefit in 2003 and 726 people were paid the benefit in 2004 (Table 1). It needs to be stressed that the estimated number of benefits amounted to 8000

Table 1

**The number and total amount of structural pensions paid out in 2003-2005
(on the basis of ASIF data)**
**Liczba i łączna kwota rent strukturalnych wypłaconych w latach 2003-2005
(na podstawie danych KRUS)**

Year Rok	The number of paid out pensions Liczba wypłaconych rent	The amount of paid out pensions (thou. PLN) Kwota wypłaconych rent (tys. zł)
2003	451	4.801,7
2004	726	7.471,7
2005	726*	7.352,2*

*Initial data.

*Dane wstępne.

(Ociepla 2002). Still, since 2005, the number of farmers applying for structural pensions and receiving the benefit started to increase. The data from the Management Information System of ARMA of 28 February 2006 shows that the number of the submitted and considered applications amounted to 41 994 and the amount of paid funds reached 489 867 400 PLN (**Informacja...** 2006). The plan of rural areas development for the period of 2004-2006 includes the amount of 640.5 M. EUR, of which 512.4 M. comes from the European Union and 128.1 M. is Poland's share. The estimated number of beneficiaries amounts to 55 000 (**Plan rozwoju...** 2004).

A very strict procedure concerning farmers remaining in bonds of marriage and running the agricultural activity with their spouse significantly influence the number of submitted applications for structural pensions. As both spouses are subjects to the procedure, they have to fulfil the criteria defined by law at the same time. It seems crucial that not meeting any of the conditions by any of the spouses deprives both of them of the right to being granted the benefit. The above regulation is not valid if one of the spouses has a right for a pension benefit, a social insurance benefit or is subject to obligatory insurance for employees. However, the mentioned criteria significantly reduce the number of people applying for structural pensions.

Other important factors resulting in limited interest in structural pensions include the conditions to be fulfilled by farmers applying for the benefit. According to the regulations of the act of 26 April 2001 of structural pensions (**Ustawa...** 2001), the farm may only be transferred to a natural person who:

- is a farmer,
- has qualifications for farming,
- is not eligible for an old-age pension, social insurance pension or obligatory insurance for employees,
- is an owner of a farm of an area which, merged with the transferred farm, amounts to an area of at least 15 ha.

The act also enables a transfer of a farm to a legal person or an organisational unit without legal personality, once the scope of their activity includes agricultural activity.

According to the Regulation of the Council of Ministers of 30 April 2004, concerning detailed conditions and procedures of granting financial support for structural pen-

sions involved in the agenda for rural areas development (**Rozporządzenie...** 2004), the contract of transferring a farm or arable land being part of it can be concluded with:

- 1) a natural person who
 - is not eligible for an old-age pension, a social insurance pension or obligatory insurance for employees,
 - is a farmer younger than the farmer transferring the farm or their successor,
 - is professionally qualified to run agricultural activity,
 - will commit themselves to run agricultural activity in the transferred arable land for a period not shorter than five years,
- 2) a legal person or an organisational unit without legal personality:
 - if their activity includes agricultural activity,
 - in order to protect the environment, particularly to create or increase the area of national parks or nature reserves,
- 3) a natural person, a legal person or an organisational unit without legal personality, once the area has been destined for afforestation in the zoning plan.

In light of the above, farmers may encounter difficulties connected with finding natural persons, legal persons or organisational units without legal personality, meeting the above criteria and willing to acquire a real estate.

As it has already been mentioned, structural pensions are only granted to farmers and their spouses – if they run an agricultural activity together. However, the members of a farming household who are subject to social insurance, are not entitled for the benefit. If a farmer is granted a structural pension, the members of the household who do not meet the criteria for being granted pension benefits lose the right for social insurance. At the same time, they are given the option of social insurance in another farm or on the basis of non-farming activity. Surely, this results in a dramatic reduction of the number of farmers applying for structural pensions. No doubt, the height of structural pensions, greatly exceeding basic pensions, is a factor motivating farmers to applying for structural pensions.

The amount of a structural pension, granted on the basis of the act of 26 April 2001 (**Ustawa...** 2001) reached 828.95 PLN in 2003, 843.87 PLN in 2004 and 2005, while the lowest pension amounted to 552.63 PLN in 2003 and 562.58 PLN in 2004 and 2005 (**Wskaźniki...** 2006). At the same time, the lowest structural pension, paid on the basis of the regulations of the Act of support for rural development by the The EAGGF of 28 November 2003 and executive regulations from 2005 amounts to 1181.42 PLN.

Earlier retirements

Earlier retirements granted on the basis of the act of social insurance of farmers of 20 December 1990 (**Ustawa...** 1998) are an important tool of improving agrarian structure and securing the income of old farmers who have withdrawn from agricultural activity. In order to qualify for an earlier retirement, a farmer has to meet the following conditions:

- 1) having reached the age of 55 – women or 60 – men,
- 2) being subject to social insurance for at least 120 quarters (i.e. 360 months),
- 3) having withdrawn from agricultural activity.

The benefit consists of two parts:

1) a contributory part, which amount is influenced by the period of being subject to social old-age and disability pension insurance (assuming 1% of the basic old-age pension per each year of being insured),

2) a complimentary part, which amount depends on the number of years of being insured, taken into account while calculating the contributory part (it ranges between 85 and 95% of a basic pension); it is paid after withdrawing from agricultural activity.

However, a farmer who becomes entitled for an agricultural pension being five years younger than the retirement age, receives less of the complimentary part, the reduction equal 25% of the basic pension. Then the complimentary part is increased by 5% of the basic pension every year before reaching the retirement age.

Between 2002 and 2003, the number of pensions paid on the basis of earlier retirements was relatively high. Still, as a result of introducing the programme of structural pensions, the number of people using that benefit decreased from 81 324 in 2002 to 55 678 in 2005 (Table 2).

Table 2

**The number and total amount of early retirement pensions paid out in 2002-2005
(on the basis of ASIF data)**
**Liczba i łączna kwota wcześniejszych emerytur wypłaconych w latach 2002-2005
(na podstawie danych KRUS)**

Year Rok	The number of paid out early retirement pensions Liczba wypłaconych wcześniejszych emerytur	The amount of paid out early retirement pensions (thou. PLN) Kwota wypłaconych wcześniejszych emerytur (tys. zł)
2002	81.324	600.659,6
2003	82.536	630.246,0
2004	65.872	505.763,0
2005	55.678	414.567,0

It was seriously influenced by the amount of an earlier retirement (it reached, on average, 636.33 PLN monthly in 2003, 639.83 PLN monthly in 2004 and 620.48 PLN monthly in 2005). After comparing the average level of old-age and disability pensions, earlier retirement benefits and structural pensions, it turns out that the last mentioned benefit is the most comprehensive (Table 3). The difference between that benefit and an average earlier retirement pension amounted to 223 PLN in 2005.

It needs to be mentioned that the criteria of eligibility for the benefit, based on the regulations of the act of 20 December 1990 (*Ustawa...* 1998), are softer. Withdrawing from agricultural activity without transferring the property of the farm is a vital factor influencing the farmers' interest in earlier retirements. An old-age pensioner or a receiver of a disability benefit is considered to have withdrawn from agricultural activity if both they and their spouse are not owners or co-owners of a farm and they do not run a special activity, apart from:

1) owning agricultural areas, forests, ponds and areas where buildings have been located, which are not subject to farming tax,

Table 3

Average monthly pension in 2003-2005 (on the basis of ASIF and CSO data)
Przeciętne miesięczne świadczenia emerytalno-rentowe w latach 2003-2005
(na podstawie danych KRUS i GUS)

Year Rok	Pension Świadczenie emerytalno-rentowe	Structural pension Renta strukturalna	Early retirement pension Wcześniejsza emerytura
2003	726,97	887,23	636,33
2004	747,25	857,63	639,83
2005	757,84	843,92	620,48

2) special areas, on which the tax does not exceed half of the farming tax from one hectare taken for calculation purposes,

3) leased areas, basing on a written contract concluded for at least 10 years and registered in the registry of areas and buildings, to a person not being:

- the spouse of an old-age pensioner or a receiver of a disability benefit,
- their descendant or stepchild,
- a person remaining in the pensioner's household,
- the spouse of the above-mentioned person,

4) leased areas owned by the Treasury,

5) areas permanently excluded from farming activity basing on separate regulations, including wooded farming areas,

6) lands and special areas belonging to the spouse with whom the pensioner got married after acquiring the right for an agricultural pension or agricultural disability benefit,

7) ownership (or share in co-ownership) not confirmed with appropriate official documents if the owned (co-owned) areas are not the farmer's property or the property of their spouse (**Ustawa...** 1998).

It needs to be stressed that a number of people who do not meet the criteria of being granted a structural pension granted on the basis of the regulations of the act of structural pensions of 26 April 2001 (**Ustawa...** 2001) use the opportunity of earlier retirement, which is confirmed by their participation in pension benefits (Table 4).

Initially, little interest was noticed in structural pensions, which was caused by limited criteria of accessibility to the structural pensions programme, relatively low level of the benefits (structural pensions reached the amount of 828.96 PLN on 1.03.2003 and 843.87 PLN on 1.03.2004) and farmers' increased interest in the future direct payments and other financial measures within the confines of the Common Agricultural Policy. Although the number of the beneficiaries has been gradually increasing, the share of structural pensions paid by ASIF in the total number of paid pensions is relatively low (0.026% in 2003, 0.042% in 2004 and 0.044% in 2005). At the same time, the number of farmers interested in new structural pension is significantly higher than the number of farmers receiving benefits from ASIF. The share of the new EU structural pensions (submitted applications under consideration) in the total of pension benefits amounts to 2.53%. It needs to be noticed that the number of people using the opportunity of subjective benefits and the total area of transferred arable land, has been increasing, and 85.5% of them have been transferred to farmers under 40 (**Stan realizacji...** 2005).

Table 4

The share of structural pensions and early retirement pensions in total amount of pensions paid out to farmers in 2003-2005 (%) (on the basis of ASIF and CSO data)
Udział rent strukturalnych i wcześniejszych emerytur w świadczeniach emerytalno-rentowych wypłaconych rolnikom indywidualnym w latach 2003-2005 (%)
(na podstawie danych KRUS i GUS)

Year Rok	Structural pensions Renty strukturalne	Early retirement pensions Wcześniejsze emerytury
2003	0,026	4,70
2004	0,042	3,85
2005	0,044*	3,35

*Initial data.

*Dane wstępne.

As it has already been mentioned, structural pensions, paid on the basis of the act of 26 April 2001 (**Ustawa... 2001**), are financed from the state budget and granted on the basis of the Regulation of the Council of Ministers of 30 April 2004 (**Rozporządzenie... 2004**), are co-financed by the European Union (80%) and Poland (20%). Earlier retirement benefits are paid from the Old-age and Disability Pension Fund, which funds are obtained from the state budget (90%). The analysis of national expenditure connected with paying subjective benefits (Table 5) shows that the planned expenses for structural pensions were issued in about 70% in 2003, in about 85% in 2004 and in 79% in 2005. At the same time, the national expenses in the Old-age and Disability Pension Fund nearly reach the planned value, resulting from the Budget Acts for 2003-2005. Moreover, in comparison to 2004, the planned expenses on ASIF were reduced in 2005 (15.4 billion

Tabela 5

State expenditures on ASIF in 2003-2005 (thou. PLN) (on the basis of the budget acts of 2003, 2004, 2005 and reports on the realization of state budget in the period of 1.01-31.12.2003, 1.01-31.12.2004 and 1.01-31.12.2005)
Wydatki budżetu państwa na KRUS w latach 2003-2005 (tys. zł) (na podstawie ustaw budżetowych na lata 2003, 2004, 2005 oraz sprawozdań z wykonania budżetu państwa za okres 1.01-31.12.2003, 1.01-31.12.2004 i 1.01-31.12.2005)

Year Rok	Plan			Realization – Wykonanie		
	total ogółem	PF FER	structural pensions renty strukturalne	total ogółem	PF FER	structural pensions renty strukturalne
2003	15 618 642	15 013 899	7 201	15 547 604	15 013 899	5 058
2004	15 684 572	15 130 746	9 108	15 684 572	15 129 962	7 780
2005	15 386 099	14 710 000	9 780	15 362 087	14 710 000	7 682

PLN) and 2006 (14.9 billion PLN), which included a reduction in the Old-age and Disability Pension Fund (14.7 billion PLN in 2005 and over 14.9 billion PLN in 2006). The above situation resulted from the government's predictions concerning farmers' increased interest in new structural pensions. At the same time, planned expenses on structural pensions were reduced by about 18% in 2006, in comparison to 2005 (9.8 billion PLN in 2005 and 8.0 billion PLN in 2006). This was due to not fulfilment of the plan for 2003-2004 and from the stagnation in the number of people receiving the benefit.

It needs to be mentioned that the share of expenditure on ASIF in the planned expenses of the state budget between 2003 and 2006 is relatively small, amounting to about 7% (Fig. 1).

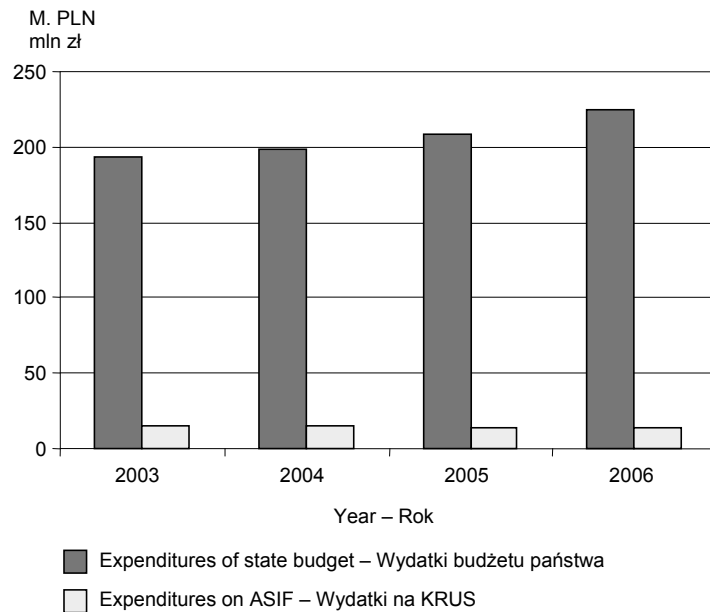


Fig. 1. Expenditures on ASIF in state budget in 2003-2006 (on the basis of budget acts of 2003-2006)

Ryc. 1. Wydatki na KRUS w budżecie państwa w latach 2003-2006 (na podstawie ustaw budżetowych na lata 2003-2006)

The decrease of budgetary expenditure on ASIF is caused by the changes implemented in the agrarian policy of the state, which aims at supporting both expenses on structural changes in rural areas and social expenditure.

Conclusions

The meaning of structural pensions is vital for stimulating the expected transformations in agriculture and in rural areas. They contribute to an increase in the incomes of the rural population, securing benefits for farmers who have withdrawn from agricul-

tural activity and, simultaneously, enabling young farmers to receive income from agricultural activity. They also increase the competitiveness and profitability of agriculture by improving the structure of farming areas. Moreover, they result in a decrease of state expenses on long-term benefits paid by ASIF.

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RENTY STRUKTURALNE A WCZEŚNIEJSZE EMERYTURY

Streszczenie

Polska w ramach prowadzonej w Unii Europejskiej Wspólnej Polityki Rolnej podjęła działania w zakresie restrukturyzacji i modernizacji sektora żywnościowego oraz rozwoju obszarów wiejskich. W tym celu są stosowane instrumenty sprzyjające poprawie struktury agrarnej, a mianowicie renty strukturalne. W początkowym okresie można było zaobserwować małe zainteresowanie tymi świadczeniami. Z pewnością było to spowodowane m.in. ograniczonymi kryteriami dostępu do programu rent strukturalnych oraz funkcjonowaniem w Polsce świadczeń o podobnym charakterze, jakimi są wcześniejsze emerytury. Jednakże stopniowo liczba osób korzystających z programu rent strukturalnych wzrasta. Świadczenia te zachęcają rolników w wieku przedemerytalnym do zaprzestania prowadzenia działalności rolniczej i przekazania użytków rolnych osobom młodym. Ponadto przyczyniają się do wzrostu dochodów ludności wiejskiej zarówno starszej, która zrezygnowała z prowadzenia gospodarstw rolnych, jak i młodszej, która uzyskuje wyższe dochody z działalności rolniczej. Jednocześnie renty strukturalne zmniejszają wydatki państwa na świadczenia długoterminowe wypłacane przez KRUS.