

New Rules for Supplementary Pensions from 1 July 2026.

Let's get straight to the point.



Automatic enrolment in supplementary pension schemes: what changes for employers from 1 July 2026.

Legal framework

From 1 July 2026, the new rules on supplementary pension provision introduced by the 2026 Budget Law (i.e. Law no. 199 of 30 December 2025) will come into effect.

For employees hired from that date, the previous tacit-consent mechanism will be replaced by automatic enrolment in a supplementary pension scheme. Under the old system, the employee had six months to make a choice and, in the absence of any express decision, only the TFR (the statutory severance/leaving indemnity accrued during Italian employment) was paid into the fund's guaranteed, low-risk investment line (comparto garantito). Under the new system, a newly hired employee is treated as enrolled from the date of hiring unless they make a different choice within 60 days.

This makes the employer the first point of contact in the information process. At the time of hiring, the employer must give the employee the required information notice, collect the relevant forms and, if the 60-day period expires without a different choice being made, start making the required payments to the pension fund, with effect from the date of hiring.

The new rules do not apply to employment relationships already in place on 30 June 2026, unless a new employment relationship begins after that date.

From an operational point of view, the COVIP (Italy's pension-fund supervisory authority) directives of 19 June 2026, published on 22 June, clarify a number of doubtful cases. From 1 July 2026, they fully replace the COVIP resolution of 24 April 2008.

COVIP has also clarified the key concept of "first employment" as meaning being hired for the first time as an employee.

Automatic enrolment applies to private-sector employees and does not include domestic workers and public-sector employees.

How automatic enrolment works

IA first-time employee is treated as enrolled in supplementary pension provision from the date of hiring.

SUPPLEMENTARY PENSION

If the employee does nothing within the 60-day period, that silence confirms the enrolment that has already taken effect by law.

An opt-out, on the other hand, must be communicated to the employer. It is a unilateral act and, if made, takes effect retroactively from the date of hiring, when automatic enrolment is deemed to have begun.

The pension scheme to be used

- **General rule:** the pension scheme is the collective scheme provided for by the applicable collective agreements, including local or company-level agreements.
- **More than one scheme available:** the relevant scheme is the one identified by the company-level agreement. If there is no company-level agreement, the scheme used is the one with the largest number of members in the company on the date of hiring.
- **No applicable agreements:** the residual COMETA fund is used. In that case, only the full amount of the accruing TFR is paid into the fund, with no employer or employee contributions.

Amounts paid and start date

Automatic enrolment means that the full amount of the employee's accruing TFR is paid into the pension scheme, together with the employer and employee contributions in the amounts set out by the applicable agreements.

The employee contribution is not compulsory where the employee's gross annual pay is below the amount of the social allowance (the employee may declare this within the 60-day period).

Enrolment becomes final once the 60 days have expired. However, both the formal enrolment date and the contribution obligation run from the date of hiring, meaning the amounts due are calculated retroactively from that date.

SUPPLEMENTARY PENSION

Employer obligations

From 1 July 2026, HR departments will need to manage three separate stages

Stage	Employer action
At the time of hiring	Give the new employee an information notice covering the applicable collective agreements, the automatic-enrolment mechanism, the pension scheme that will be used, the choices available and the relevant deadlines. The employer should obtain a signed copy as proof of receipt. The employee must also be given the form for choosing how their TFR is to be treated.
Within 60 days	Collect the completed forms according to the employee's profile (the section for first-time employees or the section for employees with previous employment relationships, as appropriate). The employer must keep the declaration and give a copy to the employee.
Once the 60 days have expired	If automatic enrolment applies, contact the pension fund and set up the required contribution payments from the following month, including all amounts due from the date of hiring. The fund will then send the employee a welcome letter with information on the investment lines and the relevant documentation.

Practical cases

a) First-time employees hired from 1 July 2026

This covers employees hired for the first time as private-sector employees.

If they do not make a different choice within 60 days, they are automatically enrolled in the relevant collective pension fund.

During the 60-day period, the employee may make one of the following choices:

- They may confirm the enrolment, including by remaining silent (tacit consent). In that case, the full TFR and the full employer and employee contributions are paid into the relevant scheme.
- They may enrol expressly or partially. For example, they may allocate only a percentage of their TFR, where this is allowed by the applicable agreements, or choose an investment line other than the default line.

SUPPLEMENTARY PENSION

- They may opt out of automatic enrolment. In that case, they may either enrol expressly in another pension scheme of their choice or keep the TFR under the ordinary rules of section 2120 of the Italian Civil Code, with payment into the INPS (Italy's national social security institute) Treasury Fund where the relevant conditions are met.

b) Employees who are not in their first employment relationship (re-hired) and are hired under a new contract from 1 July 2026

For employees who have already had previous private-sector employment relationships (section 9-bis), the employer must provide the relevant information and ask the employee to declare the choice made in the past. The position then depends on the employee's previous pension arrangements.

- **The employee is already enrolled in a supplementary pension scheme and pays TFR into it, whether in full or in part:** they have 60 days to indicate the scheme to which their accruing TFR should be paid. If they do not do so, they are automatically enrolled in the relevant collective pension fund. In this case, they cannot choose to keep the TFR with the employer.
- **The employee is enrolled in a supplementary pension scheme but does not pay TFR into it (for example because only contributions are paid):** the automatic mechanism does not apply. The TFR is managed under section 2120 of the Italian Civil Code.
- **The employee is not enrolled in any supplementary pension scheme:** automatic enrolment does not apply and the TFR continues to accrue under section 2120 of the Italian Civil Code. The employee remains free to pay it into a pension fund at any time.

Any previous redemption of the individual pension position must also be considered because an employee who has fully redeemed the individual position linked to the previous employment relationship is not subject to automatic enrolment.

If, however, the employee no longer qualifies to participate in the previous fund but has not redeemed the position, the automatic mechanism applies.

Employees hired up to 30 June 2026 (old system)

For employees hired by 30 June 2026 who do not make any choice during the first six months, the previous rules continue to apply. The TFR is paid into the guaranteed investment line (comparto garantito) under the tacit-consent mechanism.

SUPPLEMENTARY PENSION

Employees who already have an employment relationship and are not hired under a new relationship after 30 June 2026 are not affected by the new rules. No additional information obligation arises in relation to them.

Special cases

Below are some special cases that come up frequently in practice.

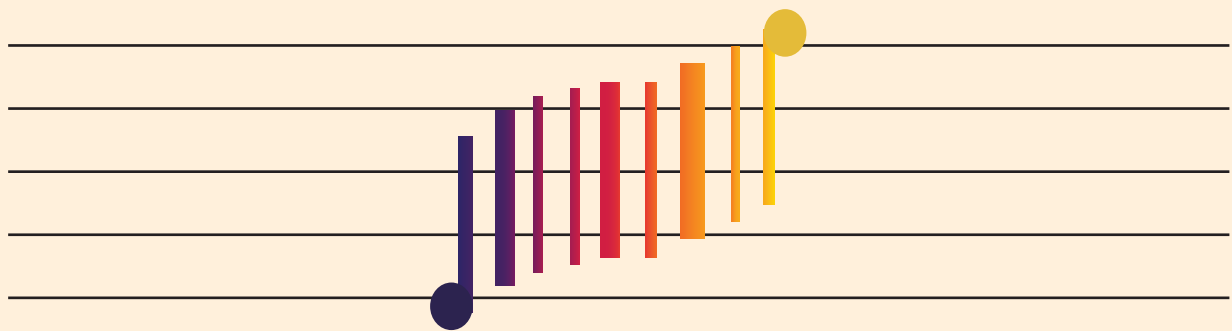
- For **fixed-term contracts**, automatic enrolment applies only if the employment relationship lasts at least 60 days. If the contract ends before then, the mechanism does not apply.
- For **probationary periods**, enrolment becomes final when the 60-day period expires, regardless of the length of the probationary period. If the applicable agreement excludes contributions during probation, the employer must still pay only the TFR from the date of hiring and begin full contributions once the probationary period has been passed.
- For **low-paid employees**, the employee contribution is not compulsory if gross annual pay is below the amount of the social allowance.

Tacit consent and automatic enrolment compared

Feature	Tacit consent up to 30 June 2026	Automatic enrolment from 1 July 2026
Decision period	6 months	60 days
Amount paid	TFR only in the case of tacit enrolment	Full contribution: TFR + employer contribution + employee contribution
Economic start date	From the seventh month, after the decision period has expired	From the date of hiring, with retroactive effect
Default investment line	Guaranteed line	Investment line consistent with the member's profile (life-cycle approach)
INPS Treasury Fund	Governed by Law no. 296/2006	Employer-size thresholds were extended by the 2026 Budget Law



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