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## More Security for Swiss Abroad

*The security now offered to compatriots far from home by The Fund (Solidarity Fund of the Swiss Abroad) rests on two pillars: insurance against loss of livelihood and the opportunity to join a Swiss sickness insurance scheme on more favourable terms upon returning to Switzerland.*

For 15 years up to 1st January 1990 the highest possible lump sum compensation for Swiss abroad who had insured with The Fund against loss of livelihood amounted to 50,000 francs per person insured. However, because inflation and the depreciation of the Swiss franc have turned once generous benefits into a "drop in the ocean" for some insured persons, The Fund recently increased the maximum benefit to 100,000 francs.

### Real help towards a new start

This lump sum compensation, which increases accordingly if cover is taken out for several family members, genuinely helps our compatriots abroad to build a new life when they have lost their livelihood as a result of political events.

An increase in the number of categories, together with the op-

portunity to make savings deposits, means that every individual can find a solution, in respect of both livelihood insurance and savings, which is tailor-made to his/her particu-

### Announcement to the Beneficiaries of the Solidarity Fund for Swiss Abroad

This year's Annual General Meeting is to be held on 17 August 1990 during the Assembly of the Swiss Abroad in Fribourg.

Statutory business, together with the Annual Report and Annual Budget for 1989, and elections, are on the agenda.

lar case. The doubling of benefit compared with the previous highest possible cover is convincing proof that The Fund continues to be as adaptable as it has always been.

### For those returning home

The new opportunity created by The Fund in January 1988, through an agreement with the Grütli Sickness Insurance, for Swiss abroad returning home to join an efficient sickness insurance scheme without problems and at low cost, on attractive age-scale terms, resulted in a record increase in The Fund's membership of 1,387 by the end of 1989.

The reasons are obvious. Thanks to the Grütli agreement, elderly compatriots, in particular, who return home from countries with which Switzerland has no social insurance agreements can avoid costly admission problems with sickness insurance schemes, whose premiums depend on age at entry in accordance with the principle "the older, the dearer".

By paying a risk or "waiting" premium, members of The Fund acquire the right to join the Swiss sickness scheme later without conditions, without a medical examination and, above all, at the rate for the age at which they took out their insurance abroad.

### One more year

At the beginning of this year the Grütli increased the number of age groups on which the premium calculation is based by creating classes 66 to 70 years of age, 71 to 80 and 81 and over. Unfortunately, this means that Swiss abroad who join a scheme

for the first time when they are over 70 have to pay higher premiums. However, there still remains a "period of grace" up to 31st December of this year: until that date the Grütli is giving all Swiss abroad of 70 and over the chance to join the Fund agreement at the more favourable premium rate applying to those aged 66 to 70.

We shall be pleased to advise you. So apply for detailed documentation to the

*Solidarity Fund  
of the Swiss abroad,  
Gutenbergstrasse 6,  
CH-3011 Berne,  
(tel. 031 25 04 84)*

Your name

## Declaration of the wish to make one's name subject to the national legislation

*More than a year after the Federal Act on Private International Law (IPRG) came into force (1st January 1989) the provision under which a Swiss abroad can make his/her name subject to the national (Swiss) legislation still needs some clarification.*

Article 37, of the IPRG lays down the principle that the name of a person resident in Switzerland is subject to Swiss law and the name of a person resident abroad is subject to the law indicated by the international law of the country of residence. However, an individual can demand that his/her name be made subject to his/her na-

tional law. Thus, Swiss abroad can declare either direct to the cantonal supervisory authority or through the Swiss embassy or consulate that they wish to make their name subject to Swiss law.

The question of a new decision and thus of making the name subject to a different law only arises, however, when an event

## Federal Ballots

### 10th June 1990

No ballots

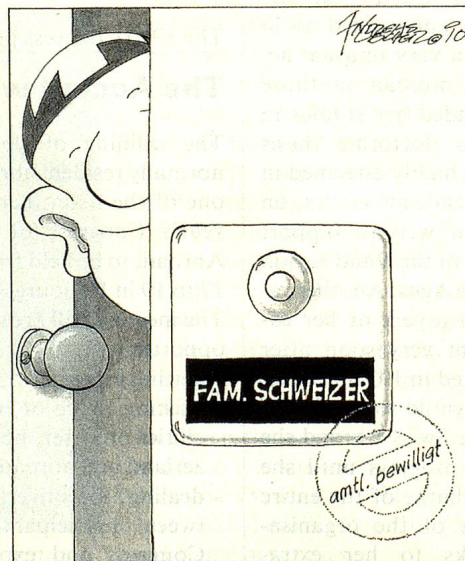
### 23rd September 1990

- Article on energy
- People's initiatives:
  - Freeze on the building of nuclear power stations (moratorium)
  - In favour of abandoning nuclear energy
- Amendment of the Road Traffic Act (referendum)

### 2nd December 1990.

The issues to be voted on have not yet been chosen.

Editor (Official Communications), Service for the Swiss Abroad, Federal Department of Foreign Affairs.





occurs which, according to the IPRG, has significance with respect to the legislation on names and which may change the name of the person directly affected. In addition to an actual change of name through an official decision, such events include, among others, birth, acknowledgment of paternity, adoption, marriage and divorce.

On the other hand, death, a mere change of residence and the acquisition or loss of a nationality are of no importance in this connexion.

If an event of importance under the names legislation occurs, the name of the person directly affected comes into question but not that of his/her parents or even of other members of the family.

Swiss can only validly make the declaration that they wish their name to be subject to Swiss law (declaration of option) at the time of the civil status event which changes their name, i.e. either before (in the case of marriage) or very shortly afterwards.

The position is different in the case of a declaration of option by persons with more than one nationality. A dual national can only opt for the application of the law of the country with which he/she has the closest ties. It is not possible to give a general answer, ignoring the

particular circumstances, to the question of which nationality an individual will be considered to have the closest ties with. An important indicator, however, is the fact that he/she is resident (and has been resident for an appreciable time) in the country concerned. The cantonal supervisory authority, will make a decision on the validity of the option and on the closest tie.

Attention is drawn to the fact that both dual nationals and persons who have only Swiss nationality will normally have to pay a fee, which cannot be refunded if the declaration of option is subsequently found to be invalid.

*Federal Office of Civil Status*

## New Swiss passports

Old Swiss passports which were issued before 1st April 1985 are valid only until the end of 1990. All Swiss abroad are therefore advised to apply to their Swiss embassy or consulate for a new passport well before 31st December 1990.

## Filling contribution gaps

As stated in the "Swiss Review" 3/89, the revised OAI implementing regulations make it easier for additional years to be credited in cases where contribution gaps occurred before 1979, while people with 34 or more contribution years will be awarded three years free of charge. The Swiss Compensation Office in Geneva will adjust pensions currently being drawn by Swiss nationals abroad without the persons concerned making a special application.

Contrary to the information given in the September "Review", therefore, you will not have to apply to the Swiss embassy or consulate for your pensions to be recalculated, as this will be done automatically by the Compensation Office in Geneva.

## Inspection of index-cards

On 5th March 1990 the Federal Council passed a decree guaranteeing that persons about whom state security files have been compiled by the Federal Police can avail themselves of their basic rights.

Although the time-limit for applications expired on 31st March 1990, Swiss citizens - including, of course, Swiss abroad - can still submit requests *after that date*. However, these will only be handled when the data have been tidied up and transferred to an electronic information system.

Every Swiss abroad who would like to know whether he/she is on a card index at the Federal Department of Justice and Police has the right to send a written inquiry to the following address:

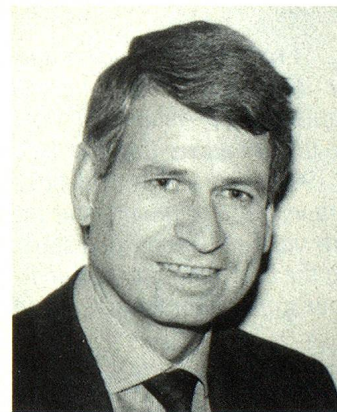
Schweizerische  
Bundesanwaltschaft  
Datenschutzbeauftragter  
CH-3003 Bern

The inquiry should contain the surname, first names, date and place of birth, place of origin, address and a photocopy of an identity document (passport/ID card).

### Service for the Swiss Abroad

#### A New Head

*On 5th March 1990 Minister Rolf Bodenmüller succeeded Minister Walter Fetscherin.*



Rolf Bodenmüller completed his law studies in Berne by obtaining a law doctorate and advocate's licence. In 1973 he en-

tered the Department of Foreign Affairs and was stationed in Berne and in Copenhagen as a trainee. He was then transferred, in 1975, to Berlin/GDR as Deputy to the Head of Mission and, in 1977, to Pretoria in the same capacity.

After his return to headquarters in 1980 Rolf Bodenmüller was first of all Head of the Council of Europe Service. He ran the Recruitment and Personnel Training Section from 1984 until his transfer to Rome in 1986 as Deputy to the Head of Mission, with the title of Minister. In that capacity he also fulfilled the duties of Swiss Consul General in the Republic of San Marino, with residence in Rome.

We all wish Minister Bodenmüller a successful start to his new assignment in the Service for the Swiss Abroad.

### Will you be 50 this year?

If so, you can still join the voluntary OAI/DI but you must do so within a year of reaching 50. Leave it any later and you will have finally missed the boat. Exceptions are special cases such as naturalization, divorce or separation, widowhood or continuation of the compulsory insurance. For further information you can apply to the competent Swiss embassy or consulate.

### Marriage of a Swiss woman

Swiss women who would like to retain their *Swiss citizenship* after marrying a foreigner must make a declaration to that effect *before the marriage* on a form obtainable from the Swiss embassies and consulates abroad. If they wish to place their *present surname* before their new one they must declare this, too, at the competent Swiss embassy or consulate *before the marriage*. Only the authorities of their country of residence can give binding information on whether this use of their surname will be recognized there. In the case of dual nationals there is at present some legal uncertainty on the Swiss side. It is nevertheless advisable for them to make the declaration as a precaution.