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## Changes in the state pension scheme

# Equal rights

**The tenth revision of the state old-age and survivors' pension scheme (AHV/AVS) comes into force on January 1, 1997. The changes affect both the optional and the compulsory programmes as well as the disability pension scheme. A guide.**

The tenth revision of the state pension scheme has consequences both for the pensions themselves and for contributions. This means that it affects not only present pension beneficiaries but also everyone who pays contributions. Apart from the exceptions mentioned below, the changes are also valid for members of the optional insurance scheme.

The most important changes are for those who will receive old-age, survivors' or disability pensions on January 1, 1997, for the first time. Existing pensions will not be adjusted until 2001.

### Changes affecting Swiss Abroad specifically

Unlike previously, from January 1, 1997, married men and women join the pension scheme on an individual basis, and they may also withdraw from the scheme individually.

According to the relevant transitional provisions, married women not gainfully employed who were insured up to the end of 1996 as part of a couple will remain insured. If according to these provisions the Swiss diplomatic post responsible determines that a wife should pay contributions (e.g. because the husband is charged as not gainfully employed, or although gainfully employed does not pay the double minimum contribution, or does not contribute because he is himself a pensioner), it will automatically request her to fill out a separate application form which will then be transmitted to the equalisation fund.

### Everyone must contribute

In future married women and widows not gainfully employed will have to pay contributions. But the contributions of a married woman not gainfully employed are considered as paid if her husband is gainfully employed and has paid the double minimum contribution at least. In the same way a husband not gainfully employed will not have to contribute if his wife has paid the double minimum contribution at least.

### Splitting

From 1997 both married men and women will for the first time receive their own pensions individually. These will be determined on the basis of their own length of contribution and income. The pensions of married persons will be determined according to the so-called "splitting" system. This means that half of the sum of all income which both have earned during their marriage will be attributed to each. This includes credits for raising children and for looking after family members requiring care. However, the total of both pensions of a married couple cannot amount to

### 1997 pension adjustment

*The Federal Council has decided to adjust the benefits of the state old-age, survivors' and disability pension scheme to wage and price inflation as from January 1, 1997. Benefits will increase by 2.58%.*

### The Federal Law on Sickness Insurance Swiss insurance still possible

*Swiss health insurers may continue to insure Swiss Abroad. This was decided by the Federal Council on November 25, 1996. Insurance cover in Switzerland will be possible both for Swiss citizens already resident abroad and for those who emigrate in the future. But insurers will not be obliged to offer sickness insurance to Swiss Abroad ("may" not "must", the optional contractual basis pursuant to the Law on Insurance Contracts). A contract may be concluded with the same or with another insurer.*

*If such a contract is concluded, premiums and benefits will be determined according to the new Sickness Insurance Law. But in the case of insured Swiss Abroad who are at present undergoing medical treatment, sickness insurers are obliged to continue the existing contract under the old law until such treatment has been completed.*

*We advise you to ask your sickness fund as soon as possible whether it is prepared to continue insuring you. Please also address any other questions directly to your fund.*

**NYF**

more than 150% of the maximum old-age pension.

This distribution of income will take place only when both members of the couple are entitled to an old-age, survivors' or disability pension. During a period when only the husband or only the wife is entitled to a pension, this will be determined on the basis of his or her previous income only.

The splitting system also applies in the event of divorce or if a marriage is declared invalid. It also applies to persons who were divorced before January 1, 1997, provided the entitlement to a pension occurs after that date.

Old-age and disability pensions of widowed persons are also calculated according to the splitting system. But widows', widowers' and orphans' pensions are determined on the basis of the income of the deceased person.

### Credits for care providers

In principle, those who care for close relatives (spouses, parents, parents-in-law, children, step-children, etc.) who are helpless to at least a medium degree and receive an indemnity to this effect from the state disability in-

surance scheme and live in the same household are entitled to credits for care providers.

But since helplessness indemnities are not paid outside Switzerland, Swiss Abroad will not be entitled to credits for care providers.

### Credits for raising children

For each year during which an insured person looks after children under the age of 16, additional sums – credits for raising children – are awarded. These are also granted for children born before January 1, 1997.

Credits for care providers and raising children are added to income from gainful employment in the calculation for determining an old-age, survivors' or disability pension. The calculation takes place regardless of civil status; but in the case of married persons credits are divided between the two partners during the marriage. However, such credits cannot increase benefits above the maximum old-age, survivors' and disability pension.

In any specific year, either a credit for providing care or a credit for raising children may be granted. This means that if an insured person



raises children and looks after relatives requiring care, only one credit may be granted for the year in question.

## Supplementary pensions

Generally speaking, there will no longer be supplement-



tary old-age pensions. This means that married men of pensionable age will no longer be entitled to supplementary old-age pensions for their wives who have not yet reached pensionable age.

But the following are still entitled to a supplementary old-age pension: 1) persons entitled to a supplementary pension under the disability insurance scheme until their spouse receives an old-age pension; 2) married men of pensionable age whose wives were born in 1941 or earlier and who are not yet themselves entitled to a pension; 3) all insured persons who are already receiving such a supplementary pension.

However, supplementary pensions under the disability insurance scheme remain as before. Disabled men and women will continue to be entitled to a supplementary pension for their spouse. But they must have been gainfully employed immediately prior to the onset of their disability.

## Widows and widowers

From 1997, widowed men with children under the age of 18 will be entitled to a widower's pension for the first time. Divorced persons

may apply for a widow's or widower's pension after the death of their ex-husband or ex-wife. This is the case even if a divorced spouse was not required to make maintenance payments. However, the lump-sum widow's indemnity for women without children who are widowed

after a short period of marriage or before the end of their 45th year is abolished.

## Women's pensionable age

The pensionable age for women will be raised to 63 in 2001 and to 64 in 2005. This means that women born in 1938 or before will not be affected by the raising of the pensionable age. Women born between 1939 and 1941 will reach pensionable age at 63, while women born in 1942 and later will reach pensionable age at 64.

## Early pensions

After the rises in their pensionable age in 2001 and 2005, women will still be able to draw their pensions at 62 and 63 respectively – but with a reduction. There will be a transitional provision by which pensions for women

### **ALERT** Age limit 50

*In principle entry into the optional state old-age, survivors' and disability pension scheme must take place at your embassy or consulate before the end of your 50th year.*

born in 1947 and before will in such cases be reduced by only 3.4% instead of 6.8% per year. For women born in 1948 and later the normal reduction rate of 6.8% will apply.

If they wish, men also may draw their pensions before their usual pensionable age, but their pensions will be reduced in consequence. This reduction amounts to 6.8% per year of early retirement. From 1997 men will be able to claim their pension one year in advance (i.e. from the age of 64). From 2001 an additional year in advance will be possible (i.e. from either 64 or 63).

## Postponement of pension payments

All insured persons previously had the right to postpone drawing their pensions under the state scheme for a maximum of five years. In such cases, the pension entitlement was increased. This provision is maintained in the tenth revision of the scheme. But the amount of the increase changes to 5.2%, 10.8%, 17.1%, 24% and 31.5% per year of postponement. Like the pensions themselves, these increases will be adapted from time to time to correspond to wage and price inflation.

## Automatic adjustment

Those already receiving old-age, survivors' or disability pensions do not in principle have to take any steps, since most of the provisions contained in the tenth revision of the state pension scheme will be introduced automatically from 2001.

But it will be to the advantage of some groups of insured persons to require a new calculation of their pensions from their equalisation fund. These are: 1) unmarried persons who are raising or have raised children; 2) persons whose pensions should be recalculated because of divorce or remar-

## Current popular initiatives

The following popular initiatives are still open for signature:

### **Moderation in immigration!**

until March 12, 1997  
The Swiss Democrats, Bernhard Hess, P.O. Box 8116, CH-3001 Berne

### **Save on the military and defence in general – for more peace and future-oriented workplaces (redistribution initiative)**

until March 26, 1997  
Peter Hug, Flurstrasse 1a, CH-3014 Berne

### **More rights for the people thanks to the referendum with counter-proposal (constructive referendum)**

until March 26, 1997  
Jürgen Schulz, P.O. Box 7271, CH-3001 Berne

### **Deregulation initiative: more freedom – fewer laws**

until June 5, 1997  
Ernst Cincera, Former National Councillor, P.O. Box 8494, CH-8050 Zürich

### **For financing costly and longlasting infrastructure programmes**

until October 16, 1997  
Arnold Schlaepfer, 18 Avenue Cardinal-Mermillod, CH-1227 Carouge

### **Yes to fair rents**

until October 30, 1997  
Swiss Tenants' Association, Jean-Nils de Dardel, P.O. Box 3055, CH-1211 Geneva 3.

riage; 3) married women who have participated in a couple's pension which was reduced because of a gap in the husband's contribution.

As a result of the tenth revision, some pensions may be slightly higher than before. But they will never be lower.

The old-age and disability pensions of divorced pensioners of both genders will be determined anew from 2001. A transitional credit will be added, which will be half the amount of a credit for raising children. But this will not apply if any other credit is being received.

*You may obtain further information on the tenth revision of the state pension scheme from your equalisation fund.*

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