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AHV/IV

The disadvantage which affects certain Swiss women abroad on reaching the age of 62.

We have received a number of complaints from Swiss women abroad who tell us that they do not understand why they should not receive old-age pensions from 62 onward like Swiss women living in Switzerland.

Therefore it seems opportune to explain the position by giving the statement by the Federal Council, which was contained in the Message to Parliament of 4th March 1968; in it, the main subject was the 7th revision of the AHV/IV. First of all, though, we should like to remind you of Article 29, Par. 1. of the AHV law:

«All persons entitled to pension benefits have the right to receive them if they have paid contributions for at least one full year, or their heirs.»

Thus a married woman of a man who is insured with the voluntary AHV for Swiss abroad, and who reaches pensionable age before her husband, must have paid contributions *herself personally* for at least one year, in order to be entitled to a pension. This regulation is often not known to our compatriots abroad.

Statement by the Federal Council on 4th March 1968:

Contained in the chapter with the following heading:

Benefits for Swiss Abroad

The extraordinary pension is paid on principle only inside Switzerland. Accordingly, the wife of an insured Swiss abroad, who has herself paid no contributions and reaches pensionable age before her husband, will not receive an extraordinary single old-age pension.

In the Commission of Experts for the revision of the Invalidity Insurance, the question was considered whether wives of insured Swiss abroad should not also be accorded the extraordinary pension. The Commission decided that such exceptional legislation was justifiable for wives of compulsorily insured Swiss abroad, but that the case of wives of voluntarily insured Swiss abroad needed further examination. With the revision of the IVG, wives of compulsorily insured Swiss abroad were accorded the right to an extraordinary pension on the same conditions as wives of Swiss at home. According to the findings of the Commission of Experts for the revision of the IV, the Secretariat of the Swiss Abroad of the Nouvelle Société Helvétique made the suggestion that the question whether wives of voluntarily insured Swiss abroad should be given the right to extraordinary pensions, should be examined anew.

Together with the Federal AHV/IV Commission, we share the doubts about interstate agreements on exporting insurance benefits for which no contributions have been paid. On the whole, Switzerland has accorded her foreign partners equal treatment in the field of old-age and invalidity insurance. The existing agreements provide for special conditions for the payment of extraordinary pensions and other benefits, and one of these is residence in Switzerland. But the danger exists that with an extension of such benefits to Swiss living abroad, foreign states could announce payments or the continuation of such payments of extraordinary benefits to their own nationals, by referring to the principle of equal treatment. This would put Switzerland in a difficult position. Even if it is not entirely satisfactory that the Swiss abroad cannot be put on the same level as Swiss at home in every

respect, due to the chance of possible demands from abroad, it must be said that the present position of voluntary insurance shows that in the field of AHV/IV considerable and generous solidarity between the Swiss at home and those abroad has been realized, even without export of insurance benefits without contributions having been paid.

Under the circumstances, we intend to take into the new article in the AHV law only a ruling regarding welfare benefits to old Swiss abroad. This ruling will allow social benefits to *needy wives* of voluntarily insured Swiss abroad instead of an extraordinary pension. Equally, social benefits will thus be payable to needy and helpless old-age pensioners among the Swiss abroad, in place of welfare assistance.

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