

Leaving Switzerland

and moving to a member state of the European Union (EU) or to a member state of the European Free Trade Association (EFTA)

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Abbreviations

AA	Accident and occupational diseases insurance
AB	Adoption Benefits
AC	Unemployment insurance
AFam	Family allowances
AFMP	Agreement on the free movement of persons between Switzerland and the EU
AMal	Health insurance
APG	Optional loss of income insurance in the event of service, maternity, paternity, care of a seriously ill child and adoption
CB	Care Benefits
DI	Disability insurance
EEA	European Economic Area
EFTA	European Free Trade Association
EHIC	European Health Insurance Card
EU	European Union
FOPH	Federal Office for Public Health
FSIO	Federal Social Insurance Office
HMO	Health Maintenance Organisation
LAMAL	Federal Law on Health Insurance
LOB	Federal Law on Occupational Benefits
MB	Maternity benefits
OASI	Old-age and survivors' insurance
PB	Paternity benefits
PC	Supplementary benefits
PP	Occupational benefit plan
SUVA	Swiss National Accident Insurance Fund
TB	Transition benefits for older unemployed persons

The facts at a glance

This brochure is aimed at Swiss nationals and citizens of an EU or EFTA member state who intend to leave Switzerland in order to live or work in an EU or EFTA member state (Iceland, Liechtenstein and Norway).

It provides only an overview of how the various national social security systems are coordinated. Decisions on individual cases, however, are made in accordance with the relevant legislation.

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The Agreement on the free movement of persons (AFMP) and the EFTA Convention



In general

What is the Agreement on the free movement of persons?

An agreement governing the free movement of individuals between Switzerland and the EU.

The Agreement introduces the free movement of persons between Switzerland and the EU by gradually opening the labour market. The right to free movement of persons is complemented by the mutual recognition of professional qualifications and the coordination of national social security systems. The Agreement on the free movement of persons only applies to Swiss and EU citizens living or working in Switzerland or in an EU member state. The coordination of national social security systems also applies to refugees and stateless persons living in Switzerland or in an EU member state.

EU member states

Austria (AT)	Estonia (EE)	Italy (IT)	Portugal (PT)
Belgium (BE)	Finland (FI)	Latvia (LV)	Romania (RO)
Bulgaria (BG)	France (FR)	Lithuania (LT)	Slovakia (SK)
Croatia (HR)	Germany (DE)	Luxemburg (LU)	Slovenia (SI)
Cyprus (CY)	Greece (GR)	Malta (MT)	Spain (ES)
Czech Republic (CZ)	Hungary (HU)	Netherlands (NL)	Sweden (SE)
Denmark (DK)	Ireland (IE)	Poland (PL)	

What is the EFTA Convention?

A convention governing relations between EFTA member states.

The EFTA Convention governs trade relations between EFTA member states. It applies to EFTA nationals living or working in an EFTA member state. The Convention also coordinates national social security systems; these provisions also apply to refugees and stateless persons.

EFTA states

- ▶ Iceland (IS)
- ▶ Liechtenstein (LI)
- ▶ Norway (NO)
- ▶ Switzerland (CH)

Note

▶ The Agreement on the free movement of persons (AFMP) and the EFTA Convention have the same rules for the coordination of national social security systems which are applicable between Switzerland and the member states of the European Union on the one hand, and between Switzerland and other EFTA member states on the other hand. Nevertheless, these rules do not apply to situations which constitute a relationship with Switzerland, the European Union and EFTA at the same time, since there is no “framework agreement”. In fact, the AFMP and the EFTA Convention are not linked with one another and their scope of application is limited to nationals of states which are signatories of each individual agreement. These rules do not apply to certain relations between EU member states, EFTA members states and Switzerland:

Examples

- ▶ 1. A Swiss national moves from an EU member state to an EFTA member state.
- ▶ 2. A Norwegian national moves from Switzerland to an EU member state.
- ▶ 3. An EU citizen moves from Switzerland to another EFTA member state.

What is the relevance of the AFMP and the EFTA Convention for social security?

The coordination of the various national social security systems.

Under both the Agreement on the free movement of persons and the EFTA Convention the various national social security systems are coordinated. This does not mean, however, that they have been harmonised. Each signatory state will maintain the structure, form and scope of the contributions to, and benefits provided by its own social security system.

The main points of these two agreements are:

- ▶ equal treatment of Swiss nationals and citizens of EU and EFTA member states;
- ▶ mitigation or elimination of any negative effects on an individual’s insurance cover due to moving to a different state for the purpose of employment or residency.

The Agreement on the free movement of persons and the EFTA Convention largely supersede the existing bilateral social security agreements between Switzerland and individual EU / EFTA member states. The existing agreements only remain applicable for individuals not covered by the Agreement on the free movement of persons or by the EFTA Convention. In particular, this concerns individuals who are neither Swiss nationals nor citizens of an EU or EFTA member state.

What types of insurance are covered by these agreements?

All types of social security, with the exception of social assistance.

The AFMP and the EFTA Convention apply to all legal provisions regarding the coverage of the risks of:

- ▶ old age
- ▶ disability
- ▶ death (survivors' benefits)
- ▶ illness
- ▶ maternity, paternity, caring for a seriously ill child, adoption
- ▶ accidents at work and occupational diseases
- ▶ unemployment
- ▶ unemployment in old age
- ▶ family allowances

Social assistance is not covered by either the AFMP or the EFTA Convention.

Who is covered by AFMP and the EFTA Convention?

The AFMP covers Swiss nationals and citizens of an EU member state who move within the EU and Switzerland.

The EFTA Convention covers nationals of an EFTA member state moving within the EFTA area.

The Agreement on the free movement of persons applies to Swiss nationals and to citizens of an EU member state who are or were subject to the social security legislation of one or several of these states. The agreements also cover the family members or surviving dependents of these individuals.

The EFTA Convention applies to Swiss nationals and to citizens of an another EFTA member state who are or were subject to the social security legislation of one or several of these states. The agreements also cover the family members or surviving dependents of these individuals.

The AFMP and the EFTA Convention do not apply to individuals who are neither Swiss nationals nor citizens of an EU or EFTA member state (except for their family members or surviving dependents – see above). These individuals remain subject to the bilateral social security agreements concluded between the two states concerned. For further information, please contact the relevant OASI compensation office.

Relevant social security system



To which social security system must individuals contribute if they are gainfully employed?

As a general rule, to the social security system of one single state.

As a general rule, individuals in gainful employment are subject to one national social security system, even if they work in more than one state. This means that they must pay insurance contributions, including health insurance contributions in only one state.

To which social security system must individuals contribute if they are gainfully employed in one state?

To the social security system of the state in which they are working.

Swiss, Icelandic, Liechtenstein and Norwegian nationals and citizens of EU member states who are gainfully employed in only one state must contribute to the social security system in that state, even if they are resident in a different state or if the head office of the firm or their employer is located in a different state.

To which social security system must individuals contribute if they are gainfully employed in several states?

To the social security system of the state in which they live, as long as a substantial part of their gainful employment takes place there.

As a general rule, Swiss nationals and citizens of an EU member state who work either as an employee or who are self-employed in several states (Switzerland or the EU) are subject to the social security system of their state of residence.

However, if they are not employed in their state of residence or carry out less than 25 % of their working time there, they are subject to the social security system of the state where their employer's headquarters are located (Switzerland or the EU). Individuals who are self-employed in several states but live in another state, are subject to the social security system of the state in which the centre of interest of their activity is situated.

Swiss nationals and citizens of an EU member state who work for several employers whose headquarters are located in two states (Switzerland and the EU) and one of them is their state of residence, they are subject to the social security legislation of the other state, (where they do not live).

Swiss nationals and citizens of an EU member state who work for several employers, of whom at least two hold headquarters in different states (Switzerland and the EU) other than the state of residence, are subject to the legislation of their state of residence, even if they do not pursue a substantial part of their activity there.

Within the international relations between Switzerland and the EU, specific legislations do apply, in particular for aviation and maritime personnel and for civil servants.

Swiss nationals and citizens of an EU member state who are simultaneously employed and self-employed in several states (Switzerland and the EU) are subject to the social security system of the state in which they pursue their salaried activity.

The above provisions also apply to Swiss nationals or citizens of an EFTA member state, who work simultaneously in several states (Switzerland and EFTA).

To which security system must individuals who are regularly insured in Switzerland contribute, if they are temporarily posted in an EU or EFTA member state?

To the Swiss social security system.

EU and Swiss nationals regularly insured in Switzerland but temporarily posted in an EU member state remain subject to the Swiss social security system insofar as the posting does not exceed 24 months. Should the period of posting be extended, an individual may request that he or she remain subject to the original social security system.

EFTA nationals (Icelandic, Liechtenstein, Norwegian and Swiss) who are regularly insured in Switzerland but temporarily posted to another EFTA member state by an employer with headquarters in Switzerland remain subject to the Swiss social security system even if the posting is for a period of 24 months or less.

The self-employed may also be posted abroad temporarily.

In certain cases, a posting can be extended for a maximum period of five to six years.

The OASI compensation office is responsible for certifying the posting and can provide further information on this topic.

For more detailed information, see the information sheets on posted workers and postings available on the FSIO website www.bsv.admin.ch.

Health insurance affiliation

To which health insurance system are recipients of unemployment insurance benefits subject?

To the insurance system of the state which is responsible for the unemployment benefits.

To which health insurance system are old-age pensioners subject?

It depends on the personal circumstances of the old-age pensioner concerned.

As a general rule, individuals who receive a pension from only one state, but do not live there, are subject to the health insurance system of the state which pays the pension.

As a general rule, individuals who receive a pension from several states and live in one of them are subject to the health insurance system of their state of residence. If they live in a state which does not pay them a pension, they are generally obliged to take out compulsory health insurance cover in the state in which they have been insured for the longest period.

Health insurance for family members who are not gainfully employed

- ▶ Family members (who are not gainfully employed) of employed persons, unemployed persons or pensioners are subject to the same insurance system as their next of kin even if they live in another state.

Other individuals who are not gainfully employed

- ▶ Individuals who are neither gainfully employed, unemployed, pension recipients nor dependants of such persons are subject to the insurance system of their state of residence.

Individuals resident abroad who, on the basis of the Agreement on the free of movement of persons or the EFTA Convention, are subject to the Swiss social security system must also take out compulsory health insurance. Some people may benefit from the right to choose and be exempted from the obligation to take out insurance in Switzerland, if they can provide proof that they are insured in their state of residence (see table below). The list of insurers and insurance premiums in each EU or EFTA member state is available on the website of the FOPH: www.priminfo.ch. Parents and children are insured separately by the same insurer.

Living in an EU or EFTA member state and health insurance cover

Category of person	Right to choose between state of residence and Switzerland	Insurance in the state of residence	Insurance in Switzerland
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When a person resides in one of the following states

<ul style="list-style-type: none"> ▶ the gainfully employed ▶ cross-border commuters ▶ pensioner ▶ the unemployed 	<p>AT, DE, FR, IT</p> <p>ES*, PT*</p> <p>* pensioners only</p>	<p>LI</p>	<p>BE, BG, CY, CZ, DK, EE, FI, GR, HR, HU, IE, IS, LT, LU, LV, MT, NL, NO, PL, RO, SE, SI, SK</p> <p>ES*, PT*</p> <p>* except pensioners</p>
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<p>Family members (not in gainful employment) of:</p> <ul style="list-style-type: none"> ▶ the gainfully employed ▶ cross-border commuters ▶ pensioner ▶ the unemployed ▶ short-term residents 	<p>FI</p> <p>ES*</p> <p>* except pensioners</p> <p>AT**, FR**, IT**</p> <p>** insurance in the same state as cross-border commuters, pensioners, the unemployed</p> <p>DE***</p> <p>*** Option of separate choice for family members who are not gainfully employed</p>	<p>DK, LI, PT, SE</p> <p>ES*, HU*</p> <p>* except pensioners</p>	<p>BE, BG, CY, CZ, EE, GR, HR, IE, IS, LT, LU, LV, MT, NL, NO, PL, RO, SI, SK</p> <p>HU*</p> <p>* pensioners only</p>
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The states listed above are indicated by their ISO codes. Please refer to page 6 for a list of the state abbreviations.

Insurance in Switzerland – resident in an EU or EFTA member state

- ▶ Individuals who have compulsory insurance cover in Switzerland but live in an EU or EFTA member state must register with the health insurance institution in their state of residence to cover administrative formalities. They cannot choose any special forms of insurance (choice of excess, insurance with bonus, HMO), since they are entitled to the health insurance benefits stipulated in the legislation of their state of residence.
- ▶ As a general rule, individuals who are insured in Switzerland but live in an EU member state (workers, pensioners, the unemployed), as well as their family members have the option of receiving treatment either in their state of residence or in Switzerland.

Working in an EU or EFTA member state – resident in Switzerland

- ▶ Swiss nationals and citizens of EU and EFTA member states who are resident in Switzerland but work in an EU or EFTA member state are subject to the insurance laws in their state of employment. Cross-border commuters who live in Switzerland but work, for example, in Germany must take out health insurance cover in Germany both for themselves and their family members who are not gainfully employed. Should they fall ill, they will benefit from the same treatment in Switzerland as individuals insured there. The costs are covered by the foreign insurance fund.

Changing the social security system



Under which circumstances may a person have to change the social security system?

If he or she moves to or takes up work in an EU or EFTA member state.

Individuals who leave Switzerland for good or who take up employment in an EU or EFTA member state are always subject to the social security system of the state in which they live or work.

Individuals who are temporarily employed abroad or on a posting abroad either remain subject to the Swiss social security system or are subject to the system of their state of employment/residence or host state depending on the state of residence, state of employment and employer.

To which social security system are residents of an EU or EFTA member state subject?

The social security system provided for in the respective national legislation.

All EU and EFTA member states have compulsory or voluntary insurance schemes to cover the consequences of sickness, maternity, old-age, disability, death (surviving dependants) and usually also for accidents at work, occupational diseases and unemployment.

Information is available from the liaison bodies of the respective states. More detailed information on national social security systems is available online, in particular on the MISSOC website (Mutual Information System on Social Protection, www.europa.eu).

What happens to OASI/DI contributions paid in Switzerland when a person becomes subject to another social security system?

They remain with the insurance fund into which they were paid and entitle an individual to partial pensions/benefits when an insured event occurs.

Contributions paid to the Swiss social security system may not be transferred to the social security system of an EU or EFTA member state. Furthermore, individuals are not entitled to a reimbursement of these contributions.

Is it possible to contribute to the voluntary Swiss OASI/DI scheme when relocating to an EU or EFTA member state?

No.

EU, Icelandic, Liechtenstein, Norwegian and Swiss nationals can take out voluntary old-age, survivors' and disability insurance, if:

- ▶ they do not live in an EU or EFTA member state, and
- ▶ they had uninterrupted insurance cover for at least five years immediately before their withdrawal from the Swiss compulsory insurance scheme

Leaflet 10.02 - *The voluntary old-age, survivors' and disability insurance scheme* contains all relevant information on voluntary old-age, survivors' and disability insurance cover.

Is it possible to contribute to the Swiss OASI/DI scheme when gainfully employed in an EU or EFTA member state?

OASI/AI cover can be continued under certain conditions.

In principle, anyone who is gainfully employed abroad or is a family member of an individual employed abroad is not insured under the compulsory Swiss OASI/DI scheme. However, they may take out such insurance under certain conditions.

Individuals who are gainfully employed in an EU or EFTA member state by a Swiss employer, and are paid by this employer can continue their cover under the OASI/DI/APG schemes and the unemployment insurance scheme under the following conditions:

▶ Payment of salary by an employer based in Switzerland

Employees who receive only part of their salary from a Swiss employer can remain insured under compulsory insurance only if their employer also pays contributions on the salary paid by the foreign company.

▶ Five consecutive years of OASI/DI coverage

Insurance cover can only be continued if the individual concerned has been insured for five consecutive years in the compulsory or voluntary OASI/DI scheme, either directly prior to taking up employment abroad or – for individuals who have been posted in an EU or EFTA member state while still insured in Switzerland – directly after the termination of their employment abroad. For continued insurance during employment in an EU state, Swiss nationals and citizens of EU member states can use insurance periods in EU or EFTA member states to count towards this five-year period. The same is true for nationals of EFTA member states for continued insurance during employment in Iceland, Liechtenstein or Norway.

▶ Agreement between employee and employer.

To ensure continued compulsory insurance cover, a written request signed by the employee and the employer must be submitted to the employer's OASI compensation office. The application can also be submitted by the employer directly on the ALPS electronic platform. The employer is under no obligation to sign. The request must be submitted no later than six months after the day on which the employee meets the conditions for continued compulsory insurance cover. Once this deadline has expired, an extension of compulsory insurance cover is no longer possible. Further information is available from the OASI compensation offices.

Continued insurance cover in Switzerland does not automatically exempt a person from any social insurance obligations in his or her state of employment.

Individuals who are posted abroad are subject to special rules (see page 11). More detailed information is available from the FSIO website www.fsio.admin.ch

Is insurance under the Swiss OASI/AI system an option for persons who are not gainfully employed and who take up residence in an EU or EFTA member state?

Yes, but only if they are students or individuals accompanying spouses with compulsory insurance.

Under certain circumstances, students who are not gainfully employed and who give up their place of residence in Switzerland to pursue education abroad may continue their insurance up until 31st December in the year of their 30th birthday. The insurance will continue uninterrupted provided that the request is submitted within six months of the student beginning the educational programme abroad. Upon expiry of this deadline the insurance can no longer be continued.

Individuals abroad who are not gainfully employed may take out cover under the Swiss OASI/DI system if their spouse holds compulsory OASI/AI insurance. Cover is not available to any individual abroad who is not gainfully employed and whose spouse is a cross-border commuter working in Switzerland.

Further information can be obtained from the OASI compensation offices.

Old-age insurance benefits (OASI)



What happens when a person has contributed to an old-age insurance scheme in several signatory states (Switzerland, EU and/or EFTA member states)?

He or she receives an old-age pension from each state upon reaching retirement age.

Individuals who have paid insurance contributions in more than one signatory state are entitled to a pension from each state in which they have been insured for a minimum of one year. Their contributions are administered by the respective insurers in these states until they reach retirement age. They can neither be transferred to the old-age insurance scheme of another state, nor reimbursed to the insured person.

Retirement age

- ▶ A person becomes entitled to an old-age pension when he or she reaches statutory retirement age which varies across states. As a result, entitlement to an old-age pension from the given states may arise at different times.

Minimum period of insurance

- ▶ The minimum period of insurance required for entitlement to an old-age pension varies across states, but is always a minimum of one year. Signatory states must take into account insurance periods from other EU or EFTA member states or from Switzerland when the claimant does not meet the minimum insurance period in one of these states.
- ▶ The minimum insurance period in Switzerland is one year.
- ▶ Special provisions apply for individuals who contribute to old-age insurance schemes for less than one year in each of several states.

How are old-age pensions calculated?

On the basis of insurance periods.

The pensions of individuals who are insured in several states are calculated on the basis of their insurance periods in each state.

Are Swiss OASI old-age pensions paid out even if the person lives in an EU or EFTA member state?

Yes.

Old-age pensions provided by the OASI scheme are also paid out to pensioners living in an EU or EFTA member state.

Are supplementary benefits from the OASI/DI scheme paid out abroad?

No.

Special benefits which are not dependent on paid contributions cannot be paid out abroad. In Switzerland this includes supplementary benefits and helplessness allowances.

Does the receipt of a pension from an EU or EFTA member state have any consequence on entitlement to a Swiss old-age pension?

No.

Anyone who receives an old-age pension from an EU or EFTA member state is still entitled to a Swiss OASI pension.

Note

- ▶ Employees insured under the occupational benefit plan scheme are also entitled to the benefits provided by this insurance scheme (see Occupational Benefit Plan, pp. 27 – 29).

Survivors' insurance benefits (OASI)



How are widows', widowers' and orphans' pensions calculated?

On the basis of the insurance periods of the deceased.

Widows', widowers' and orphans' pensions are calculated on the basis of the insurance periods of the deceased and according to the relevant national provisions.

Are Swiss survivors' pensions (widow, widower or orphan) paid out to individuals living in an EU or EFTA member state?

Yes.

Survivors' benefits of the Swiss OASI scheme are granted in EU and EFTA member states under the same conditions as in Switzerland. This applies both to individuals who are already resident in an EU or EFTA member state when their entitlement to a pension arises and to those who later move to an EU or EFTA member state. The receipt of a Swiss pension in an EU or EFTA member state has no consequence on its amount.

What happens to the survivors' benefits for widows/widowers once the widowed spouse has reached retirement age?

An old-age pension and a survivors' pension cannot be claimed simultaneously.

The Swiss OASI scheme does not allow a person to receive both an old-age and a survivors' pension. The higher pension is always awarded.

In an EU or EFTA member state the provisions of the given state apply. Some states reduce pensions if the person is already in receipt of a pension from another state.

Note

- ▶ Survivors of employees insured under the occupational benefit plan scheme are also entitled to the benefits provided by this insurance scheme (see Occupational Benefit Plan, pp. 27 – 29).

Disability insurance benefits (DI)



How is the degree of disability established?**Each state has its own legislation on this issue.**

Each state establishes the degree of disability in accordance with its legislation. This may mean that a state will evaluate the person's disability differently.

Main types of disability regulations in Switzerland and in EU and EFTA member states

- ▶ In some states disability pensions are calculated along similar lines to old-age pensions. The pension amount depends on the total length of insurance periods. This means that the person does not have to be insured when disability occurs. This principle is also applied in Switzerland.
- ▶ Other states pay disability insurance pensions independently of the insurance period. However, the person must be insured when disability begins.

What happens if a person has contributed to disability insurance schemes in different states?**Depending on the situation, they will receive multiple disability pensions.**

The number of pensions and their amounts will depend on the disability regulations of the states concerned. Individuals who have contributed to the disability insurance scheme in an EU or EFTA member state or in Switzerland receive a partial pension from each state insofar as they meet the relevant national provisions.

Persons who have contributed for at least three years in Switzerland and meet the other conditions receive a disability pension in proportion to the period of contribution in Switzerland and under the same conditions as insured persons resident in Switzerland.

Periods of insurance completed in other states should be taken into account if they are essential for entitlement to a disability pension.

Are rehabilitation measures of the Swiss disability insurance scheme paid out in EU or EFTA member states?**As a general rule, no.**

Rehabilitation measures under the Swiss disability insurance scheme (e.g. occupational and medical) are only paid to individuals who are covered by the Swiss DI scheme. However, these rehabilitation measures may be granted abroad in exceptional cases insofar as the claimant meets these conditions.

Does this also apply to children who move with their parents to an EU or EFTA member state?

Yes, but only under exceptional rules.

Such children only have the right to rehabilitation measures if at least one parent is covered by the compulsory Swiss OASI/DI scheme while employed abroad. If this is the case, rehabilitation measures may be granted abroad if the chances of their success and the claimant's personal circumstances justify it.

Are disability pensions under the Swiss disability insurance scheme also paid out to individuals living in EU and EFTA member state?

Yes.

Swiss DI pensions are paid out to individuals living in EU and EFTA member states under the same conditions as in Switzerland.

Practical tip

- ▶ No claims, no benefits. A person entitled to disability insurance benefits must submit a claim. Residents of EU and EFTA member states must file a claim for Swiss OASI/DI benefits through the social security insurance system of their state of residence. The application will be sent for processing to the insurers in Switzerland. Further information is available from the national liaison bodies www.FSIO.admin.ch

Note

- ▶ Employees insured under the occupational benefit plan scheme are also entitled to the benefits provided by this insurance scheme (see Occupational Benefit Plan, pp. 27 – 29).

Benefits of the occupational benefit plan scheme (PP)



Are occupational benefit plans subject to the Agreement on the free movement of persons and the EFTA Convention?

Yes, but only in terms of the legal compulsory minimum provision.

The legal compulsory minimum provisions of the occupational benefit plan scheme (the compulsory elements) are covered by the Agreement on the free movement of persons and by the EFTA Convention. Provisions that exceed the legal minimum are also covered, but to a lesser extent.

Are benefits of an occupational benefit plan scheme paid out to individuals living in EU and EFTA member states?

Yes.

These benefits are paid irrespective of the state of residence.

Where should the claim for old-age, survivor and disability benefits be filed if the beneficiary is not domiciled in Switzerland?

Directly to the pension fund to which the employer is affiliated, the insurance company or the relevant bank.

If the person is working and the name of the pension fund is not known, the employer may provide the information. If the vested benefits have been transferred to a blocked bank account or to a vested benefits policy, claims should be filed directly with the institution that administers the account or policy.

Individuals who do not know whether they have any occupational benefit plan assets can contact the «2nd pillar Central Office», specially set up for such cases (www.sfbvg.ch). This office will provide information on the institutions which administer any unclaimed vested benefits either in a blocked bank account or in a vested benefits policy.

Are vested benefits from the compulsory occupational benefit plan scheme (minimum insurance cover) paid out in cash to a person who leaves Switzerland for good in order to take up gainful employment in an EU or EFTA member state?

Not if the person is subject to compulsory insurance cover there.

Compulsory occupational benefit contributions cannot be paid out in cash if the person concerned leaves Switzerland for good and is subject to the compulsory social security system in an EU or EFTA member state covering the risks associated with old-age, death and disability.

The compulsory part of the termination benefit must be paid into a vested benefits account or policy chosen by the insured person. This ensures that the pension fund remains in place and the retirement benefits from the vested benefits policies and accounts can be paid out no earlier than five years before and no later than five years after reaching retirement age.

If a person requests cash payment of his or her compulsory minimum pension assets, he or she must prove that he or she is not subject to compulsory insurance in the state concerned. To do this, they can contact the liaison body (LOB Guarantee Fund, www.sfbvg.ch). On the other hand, the prohibition does not affect the supra-mandatory part/extra-mandatory of the termination benefit, which can therefore be paid in cash in advance.

Exception

- ▶ Individuals who take up gainful employment in Liechtenstein and consequently become subject to its social security system must transfer their vested benefits to the provident institution of their new employer. If the insured person is no longer employed in Liechtenstein, the termination benefit must be transferred to a vested benefits account or policy in Switzerland, at the insured person's discretion.

Other options for cash payment

- ▶ Individuals who have left Switzerland for good and are no longer subject to the insurance system of another EU or EFTA member state (e.g. in cases of retirement) may request a cash payment at a later date.

Can employees who wish to become self-employed in an EU or EFTA member state request cash payment of their vested benefits (compulsory insurance cover)?

Only if they are not subject to compulsory insurance cover in the EU or EFTA member state.

Anyone who is self-employed and subject to compulsory old-age, disability and survivors' insurance cover in an EU or EFTA member state is not entitled to the payment of these benefits in cash.

Can a person use his or her vested benefits to fund home ownership in an EU or EFTA member state?

Yes, if the requisite conditions are met.

Individuals who are insured and resident in an EU or EFTA member state may request the use of their occupational benefit plan assets to finance a home for their own or their family's use.

**Benefits in case of illness, maternity,
paternity, caring of a seriously ill child
and adoption (AMal, MB, PB, CB and AB)**



What benefits are available in the event of illness or maternity?

Cash and non-cash benefits.

Cash benefits aim to compensate for the loss of income due to sickness.

In Switzerland, this is covered by the optional daily illness benefits insurance scheme pursuant to the Federal Law on Health Insurance. Individuals who legally reside or are gainfully employed in Switzerland are entitled to contribute to this insurance scheme. These benefits serve to cover, either partially or totally, income lost due to sickness or maternity, and to reimburse other costs incurred as the result of sickness which are not otherwise covered. Cash benefits are paid out in the event of sickness or maternity.

Non-cash benefits include outpatient and inpatient medical and dental treatment and medication, and the reimbursement of their costs.

In Switzerland, non-cash benefits are covered by the compulsory basic health insurance scheme under the current Federal Law on Health Insurance. Only in exceptional cases is dental treatment covered by the compulsory basic health insurance scheme.

What criteria apply to benefits in the event of illness or maternity?

Cash benefits are paid out according to the provisions of the state in which the person is insured.

Non-cash benefits are subject to the provisions of the state of temporary stay or permanent residence.

Cash benefits are paid out according to the provisions of the state in which the person is insured, irrespective of their state of residence or employment. Individuals who move to an EU or EFTA member state while receiving benefits are entitled to cash benefits during the entire period provided for by the law. A person, who is not receiving benefits, does not work in Switzerland and moves to an EU or EFTA member state must withdraw from the optional daily sickness benefits insurance scheme in Switzerland. In principle, insurance periods accumulated in Switzerland are transferred to the daily sickness benefits insurance scheme abroad.

Note

- ▶ In Switzerland, insurance to cover daily sickness benefits is, in the majority of cases, concluded between employers and private insurance companies. This means that it is not subject to the regulations which coordinate the social security systems of EU and EFTA member states. Individuals are therefore advised to ask their former employer in Switzerland for a certificate as proof of insurance cover.

Non-cash benefits are granted according to the provisions of the individual's state of temporary stay or permanent residence, i.e. this person is treated as if he or she were insured in that state. The range of benefits and rates are defined by the national provisions of the respective state.

What happens to individuals who fall ill when temporarily abroad?

They are entitled to medically necessary care in that state.

Individuals who are in an EU or EFTA member state on a temporary basis when they fall ill are entitled to receive care in that state. They are entitled to any non-cash benefits which become medically necessary during their stay, taking into account the nature of the benefits and the expected length of stay. In other words, they are entitled to all types of medical care and treatment that their state of health necessitates to enable them to continue their stay in the host state under safe medical conditions. They are not obliged to return to their state of residence for treatment. For this reason, individuals must obtain a European Health Insurance Card – EHIC (or a certificate provisionally replacing the EHIC) from their Swiss health insurer. This should be presented to the care provider or institution in the host state.



European Health Insurance Card.

Practical tips

- ▶ Individuals who go abroad solely to receive treatment must be authorised to do so by their health insurer (S2 certificate) if they want the health insurer to cover the costs. Health insurers will only fill in such a form under certain conditions.

What happens to individuals who live in an EU or EFTA member state and who are covered in Switzerland under the compulsory Swiss health insurance scheme?

They must register with the health insurer in their state of residence (institution of the place of residence or stay) and are entitled to the benefits they require.

These individuals will receive an S1 certificate from their Swiss health insurer (the form will vary according to category of person) which they can use to register with their insurer in their state of residence. They will then be entitled to non-cash benefits in accordance with the above regulations.

As a general rule, individuals who are insured in Switzerland but live in an EU member state (workers, pensioners, the unemployed), as well as their family members have the option of receiving treatment either in their state of residence or in Switzerland.

How are costs settled?

There are three possibilities.

Costs are settled either directly between the Swiss health insurer and the assisting institution of the state the individual is temporarily staying or between the individual and the Swiss health insurer, or between the individual and the assisting institution abroad.

Depending on the national provisions, costs are either settled directly between the Swiss health insurer and the assisting institution abroad or are paid by the individual, who can then apply for reimbursement at a later date from the Swiss health insurer or the assisting institution. Individuals who receive medical treatment in a state with a policy of cost-sharing must pay the relevant share of costs themselves.

Practical tips

- ▶ Individuals who do not live in the state in which they are insured must use the corresponding form to register with the competent body in their state of residence. Further information is available from the relevant liaison bodies; in Switzerland, this is the Common Institution under the Federal Law on Health Insurance (www.kvg.org).
- ▶ Individuals who would wish to go abroad temporarily must obtain a European Health Insurance Card (or a certificate provisionally replacing the EHIC) before they leave. Should they fall ill, the card should be presented to the medical practitioner or health insurer abroad. Health insurers will provide information on the different conditions and the requisite forms

Note

- ▶ In EU and EFTA member states, the regulations for non-occupational accidents are the same as for sickness. Under the Agreement on the free movement of persons and the EFTA Convention, non-occupational accidents are subject to the coordination provisions established for «sickness and maternity»
- ▶ A person insured in Switzerland who suffers a non-occupational accident abroad must immediately inform his or her employer and accident insurer. The latter will provide a certificate of entitlement which must be given to the health care provider.

Maternity Allowance (MB)

Who is entitled to maternity insurance benefits?

Women considered gainfully employed or self-employed at the time of the birth the child.

Women who are considered gainfully employed or self-employed at the time of the birth of the child are entitled to a maternity allowance. Claimants must have had compulsory old-age, disability and loss-of-income insurance cover (OASI/DI/APG) for nine months prior to the birth of the child, and must have been gainfully employed for at least five months during this period.

How much is a maternity allowance?

Allowances in the event of maternity amount to 80 % of average earned income, or a maximum of CHF 220 per day.

A maternity allowance is granted for 14 weeks (98 days) and amounts to 80 % of average earned income prior to the birth, but a maximum of CHF 220 per day.

Can a maternity allowance be paid out abroad?

Benefits are also paid out to women living in EU and EFTA member states.

What must a pregnant woman do if she leaves Switzerland to work abroad?

She must register with the health and maternity insurance institution in the foreign state of employment.

The latter will then be responsible for paying benefits in the event of maternity, according to its national legislation. If necessary, periods of insurance, activity or residence completed in Switzerland may be taken into account for entitlement to foreign benefits.

Paternity allowance (PB)

Who is entitled to paternity insurance benefits?

Fathers or mother's wives who are considered gainfully employed or self-employed at the time of the birth of the child are entitled to a paternity allowance.

Claimants must have had compulsory old-age, disability and loss-of-income insurance cover (OASI/SI/APG) for nine months prior to the birth of the child, and must have been gainfully employed for at least five months during this period.

How much is a paternity allowance?

The paternity allowance amounts to 80 % of the average income from gainful employment prior to the birth, but not more than CHF 220 per day.

The duration of paternity leave is two weeks (maximum 14 daily allowances). Claimants receive a loss of earnings allowance corresponding to 80 % of their average income subject to OASI prior to the birth, but no more than CHF 220 per day.

Can a paternity allowance be paid out abroad?

Yes, under certain conditions.

Paternity allowance can also be paid abroad if the father or the mother's wife moves his/her residence abroad after the birth. In this case, the *Swiss Compensation Office* is competent.

Care allowance (CB)

Who is entitled to care allowance?

Parents who have to interrupt their gainful employment to care for their seriously ill minor child.

How much is a care allowance?

The care allowance amounts to 80 % of the average income from gainful employment, but not more than CHF 220 per day.

The care leave lasts 14 weeks (maximum 98 daily allowances). The allowance amounts to 80 % of the average income subject to OASI prior to the interruption of employment, but no more than CHF 220 per day.

The leave can be split between the parents and must be taken within a time limit of 18 months in weeks or days.

Can a care allowance be paid out abroad?

Yes, under certain conditions.

The allowance can also be paid to parents living in an EU or EFTA state.

Adoption allowance

Who is entitled to adoption allowance?

Persons in gainful employment who adopt a child under the age of four.

They must have been compulsorily insured with the old-age, disability and loss-of-income insurance (OASI/DI/APG) for nine months prior to the adoption of the child, and must have been gainfully employed for at least five months during this period.

There is no entitlement in the case of adoption of a spouse/partner's child.

How much is an adoption allowance?

The adoption allowance amounts to 80 % of the average income earned by the adoptive parent, but not more than CHF 220 per day.

Adoption leave entitle to two weeks' leave (maximum 14 daily allowances). The adoption allowance amounts to 80 % of the average income subject to OASI prior the child's adoption, but not more than CHF 220 per day. Adoptive parents can share the leave, which have to be taken in weeks or days, within a 12-month period.

However, the adoptive parents cannot take the leave simultaneously.

Occupational accident and disease insurance benefits (AA)



In which state should occupational accident and disease insurance benefits be claimed?

Non-cash benefits in the state of residence; cash benefits in the state in which the person is insured.

As a general rule, **non-cash benefits** for occupational accidents and diseases should be claimed in the person's state of residence. Cross-border commuters are entitled to choose between treatment in their state of residence and the state where they are insured.

Cash benefits are paid out directly by the accident insurance fund of the injured party.

According to what criteria are benefits for occupational accidents and diseases granted?

Non-cash benefits according to the provisions that apply in the state of residence, cash benefits according to the provisions of the state in which the person is insured.

Non-cash benefits are granted according to the provisions that apply in the state of residence of the injured party, i.e. the individual is entitled to the same treatment as those insured in their state of residence. The range of benefits and rates are defined by the relevant national regulations.

Cash benefits are paid out according to the provisions of the state in which the injured party is insured, irrespective of his or her state of residence or employment.

What happens to individuals who suffer an occupational accident or are affected by an occupational disease during a temporary stay abroad?

They are entitled to the necessary benefits in the host state.

Anyone who suffers an occupational accident or is affected by an occupational disease during a temporary stay abroad is entitled to treatment and other non-cash benefits in the host state.

Practical tips

- ▶ A person who is insured in Switzerland and suffers an occupational accident abroad must notify his or her employer and accident insurer immediately. The latter will then issue a DA 1 certificate which should be given to the health care provider.
- ▶ Individuals who go abroad for treatment must be authorised to do so by their accident insurer, if they wish the latter to cover the costs. As a general rule however, accident insurers are under no obligation to grant such authorisation.

How are costs settled?

As a general rule, the accident insurers settle costs between themselves.

Depending on the relevant national regulations, costs are either settled directly between the accident insurers or covered by the individual themselves and reimbursed later by the accident insurer. Most EU and EFTA member states provide for the direct settlement of costs between insurance companies.

Individuals treated in a state which provides for cost sharing by the patient must pay the relevant share of costs themselves.

Which insurer covers the costs of an occupational disease if the person was exposed to the same risk in several states?

The insurer of the state in which the patient was last exposed to harmful conditions or substances covers the costs.

As a general rule, if a person suffering from an occupational disease was exposed to harmful conditions or substances in several states, the insurer of the state in which the person last carried out the activity that caused the disease covers the costs.

What happens to the benefits if a person changes his or her state of residence following an occupational accident or after the onset of an occupational disease?

Non-cash benefits are granted in the new state of residence; cash benefits are transferred by the relevant accident insurer.

A person who has suffered an occupational accident or disease and moves to another state will receive the non-cash benefits in his or her new state of residence. However, the accident insurer must agree to the move. Cash benefits are paid out directly by the relevant accident insurer.

Practical tips

- ▶ Further information is available from accident insurers and the relevant liaison offices. In Switzerland, this is the Swiss National Accident Insurance Fund, Lucerne (www.suva.ch).

Unemployment insurance benefits (AC)



Where should an unemployed person file his or her claim?

As a general rule, in the last state in which he or she was employed.

Unemployed individuals must file their claims in the last state in which they were employed and where they reside. The relevant unemployment institution, where necessary, must take into account periods of insurance and duration of employment in other EU or EFTA member states. The prerequisite for receipt of benefits is that the person was insured in the state where he or she submitted the claim immediately prior to becoming unemployed.

The consequence is that individuals who lose their job in Switzerland cannot claim unemployment benefits in another state.

Can I look for a job in another state and receive unemployment benefits there?

Yes, Swiss unemployment benefits can be paid out abroad under certain circumstances and for a maximum of three months.

After registering with the Swiss employment services, insured persons must have remained available to the competent employment service during four weeks. Once their claim for export has been approved, insured persons may move to the EU/EFTA state where they want to look for a job, notify the competent employment services of their arrival and comply with that state's control procedures.

The Swiss unemployment office continues to pay Swiss unemployment benefits for a maximum period of three months.

If the person does not find new employment within the three months, he or she can return to Switzerland and continue to receive unemployment insurance benefits.

Detailed information is available in the leaflet from the SECO *"Unemployment benefits when seeking employment abroad (EU or EFTA member states)"*.

Transition benefits for older unemployed persons (TB)

Are transition benefits also paid in an EU or EFTA Member State?

Provided the conditions for entitlement are met, annual transition benefits are also paid in an EU/EFTA state. In the case of residence in the EU/EFTA, some expenses are adjusted to the purchasing power of the state concerned.

Where should an application for transition benefits be submitted?

For persons domiciled in an EU/EFTA member state, the competent enforcement body is that of their last domicile in Switzerland. For persons who have never been domiciled in Switzerland, the competent enforcement body is that of the location of the last employer.

Further information

Further information can be found in the leaflet *5.03 - Transition benefits for older unemployed* (not available in English).

Family allowances (AFam)



Are individuals who take up gainful employment in an EU or EFTA member state entitled to a Swiss family allowance if the family lives in Switzerland?

As a general rule, no. The state of employment grants family allowances.

Generally, entitlement to family allowances arises in the state where one of the parents is employed. This regulation also applies if the family members live in another EU or EFTA member state. As a general rule, a person who is employed in Switzerland is entitled to a family allowance, even if the members of his or her family live in an EU or EFTA member state.

Which state pays family allowances when the parents are gainfully employed in two different states?

The children's state of residence if one of the parents works there.

If the other parent is gainfully employed in a state that grants more generous benefits, that state pays the difference. Families entitled to benefits from several states thus receive the maximum amount provided by the legislation of these states.

May family benefits be reduced when they are paid out to family members living in a state with lower living costs?

No.

The principle of territorial equality bans differential treatment. Citizens of EU member states and Icelandic, Liechtenstein, Norwegian and Swiss nationals must be treated as if their family lived in their state of employment.

Practical information

- ▶ Further information is available from the cantonal OASI compensation offices and from family allowance offices.

Addresses and websites

European Union

EUROPA – European Union online
www.europa.eu

Liaison offices abroad

Under INT/Répertoires:
www.bsv.admin.ch
<http://www.bsv.admin.ch/vollzug/documents/index/category:133/lang:deu>
"Addresses of Swiss liaison bodies and of competent institutions"

Information on social protection systems in EU and EFTA member states; information on social security in other states

MISSOC: Comparative tables on social protection in EU and EFTA member states –
MISSOC bulletin on social protection in the EU: www.europa.eu

Liaison bodies:

Subjection/AFam

Federal Social Insurance Office (FSIO)
Effingerstrasse 20
3003 Bern
info@bsv.admin.ch
www.bsv.admin.ch

OASI/DI/PC/TB

OASI Compensation offices and Disability insurance offices
www.ahv-iv.ch

Occupational benefit plan

Providential Institution under the Federal Law
2ND pillar Central Office, LOB Guarantee Fund
Eigerplatz 2
3007 Bern
PO Box 1023, 3000 Bern 14
info@sfbvg.ch
www.sfbvg.ch

Substitute Occupational Benefit Institution
Federal and Cantonal Monitoring Authorities of the Occupational
Benefit Plan
www.ahv-iv.ch
Leaflet 6.06

Health insurance

Federal Office of Public Health FOPH
3003 Bern
www.bag.admin.ch

Liaison body:
Common Institution under the Federal Law on Health Insurance
International Coordination Office
Industriestrasse 78
4600 Olten
www.kvg.org

Cantonal offices which deal with applications for
exemption from compulsory health insurance and
applications for reduced premiums:
www.bag.admin.ch
www.ahv-iv.ch
Leaflet 6.07

Maternity, Paternity, Care, Adoption

OASI compensation offices
www.ahv-iv.ch

Liaison bodies
Common Institution under the Federal Law on
Health Insurance
Industriestrasse 78
4600 Olten
www.kvg.org

and

Swiss OASI Compensation Office SCO,
Avenue Edmond-Vaucher 18, PO Box 3100
1211 Geneva 2
www.zas.admin.ch

Accident insurance

Federal Office of Public Health FOPH
3003 Bern
www.bag.admin.ch

Swiss National Accident Insurance Fund (SUVA)
Fluhmattstrasse 1
6004 Lucern
Mailing address:
PO Box, 6002 Lucern
www.suva.ch

Unemployment insurance

State Secretariat for Economic Affairs SECO
Directorate of Labour
Holzikofenweg 36
3003 Bern
www.seco.admin.ch

General information on unemployment-related matters:
www.work.swiss

Addresses of regional employment agencies,
unemployment offices and cantonal authorities:
www.work.swiss > *Institutions / Media* > *Adresses*

General

General information on bilateral CH-EU agreements
and European Integration
FDFA, Directorate for European Affairs DEA
Federal Palace East
3003 Bern
europa@seco.admin.ch
www.europa.admin.ch

Immigration/residency
State Secretariat for Migration SEM
Quellenweg 6
3003 Bern-Wabern
www.sem.admin.ch



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