

Leaving Switzerland

And moving to an EU or EFTA member state

*Information aimed at Swiss nationals and citizens of
an EU or EFTA member state who intend to leave
Switzerland and move to an EU or EFTA member state.*

Abbreviations

AA	Accident and occupational diseases insurance
AC	Unemployment insurance
AI	Invalidity insurance
ALCP	Agreement on the freedom of movement of persons between Switzerland and the EU
AMaI	Sickness insurance
AMat	Maternity allowance
APG	Optional loss-of income insurance in the event of service and maternity
AVS	Old-age and survivors' insurance
CHF	Swiss francs
EEA	European Economic Area
EFTA	European Free Trade Association
EHIC	European Health Insurance Card
EU	European Union
HMO	Health Maintenance Organisation
SUVA	Swiss National Accident Insurance Fund
LAMaI	Federal Law on Sickness Insurance
LOB	Federal Law on Occupational Benefits
FOPH	Federal Office for Public Health
FSIO	Federal Social Insurance Office
PC	Supplementary benefits
PP	Occupational benefit plan

Note

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 merely provides 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.

This brochure does not apply to Bulgaria and Romania, or to nationals of these countries.

Regular updates of this brochure will be posted on the Old-age and invalidity insurance website: www.avs-ai.info

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

What is the Agreement on the free movement of persons?

A regulation 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 progressively opening the labour market. The right to free movement of persons is completed by the mutual recognition of professional qualifications and the coordination of national social security systems. The Agreement on the free movement of persons applies only 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)	Finland (FI)	Lithuania (LT)	Romania* (RO)
Belgium (BE)	Germany (DE)	Liechtenstein (LI)	Slovakia (SK)
Bulgaria* (BG)	Greece (GR)	Luxemburg (LU)	Slovenia (SI)
Cyprus (CY)	Hungary (HU)	Malta (MT)	Spain (ES)
Czech Republic (CZ)	Iceland (IS)	Netherlands (NL)	Sweden (SE)
Denmark (DK)	Ireland (IE)	Norway (NO)	Switzerland (CH)
Estonia (EE)	Italy (IT)	Poland (PL)	United Kingdom (UK)
France (FR)	Latvia (LV)	Portugal (PT)	

* Bulgaria (BG) and Romania (RO) acceded to the EU on 1st January 2007. Both these member states are still not covered by the Agreement on the Free Movement of Persons. Following the Swiss referendum in February, the Agreement will be extended to cover Bulgaria and Romania at some point in 2009.

What is the EFTA Convention?

A regulation governing relations between EFTA member states.

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

EFTA states:

- ▶ Iceland
- ▶ Liechtenstein
- ▶ Norway
- ▶ Switzerland

European Economic Area (EEA)

▶ The EEA comprises EU and EFTA member states, with the exception of Switzerland. The Agreement on the European Economic Area applies solely to nationals of EEA member states living or working in an EEA state. It also coordinates national social security systems; this also applies to refugees and stateless persons.

Note

▶ The Agreement on the free movement of persons, the EFTA Convention and the EEA Agreement have the same regulations on the coordination of national social security systems. Nevertheless, in certain cases these rules may not apply to relations between EU member states, EFTA member 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. A citizen of an EU member state moves from Switzerland to an EFTA member state.

What is the relevance of the Agreement on the free movement of persons (ALCP) 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 will be 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;
- ▶ attenuation or elimination of any negative effects on an individual's insurance cover due to moving to a different country for the purpose of employment or residency.

Existing bilateral social security agreements between Switzerland and individual EU member states are replaced by the Agreement on the free movement of persons. The existing agreements 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 not gainfully employed and those who are neither Swiss nationals nor a citizen of an EU or EFTA member state.

What types of insurance are covered by these agreements?

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

The Agreement on the free movement of persons and the EFTA Convention apply to the legal provisions governing:

- ▶ old age
- ▶ invalidity
- ▶ death (survivors' benefits)
- ▶ sickness and maternity
- ▶ accidents at work and occupational diseases
- ▶ unemployment benefits
- ▶ family allowances

Social assistance is not covered by either the Agreement on the free movement of persons or the EFTA Convention.

Who is covered?

Citizens of an EU member state, as well as Icelandic, Liechtenstein, Norwegian and Swiss nationals who work in an EU or EFTA member state or in Switzerland, or who move to one of these countries.

The Agreement on the free movement of persons and the EFTA Convention concern:

- ▶ individuals who are or were gainfully employed (old-age pensioners, the unemployed);
- ▶ students and members of their families (only in relation to sickness insurance);
- ▶ family members or surviving dependants of individuals who are or were gainfully employed, regardless of their nationality, but only in terms of the rights of the individual who was insured;
- ▶ refugees and stateless persons residing legally in Switzerland or in an EU or EFTA member state.

Anyone who has never been gainfully employed as well as individuals who are not Swiss nationals or citizens of an EU or EFTA member state are not covered by the Agreement on the free movement of persons or the EFTA Convention, unless they are family members or surviving dependants (see above). These individuals will still be covered by existing bilateral social security agreements. The AVS compensation fund offices will provide any further information (www.avs-ai.info).



Which social security system?

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

As a 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 country. This means that they must pay insurance contributions, including sickness, in only one country.

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

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

As a general rule, Swiss nationals and citizens of an EU/EFTA member state who are gainfully employed in only one country must contribute to the social security system in that country, even if they are resident in a different country or if the head office of the firm or their employer is located in a different country.

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

To the social security system where they live, where their employer's headquarters are located or where they pursue their main activity.

As a general rule, Swiss nationals and citizens of an EU/EFTA member state who work in several countries are subject to the legislation of only one country, namely the social security system of their country of residence. Where individuals work for only one employer but are resident outside of the countries in which they work, they are subject to the social security system of the country where their employer's headquarters are located. Individuals who are self-employed in several countries but live in another country are subject to the social security system in the country where they pursue their main activity.

Exception

► As a general rule, anyone who is self-employed in one country but is employed in another must contribute to the systems of both countries. For example, this applies to individuals who are self-employed in Switzerland but are also employed in an EU or EFTA member state.

To which social security system must individuals regularly insured in Switzerland contribute if they are temporary posted in an EU or EFTA?

To the Swiss social security system.

EU, Icelandic, Liechtenstein, Norwegian and Swiss nationals regularly insured in Switzerland temporary posted in an EU or EFTA member state remain subject to the Swiss social security system, insofar as the posting is no longer than 12 months. Should the period of posting be extended, an individual may request that he or she remains subject to the original social security system.

The employer's AVS compensation fund office certifies the posting and provides any further information on this subject.

Special provisions

▶ Special provisions apply to employees of international transport companies, seamen, civil servants, embassy and consular staff, employees of firms which are located on the border between Switzerland and a neighbouring EU member state, as well as military personnel.

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

To the insurance system of the country which pays the unemployment benefits.

To which sickness 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 country**, but do not live there, are subject to the sickness insurance system of the country which pays the pension.

As a general rule, individuals who receive a pension **from several countries** and live in one of them are subject to the sickness insurance system of their country of residence. If they live in a country which does not pay them a pension, they must take out sickness insurance cover in the country in which they have been insured for the longest period.

Sickness insurance for family members who are not gainfully employed

▶ Non-gainfully employed family members of employed or unemployed persons or pensioners are subject to the same insurance system as their next of kin even if they live in another country.

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 country of residence. The Agreement on the free movement of persons and the EFTA Convention does not regulate their insurance cover.

On the basis of the Agreement on the free movement of persons or the EFTA Convention, anyone who is resident abroad but subject to the Swiss social security system must also take out compulsory sickness insurance cover. 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 country of residence (see table below). The list of insurers and insurance premiums in each EU or EFTA member state are available on the website of the Swiss Federal Office for Public Health (FOPH): www.primes.admin.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 country of residence or Switzerland	Insurance in the country of residence	Insurance in Switzerland
When a person resides in one of the following countries:			
<ul style="list-style-type: none"> - employees - frontier worker - pensioners - unemployed 	AT, DE, FR, IT ES*, PT* *only pensioners	LI	BE, CY, CZ, DK, EE, FI, GB, GR, HU, IE, IS, LU, LT, LV, MT, NO, NL, PL, SE, SI, SK ES*, PT* *except pensioners
Family members not in gainful employment of: <ul style="list-style-type: none"> - employees - frontier workers - pensioners - unemployed - short-stay residents 	FI AT*, ES* (pensioners only), FR*, IT* *insurance in the same country as frontier workers, pensioners, the unemployed DE** **possibility of separate choice for family members who are not gainfully employed	DK, GB, LI, PT, SE ES*, HU* *except pensioners	BE, CY, CZ, EE, GR, IE, IS, LU, LT, LV, MT, NO, NL, PL, SK, SI HU* *only pensioners

The countries listed above are indicated by using their ISO codes. Refer to page 4 for decoding.

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 sickness insurance institution in their country of residence to cover administrative formalities. They do not have the choice of insurance cover (choice of franchise, insurance with bonus, HMO), since they are entitled to the sickness insurance benefits set down in the legislation of their country of residence.

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

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



Changing social security system

Under which circumstances may a person have to change 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 country in which they live or work.

Individuals who are temporarily employed or on posting abroad continue (depending on the country of residence, employment and employer) to be subject to either the Swiss social security system or to the system of their country of employment/ residence or the host country.

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

The social security system provided for in the national legislation.

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

Information is available from the liaison bodies of these national social security systems. More detailed information on national social security systems is available online, in particular on the MISSOC website (Mutual Information System on Social Protection in EEA member states (<http://ec.europa.eu/missoc>)).

What happens to AVS/AI 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 when an insured event occurs.

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

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

No.

EU, Icelandic, Liechtenstein, Norwegian or Swiss nationals can take out voluntary old-age, survivors' and invalidity 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 (www.avs-ai.info/andere/00134/00224/index.html?lang=de) contains all relevant information on voluntary old-age, survivors' and invalidity insurance cover.

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

AVS/AI cover can be extended under certain conditions.

Individuals who have Swiss AVS/AI cover can remain insured in Switzerland while they are gainfully employed in an EU or EFTA member state. As a general rule, anyone who is gainfully employed abroad (other than in an EU/EFTA member state) as well as members of their family are not insured under the compulsory Swiss AVS/AI scheme. However, they may take out such insurance under certain conditions.

Individuals who are gainfully employed abroad by a Swiss employer can continue to be covered under the AVS/AI/APG schemes and the unemployment insurance scheme under the following conditions:

▶ **Their salary is paid in Switzerland**, by the Swiss employer.

▶ **They have been insured for five consecutive years.**

▶ **The employer agrees to the employee's continuing to be insured in Switzerland**

Insurance cover can only be extended if the individual concerned has been insured for five consecutive years in the compulsory or optional AVS/AI scheme, either directly prior to taking up employment abroad or – for individuals who were posted in an EU or EFTA member state but were still insured in Switzerland – directly after the termination of their employment abroad. Insurance periods in EU or EFTA member states are added to this 5-year period to ensure ongoing insurance cover of EU, Icelandic, Liechtenstein, Norwegian or Swiss citizens.

▶ **Agreement between employee and employer.** To ensure extended compulsory insurance cover, a written request signed by the employee and the employer must be submitted to the employer's AVS compensation fund office. 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 extended compulsory insurance cover. Once this deadline has expired, an extension of compulsory insurance cover is no longer possible. Further information is available from the AVS compensation fund office.

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

Individuals who are posted abroad are subject to special rules. More information is provided in the leaflet «Social security in Switzerland» www.avs-ai.info/andere/00134/00224/index.html?lang=en



Old-age insurance benefits (AVS)

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 country upon reaching retirement age.

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

Retirement age

▶ A person becomes entitled to an old-age pension when they reach statutory retirement age; this varies across countries. As a result, entitlement to an old-age pension from the given countries may begin at different times.

Minimum period of insurance

▶ The minimum period of insurance required for entitlement to an old-age pension varies across countries, 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 countries.

The minimum insurance period in Switzerland is one year.

Special provisions apply for individuals who contributed to old-age insurance schemes for less than one year in several countries.

How are old-age pensions calculated?

On the basis of insurance periods.

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

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

Yes.

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

Are supplementary benefits from the AVS/AI scheme paid out abroad?

No.

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

Does the receipt of a pension from an EU or EFTA member state have any bearing 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 AVS 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. 25 – 27).



Survivors' insurance benefits (AVS)

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

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

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, according to the relevant national provisions.

Yes.

Survivors' benefits of the Swiss AVS scheme are granted under the same conditions in Switzerland as in an EU or EFTA member state. This applies both to individuals who are already resident in an EU or EFTA member state when their entitlement to a pension begins and to those who later move to an EU or EFTA member state. The receipt of a pension from an EU or EFTA member state does not have any bearing on the pension amount received from Switzerland.

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.

According to the Swiss AVS scheme, a person may not 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 country apply. Some countries reduce pensions if the person is already in receipt of a pension from another country.

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. 25 – 27).



Invalidity insurance benefits (AI)

How is the degree of invalidity established?

Each country has its own legislation on this issue.

Each country establishes the degree of invalidity in accordance with its legislation. This may mean that a country will evaluate the person's earnings incapacity differently.

Main types of invalidity regulations in Switzerland and in EU or EFTA member states

▶ In some countries invalidity pensions are calculated along similar lines as 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 invalidity occurs. This system is also applicable in Switzerland.

▶ Other countries pay invalidity insurance pensions regardless of the insurance period. However, the person must be insured when invalidity begins.

What happens if a person has contributed to the invalidity insurance in different countries?

Depending on the situation, they receive one or more invalidity pensions.

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

Individuals who have been insured for a minimum of three years in Switzerland and meet the other requirements will receive an invalidity pension corresponding to the insurance period in Switzerland.

As a general rule, all insurance periods accumulated in other countries, where necessary, will be aggregated for entitlement to an invalidity pension. For example, this would be carried out if a country has a long minimum insurance period and the person was only insured there for a short duration.

Are rehabilitation measures of the Swiss invalidity insurance scheme paid out in EU or EFTA member states?

As a general rule, no.

Rehabilitation measures of the Swiss invalidity insurance scheme (e.g. occupational and medical) are only paid to individuals who are covered by the Swiss AI 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, in exceptional cases.

Such children only have the right to rehabilitation measures if at least one parent is covered by the compulsory Swiss AVS/AI 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 invalidity pensions of the Swiss invalidity insurance scheme also paid to individuals living in an EU or EFTA member state?

Yes.

Swiss AI pensions are paid to individuals living in an EU or EFTA member state. This rule does not apply to special benefits awarded in the case of hardship to individuals who receive a quarter invalidity pension abroad.

Practical tip

▶ **No claims, no benefits.** A person entitled to invalidity insurance benefits must submit a claim. Residents of an EU or EFTA member state must file a claim for Swiss AVS/AI benefits through the social security insurance system of their country of residence. The application will be sent for processing to the insurers in Switzerland. Further information is available from the national liaison bodies. (www.sozialversicherungen.admin.ch/storage/documents/631/631_3_fr.pdf)

Note

▶ Employees insured under the occupational benefit plan scheme are also entitled to the benefits provided by this insurance scheme (see Benefits of the occupational benefit plan, pp. 25 – 27).



Benefits of the occupational benefit plan scheme (PP)

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

Yes, but only the legal compulsory minimum provision.

The legal compulsory minimum provisions of the occupational benefit plan scheme 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 also paid to individuals living in an EU or EFTA member state?

Yes.

These benefits are paid regardless of the country of residence.

Where should an individual who does not live in Switzerland file their claim for these benefits?

Directly with the employer's insurer.

If the person does not know the name of the insurer, they should contact the relevant liaison body (LOB Guarantee Fund; www.sfbvg.ch).

If the vested benefits have been transferred to a blocked bank account or to a vested benefits policy, they should file their claim 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 this purpose (www.sfbvg.ch). It 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 in cash to a person who leaves Switzerland for good in order to take up gainful employment in an EU or EFTA member state?

No, if the person is subject to compulsory insurance cover.

The payment in cash of compulsory occupational benefit contributions is not possible if the person leaves Switzerland for good, and if they are subject to the compulsory social security system in an EU or EFTA member state. These benefits are transferred to a blocked bank account or to a vested benefits policy of the person's choice. This ensures ongoing insurance cover and any benefits will be paid out to the individual upon reaching retirement age. Vested benefits which exceed the legal minimum are not subject to this regulation.

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.

Other possibilities 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. 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 a 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, invalidity or survivors' insurance cover in an EU or EFTA member state are 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.



Sickness and maternity insurance benefits (AMal and AMat)

What benefits are paid in the event of sickness or maternity?

Cash and in-kind benefits.

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

In Switzerland, this is covered by the optional loss-of-income insurance scheme pursuant to the Federal Law on Sickness 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 in the event of sickness or maternity.

In-kind benefits include outpatient and inpatient medical or dental treatment and medication, as well as the reimbursement of their costs.

In Switzerland, in-kind benefits are covered by the compulsory basic sickness insurance scheme under the current Federal Law on Sickness Insurance. Only in exceptional cases is dental treatment covered by the compulsory basic sickness insurance scheme.

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

Cash benefits are paid according to the provisions of the country in which the person is insured. In-kind benefits are subject to the provisions of the country of temporary stay or permanent residence.

Cash benefits are paid according to the provisions of the country in which the person is insured, regardless of their country 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 loss-of-income insurance scheme in Switzerland. Insurance periods accumulated in Switzerland are transferred to the loss-of-income insurance scheme abroad.

Note

► Daily allowances of sickness insurance contracts concluded by employers are considered in Switzerland as private insurance policies. This means that they are not subject to the regulations which coordinate the social security systems of EU and EFTA member states. Therefore, individuals are advised to ask their former employer in Switzerland for a certificate as proof of insurance cover. As a general rule, this document is considered by foreign institutions as equivalent to an E104 certificate (www.avs-ai.info/andere/00140/00239/index.html?lang=de).

In-kind benefits are paid according to the provisions of the individual's country of temporary stay or permanent residence, i.e. this person is treated as if he or she were insured in that country. The range of benefits and rates are defined in the national provisions of the given country.

What happens to individuals who fall ill when temporarily abroad?



European Health Insurance Card

They are entitled to medically necessary care.

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 country. They are entitled to in-kind 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 country under safe medical conditions. The key is that they should not be obliged to return to their country 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 sickness insurer. This should be presented to the care provider or institution in the host country.

Practical tips

► Individuals who go abroad solely to receive treatment must be authorised to do so by their sickness insurer (E112 form). In general, insurers are under no obligation to grant such authorisation.

What happens to individuals who live in an EU or EFTA member state and who have contributed to the compulsory Swiss sickness insurance scheme?

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

These individuals receive a form from their Swiss sickness insurer (varies according to category of person) which they use to register with their insurer in their country of residence. They are entitled to in-kind benefits in accordance with the above regulations.

How are costs settled?

There are three possibilities.

Costs are settled either directly between the Swiss insurer and the institution of the place of residence or stay, or between the individual and the Swiss sickness insurance scheme, or between the individual and the insurer abroad.

Depending on the national provisions, costs are either settled directly between insurers, or the individual must cover them and apply for reimbursement at a later date from the Swiss sickness insurer or the institution of the place of residence or stay. Individuals who receive medical treatment in a country with a policy of cost-sharing must pay these costs themselves.

Practical tips

► Individuals who do not live in the country in which they are insured should use the corresponding form to register with the competent body in their country of residence.

Individuals who would wish to go abroad temporarily should 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 physician or sickness insurer abroad.

Sickness insurers will provide information on the different conditions and the requisite forms. Further information is available from the relevant liaison bodies; in Switzerland, this is the Common Institution under the Federal Law on Sickness Insurance (www.kvg.org).

Note

► In EU and EFTA member states, the regulations for non-occupational accidents are the same as for sickness insurance. Under the Agreement on the free movement of persons and the EFTA Convention these types of accident are subject to the coordination provisions established for «sickness and maternity».

A person in Switzerland who is the victim of 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.

Who is entitled to maternity insurance benefits?

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

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

How much is a maternity allowance?

Allowance in case of maternity amounts to 80% of the average earned income, or a maximum of CHF 196.– per day.

A maternity allowance is granted for 14 weeks (98 days) and amounts to 80% of the earned income prior to giving birth, but a maximum of CHF 196.– per day.

Can a maternity allowance be paid out abroad?

Benefits are also paid out if the woman lives in an EU or EFTA member state.

What should a pregnant woman do when leaving Switzerland to work abroad?

Obtaining an E104 form.

The E104 form is obtained from the competent AVS compensation fund office (www.avs-ai.info/andere/00150/index.html?lang=de) or by the Common Institution under the Federal Law on Sickness Insurance (www.kvg.org). This form must be submitted to the new sickness and maternity insurer. The latter will then pay out maternity benefits in accordance with the given national legislation.



Occupational accident and disease insurance benefits (AA)

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

In-kind benefits in the country of residence; cash benefits in the country in which the person is insured.

In-kind benefits for occupational accidents and diseases, as a general rule, should be claimed in the person's country of residence. Frontier workers are entitled to choose between treatment in their country of residence and the country where they are insured.

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

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

In-kind benefits according to the provisions that applies in the country of residence, cash benefits according to the provisions of the country in which the person is insured.

In-kind benefits are paid according to the provisions that apply in the country of residence of the injured party, i.e. they are entitled to the same treatment as if they were insured there. The range of benefits and rates are defined by the relevant national regulations.

Cash benefits are paid according to the provisions of the country in which the injured party is insured regardless of his or her country 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 country.

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

Practical tips

▶ A person who is insured in Switzerland and a victim of an occupational accident abroad must notify his or her employer and accident insurer immediately. The latter will then issue an E123 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, 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. Alternatively, the person covers the costs and is later reimbursed by the accident insurer. Most EU and EFTA member states provide for the direct settlement of costs between insurance companies.

Individuals treated in a country which provides for cost sharing by the patient must pay these costs themselves.

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

The insurer of the country 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 countries, the insurer of the country 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 country of residence following an occupational accident or after the onset of an occupational disease?

In-kind benefits are paid in the new country of residence; cash benefits are transferred by the competent accident insurer.

A person who has suffered an occupational accident or disease and moves to another country receives in-kind benefits in his or her country of residence. However, the accident insurer must agree to the move. Cash benefits are paid directly by the competent accident insurer.

Practical tips

► Further information is available from 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 country in which he or she was gainfully employed.

Unemployed individuals must file their claims in the last country in which they were gainfully employed. 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 country where he or she submitted the claim immediately prior to becoming unemployed.

A person may not claim unemployment benefits in a country in which he or she did not have unemployment insurance cover prior to becoming unemployed.

Exceptions

► **Frontier workers** must claim the benefits to which they are entitled in their country of residence. Workers whose last seasonal employment was less than eight months can claim these benefits in their last country of employment or in their home country.

How are benefits calculated?

According to the legal provisions of the country that pays them.

Unemployment insurance benefits are calculated according to the legal provisions of the country that pays them. If they specify that these benefits are calculated on the basis of the person's last income, only income earned in the last country of employment is taken into account.

Can I look for a job in another country and receive unemployment benefits abroad?

Yes, under certain circumstances and for a maximum of 3 months.

When their employment is terminated, individuals must be available for four weeks to the employment services of the country which pays out the unemployment benefits. Within seven days of their departure abroad, they must register with the employment services of the country of stay and fulfil the legal requirements for working there. Unemployment benefits are only paid out for a maximum of three months (this is non-renewable).

If the person does not find new employment, they can receive unemployment benefits in their last country of employment insofar as they return before the end of the three-month period. If they return after this date without the official permission of the employment services in their last country of unemployment, they will forfeit their rights to unemployment benefits.

Practical tip

► Many unemployed individuals forfeit their right to unemployment benefits either because they leave their last country of employment without first registering with its employment services, or because they register too late with the employment services of the country where they are seeking work, or because they return to their last country of employment after the three-month deadline has expired. It is advisable to ask the unemployment institution for information on the regulations and conditions that apply in specific cases.



Family allowances

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 country of employment grants family allowances.

Generally, entitlement to family allowances occurs in the country where one of the parents is employed. This regulation is also applicable when family members live in another EU or EFTA member state. As a general rule, a person who is gainfully 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 country pays family allowances when the parents are gainfully employed in two different countries?

The children's country of residence, when parents also work there.

If the other parent is gainfully employed in a country that grants more generous benefits, that country pays the difference. Thus, families entitled to benefits from several countries receive the maximum amount provided by the legislation of these countries.

**May reduced family benefits
be paid to family members
living in a country with lower
living costs?**

No.

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

Practical information

► Further information is available from the cantonal compensation fund and the family allowance office.

Addresses and websites

European Union

EUROPA – European Union online
<http://ec.europa.eu/>

Liaison offices abroad

- ▶ Under INT/Répertoires:
www.sozialversicherungen.admin.ch/storage/documents/561/561_3_de.pdf
«Sozialversicherungsabkommen Adressen ausländischer Ministerien und Verbindungsstellen»
www.sozialversicherungen.admin.ch/storage/documents/631/631_3_fr.pdf
«Conventions de sécurité sociale: Adresses de ministères et d'organismes de liaison étrangers»
www.sozialversicherungen.admin.ch/storage/documents/632/632_3_it.pdf
«Accordi sulle assicurazioni sociali Indirizzi di ministeri esteri e organi di collegamento »

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

- ▶ MISSOC: Comparative tables on social protection in EU and EFTA member states
– MISSOC bulletin on social protection in the EU:
<http://ec.europa.eu/missoc>
- ▶ Social security in other countries: www.ssa.gov/international/links.html

Switzerland
CH

Liaison bodies

Social insurance (excluding accident,
unemployment and sickness insurance)

Federal Social Insurance Office (FSIO)

Bundesamt für Sozialversicherung (BSV)

Office fédéral des assurances sociales (OFAS)

Ufficio federale delle assicurazioni sociali (UFAS)

Effingerstrasse 20

3003 Berne

info@bsv.admin.ch

www.ofas.admin.ch

Types of insurance within the Swiss social security system

AVS/AI/APG

AVS Compensation fund offices

AHV-Ausgleichskassen

Caisses de compensation AVS

Casse di compensazione AVS

www.avs-ai.info

(the addresses can also be found at the end of all Swiss telephone directories)

Invalidity insurance offices

IV Stellen

Offices AI

Uffici AI

www.avs-ai.info

(the addresses can also be found at the end of all Swiss telephone directories).

Occupational benefit plan

Providential Institution under the Federal Law

2nd pillar Central Office

Zentralstelle 2. Säule

Centrale du 2^e pilier

Ufficio centrale del 2^o pilastro

LOB Guarantee Fund

Sicherheitsfonds BVG

Fonds de garantie LPP

Fondo di Garanzia LPP

Eigerplatz 2

PO Box 1023, 3000 Bern 14

www.sfbvg.ch

sfbvg@sfbvg.ch

Substitute Occupational Benefit Institution

Affangeinrichtung BVG

Institution supplétive LPP

Fondazione istituo collettore LPP

Federal and Cantonal Monitoring Authorities of the
Occupational Benefit Plan:
BVG-Aufsichtsbehörden
Autorités de surveillance LPP
Autorità di vigilanza LPP
www.avs-ai.info (Leaflet 6.06)

Sickness insurance

Federal Office of Public Health FOPH
Bundesamt für Gesundheit (BAG)
Office fédéral de la santé publique (OFSP)
Ufficio federale della sanità pubblica (UFSP)
3003 Berne
www.bag.admin.ch

Liaison body:
Common Institution under the Federal Law on Sickness
Insurance – International Coordination Office
Gemeinsame Einrichtung KVG – Internationale
Leistungsaulhilfe
Institution commune LAMal – Entraide internationale
réciproque en matière de prestation
Istituzione commune LAMal – Aiuto internazionale
reciproco in material di prestazione
Gibelinstrasse 25
case postale
4503 Solothurn
www.kvg.org
info@kvg.org

List of official health insurers and insurance premiums:
www.bag.admin.ch

Cantonal offices which deal with applications for
exemption from compulsory health insurance and
applications for reduced premiums:
www.bag.admin.ch
www.avs-ai.info (Leaflet 6.07)

Maternity insurance

AVS compensation fund offices (the addresses can also be found at the end of all Swiss telephone directories)
www.avs-ai.info

Liaison bodies

Common Institution under the Federal Law on Sickness Insurance

Gemeinsame Einrichtung KVG – Internationale Leistungsaushilfe

Institution commune LAMal - Entraide internationale réciproque en matière de prestation

Istituzione commune LAMal - Aiuto internazionale reciproco in materia di prestaz

Gibelinstrasse 25, Postfach,
4503 Solothurn

www.kvg.org

and

Swiss AVS Compensation Fund Office,
Avenue Edmond-Vaucher 18

case postale 3100

1211 Geneva 2

www.caisse-suisse.ch

Accident insurance

Federal Office of Public Health FOPH

Bundesamt für Gesundheit (BAG)

Office fédéral de la santé publique (OFSP)

Ufficio federale della sanità pubblica (UFSP)

3003 Berne

www.bag.admin.ch

Swiss National Accident Insurance Fund (Suva)
Schweizerische unfallversicherungsanstalt (Suva)
Caisse nationale suisse d'assurance en
cas d'accidents (CNA)
Istituto nazionale svizzero di assicurazione contro
gli infortuni (Suva)
Fluhmattstrasse 1
6004 Lucerne
www.suva.ch

Swiss Insurance Association
Schweizerischer Versicherungsverband (SVV)
Association suisse d'assurances (ASA)
Associazione svizzera d'assicurazioni (ASA)
C.F. Meyer-Strasse 14
8002 Zürich
www.svv.ch
info@svv.ch

Unemployment insurance

State Secretariat for Economic Affairs (SECO) –
Directorate of Labour
Staatssekretariat für Wirtschaft (SECO) –
Direktion für Arbeit
Secrétariat d'Etat à l'Economie (SECO) –
Direction du travail
Segretariato di Stato all'Economia (SECO) –
Direzione del lavoro
Effingerstrasse 31
3003 Berne
www.seco.admin.ch
info@seco.admin.ch
seco@seco.admin.ch

General information on unemployment-related matters:
Regional Employment Agencies (ORP)
www.orp.ch

Addresses of regional employment agencies and unemployment offices, including information on the financial benefits of unemployment insurance:

www.jobarea.ch

Accident insurance

General

General information on bilateral CH-EU agreements and European Integration

Integration Office FDFA/FDEA

Palais fédéral Est

3003 Berne

europa@seco.admin.ch

www.europa.admin.ch

Immigration/residency

Federal Office for Migration (FOM)

Bundesamt für Migration (BFM)

Office fédéral des migrations (OFM)

Ufficio federale della migrazione (UFM)

Quellenweg 15

3003 Berne-Wabern

www.bfm.admin.ch



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