

Notes from parliament

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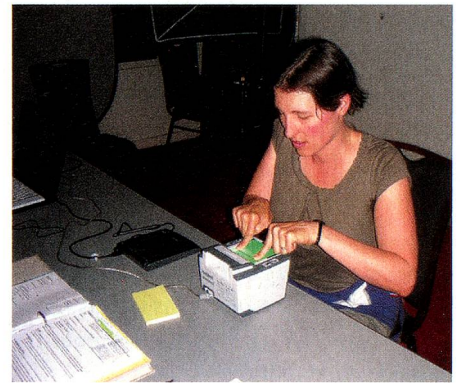
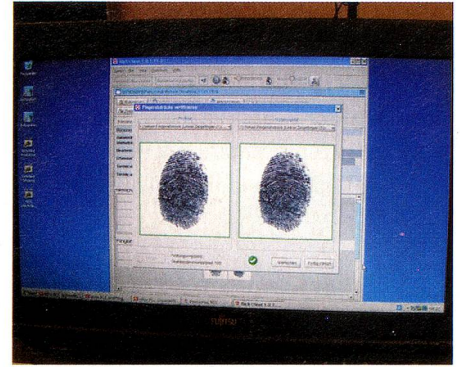
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Swiss citizens having the data required for a new passport recorded by the mobile unit



Electronic equipment goes on tour

The mobile recording of biometric data for new passports has become a success story.

The Federal Department of Foreign Affairs (FDFA) introduced mobile units for recording biometric data around a year ago. The mobile equipment was transported around the world in 2012. It has been used in over 20 countries to date and will have visited four out of five continents by the end of March, with only Asia remaining.

Scores of Swiss citizens worldwide take advantage of this sophisticated service each month. They attend consular drop-in days at the Swiss representations that do not have a permanent consular department and can have their biometric data recorded there and then thanks to the mobile devices. The representations publish the dates of these drop-in days in the local media or write to registered Swiss citizens abroad directly.

Mobile data recording possible anywhere

However, this is not the only opportunity to use the mobile devices. Their compact suit-

case form enables our staff to travel to regions where Switzerland does not have a permanent consular presence. For example, the responsible representation can provide the mobile recording of biometric passport data at meetings of Swiss societies abroad. This service saves any interested Swiss citizens from having to undertake what may be long journeys to the representation.

A mobile unit for recording biometric data will visit the following embassies and consulates general during the course of 2013:

- Barcelona
- The Hague
- Madrid
- New York
- Stockholm
- Vienna
- Buenos Aires
- Lima
- Nairobi
- San José, Costa Rica
- Wellington

The representations will inform their Swiss communities abroad of the exact timetable for the units in due course.

The mobile recording of biometric data complements the Regional Consular Centres, which have taken over the consular services for several countries simultaneously at various locations since 2011. The FDFA's Consular Directorate took the bold step of introducing mobile data recording at the be-

ginning of 2012 to safeguard and extend the range of high-quality services available to citizens abroad.

Additional possibilities

Since the introduction of the Regional Consular Centres, Swiss abroad have also had the opportunity to record their biometric data in all suitably equipped representations and all cantonal passport offices in Switzerland. At the same time, consular drop-in days were introduced and online services for the Swiss abroad were extended.

The reason for these changes was the review of Switzerland's diplomatic and consular network in 2010. This revealed that synergies could be achieved and exploited in individual cases by merging consular services locally.

SWISS CITIZEN SERVICES
CONSULAR DIRECTORATE

Important notice

The FDFA wishes to make all Swiss citizens abroad aware that Swiss passports issued in 2003 will expire in 2013. Please remember to renew your passport as early as possible at the Swiss embassy or consulate general where you are registered. The biometric

Photo: © Roland Ester, Australian delegate to the CSA

data for the new passport can be recorded at any suitably equipped representation or any passport office in Switzerland after you have submitted your passport application. Your Swiss representation will be pleased to provide you with additional information.

Revised federal law on family allowances

On 1 January 2009, the Federal Law on Family Allowances (Bundesgesetz über die Familienzulagen – FamZG) replaced the existing cantonal regulations. Since 2011, every child for whom a family allowance is paid out has been entered in the central family allowance register. An important amendment to the FamZG entered into force on 1 January 2013 to take account of self-employed persons. This law also concerns some of the Swiss community abroad.

The FamZG stipulates minimum monthly allowances per child of CHF 200 or CHF 250 (for children aged 16 to 25 still in education). Several cantons have provided for higher rates in their implementation provisions for the FamZG and have introduced birth and adoption allowances.

The new amendment means that all employers, irrespective of the size of the company, and the previously exempt federal and cantonal administrations with their institutions are now subject to the Family Allowances Law and must join a family compensation fund (Familienausgleichskasse – FAK).

Scope and benefit entitlement

The FamZG is based on old-age and survivors' insurance (AHV) in many respects. Entitlement to family allowances depends on employment or residence in Switzerland with few exceptions. The following are subject to the law:

- Employers liable to make old-age and survivors' insurance contributions;
- Self-employed persons with mandatory old-age and survivors' insurance;
- Staff of employers not obliged to make contributions (e.g. companies abroad).

Such persons must join a family compensation fund and pay contributions on salaries that are subject to old-age and survivors' insurance or on income from self-employment. The level of contribution varies depending on the canton and compensation fund. The funds check that applications meet the criteria for receiving family allowances, decide on entitlement and cover the benefit payments.

Person with mandatory old-age and survivors' insurance are entitled to benefits:

- Employees with or without employers liable to make contributions;
- Self-employed;
- Persons not in gainful employment (up to a taxable annual income of CHF 42,120).

Who is not entitled to benefits?

Persons with voluntary old-age and survivors' insurance (Swiss citizens abroad outside the EU/EFTA) are unable to voluntarily subject themselves to the FamZG or to join a family compensation fund. Employers abroad cannot join a Swiss family compensation fund even if they are partly financed with money from Switzerland or employ Swiss citizens.

The receipt of a pension from a Swiss social insurance institution (e.g. old-age and survivors' insurance or invalidity insurance) does not provide grounds for entitlement to family allowances irrespective of the nationality of the pension recipient. Nationality is not a criterion for subjection or benefit entitlement. The regulation under which child allowances are paid out abroad, where Switzerland has an obligation under state treaties, applies to Swiss citizens and foreign nationals.

Nationality is a criterion in the following situations:

- Bilateral social insurance agreements take account of nationality insofar as they only apply to citizens of the contracting states.
- In certain special cases, mandatory old-age and survivors' insurance only concerns Swiss citizens.

Family allowances for children abroad (export)

The FamZG was fought to the last with a referendum. Opponents feared that more benefits would be exported abroad. A very restrictive solution was therefore set out in the ordinance on the law: full family allowances for children who live abroad are only paid out where Switzerland is obliged to do so based on a state treaty. This primarily applies to children in EU/EFTA states. Aside from some older treaties (e.g. with Bosnia-Herzegovina, Montenegro and Serbia), most social insurance agreements do not cover FamZG benefits.

As an exception, the ordinance provides for the global export of benefits for families who have a close relationship with Switzerland and only temporarily reside abroad:

- Swiss citizens working abroad for
 1. federal government;
 2. international organisations with which the Federal Council has concluded a headquarters agreement and which are deemed employers pursuant to article 12 of the Old-Age and Survivors' Insurance Act (AHVG);
 3. private aid organisations that receive significant funding from federal government pursuant to article 11 of the Federal Act on International Development Cooperation and Humanitarian Aid (Bundesgesetz über die internationale Entwicklungszusammenarbeit und humanitäre Hilfe).
- Persons able to continue contributing to mandatory old-age and survivors' insurance because they work abroad for and are paid by an employer headquartered in Switzerland provided this employer gives consent. A five-year period of pre-existing insurance in Switzerland is required for the continuation of mandatory old-age and survivors' insurance.
- Persons (particularly delegates) who are covered by mandatory old-age and survivors' insurance based on an intergovernmental agreement.

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Depending on the purchasing power in the destination country, the full family allowances, two thirds or one third are paid out and adjusted by law to the local purchasing power. The employers often make up the difference from their own resources.

MAIA JAGGI,
DEPUTY HEAD OF THE FAMILY AFFAIRS UNIT
FEDERAL DEPARTMENT OF HOME AFFAIRS (FDHA)
FEDERAL SOCIAL INSURANCE OFFICE (FSIO)

This article sets out the basic principles of the Family Allowances Law but does not contain full specific details.

Information and links on the website of the Federal Social Insurance Office (www.bsv.admin.ch > Topics > Family/family allowances > Family Allowances):

- Fact sheets
- Legal texts
- Publicly accessible part of the family allowance register
- Table setting out the family allowance rates in all cantons
- Guide to the FamZG with detailed provisions on export and purchasing power adjustment
 - Details of the cantonal implementation provisions
 - Decisions of the Federal Supreme Court and the cantonal insurance courts
 - Family allowance statistics
 - Documentation on how the FamZG emerged and its amendments.

The old-age and survivors' insurance compensation funds, which often also manage the family compensation funds, provide information on family allowances: www.ahv-iv.ch>Dienstleistungen>Ausgleichskassen (not available in English).

Important

Please inform your embassy or consulate general of your e-mail address and mobile phone number.

Register at www.swissabroad.ch to ensure you do not miss any communications ("Swiss Review", newsletters from your representation, etc.). The latest "Swiss Review" and recent issues can be read and/or printed out at any time via the Review link on the websites of the Swiss representations abroad or directly at www.revue.ch. "Swiss Review" is

sent to all Swiss citizens abroad registered with an embassy or consulate general free of charge either electronically (via e-mail and as an iPad app) or in printed format.

Last but not least

The FDFA's Relations with the Swiss Abroad Division sends you greetings from the Area of the Swiss Abroad in Brunnen on Lake Lucerne. We wish to express our solidarity with the Swiss community abroad through our (please note) working visit to the "meadow of the Swiss Abroad". We have drawn inspiration from the spirit of the place to continue providing you with useful services tailored to your requirements. We wish you every success and happiness in 2013 on behalf of the entire Consular Directorate.

The FDFA's Relations with the Swiss Abroad Division.



Relations with the Swiss Abroad Division of the Consular Directorate, from left to right: Thomas Kalau, Markus Probst, Rütli meadow (in the background), Jean-François Lichtenstern, Stefan Zingg, Stephan Winkler, Simone Flubacher.

ELECTIONS AND REFERENDA

The Federal Council has decided to put the following proposals to the vote on 3 March 2013:

- Federal resolution of 15 June 2012 on family policy;
- Popular initiative of 26 February 2008 "against fat-cat bonuses";
- Amendment of 15 June 2012 to the federal law on spatial planning.

All information on the proposals (voting pamphlet, committees, party information, etc.) can be found at www.ch.ch/abstimmungen.

Forthcoming referendum dates in 2013: 9 June – 22 September – 24 November

POPULAR INITIATIVES

At the time of going to press, no new federal popular initiatives had been launched since the publication of the last edition of "Swiss Review". The complete list of pending popular initiatives can be found on the Federal Chancellery's website at www.bk.admin.ch under Aktuell > Wahlen und Abstimmungen > Hängige Volksinitiativen.

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