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NEW ZEALAND PENSION v AHV

Since late October 2002, based on the New Zealand Social Security Act 1993, Work and Income has sent our questionnaires to long term Swiss immigrants regarding entitlement to a pension payment from our country of birth, provided such an entitlement is applicable. In most cases it involves people who have been residing in New Zealand for well over 35 years. Originally we paid 3d in the pound Social Security Tax. Only from the late 1960s onwards was this tax raised through general taxation.

While New Zealand is perfectly entitled to deduct pension payment received from other countries, it is the arbitrary way Work and Income is making or working out the deductions, as well as the wording of one of the paragraphs contained in the questionnaire that are confusing. It reads : (I quote) *'It is not compulsory to provide us with the information but if you do not provide us with all the information we request, your application may be declined'* (unquote). I ask you, what sort of gobbledegook is that? Another anomaly is the way deductions are made from pension payments to people who did provide the requested information. From what I can gather, the deductions seem to be based on the high value of the CHF, rather than on the number of years people have paid into the pension fund in the respective countries. In cases where individuals continued to pay AHV/IV on a voluntary basis, it would appear that Work and Income is at sixes and sevens as to how to handle this situation. It is my personal belief that the hassles we are presently confronted with arise out of the non-existence of a viable Social Security Agreement between our two countries. Whether this is due

to a lack of foresight by the respective authorities or just simply due to a lack of numbers, I don't know!

Last year, this problem was brought up at least one of the four Club's AGMs as well as at our annual get-together in Wellington. As there was no information forthcoming from official channels, I promised I would look into the matter during my sojourn in Switzerland later in the year. Well, I've done that. I talked to the Director of the Secretariat in the presence of the SAO's legal adviser. As it was not really a SAO matter, I was referred to the Federal Social Insurance Office in Bern. Here again I presented our problem to a legal person and handed out a copy of the questionnaire. I never did expect to achieve anything other than to make our problem known where I hoped most good MIGHT come from at a later stage. In other words, an agreement might be worked out after all.

Just before leaving for Switzerland, a rumour reached me that a Swiss delegation had been present in NZ in January (2003) to start talks regarding a Social Security Agreement with the New Zealand Government but, unfortunately, nothing had come of it. Indeed, it was said that the delegation was sent packing. Just how this rumour came about, I do not know.

After recent e-mail traffic with the Secretariat, I received the following information : We (the Secretariat) would like to inform you that just before the end of 2003 we made inquiries with the Wellington Embassy as to how far the Social Security Agreement between

New Zealand and Switzerland has progressed. We are pleased to share the following information with you : A Swiss Delegation visited New Zealand in January 2003. The negotiations were positive, without however reaching a concrete result. A second meeting took place midyear in Europe. A decision was made for New Zealand to work out a project that would propose an adaptation of the New Zealand Social Security system. The result of this project should be known by the end of April 2004.

Before a definite Agreement can be put in place, we will unfortunately have to wait a few more years. As soon as news becomes available, we will of course let you know.

Well, this is indeed interesting news. But just how this whole business will impact on the dozens of members already caught up, only time will tell and this had better not wait too long.

Personally, I feel vindicated for having spoken out in this matter. Yet, with regard to the rumour which I have now reason to disbelieve, certainly not after it was confirmed to me in Switzerland itself, is very disturbing. I'm only too well aware that neither I nor the two deputy delegates, have representative duties in any shape or form. To do the job properly, as I've tried to since I was elected, I feel very strongly that the powers that be show some transparency in matters that impinge on our lives so that we can act accordingly.

*Yours,
Heinz Leuenberger*



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