



Summary sheet

Changes in beneficiaries of lump-sum death benefits

General principle

1

It is possible to change the general order of beneficiaries as it applies to lump-sum death benefits.

What is the general order of beneficiaries under the regulations?

2

If an insured dies and a lump-sum death benefit is due to be paid, beneficiary status applies to

- a) the spouse; if none:
- b) the life partner, provided that an eligible life partnership exists in accordance with the pension regulations;
persons already receiving a partner's pension from a domestic or foreign pension plan have no entitlement to a lump-sum death benefit; if none:
- c) the descendants who are entitled to the estate; if none:
- d) persons whom the insured supported to a significant degree; if none:
- e) the insured's parents; if none:
- f) the insured's siblings or their surviving children.

In the absence of the persons mentioned in a) to f), half of the lump-sum death benefit is paid to the other heirs to the exclusion of the community.

Unless there are further details on individual entitlements, multiple beneficiaries in the same category receive equal parts of the lump-sum death benefit.

The lump-sum death benefit is not part of the decedent's estate.

Who is entitled to benefits?

3

3.1

The **spouse** always refers to the person to whom the insured was married at the time of the death (not the marriage partner on the date when the beneficiary status changed). The registered partnership is treated the same as a marriage.

3.2

The **life partner** always refers to the partner at the time of the insured's death. This does not need to be reported during the insured's lifetime.

3.3

A **life partnership entitling a partner to benefits** applies if at the time of the death

- a) both partners were unmarried and not related to each other, and
- b) they are not registered within the meaning of the Federal Act on the Registered Partnership between Same-Sex Couples, and
- c) both life partners lived in a domestic partnership in the same household and domicile without interruption for 5 years immediately prior to the death of the insured. If the insured is divorced, the earliest date of the beginning of the life partnership is the date on which the divorce of the insured became final and binding;
or the surviving partner is responsible for the support of one;
or more joint children.

A life partnership with entitlement for a partner is also possible for same-sex couples.

3.4

The **insured's descendants who are heirs** include

- biological and adopted children,
- children who are entitled to an OASI/DI pension,
- stepchildren who receive full or partial support.

3.5

Persons whom the insured supported to a significant degree include

- a life partner without entitlement to a life partner's pension,
- a divorced spouse,
- both parents or one parent,
- siblings,

- other descendants of the insured who are not entitled to an inheritance,
- children other than the joint children of the spouses or life partners,
- other persons (e.g. a godchild).

The concept of support applies if the beneficiaries depend economically on the insured; in other words, if the insured's death results in significant restrictions of the accustomed lifestyle. However, some restrictions in the standard of living are deemed to be reasonable. A statutory obligation to provide support is not required.

Significant support generally refers to situations where an insured regularly pays for at least half of the beneficiary's living expenses.

Such support must be in effect at the time of death or have been provided during the most recent years prior to the death.

3.6

The father and/or mother are the **parents** of the deceased.

3.7

The **remaining heirs** are all other persons (natural persons) who stand to inherit to the exclusion of the community.

What needs to be considered when changing the order of beneficiaries?

4

The insured can determine a special order that shows which of the beneficiaries defined in para. 2, a) - f) are entitled to which share of the lump-sum death benefit. Here, the sequence in the order of the beneficiaries can be changed.

If none of the eligible persons mentioned in a) to f) exist, the insured may stipulate which of the other heirs are to receive which portion of half of the lump-sum death benefit.

Changes to the special order of beneficiaries must be submitted to the Foundation in writing.

The insured can revoke the order of beneficiaries at any time. In this case, the general order of beneficiaries enters into effect again automatically.