AXA Foundation
for Occupational Benefits

Summary sheet
Order of beneficiaries

General principle

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This information sheet applies to the AXA Foundation for Occupational Benefits, Winterthur, and provides an overview of which individuals are entitled to the death benefit and under what conditions. Only the pension regulations in force at the time of death are legally authoritative. It is possible to change the general order of beneficiaries as it applies to lump-sum death benefits in accordance with the pension regulations.

What is the order of beneficiaries under the regulations?

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Persons are entitled to the lump-sum death benefit in the following groups:

Order of entitlement	Regulatory entitlement
a) – Spouse – Registered partner	If available 100%
b) – The children who are eligible for a pension	In the absence of a), distribution in equal shares
c) – Life partner – Natural persons supported to a significant degree by the insured – Natural person who is responsible for supporting one or more joint children	In the absence of a) and b), distribution in equal shares (Persons in group c) already receiving a partner's pension from a domestic or foreign pension plan have no entitlement)
d) – Children who are not eligible for a pension	In the absence of a) – c), distribution in equal shares
e) – Parents	In the absence of a) – d), distribution in equal shares
f) – Siblings and half-siblings	In the absence of a) – e), distribution in equal shares
g) – Any other legal heirs, with the exception of the canton and commune	In the absence of a) – f), distribution in equal shares (50% of the death benefit will be paid out)

If there are no eligible persons under groups a) and c), the children under groups b) and d) are combined into a single group.

If there is more than one survivor in the same group, the lump-sum death benefit is paid out to the members of the group in equal shares.

Persons in group c) already receiving a partner's pension from a domestic or foreign pension plan have no entitlement to a lump sum payable on death.

In the case of eligible persons under group g), half the lump-sum death benefit is paid out.

Explanations of groups of individuals

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3.1 Spouse
The spouse is the person to whom the insured was married at the time of death (and not at the time when the order of beneficiaries changed). The registered partnership is treated the same as a marriage.

3.2 Children
The children of the insured who are eligible for a pension are:
– the biological children of the deceased who are entitled to an AHV/AVS or IV/AI pension,
– the children entitled to an AHV/AVS or IV/AI pension and foster children who were supported in full or in part by the deceased,
– the stepchildren who were supported in full or in part by the deceased.

Children up to the end of the month following their 18th or 20th birthday (as set out in the occupational benefits plan) are eligible for a pension. A child's eligibility for a pension continues past the final age if the child is in education or training or has a level of disability of at least 70%, but at the latest until the end of the month following their 25th birthday.

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Any children not included in the above categories are deemed ineligible for a pension.

3.3 Life partner
The life partner is the person with whom the insured had a life partnership at the time of death (and not at the time when the order of beneficiaries changed). The life partnership does not need to be reported to the pension fund (foundation) during the lifetime of the partners.

A life partnership exists if, at the time of the death of the insured, both life partners are unmarried, not in a registered partnership, and not related to one another, and
a) both life partners lived in a life partnership in the same household and domicile without interruption for five years immediately prior to the death of the insured, if and for as long as the health situation allowed this; or
b) the insured supported the surviving life partner to a significant degree; or
c) the surviving life partner is required to pay support for one or more joint children.

A life partnership is also possible for same-sex couples.

3.4 Natural persons supported to a significant degree by the insured
Supported persons do not need to be reported to the pension fund (foundation) during the person's lifetime. 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 supported person's living expenses. Such significant support must be in effect at the time of death or have been provided during the most recent years prior to the death of the insured.

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

3.6 Siblings
The siblings also include half-siblings.

3.7 Other legal heirs
Other legal heirs are all other persons who by law stand to inherit, with the exception of the canton and commune.

What needs to be considered when drawing up an individual order of beneficiaries?

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The insured may deviate from the regulatory order of beneficiaries by means of an individual order of beneficiaries. In this case, an entry in the individual order of beneficiaries is mandatory for entitlement to the death benefit. Persons in groups d) to f) can be included as beneficiaries if there are no persons in group c) at the same time who are included as beneficiaries. Persons in groups d) to f) can also be included as beneficiaries together with persons in group a) and b). Persons in group c) can only be included as beneficiaries together with groups a) and b).

The following general rule applies: If there is no person from group c) – that is, no life partner and no person(s) who are supported to a significant degree or who are responsible for supporting one or more joint children – the death benefit can be distributed freely among the other remaining groups.
If there are persons in group c) who are included as beneficiaries, persons in groups d) to f) cannot be included as beneficiaries.

Entitlements must be stipulated as a percentage of the lump-sum death benefit and must amount to 100% in total. The individual order of beneficiaries is also applicable in the case of any insured annuity certain.

If there are no eligible persons under groups a) to f), the lump-sum death benefit is paid in equal parts to the other legal heirs in group g). An individual order of beneficiaries cannot be specified for the other legal heirs.

The individual order of beneficiaries must be submitted to the pension fund (foundation) during their lifetime via the specified notification system. The beneficiaries must be listed with their first and last names and all other necessary details.

The individual order of beneficiaries is valid as of the date on which the registration is received by the pension fund (foundation).

If a particular designated beneficiary no longer exists, their share will be distributed to the other individual beneficiaries in proportion to their entitlements.

If all persons included in the individual order of beneficiaries no longer exist, the regulatory order of beneficiaries will apply.

The insured may amend or revoke the individual order of beneficiaries at any time by means of the specified notification method.

Please note that only persons who have been included as beneficiaries are eligible for benefits under the individual order of beneficiaries.

Personal circumstances, as well as the legal and regulatory provisions at the time of death, are the determining factors when assessing the individual order of beneficiaries.

Family circumstances change over time. Insureds are advised to regularly check that their individual order of beneficiaries is up to date and to submit a new individual order of beneficiaries if their circumstances or needs change.

Individual order of beneficiaries

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