

Summary sheet on changes in beneficiaries of death lump sums

General principle

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

1

What is the general order of beneficiaries under the regulations?

2

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

- a) the spouse;
in the absence thereof,
- b) the life partner, provided that an eligible life partnership exists in accordance with Article 29.3 a) and b) of the pension fund regulations;
persons who already receive a spouse's pension or life partner's pension from a Swiss or foreign employee benefits institution are not entitled to the death lump sum;
in the absence thereof,
- c) the descendants who are entitled to the estate;
in the absence thereof,
- d) persons whom the insured supported to a significant degree;
in the absence thereof,
- e) the insured person's parents;
in the absence thereof,
- f) the insured person's siblings or their surviving children.

In the absence of the persons mentioned in a) to f), half of the death lump sum is paid to the other legal 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 death lump sum.

The death lump sum 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 person was married at the time of the death (not the marriage partner on the date when the beneficiary status changed).

3.2

The **life partner** always refers to the partner at the time of the insured person's death.

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) both partners shared the same household without interruption during the five years prior to the death of the insured person, the insured person supported the surviving partner to a significant degree, or the surviving partner is responsible for the support of one or more joint children.

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

3.4

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

- biological and adopted children,
- children who are entitled to a pension in accordance with the AHV/IV,
- 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 person 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 person; in other words, if the insured person'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 person 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 decedent.

3.7

The **remaining statutory heirs** refers to all other persons (e.g. siblings) who by law stand to inherit to the exclusion of the community.

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

4

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

In the absence of eligible claimants as shown in a) - f), the order can define which statutory heirs are eligible for which parts of half of the death lump sum.

A special order of beneficiaries must be informed of the change in writing.

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