



## Applicant's rights and obligations

### Situation

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You have contacted your Swiss representation because you urgently need help. Social assistance claims are regulated under the Federal Act on Swiss Persons and Institutions Abroad of 26 September 2014 (Swiss Abroad Act, SAA; SR 195.1).

### Entitlement to social assistance

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#### Basic principle

You are entitled to social assistance if you:

- are a Swiss citizen domiciled abroad and are registered in the Register of the Swiss Abroad (SAA Art. 3(a));
- are in urgent need of assistance and are unable to support yourself independently with your own resources, with financial assistance from private sources or with assistance benefits from the local authorities of the country where you reside (SAA Art. 22 and 24).

#### Multiple nationality

If you are a national of more than one country, you are only entitled to assistance if it can be demonstrated that your Swiss nationality takes precedence (SAA Art. 25).

#### Type and amount of social assistance

The main forms of assistance are social assistance in the host country and covering travel costs to help you return to Switzerland (SAA Art. 27 and 30).

The Consular Directorate decides the amount of social assistance on the basis of the documentation provided on application (SAA Art. 33).

### Obligations

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#### Obligation to provide information

You are required to provide declare truthfully and in full all necessary information, in particular information pertaining to your income and financial circumstances, and to provide documentation to support your declaration.

If your personal or financial circumstances change, e.g. you take up work, receive a pension, receive an inheritance, the size of your household changes, etc.), you must notify the Swiss representation or the Consular Directorate immediately.

#### Personal responsibility

Those in receipt of social assistance must do everything in their own power to alleviate or remedy their situation.

#### Conditions and requirements

Social assistance payments may be subject to conditions and requirements (e.g. efforts to find employment, mortgage collateral, the enforcement of maintenance claims, etc.) (SAA Art. 28). You are required to meet these requirements and conditions.

#### Repayment obligation

You must repay the social assistance benefits when your improved financial circumstances allow this (SAA, Art. 35). The sum to be reimbursed is the sum in Swiss francs according to the accounting service of the Consular Directorate. If repayments are made abroad, the official exchange rate at the time of the payment applies.

You agree that social insurance contributions of all kinds as well as

maintenance contributions and scholarships received in back-payment for the period during which you have been granted assistance will be deducted from your assistance benefit. The sum to be reimbursed is the sum in Swiss francs according to the FPO's accounting service.

Assistance you receive before you reach the age of majority does not have to be reimbursed.

The Consular Directorate can waive repayment fully or in part if the circumstances warrant it.

**Failure to comply with obligations**

Assistance may be withdrawn if you deliberately provide false or incomplete information to obtain social assistance benefits or fail to report significant changes in your circumstances (SAA Art. 26).

If you fail to meet any of the requirements and conditions, your social assistance benefits may be reduced or entirely withdrawn.

**Legal recourse**

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**Notification**

The Consular Directorate will issue a decision in response to your claim. If it rejects your claim fully or in part, you will receive a written notification providing justification for the rejection (SAA Art.33).

**Appeal**

The decisions of the Consular Directorate can be appealed before the Federal Administrative Court. Appeals concerning the Federal Administrative Court's ruling may be brought to the Swiss Federal Supreme Court.

**Information**

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Further general information and information on acts, ordinances and the regulations of the Consular Directorate can be found on the internet\*. Your Swiss representation will also be able to provide additional information on your rights and obligations.

**Déclaration d'acceptation des conditions**

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*(To be signed by both spouses, or both registered or cohabiting partners; to be signed by the legal representative of minors and those under full guardianship.)*

Surname and first name

Surname and first name

hereby declares/declare that they have read and understood the above information.

Place and date

Place and date

Signature

Signature

- Original for the Swiss representation

\* <https://www.eda.admin.ch/eda/en/fdfa/fdfa/organisation-fdfa/directorates-divisions/cd/social-security-swiss-citizens-abroad.html>