

Benin

Exchange rate: US\$1.00 equals
498.16 CFA francs.

Old Age, Disability, and Survivors

Regulatory Framework

First law: 1970.

Current law: 2003 (social security).

Type of program: Social insurance system.

Coverage

Employed persons; managers of companies under certain conditions.

Voluntary coverage for persons previously insured for at least 6 consecutive months.

Exclusions: Self-employed persons, agricultural workers, informal economy workers, cooperative members, apprentices, interns, and students at technical schools.

Special system for civil servants.

Source of Funds

Insured person: 3.6% of gross earnings. Voluntarily insured persons contribute a sum equal to 10% of the last gross salary earned while in compulsory insured employment.

The minimum monthly earnings for contribution purposes are equal to the legal monthly minimum wage (27,500 CFA francs in June 2004).

Contributions made by pensioners aged 55 to 60 who begin new covered employment or by foreign workers who leave the national territory may be reimbursed.

Self-employed person: Not applicable.

Employer: 6.4% of gross payroll.

The minimum monthly earnings for contribution purposes are equal to the legal monthly minimum wage (27,500 CFA francs in June 2004).

Contributions are paid monthly by employers with 20 or more employees or quarterly by employers with 1 to 19 employees.

Government: None.

Qualifying Conditions

Old-age pension: Age 55 with at least 180 months of insurance coverage. Retirement from covered employment is necessary.

An insurance month corresponds to any month in which the insured works at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

The old-age pension is suspended if the pensioner begins new covered employment.

The pension is payable abroad only if there is a reciprocal agreement.

Old-age settlement: The insured is ineligible for the old-age pension at age 55 but has at least 12 months of insurance coverage.

Disability pension: The insured must be assessed with a loss of at least 2/3 of earning capacity and have at least 60 months of insurance coverage, including 6 months in the 12 months before the disability began (the coverage condition is waived for a disability that is the result of an accident).

An insurance month corresponds to any month in which the insured works at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

The pension is payable abroad only if there is a reciprocal agreement.

Survivor pension: The deceased was a pensioner, satisfied the qualifying conditions for a pension, or had at least 180 months of insurance coverage.

An insurance month corresponds to any month in which the insured works at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

The pension is payable abroad only if there is a reciprocal agreement.

Survivor settlement: The deceased was ineligible for a pension.

Eligible survivors include a widow who was married at least a year before the insured's death or who is pregnant by or who had a child with the deceased; a disabled or dependent widower who was married to the deceased at least a year before her death; and a dependent child younger than age 19 (age 22 if an apprentice, a student, or disabled).

Old-Age Benefits

Old-age pension: The pension is equal to 20% of the insured's average monthly earnings in the last 10 years. An increment of 2% is paid for every 12-month period of insurance coverage exceeding 180 months, up to a maximum of 60% of the insured's earnings (wage increases above 10% a year during the last 10 years are not taken into account in the calculation).

The minimum pension is equal to 60% of the legal monthly minimum wage (27,500 CFA francs in June 2004).

The maximum pension is set periodically by a Decree of the Council of Ministers.

Old-age settlement: A lump sum is paid equal to the insured's average monthly earnings in the last 10 years times the number of 12-month periods of insurance coverage.

Benefit adjustment: Benefits are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on October 1, 2005.)

Permanent Disability Benefits

Disability pension: The pension is equal to 20% of the insured's average monthly earnings in the last 10 years. An increment of 2% is paid for every 12-month period of insurance coverage exceeding 180 months, up to a maximum of 60% of the insured's earnings. For each year that the pension is awarded before the insured reaches age 55, the insured is credited with a 6-month insurance period.

The minimum pension is equal to 60% of the legal monthly minimum wage (27,500 CFA francs in June 2004).

The maximum pension is set periodically by a Decree of the Council of Ministers.

Constant-attendance supplement: Equal to 40% of the pension.

The disability pension ceases at age 55 and is replaced by an old-age pension of the same value.

When the insured is entitled to receive two or more pensions, the full amount of the higher pension and half the amount of the other pension(s) are paid.

Benefit adjustment: Benefits are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on October 1, 2005.)

Survivor Benefits

Survivor pension: 40% of the pension paid or payable to the deceased is paid to the widow(er). If there is more than one widow, the pension is split equally among them. A disabled or dependent widower is eligible to receive a pension on behalf of his first deceased spouse only.

The pension ceases on remarriage, and a lump sum is paid.

Remarriage settlement: A lump sum is paid equal to 6 months' pension.

Orphan's pension: 20% of the deceased's pension is paid for one orphan; 40% for two or more orphans; 30% for a full orphan who is a single child. The amount paid may be recalculated if the number of eligible orphans changes.

All survivor benefits combined must not exceed 80% of the deceased's pension.

If an eligible survivor also receives survivor benefits under the work injury program, the work injury survivor pension

is paid in full along with the portion of the nonwork injury survivor pension that exceeds this amount.

Survivor settlement: One month of the pension the deceased would have been entitled to with 180 months of insurance is paid for each 6-month period of insurance the deceased had at the time of death. The settlement is split equally between the eligible spouse and orphans. In the absence of an eligible spouse and orphans, the settlement is paid to the deceased's parents.

Benefit adjustment: Benefits are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on October 1, 2005.)

Administrative Organization

Ministry of Labor and Public Administration provides general supervision.

Managed by a tripartite board and a director, the National Social Security Fund administers the program.

Sickness and Maternity

Regulatory Framework

First law: 1952.

Current laws: 1998 (labor code) and 2003 (social security).

Type of program: Social insurance system. Maternity benefits only.

Coverage

Employed women; managers of companies under certain conditions.

Exclusions: Self-employed persons, agricultural workers, informal economy workers, cooperative members, apprentices, interns, and students at technical schools.

Special system for civil servants.

Source of Funds

Insured person: None.

Self-employed person: Not applicable.

Employer: 0.2% of gross payroll.

The minimum monthly earnings for contribution purpose are equal to the legal monthly minimum wage (27,500 CFA francs in June 2004).

Contributions are paid monthly by employers with 20 or more employees or quarterly by employers with 1 to 19 employees.

Government: None.

Qualifying Conditions

Cash sickness benefits: No statutory benefits are provided.

Cash maternity benefits: The insured must have at least 6 months of insurance coverage.

An insurance month corresponds to any month in which the insured works at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

Benefits are payable abroad only if there is a reciprocal agreement.

Sickness and Maternity Benefits

Sickness benefit: No statutory benefits are provided. (The 1998 labor code requires employers to provide paid sick leave.)

Maternity benefit: The benefit is equal to 100% of the insured's earnings at the time the maternity leave starts (the employer pays half). The benefit is paid for 6 weeks before and 8 weeks after the expected date of childbirth; may be extended for up to 4 weeks in the event of complications arising from childbirth.

Workers' Medical Benefits

No statutory benefits are provided. (The 1998 labor code requires employers to pay 60% of the cost of health and medical services for employees.)

Dependents' Medical Benefits

No statutory benefits are provided. (The 1998 labor code requires employers to pay 60% of the cost of health and medical services for employees' dependents. Eligible dependents are the spouse and dependent children.)

Some maternity, child health, and welfare services are provided under Family Allowances, below.

Administrative Organization

Ministry of Labor and Public Administration provides general supervision.

Managed by a tripartite board and a director, the National Social Security Fund administers the program.

Work Injury

Regulatory Framework

First law: 1959.

Current law: 2003 (social security).

Type of program: Social insurance system.

Coverage

Employed persons, managers of companies under certain conditions, apprentices, interns, students at technical schools, members of cooperatives, nonsalaried managers of

cooperatives and their assistants, local authority employees, and some civil servants on secondment.

Exclusions: Self-employed persons, agricultural workers, and informal economy workers.

Source of Funds

Insured person: None.

Self-employed person: Not applicable.

Employer: 1% to 4% of gross payroll, according to the assessed risk.

The minimum monthly earnings for contribution purpose are equal to the legal monthly minimum wage (27,500 CFA francs in June 2004).

Contributions are paid monthly by employers with 20 or more employees or quarterly by employers with 1 to 19 employees.

Government: None; contributes as an employer.

Qualifying Conditions

Work injury benefits: There is no minimum qualifying period. Accidents that occur while commuting to and from work are covered.

Temporary Disability Benefits

The benefit is equal to 2/3 of the insured's average daily earnings in the last month before the month in which the disability began.

The minimum monthly earnings for benefit calculation purposes are equal to the legal monthly minimum wage (27,500 CFA francs in June 2004).

The benefit is paid from the day after the disability began for a maximum of 12 months; thereafter, the benefit is replaced by a temporary disability pension based on the insured's yearly earnings in the year before the disability began, up to a ceiling of 10 times the legal minimum wage multiplied by 1.4, depending on the assessed degree of disability.

The disability is assessed by an approved doctor.

Permanent Disability Benefits

Permanent disability pension: If the insured is totally disabled, the pension is equal to 100% of the insured's annual earnings in the year before the year the disability began up to three times the legal minimum wage, plus 50% of the portion of earnings between this limit and 10 times the legal minimum wage.

Partial disability: For an assessed degree of disability of at least 20%, the pension is equal to the insured's annual earnings in the year before the year the disability began multiplied by 0.5 times the assessed degree of disability for the portion of disability between 1% and 50% and by 1.5 times

the assessed degree of disability for the portion greater than 50%.

The minimum monthly earnings for pension calculation purposes are equal to the legal monthly minimum wage multiplied by 1.4. The legal monthly minimum wage is 27,500 CFA francs (June 2004).

Constant-attendance supplement: Equal to 40% of earnings.

Pensions are paid monthly if the assessed degree of disability is 75% or more; otherwise, monthly or quarterly.

The disability is assessed by an approved doctor.

When the insured is entitled to two or more pensions, the higher pension and half the amount of the other pension(s) are paid.

Disability allowance: For an assessed degree of disability of less than 20%, a lump sum is paid equal to 5 years' pension, according to the assessed degree of disability.

The disability is assessed by an approved doctor.

Benefit adjustment: Benefits are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on July 1, 2003.)

Workers' Medical Benefits

Benefits include medical and surgical care, hospitalization, medicines, appliances, prostheses, rehabilitation, and transportation.

Survivor Benefits

Survivor pension: 30% of the deceased's earnings taken into account for the calculation of the permanent disability pension are paid to a spouse who married the deceased before the disability began (a divorced spouse who received alimony may also receive a pension equal to up to 20% of the deceased's earnings). If there is more than one widow, the pension is split equally among them.

The pension ceases on remarriage, and a lump sum is paid.

Remarriage settlement: A lump sum is paid equal to 6 months' pension.

Orphan's pension: 15% of the deceased's earnings taken into account for the calculation of the permanent disability pension are paid to each of the first two orphans and 10% for each additional orphan.

Eligible orphans are dependent children younger than age 19 (age 22 if an apprentice, a student, or disabled). An orphan receiving the pension may not receive family allowances.

Dependent parent's and grandparent's pension: Each receives 10% of the deceased's earnings taken into account for the calculation of the permanent disability pension.

All survivor benefits combined must not exceed 85% of the permanent disability pension paid or payable to the deceased; otherwise, the pensions are reduced proportionately.

If an eligible survivor also receives survivor benefits under the old-age, disability, and survivors program, the work injury survivor pension is paid in full along with the portion of the nonwork injury survivor pension that exceeds this amount.

Funeral grant: Funeral costs are reimbursed up to five times the legal monthly minimum wage (27,500 CFA francs a month in June 2004).

Benefit adjustment: Benefits are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on July 1, 2003.)

Administrative Organization

Ministry of Labor and Public Administration provides general supervision.

Managed by a tripartite board and a director, the National Social Security Fund administers the program.

Family Allowances

Regulatory Framework

First law: 1955.

Current law: 2003 (social security).

Type of program: Employment-related system.

Coverage

Employed persons, managers of companies under certain conditions, local authority employees, and some civil servants on secondment.

Exclusions: Self-employed persons, agricultural workers, informal economy workers, cooperative members, apprentices, interns, and students at technical schools.

Special system for civil servants.

Source of Funds

Insured person: None.

Self-employed person: Not applicable.

Employer: 8.8% of gross payroll.

The minimum monthly earnings for contribution purposes are equal to the legal monthly minimum wage (27,500 CFA francs in June 2004).

Contributions are paid monthly by employers with 20 or more employees or quarterly by employers with 1 to 19 employees.

Government: None; contributes as an employer.

Qualifying Conditions

Family allowances: The child must be younger than age 15 (age 22 if an apprentice, a student, or disabled). The parent

must have at least 6 months of insurance and be currently working at least 18 days or 120 hours during the month, including periods for which cash maternity or work injury benefits are paid.

The child must not receive an orphan's pension.

If one of the parents receives family allowances from the special system for civil servants, only the higher benefit award is paid.

Prenatal allowance: The pregnant woman must undergo prescribed medical examinations. The pregnant spouse of an insured worker is also eligible.

Benefits are payable abroad only if there is a reciprocal agreement.

Family Allowance Benefits

Family allowances: 2,000 CFA francs a month is paid for each child from the first day of the month of birth.

Prenatal allowance: 500 CFA francs a month is paid for 9 months.

Some maternity, child health, and welfare services are also provided.

Benefit adjustment: Benefits are adjusted for changes in the cost of living, depending on the financial resources of the system.

Administrative Organization

Ministry of Labor and Public Administration provides general supervision.

Managed by a tripartite board and a director, the National Social Security Fund administers the program.