

## Benin

Exchange rate: US\$1.00 = 538.70 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 and certain company managers.

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

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

Special system for civil servants.

#### Source of Funds

**Insured person:** 3.6% of gross earnings. Voluntarily insured persons contribute 10% of the last gross salary earned while in compulsorily insured employment.

The minimum monthly earnings used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

The insured's contributions may be refunded to foreign workers who permanently leave the country and workers who continue working from age 60 to 65 (only for contributions made while aged 60 to 65).

**Self-employed person:** Not applicable.

**Employer:** 6.4% of gross payroll.

The minimum monthly earnings used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

Employers with 20 or more employees pay contributions monthly; employers with one to 19 employees pay quarterly.

**Government:** None.

#### Qualifying Conditions

**Old-age pension:** Age 60 with at least 180 months of coverage.

Employment must cease.

Early pension: Age 55 with at least 180 months of coverage.

Employment must cease.

A month of coverage 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 under reciprocal agreement.

**Old-age settlement:** Age 60 with at least 12 months of coverage but less than 180 months of coverage.

**Disability pension:** Must be assessed with at least a 66.7% loss of earning capacity and have at least 60 months of coverage, including at least six months in the 12 months before the disability began (the coverage condition is waived if the disability is the result of an accident).

A month of coverage 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.

Constant-attendance supplement: Paid if the insured requires the constant attendance of others to perform daily functions.

The pension is payable abroad only under reciprocal agreement.

**Survivor pension:** The deceased received or was entitled to receive an old-age or disability pension, or had at least 180 months of coverage.

A month of coverage 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.

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

The pension is payable abroad only under reciprocal agreement.

**Survivor settlement:** The deceased was not entitled to receive an old-age or disability pension and had less than 180 months of coverage.

Eligible survivors include a widow or a disabled or dependent widower who was married to the deceased for at least a year before the insured's death; a widow who is pregnant by or who had a child with the deceased; 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 30% of the insured's average monthly earnings in the first 15 years of coverage plus 2% of average monthly earnings for each 12-month period of coverage exceeding 180 months, up to 80%.

The maximum pension is set by the Council of Ministers.

Average monthly earnings are 1.66% of the earnings used to calculate contributions in the last five years of coverage.

Early pension: The pension is reduced by 5% for each year the pension is awarded before the insured reaches age 60; at age 60, the normal pension is paid.

The minimum pension is 60% of the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

**Old-age settlement:** A lump sum of the insured's average monthly earnings in the last five years multiplied by the number of 12-month periods of coverage is paid.

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

## Permanent Disability Benefits

**Disability pension:** The pension is 30% of the insured's average monthly earnings in the first 15 years of coverage plus 2% of average monthly earnings for each 12-month period of coverage exceeding 180 months, up to 80%. For each year the pension is awarded before the insured reaches age 60, the insured is credited with a six-month coverage period.

The maximum pension is set by the Council of Ministers.

Average monthly earnings are 1.66% of the earnings used to calculate contributions in the last five years of coverage.

The minimum pension is 60% of the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

Constant-attendance supplement: 40% of the disability pension is paid.

The disability pension ceases at age 60 and is replaced by an old-age pension of the same value.

The insured may receive two or more pensions at the same time. The total amount received is 100% of the higher pension plus 50% of the other pension(s).

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

## Survivor Benefits

**Spouse's pension:** 40% of the old-age or disability pension the deceased received or was entitled to receive is paid to the widow(er). If there is more than one widow(er), the

pension is split equally. A widower may receive a pension for his first deceased spouse only.

Remarriage settlement: The spouse's pension ceases on remarriage. A lump sum of six months of pension is paid.

**Orphan's pension:** 20% of the old-age or disability pension the deceased received or was entitled to receive is paid for one orphan; 40% for two or more orphans; 30% for a full orphan who is an only child. The amount paid may be recalculated if the number of eligible orphans changes.

All survivor benefits combined must not exceed 80% of the old-age or disability pension the deceased received or was entitled to receive.

An eligible survivor may also receive survivor benefits under the work injury program at the same time. The total amount received is 100% of the work injury survivor pension plus the portion of the nonwork injury survivor pension that exceeds this amount.

**Survivor settlement:** A lump sum of one month of the old-age or disability pension the deceased would have received with 180 months of contributions is paid for each six-month period of coverage. If there is more than one eligible survivor, the settlement is split equally. If there is no eligible spouse or orphan, the settlement is paid to the deceased's parents.

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

**Funeral grant:** Funeral costs are reimbursed up to five times the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

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

## Administrative Organization

Ministry of Labor and Public Administration (<http://www.travail.gouv.bj>) provides general supervision.

National Social Security Fund (<http://www.cnssbenin.org>), managed by a tripartite board and a director, 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 (maternity benefits) and employer-liability (sickness and medical benefits) system.

### Coverage

Employed women and certain company managers.

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Exclusions: Self-employed persons, agricultural workers, cooperative members, apprentices, interns, and students in 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 used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

Employers with 20 or more employees pay contributions monthly; employers with one to 19 employees pay quarterly.

**Government:** None.

### Qualifying Conditions

**Cash sickness benefits:** The 1998 labor code requires employers to provide paid sick leave.

**Cash maternity benefits:** Must have at least six months of coverage.

A month of coverage 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 under reciprocal agreement.

### Sickness and Maternity Benefits

**Sickness benefit:** The 1998 labor code requires employers to provide paid sick leave.

**Maternity benefit:** 100% of the insured's earnings at the time the maternity leave starts is paid for six weeks before and eight weeks after the expected date of childbirth (the employer pays half); may be extended for up to four weeks if there are complications arising from childbirth.

### Workers' Medical Benefits

The 1998 labor code requires employers to pay 60% of the cost of health and medical services for employees.

### Dependents' Medical Benefits

**Medical benefits for dependents:** Medical benefits for dependents are the same as those for the worker. Eligible dependents include the spouse and dependent children.

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

### Administrative Organization

Ministry of Labor and Public Administration (<http://www.travail.gouv.bj>) provides general supervision.

National Social Security Fund (<http://www.cnssbenin.org>), managed by a tripartite board and a director, administers the program.

### Work Injury

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#### Regulatory Framework

**First law:** 1959.

**Current law:** 2003 (social security).

**Type of program:** Social insurance and employer-liability system.

#### Coverage

Employed persons, certain company managers, apprentices, interns, students in technical schools, and cooperative members.

Exclusions: Self-employed persons and agricultural 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 used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

Employers with 20 or more employees pay contributions monthly; employers with one to 19 employees pay quarterly.

**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

**Temporary disability benefit (social insurance):** 66.7% of the insured's average daily earnings in the month before the disability began is paid from the day after the disability began, up to 12 months; thereafter, the benefit is based on the insured's yearly earnings in the year before the disability began, up to 10 times the legal minimum wage multiplied by 1.4, according to the assessed degree of disability. The benefit is paid until full recovery or certification of permanent disability.

The minimum monthly earnings used to calculate benefits are the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

An approved doctor assesses the disability.

**Temporary disability benefit (employer liability):** 33.3% of the insured's average daily earnings in the month before the disability began is paid from the day after the disability began, up to 12 months; thereafter, the benefit is based on the insured's yearly earnings in the year before the disability began, up to 10 times the legal minimum wage multiplied by 1.4, according to the assessed degree of disability. The benefit is paid until full recovery or certification of permanent disability.

The minimum monthly earnings used to calculate benefits are the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

An approved doctor assesses the disability.

### **Permanent Disability Benefits**

**Permanent disability pension:** For an assessed degree of disability of at least 20%, the benefit is the insurable annual earnings in the year before the disability began multiplied by 0.5 for each degree of assessed disability from 1% to 50% and by 1.5 times the assessed degree of disability for the portion greater than 50%.

The minimum monthly earnings used to calculate the pension are the legal monthly minimum wage multiplied by 1.4. If the insured's earnings are between 1.4 and three times the legal monthly minimum wage, the total annual earnings are used to calculate the pension. If the insured's earnings are higher than three times the legal monthly minimum wage, the annual earnings used to calculate the pension are three times the legal monthly minimum wage plus 50% of the difference between the insured's earnings and three times the legal monthly minimum wage. The maximum monthly earnings used to calculate the pension are the legal monthly minimum wage multiplied by 6.5.

The legal monthly minimum wage is 40,000 CFA francs.

**Constant-attendance supplement:** If the insured requires the constant attendance of others to perform daily functions, 40% of earnings are paid.

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

An approved doctor assesses the disability.

The insured may receive two or more pensions. The total amount received is 100% of the higher pension plus 50% of the other pension(s).

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

An approved doctor assesses the disability.

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

### **Workers' Medical Benefits**

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

### **Survivor Benefits**

**Spouse's pension:** 30% of the deceased's earnings is used to calculate the permanent disability pension is paid to a spouse who married the deceased before the disability began; up to 20% to a divorced spouse who received alimony. If there is more than one widow(er), the pension is split equally.

The pension ceases on remarriage.

**Remarriage settlement:** The spouse's pension ceases on remarriage. A lump sum of six months of pension is paid.

**Orphan's pension:** 15% of the deceased's earnings used to calculate the permanent disability pension is paid to each of the first two orphans and 10% to each additional orphan.

Eligible orphans include dependent children younger than age 22. An orphan's pension may not be combined with family allowances.

**Dependent parent's and grandparent's pension:** 10% of the deceased's earnings used to calculate the permanent disability pension is paid to each dependent parent and grandparent.

All survivor benefits combined must not exceed 85% of the permanent disability pension the deceased received or was entitled to receive.

An eligible survivor may also receive survivor benefits under the old-age, disability, and survivors program. The total amount received is 100% of the work injury survivor pension plus 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.

The legal monthly minimum wage is 40,000 CFA francs.

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

### **Administrative Organization**

Ministry of Labor and Public Administration (<http://www.travail.gouv.bj>) provides general supervision.

National Social Security Fund (<http://www.cnssbenin.org>), managed by a tripartite board and a director, administers the program.

## **Family Allowances**

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### **Regulatory Framework**

**First law:** 1955.

**Current law:** 2003 (social security).

**Type of program:** Employment-related system.

### **Coverage**

Employed persons, certain company managers, local authority employees, and some civil servants.

Exclusions: Self-employed persons, agricultural workers, cooperative members, apprentices, interns, and students in 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 used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 40,000 CFA francs.

Employers with 20 or more employees pay contributions monthly; employers with one to 19 employees pay quarterly.

**Government:** None; contributes as an employer.

### **Qualifying Conditions**

**Family allowances:** The child must be younger than age 22. The parent must have worked 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 is paid.

**Prenatal allowance:** The pregnant woman (insured or wife of the insured) must undergo prescribed medical examinations.

Benefits are payable abroad only under reciprocal agreement.

### **Family Allowance Benefits**

**Family allowances:** 2,500 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 nine months.

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

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

### **Administrative Organization**

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