

## Benin

Exchange rate: US\$1.00 equals  
493.54 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.

Voluntary provident fund for citizens working abroad.

#### Source of Funds

**Insured person:** 3.6% of gross earnings. Voluntarily insured persons contribute a sum equal to 10% of the last gross salary paid under 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 180 months of insurance coverage. Retirement from covered employment is necessary.

An insurance month corresponds to any month in which the insured worked 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.

**Old-age settlement:** Ineligible for the old-age pension at age 55 with at least 12 months of insurance coverage.

**Disability pension:** A loss of 2/3 of earning capacity with 60 months of insurance coverage, including 6 months in the 12 months before the onset of disability (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 worked at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

**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 worked at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

**Survivor settlement:** The deceased was ineligible for a pension.

Eligible survivors include a widow 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).

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

#### Old-Age Benefits

**Old-age pension:** The pension is equal to 20% of the insured's average monthly earnings during the last 10 years. An increment of 2% is paid for every 12-month period of insurance coverage beyond 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 60% of the legal monthly minimum wage (27,500 CFA francs in June 2004).

The maximum pension is 1,700,00 CFA francs a month (June 2004). The maximum is set periodically by a Decree of the Council of Ministers.

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

**Benefit adjustment:** Pensions are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on January 1, 2001.)

## Permanent Disability Benefits

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

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

The maximum pension is 190,500 CFA francs a month (June 2004). The maximum 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: Pensions are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on January 1, 2001.)

## Survivor Benefits

**Survivor pension:** 40% of the pension the deceased received or would have received 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.

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

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

The total survivor pension 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 part 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 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: Pensions are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on January 1, 2001.)

## Administrative Organization

Ministry of Public Administration, Labor, and Administrative Reform provides general supervision.

Managed by a tripartite board and 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:** Six months of insurance coverage.

An insurance month corresponds to any month in which the insured worked 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:** 100% of the insured's earnings at the time the maternity leave starts (the employer pays half). The benefit is payable for 6 weeks before and 8 weeks after the expected date of childbirth. Four additional weeks are payable if complications arise from the pregnancy or 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**

The insured's spouse and dependent children receive the same benefits as the insured according to the labor code. (Some maternity, child health, and welfare services are provided under Family Allowances, below.)

### **Administrative Organization**

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### **Work Injury**

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#### **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, seamen, local authority employees, and some public-sector employees and civil servants.

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 2/3 of the insured's average daily earnings during the last month before the month in which the accident occurred.

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

The benefit is payable from the day after the onset of disability until full recovery or death. The maximum duration of the benefit is 12 months; thereafter, the benefit is replaced by a temporary disability pension based on the insured's yearly wages in the year before the onset of disability, up to a ceiling of 10 times the legal minimum wage multiplied by 1.4, depending on the assessed degree of disability. The degree of disability is assessed by an approved doctor.

#### **Permanent Disability Benefits**

**Permanent disability pension:** For a total disability, the pension is equal to 100% of the insured's annual earnings in the year before the year of the onset of disability up to three times the legal minimum wage, plus 50% of the portion of wages between this limit and 10 times the legal minimum wage.

**Partial disability:** For an assessed degree of disability of 20% or more, the pension is equal to the insured's annual earnings in the year before the year of the onset of disability 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 above 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 degree of 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 or pensions are paid.

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

The degree of disability is assessed by an approved doctor.

**Benefit adjustment:** Pensions are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on January 1, 2001.)

### **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 disability pension are payable to a spouse who married the deceased before the onset of disability (a divorced spouse who received alimony may also be entitled to a pension 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.

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

**Orphan's pension:** 15% of the deceased's earnings taken into account for the calculation of the disability pension are payable 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:** 10% of the deceased's earnings taken into account for the calculation of the disability pension each.

The total survivor pension must not exceed 85% of the disability pension the deceased was or would have been entitled to; otherwise, the pensions are reduced proportionally.

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 part of the nonwork injury survivor pension that exceeds this amount.

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

**Benefit adjustment:** Pensions are adjusted for changes in the cost of living, depending on the financial resources of the system. (The last adjustment was made on January 1, 2001.)

### **Administrative Organization**

Ministry of Public Administration, Labor, and Administrative Reform provides general supervision.

Managed by a tripartite board and 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 public-sector employees and civil servants.

**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 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:** 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 for each child, payable from the first day of the month of birth.

**Prenatal allowance:** 1,500 CFA francs a month 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***

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