

REGIONAL NEWS

OCEANIA

Please note:
Next Editorial Deadline
12 January 2021



ROLAND ISLER
REGIONAL EDITOR | OCEANIA
COUNCIL OF THE SWISS ABROAD | AUSTRALIA

Editorial:

Dear readers, dear compatriots,

at the time of preparing this edition, some COVID-19 restrictions have been relaxed in most parts of Oceania and also in Switzerland. Victoria, however, is in stage 4 lockdown for the second time – a warning how quickly COVID-19 can rear its ugly head again when complacency sets in! The pandemic has forced the world to do things differently and adapt fast to a different ‘business as usual’.

Your Australian Council delegates organised a successful virtual Swiss National Day celebration for those that had no opportunity to attend a face-to-face event. The federal government in Bern, too, created an online event for the Swiss Abroad around the world.

Due to COVID-19, the Congress of the Swiss Abroad and the meeting of the Council of the Swiss Abroad (CSA) that were to be held in Lugano this August had to be postponed to next year. As a consequence – and as a

first of its kind – the CSA meeting was conducted virtually. A full report of the meeting can be found on our website: <https://bit.ly/34VWboT>

The next edition of the «Swiss Review» will not contain regional pages. This edition is therefore the last one this year to include the «Regional News Oceania». Please take note of the following dates for next year:

Edition	Editorial deadline	Publication date
■ 1/21 February	Tue, 12.01.21	Thu, 11.02.21
■ 2/21 April	Tue, 09.03.21	Tue, 20.04.21
■ 3/21 June	Mon, 10.05.21	Fri, 11.06.21
■ 4/21 August	no regional edition	Wed, 11.08.21
■ 5/21 October	Tue, 07.09.21	Fri, 08.10.21
■ 6/21 December	no regional edition	Wed, 15.12.21

Please send your submissions by the above deadline to risler@csa-oceania.org. I look forward to hearing from you! Contact: +61 (0)412 935 565.

Stay safe and keep looking out for each other! *Ed*

Diplomatic & Consular Information

Swiss Night at Pialligo Estate: Dream Now – Travel Later

On 20 August, the Embassy of Switzerland in Australia hosted a networking dinner at the Pialligo Estate in the ACT to celebrate the 729th anniversary of Switzerland. The event was well received by a public eager to socialise in a COVID-safe space.

Under the motto of Switzerland Tourism ‘Dream Now – Travel Later’, the dinner introduced guests to Swiss hospitality and culinary traditions. Swiss chef Daniel Hiltbrunner treated the guests to a variety of typical Swiss dishes such as Raclette, Bündner Gerstensuppe, Zürcher Geschnetzeltes with Spätzli and Toblerone chocolate mousse accompanied by a selection of Swiss wines.

The evening attended by members of the local Swiss community and of the diplomatic corps was cheered up

by contemporary reinterpretation of Swiss traditional music and a raffle. The Ambassadors Pedro Zwahlen and Yasmine Chatila Zwahlen distributed typical Swiss prizes and goodies to the lucky winners.

The event showcased a glimpse of what Switzerland and its unique natural landscapes have to offer. Who knows... once international travel restrictions will be lifted, the evening’s guests might have the opportunity to complete their Swiss experience with a nice holiday in the Alps!



Pialligo Estate glass house



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra



Chef Daniel Hiltbrunner and assistant serving Raclette cheese



Ambassadors Yasmine Chatila Zwahlen and Pedro Zwahlen

Community News and Events

NZ: Swiss Society of NZ

Due to COVID-19 restrictions the Swiss Society of New Zealand postponed their AGM from Queen’s Birthday Weekend to 11 July, with Hamilton kindly hosting the event due to their more central location. Many thanks to our Ambassador to Switzerland, Michael Winzap; Honorary Consul, Adrian Blaser; and Delegate to the Council of the Swiss Abroad, Peter Ehrler, for attending the meeting and providing detailed and interesting information on relevant subjects. As Hamilton Swiss Clubs’ four-year term at the helm of the Society was at an end, the reins were transferred to the Taranaki Swiss Club. Many thanks to the members of the Hamilton Swiss Club for their hard work and commitment to the Swiss Society. The new President is Othmar Hebler (othmar.hebler@swiss.org.nz), Secretary, Marlies Hebler and Treasurer, Marianne Drummond (marianne.drummond@swiss.org.nz). Should you have any questions regarding the Swiss Society please do not hesitate to contact us.

NZ: Hamilton Swiss Club

Our club AGM which had been postponed from April was held on Saturday, 11 July following the Swiss Society AGM held in Hamilton. Ambassador Michael Winzap even flew in from Wellington for the occasion and the Waikato put



From left: Sandrine, outgoing Society treasurer; Adrian, Honorary Consul; Herbert, Hamilton President; Michael, Ambassador; Vitus, outgoing Hamilton committee member

on a beautiful winter weekend. The Society affairs have now been passed on to the Taranaki Club after being in the care of the Hamilton Club for four years. We wish the new committee all the best and look forward to receiving lots of interesting articles via the Helvetia magazine.

Upcoming Events:

Fondue Evening planned for 26 September looks like it will be cancelled. We are now planning for a lunchtime function on Sunday, 18 October and this will be combined with medal and trophy presentations. Our members will be sent a newsletter a couple of weeks before this planned function.

30/10-01/11: Hiking weekend in Rotorua in lodge style accommodation together with Auckland Club members. Small and bigger walks/hikes planned as well as some rest, relaxation and socialising.

06/12: Family Christmas Party at Newstead School, 11am. For further information please email anita.zuber@swiss.org.nz

NZ: Taranaki Swiss Club

On 4 July we held our first major function since COVID-19 hit, and the Anniversary Shoot was enjoyed by 87 adults and several children. Participants could either shoot or play keglen (8-pin bowling) with everyone receiving a small packet of cervelas. The top shooter was Othmar



From the Anniversary Shoot, showing our musicians Aaron Bosch, Othmar Hebler, Bernie Schmid and Lynley Wagner. Photo: Richard Wagner

Hebler with Aaron Bosch and Ruedi Kull sharing the spoils in the keglen.

On 1 August we held our National Day celebrations with over 140 people attending; the greatest crowd in many years. The Embassy kindly donated some beautiful wine from Passage Rock Winery on Waiheke Island, which due to our liquor licence we had to sell...however the wine was really appreciated by our members, and we’re grateful to the Embassy for their support of the Swiss Clubs in New Zealand. It was truly a memorable evening, great entertainment and so pleasing to see people mingling...catching up with friends and making new acquaintances. We look forward to your support again at next year’s 1st of August!!!

Upcoming Events:

01/10 & 15/10: Keglen recommences at 7.30pm. Heaps of fun and plenty of chatting and laughter!

18/10: Trudi Ott Belt Shoot and Championship Shoot at 1pm. Juniors most welcome!

05/11 & 19/11: Keglen...come along and enjoy this Swiss sport!






The **CSA Oceania** is your elected team of delegates to the Council of the Swiss Abroad. We represent the 33,000+ registered Swiss living in Oceania and defend your interests as a Swiss citizens living in this region.

Visit our website **www.csa-oceania.org**

- for links to all **Swiss Community Groups**, Swiss Organisations and Swiss Consular Representations in Oceania;
- for information about the **Organisation of the Swiss Abroad (OSA)** and the **CSA Oceania** and the services they offer;
- for **important information** about issues concerning Swiss Abroad.

For any assistance or advice, contact the **CSA Oceania** on info@csa-oceania.org

15/11: Ted Napflin Memorial Shield and Championship Shoot at 1pm.

29/11: Christmas Shoot/Keglen from 10am. Children's activities, pot-luck lunch, an appearance from Father Christmas and prize-giving...come along and have some fun!!!

NZ: Auckland Swiss Club

On 1 August the Swiss Farm looked ready for a party, the flags with all the different cantons were up, tables were decorated and by 5pm the first guests arrived. Soon after the Alphorn players spoilt us with some lovely tunes and we enjoyed the traditional songs the yodellers beautifully sang. Everyone enjoyed the atmosphere with a cup of Glühwein in their hand to the accompaniment of Emil's accordion playing. In the meantime, the kitchen crew was busy, carefully stirring the fondue in two huge pots. Just after 6pm the fondue was served and the president Neil Kaiser welcomed just over 100 guests, including 18 children.



After dark we ventured outside to see the huge 1st of August bonfire. The Alphorn players surprised us with some more tunes outside, which really transported us back to the Swiss mountains. Everyone happily chatted and new friendships were formed.

Prior to the Fondue evening the AGM was held at the farm and the existing and new committee members and the farm committee members got introduced. The night ended with a big thank-you to all the helpers, musicians and yodellers and of course everybody who attended and made the evening special.

ACT: Canberra Swiss Club

Unfortunately, not much has changed with our Swiss Club due to COVID-19. Sometimes it looks like it is getting better and the next day it gets worse and we are back to the same old situation. We are still following government regulations with groups of people and events.

At the moment we could have a few smaller events in the future like bushwalks, go-karting...but we have to adhere to the restrictions. There will be more details in the newsletter.

It's probably the first time ever that the club didn't host the 1st of August celebration due to COVID-19. Hopefully everyone still had a great day celebrating Switzerland at home with family and friends.

If anyone needs any help during this difficult time, please feel free to contact anyone from the committee and we try to help out as much as we can.

NSW: Swiss Yodlers of Sydney

How do the Swiss Yodlers of Sydney sustain the enthusiasm, even hunger, to hone the craft of singing Swiss yodel songs despite being denied the opportunity to perform as a group for the past six months? We have not been doing much at all but, yes! we love what we do and miss the camaraderie and friendship. Singing and listening to Swiss songs is in our hearts, and this cannot easily be erased. Our desire 'to take us back to our roots' is our expression of what and who we are. Also what has not lost meaning and value are the many memories of wonderful past events and undertakings by the Club. They are alive and all due to singing being part of our individual personalities, not suspended during a crisis. This then is our renewed invitation to you to consider joining us as a future member. You may find some unexpected comfort and enjoyment making new friends with a common purpose.

We also invite anyone interested to 'have a go' with an Alphorn or Swiss Handorgel, which we make available on loan free of charge.

We shall wait and see whether we can participate at the Swiss Community Care Society's Christmas Party (the traditional Swiss Seniors end of year get-together), and our traditional Harbour Cruise at the end of February.

Please contact any of the following members for information:

Swiss Sayings: Lost in Translation

Interesting sayings in our national languages, explained by Beatrice Schlegel – a professional translator and Swiss Abroad from Wales in the UK.

“Bi öis isch em halbi föifi schu föifi”

The saying originates from Zürich and is therefore written, hopefully correctly, in Zürich dialect. In English, it literally means 'the time is already 5pm when it is actually only 4.30pm'. However, a freer translation along the lines of 'time flies when you're having fun' would probably be a better rendition of the saying. This saying is likely due to Zürich's status as Switzerland's unofficial capital, where

time passes more quickly than in other parts of the country. Could this even be a slight dig at Berne, where it is said things move more slowly? It could also mean that Zürich is literally ahead of (its) time and provides more entertainment than anywhere else.

In Italian it can be translated as:

“Il tempo vola quando ti diverti”

The French translation is:

“Ici, il est déjà cinq heures quand il est quatre heures et demi”



Beatrice Schlegel, B.A.(hons), M.A., MCIL

info@beatservices.co.uk www.beatservices.co.uk

- Alois Kretz (President), 9419 7277
- Sepp Engesser (Choir Master), 9659 6232
- Karin Attewell (Treasurer), 8964 4434

NSW: Swiss Community Care Society (SCCS NSW)

In October SCCS will be 50 years old. It was founded in 1970 and was named ‘Swiss Benevolent Society’. In the 1980s it was felt that the name needed to be more inclusive. With relatively few cases of dire hardship to deal with it became obvious that providing opportunities for Swiss people to meet and to prevent loneliness, especially among the older generation, were the society’s main activities. That’s why the name was changed to Swiss Community Care Society. It recognises that we can provide assistance to those in need as well as prevent social isolation.

Based in Sydney, and therefore active mainly in this city and its surrounding areas, we feel that SCCS is hardly known to the Swiss community in NSW. That’s why we have been looking to find Rural Coordinators – people who live in country areas who could be contacts for Swiss people living outside Sydney. The coordinators are mostly people who already know a number of Swiss near where they live. They agreed to have their names published in the «Swiss Review». Any Swiss person in country NSW can get in touch with their local coordinator, to make themselves known, to connect with fellow compatriots or to ask for help from our society. We are always trying to be of assistance to any Swiss, whether a member of SCCS or not. We are very grateful to these newly appointed coordinators:

Central Coast:

- Gerhard Moser, (02) 4322 3588
gerhard@homeloanguru.com.au
- Rita Schaad, (02) 4956 2272
maritah1@optusnet.com.au

Armidale:

- Heinz Hauptli, 0417 446 542
heinz.hauptli@bigpond.com

Coonabarabran:

- Herbert Würsch, (02) 6842 8278

Wagga Wagga:

- Elisabeth Rorrison, (02) 6931 9090
jrer@ozemail.com.au



Cobar:

- Werner Muehlethaler, (02) 6836 2091
werner.m@exemail.com.au

Bathurst:

- Johann & Ruth Geissmann, (02) 6337 4103
geissmann@bigpond.com

Orange:

- Monika Rickli, 0419 435 917
monika.rickli@hotmail.com

Please visit swissccs.org.au/ to find out more about SCCS.

QLD: Fraser Coast Swiss Group

20 years ago, the Fraser Coast Swiss Group had its first gathering on Swiss National Day in the Botanical Garden. This year having no Virus in our area, 39 booked for the lunch with Gulasch, red cabbage and mash potatoes at Susi and Walti’s huge enclosed Veranda. Some having a light flu we ended up with 28 participants. The surplus menu was brought next day to the sick ones at home. Swiss desserts with cakes, big and small, Nussgipfel, cheese platter, crèmes etc. looked great and were yummy.

We still try to have our monthly lunches on the 15th of each month in a Restaurant if possible.

Our next big event is Samichlaus on 6 December at a private property if gatherings are allowed then.

We live in Paradise with lovely temperatures, our beautiful beaches, walking and bike tracks, Fraser Island and the many humpback whales staying for several days playing, feeding, and teaching baby whales. What more does one want?

Looking forward to a healthy rest of the year and a better, happy 2021 to catch up with missed events and friends and families not only with the modern techniques.

For any details contact the organiser Cecile Scherrer on cecile.scherrer@bigpond.com or 0409 286 326 or visit www.swissclubqld.org.au/fraser-coast

QLD: Yodel Choir & Folklore Group ‘Baerg-Roeseli’

COVID-19 gave us the opportunity for a great experience: create our own video. A sound track by Willy playing the



Swiss Moving Service AG
 **worldwide moving service**
 to and from anywhere in Switzerland and the world

- Personal service and individual advice
- Door to door service for household goods, cars and motor bikes
- Full and partial container service to/from all major places in the USA, Canada, Australia, Asia, Latin America, Middle East + Africa

Wiesenstrasse 39
 CH-8952 Schlieren Zurich
 Switzerland

phone +41 44 466 9000
 fax +41 44 461 9010
www.swiss-moving-service.ch
info@swiss-moving-service.ch

Schwyzerörgeli and Gabriella singing was shared with our members. Each filmed themselves with their phone while listening to the guide track through earphones. The numerous clips were edited into a creative video. The whole process took two months and it has already reached more than 8500 people on Facebook and on YouTube. Have a look: <https://youtu.be/GWhnYxNtnu0>

Zoom meets are maintaining our friendship active. Our four months of bi-weekly catch-ups led to meeting in person on 1 August. Everyone prepared Swiss style goodies, we shared sausages and played our instruments around the campfire thanks to Erika's hospitality.

Any questions, contact Gabriel on yodel@swissclubqld.org.au or 0435 570 241.

SA: Swiss Club of South Australia

The time since COVID-19 restrictions came into effect seems like an eternity, and they have changed everything in what we can do and how we do it.

In the relative safety of South Australia, we have tried to make the best of it – we replaced our hugely popular Fondue Night gathering with a stay-at-home Fondue Night, which was pleasingly well attended: we encouraged club members to contribute photos to win a prize, and congratulations to Olga Koloskova and her family for winning!



The 1st of August celebrations were also dramatically changed. Instead of the Raclette Night with Lampions Parade, we organised a Würstli Brötle at the Chookarloo camp ground at Kuitpo Forest. The day turned out to be wonderful and sunny, and 55 people turned up, keeping COVID-enforced distancing but enjoying the company.

As we get closer to our AGM and the conclusion of the year as a committee, I want to thank and commend my committee for their dedication this year: Sarah Hill, our Vice President, who among other things manages our electronic communications; Paul Hill, our Treasurer, who automated many of the processes relating to the financial aspects of the Club; Daria Gutteridge, our Secretary, who stays on top of everything related to mail and paperwork; Victoria Tobé, our Newsletter Coordinator, who took on this new role and ensured news were relevant and timely; Marlene Guillaume, our Activities Manager, who oversaw the logistics of events; and Herbert Gall-Roche and Marinette Cachin, our Activities Coordinators, without whom we would have a lot more to do! A big thank-you for stepping up to your roles!

A final plug for our Swiss Radio Station in South Australia – tune in to 5EBI (103.1FM) on a Saturday, from 6pm to 7pm ACST (<http://5ebi.com.au/on-air-programs/1030/swiss>).

And for further details of events, how to become a member (especially if you have just arrived in South Australia) or getting in touch with our business partners, head to our website www.swissclubsa.com.au

VIC: Swiss Festival

Please be advised that the Swiss Festival is postponed to 2021 due to COVID-19 with more information to be announced later.

VIC: Swiss Club of Victoria

It has been an interesting year so far for all of us. Many are used to annual or biennial returns to Switzerland to visit family and friends. Suddenly, our home country seems truly far away, with great uncertainty when we can go and visit again. It gives us a glimpse how the Swiss pioneers who came to Australia in the 19th century must have felt leaving and not knowing when they would see Switzerland and

family again. At least we have technology to check in online with our loved ones. It also shows us that a social club, like the Swiss Club of Victoria, is still very relevant and can be of great support. The connections and friends one has through being active in a Club, can sustain us during difficult times.

We might not meet in person, but we remain active; we held our AGM online and celebrated Swiss National Day together live from our own living rooms. We are playing Jass together online and are holding more online events until we will meet again at the Swiss Club. Planning for our first event in 2021, our Foundation Day Celebrations on 1 February at the Club, is also underway.

To stay informed, please visit us on swissclubvictoria.com or contact us on info@swissclubvic.com.au or 9650 1196.

WA: Swiss Club of Western Australia

Prior to our 1st of August celebrations our AGM took place, where we saw a new team of committee members take their roles, great to see seasoned committee members join forces with the new. Swiss National Day was celebrated with a lovely meal followed by a beautiful bonfire under the stars at our picturesque property near Gidgegannup. The new committee welcomes back all existing club members and wishes to invite new members to join our club in WA to continue Swiss traditions and celebrations throughout the year.

Some of the proposed events are listed below but please follow our Facebook Page 'Swiss Club of Western Australia' to keep up-to-date with other events, or subscribe to our newsletter through our website www.swissclubwa.org

For further information contact the President, Adrian Lehmann on president@swissclubwa.org

Upcoming Events:

17/10: Fondue Night

15/11: Club Picnic at Gidge

05/12: Samichlaus at Whiteman Park



The Swiss Society of Victoria's purpose is to assist fellow Swiss in Victoria, old and young, who need financial or personal support. If you are experiencing difficulties, or you know of someone who does, please contact us.

We are here to help.

Registered charity with the Australian Charities and Not-for-profits Commission (ABN 41 419 264 390)

<https://swissocietyvic.org/>
Patrick Albert – M: 0449 999 645
E: admin@swissocietyvic.org

Are you a student or graduate from a university, university of applied arts and sciences, a teacher training college or a qualified teacher seeking experience?

The exchange-programs offered by Movetia gives young Swiss Abroad born in Oceania the opportunity to work as language teaching assistants in Swiss grammar schools, vocational schools and vocational baccalaureate schools. As native English speakers, they bring a unique richness to language teaching, as well as exemplifying cultural aspects of their country of origin.

The paid position begins after the summer holidays and usually lasts a whole school year. The deadline for applications for the school year 2021/22 is 31 March 2021 or by agreement.

See a case study recently published on SwissInfo:
<https://bit.ly/3b7JKY0>

For further information and registration, please visit:
<https://bit.ly/2GgovYN>

movetia Exchange and Mobility

SwissCham AUSTRALIA

The past few months have been difficult for all of us in Australia, especially in Victoria. SwissCham too, has been impacted hard by COVID-19. While the core of the chamber is the networking of business, government, privates and entrepreneurs, we had to rethink completely how to connect with our members. Webinars became the new norm, but very soon it became clear, that the Zoom and other digital tools can not replace human interaction.

While Australia has done a great job to keep the businesses as safe as possible, we as the Swiss business community can do even more to overcome the difficulties in these different times. Connect with Swiss business, Swiss business owners via our platform of SwissCham. We can still connect you with the best of the best. Remember the key words describing 'Swiss Made': **Quality, Accountability, Trust, Loyalty and Innovation.**

Why not join SwissCham now? Our extensive network can provide you with valuable contacts, events, and connections.

Please visit www.swisscham.com.au/membership or call +61 419 751 595



VICTORINOX

SWISS CARD FRESH ENERGY MULTIFUNCTIONALITY IN A FRESH MINTY ELEGANCE

Slim, yet secretly strong, the credit-card-sized SwissCard Special Edition effortlessly houses ten functions in an 80s-inspired fresh mint color.



FROM THE MAKERS OF THE
ORIGINAL SWISS ARMY KNIFE™
ESTABLISHED 1884



The Swiss Old-Age Pension in New Zealand

As the New Zealand CSA delegate, I am often approached with questions concerning the Swiss Old-Age Pension, especially in relation to problems with the unjust Social Security Act Sections 187-191 (formerly Section 70), and about the frequently occurring unlawful practices by the Ministry of Social Development (MSD). With this article I hope to shed some light into this sad chapter.

PETER EHRLER | CSA OCEANIA, NEW ZEALAND

In the June 2020 issue of the «Regional News Oceania» my Australian colleagues Carmen Trochsler and Beat Knoblauch wrote about the Swiss Social Insurance (AHV/AVS) focussing on Australia. I would like to recapitulate some of the points which apply for New Zealand:

The Swiss Old-Age Pension is not paid out automatically when you reach the statutory retirement age. You should apply at least three months prior to reaching the pension age.

Currently the statutory old age for women is 64 years of age and for men 65 years of age. The Old-Age Pension can be drawn up to two years prior to reaching the statutory age with reduction. It can also be postponed up to five years with increase in payment. If you wish to draw the pension one or two years in advance, you need to apply at least three months in advance of when you wish to receive it. If you wish to postpone your pension beyond the statutory age you will also need to inform the Swiss Central Compensation Office (CCO) prior to reaching the statutory pension age. The applicable form can be downloaded from the website of the CCO: <https://bit.ly/3cXLOSO>

Every year the CCO sends a life and civil status certificate to all Old-Age Pension recipients. This is to check that beneficiaries are still alive. The blank life certificate can also be downloaded on <https://bit.ly/3f5RTNZ>, completed and then returned via email to oaie@zas.admin.ch

Swiss Old-Age Pension needs to be declared in the New Zealand tax return. It is regarded as income and has not been taxed in Switzerland.

Spousal Provision/Deduction

The Spousal Provision will be gone by 9 November 2020. This means that pensioners whose partner receives an overseas pension higher than the rate of NZ Super will no longer be disadvantaged. Their NZ Super will not be reduced any more by the 'excess' of their partner's overseas pension.

Swiss Old-Age Pension compulsory contribution

New Zealand deducts the overseas pension (compulsory portion), on the basis of the Social Security Act Sections 187-191 (formerly Section 70) from the New Zealand Superannuation (NZS). In some cases, this leads to a total loss of their NZS benefit. This illegal

practice does not only affect Swiss pensioners but equally pensioners of many other countries. There are over 100,000 pensioners in New Zealand that lose their privately paid pension (compulsory contribution) or part of the pension this way.

At the moment there seems to be little to no movement from any of the political parties in New Zealand to change this law. It is astonishing that the current coalition Government, especially our present Prime Minister and Deputy Prime Minister, while in Opposition, condemned this deduction as illegal, even calling it a "breach of human rights" on several occasions. Now in Government, they seem to have forgotten everything said and promised.

The Swiss Embassy and I, together with other affected parties and other Embassies in New Zealand, are continuously and relentlessly working behind the scenes at various private and political levels. It is our goal to abolish Sections 187-191 completely. To get the New Zealand Government to change the law, we must apply pressure and expose to the world this unfair practice.

Irregularities by MSD/WINZ

In recent times it has become more and more apparent that the Ministry

of Social Development (MSD) has not upheld the law and has acted illegally and randomly.

In one case a pensioner was derived of his voluntary part of the Old-Age Pension for five years when he, by coincident, found out that this practise was illegal. The MSD had to pay back \$40,000 plus an ex-gratia payment of \$5,000. According to the Ombudsman findings, the pensioner should have been informed about the deductible portion (voluntary pension contribution) without having to specifically apply for deduction (Ombudsmen Act 1975, Case number 429683).

I know of two cases where the MSD suddenly stopped deducting illegally confiscated portions of the Swiss Old-Age Pension after the pension recipient started asking questions and queried the MSD decisions.

In another case a pensioner fought the MSD successfully. They had incurred a huge 'debt' due to MSD not deducting an overseas pension for years despite knowing about it, and then demanding the 'over-payment' to be paid back. Thanks to their legal knowledge (one is a lawyer) they were able to have the debt amounting to \$76,000 waved. They found that Clause 208 – *'Debt caused wholly or partially by errors to which debtors did not intentionally contribute'* – in the Regulations for the Social Security Act 2018, which basically says that if MSD makes a significant mistake, they cannot claim a debt. The couple also presented them a litany of mistakes made right through the process. Clearly, MSD didn't have an appetite for a High Court challenge with a lawyer who knew what he was doing!

The main point is that MSD cannot recover a debt that was caused wholly or partly by a significant error by MSD and to which the debtor (pensioner) didn't contribute intentionally.

If you think this has happened to you, the first thing to do is request your entire file from MSD and compare it to your records. The state of the file and its contents will give an indication right away if the MSD processes have been sloppy or not.

There are many ways in which MSD might have made mistakes and caused the situation. The most commonly made mistakes are:

- You have declared the overseas pension but WINZ didn't deduct it from your NZ Super, then notices it with a huge delay and asks the money back.
- MSD has not deducted your overseas pension or the correct amount because they have lost your paperwork. Happens frequently.
- Miscommunication between WINZ (where you apply for NZ Super) and MSD. Example: MSD tells you, you will receive one amount and WINZ comes up with a different figure. We hear it all the time from pensioners who have been given a hard time by MSD staff.
- MSD have refunded you off-the-top deductions made over a certain period and then demanded the money back.
- The review contains errors of fact.

However, do not even think of appealing or fight against an MSD decision on the re-payment of debt or other issues, if you have deceived MSD and not declared an overseas pension in your NZ Super application!

How to get the Swiss Old-Age Pension reimbursed

New Zealander having worked for a period of time in Switzerland which automatically requires compulsory contribution to the OASI during that time, are entitled to the reimbursement of their contributions as Switzerland has no Social Security Agreement with New Zealand, whereas a Swiss citizen (NZ Passport holder or Permanent Resident) living in New Zealand will only be able to receive a monthly pension and are not entitled to the reimbursement of their contributions while working in Switzerland.

As a New Zealander, when filling out the application form for New Zealand Super (NZS) you will also need to declare that you have worked in Switzerland. Thereafter, a declaration form is sent to you by WINZ which requires you to contact and send to the CCO in Geneva. They in turn will advise you on how

much you are entitled to. The whole sum (one lump payment) will be sent to you as soon as the CCO have all the bank details and the paperwork is completed.

This will all take some time. During this period, you will already have received and benefited from some of the fortnightly NZS payments. When the payment sum from the OASI arrives in NZ you will need to advise MSD/WINZ and then a deduction from your NZS will take place. However, because the payment is a single lump sum, it can only be deducted from one instalment of your NZS which is from one fortnightly payment. This deduction is a one off!! The worst-case scenario is that you lose one fortnightly NZS payment.

The alternative to the procedure mentioned above is, to write to the CCO requesting the whole sum due (one lump payment) prior to reaching the eligible NZS age. The CCO will advise you on what documentation they require to prove that you are no longer in Switzerland and have returned permanently to New Zealand. This way you are able to save one fortnightly NZS payout.

Irrelevant of which way you go about it, as your overseas pension is paid at a gross rate, you may need to declare this payment in your tax return.

Where to get help?

The Swiss Embassy in New Zealand has created a special page where all the relevant information concerning the subject of Swiss Old-Age Pension, specifically focused for pensioners in New Zealand are available. The link is: <https://bit.ly/3ktA5IZ>

As your elected delegate to the Council of Swiss Abroad (CSA) representing New Zealand/Oceania, I am also available if you require further information: +64 6 753 34 41 or peter.ehrler@swissonline.ch

Further link:

Central Compensation Office (CCO) Switzerland: <https://bit.ly/35qCiEm>

Please note that this article provides general information and should not be regarded as legal or tax advice. Separate advice relating to your individual circumstances should be obtained from a professional.