

## Benin

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

### Old Age, Disability, and Survivors

#### Regulatory Framework

**First law:** 1970.

**Current law:** 2003 (social security), with 2007 amendment.

**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, cooperative members, informal sector workers, 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 10% of the last gross salary earned while in compulsory insured employment.

The minimum monthly earnings for contribution calculation purposes are equal to the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

Contributions may be reimbursed for pensioners aged 60 to 65 who begin new covered employment or for foreign workers who leave the national territory.

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

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

The minimum monthly earnings for contribution calculation purposes are equal to the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

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 60 with at least 180 months of coverage. Retirement from covered employment is necessary.

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:** Paid at age 60 if the insured is ineligible for the old-age pension, but has at least 12 months of coverage.

**Disability pension:** The insured must be assessed with a loss of earning capacity of at least 66.7% and have at least 60 months of coverage, including at least 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).

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 was a pensioner, satisfied the qualifying conditions for a 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.

The widow(er)'s pension ceases on remarriage.

The pension is payable abroad only under reciprocal agreement.

**Survivor settlement:** The deceased was ineligible for a pension and had less than 180 months of coverage.

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 the insured's 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 30% of the insured's average monthly earnings in the first 15 years of coverage. The pension is increased by 2% of average monthly earnings for each 12-month period of coverage

exceeding 180 months, up to 80% of the insured's earnings (wage increases above 10% a year during the last 10 years are not taken into account in the calculation).

Average monthly earnings are equal to 1/60 of the earnings used for contribution calculation purposes in the last five years of coverage.

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

The legal monthly minimum wage is 31,625 CFA francs.

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 multiplied by the number of 12-month periods of coverage.

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 equal to 30% of the insured's average monthly earnings in the first 15 years of coverage. The pension is increased by 2% of average monthly earnings for each 12-month period of coverage exceeding 180 months, up to 80% of the insured's earnings (wage increases above 10% a year during the last 10 years are not taken into account in the calculation). For each year that the pension is awarded before the insured reaches age 60, the insured is credited with a 6-month coverage period.

Average monthly earnings are equal to 1/60 of the earnings for contribution calculation purposes made during the last five years of coverage.

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

The legal monthly minimum wage is 31,625 CFA francs.

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

Constant-attendance supplement: 40% of the 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. The total amount received is calculated based on 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**

**Survivor pension:** 40% of the pension the deceased received or would have been entitled to receive is paid to

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

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

An eligible survivor may receive survivor benefits under the work injury program. The total amount received is calculated based on 100% of the work injury survivor pension plus 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 at least 180 months of coverage is paid for each 6-month period of coverage. 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 according to 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.

### **Sickness and Maternity**

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#### **Regulatory Framework**

**First law:** 1952.

**Current laws:** 1998 (labor code) and 2003 (social security), with 2007 amendment.

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

#### **Coverage**

Employed women; managers of companies under certain conditions.

Exclusions: Self-employed persons, agricultural workers, cooperative members, informal sector workers, 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.

The legal monthly minimum wage is 31,625 CFA francs.

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 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:** 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), with 2007 amendment.

**Type of program:** Social insurance system.

#### Coverage

Employed persons, managers of companies (under certain conditions), apprentices, interns, students at technical schools, cooperative members, nonsalaried managers of cooperatives and their assistants, local authority employees, and some civil servants on secondment.

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

The legal monthly minimum wage is 31,625 CFA francs.

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 66.7% 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.

The legal monthly minimum wage is 31,625 CFA francs.

The benefit is paid from the day after the disability began, up to 12 months; thereafter, the benefit paid 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 disability is assessed by an approved doctor.

### **Permanent Disability Benefits**

**Permanent disability pension:** If the insured has a total disability, the pension is equal to 100% of the insured's annual earnings in the year before 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 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 31,625 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 75% or more; otherwise, pensions are paid monthly or quarterly.

The disability is assessed by an approved doctor.

The insured may receive two or more pensions. The total amount received is calculated based on 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 is paid equal to 5 years of pension, according to the assessed degree of disability.

The disability is assessed by an approved doctor.

**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, 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.

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

**Remarriage settlement:** A lump sum is paid equal to 6 months of 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 the deceased received or would have been entitled to receive; otherwise, the pensions are reduced proportionately.

An eligible survivor may receive survivor benefits under the old-age, disability, and survivors program. The total amount received is calculated based on 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 31,625 CFA francs.

**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.

### **Family Allowances**

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#### **Regulatory Framework**

**First law:** 1955.

**Current law:** 2003 (social security), with 2007 amendment.

**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, cooperative members, informal sector workers, 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 calculation purposes are equal to the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

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 coverage 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 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 under 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 according to 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.