

Circular 01_2019

clarifying the Pension Regulations of the Fondazione Ticinese per il II° Pilastro [Ticino Foundation for the Second Pillar]

The purpose of this Circular is to clarify individual articles or rules for circumstances not covered by the Pension Regulations. The decisions set out in this circular will, as a rule, be included in the next version of the Pension Regulations. As far as possible, the title shall always indicate the articles to which the clarification applies.

The Foundation Council publishes its circulars and regulations on its website at <https://www.ftp2o.ch/redolamenti>.

In general - Definition of authenticated signature

For the purposes of the Regulations, a signature is deemed to be authenticated if it has been authenticated by a notary or a Municipality. A signature is also considered to be authenticated if it is done at the Foundation's head office in the presence of an FTP employee.

Art. 1 – Second criterion of the definition of cohabitation (or cohabiting partner)

In order to meet the second criterion, part b), of the definition of cohabitation, the surviving partner must support the joint children, in accordance with the restrictions set out in Art. 20a OPA.

Art. 1 – Third criterion of the definition of cohabitation (or cohabiting partner)

The insured person (who is still alive) proactively communicates his/her cohabitation by means of the appropriate form. The form must be signed by both partners. As a rule, the Foundation only accepts authenticated signatures.

Art. 4 para. 3 – Admission for minors

Risk and savings insurance are not available to persons below the limit set out in Art. 4 para. 3 of the Pension Regulations. Therefore, the Foundation does not currently envisage any exceptions to admission with regard to the age of the insured person.

Art. 19 – Deadline for claiming the right to a partner's pension

In accordance with the previous regulations, the deadline for submitting a support agreement to the Foundation (and meeting the third criterion of the definition of cohabitation) is 3 months after the death of the insured person.

Art. 21 paras. 4 and 5 - Written notification for lump-sum death benefits

The written notice or declaration to modify the division of capital or order of beneficiaries must be signed by the insured person and the signature must always be authenticated.

In general, regarding art. 21 para. 6 – Deadline for claiming entitlement to benefits

The maximum period within which any kind of benefit may be claimed from the Foundation is three years. The right to any benefit is forfeited once this period has elapsed.

If a beneficiary of lump-sum death benefits claims within this period but it is not clear whether they may be the only beneficiary, the Foundation has the right to wait for three years before paying the benefit, without any late-payment interest being due in this regard.

Article 22 para. 2 – Request for early retirement termination benefit Under the restrictions set forth in art. 2 para. 1bis VBA, it is possible to request a termination benefit only if the beneficiary is registered as unemployed or engaging in gainful activities (regardless of whether employed or independent).

This circular enters into force upon approval by the Foundation Council at its meeting of 12.03.2019 and forms an integral part of the Pension Regulations as of said date.

Lugano, 12.03.2019

The Foundation Council of Fondazione Ticinese per il II° Pilastro [Ticino Foundation for the Second Pillar]