



Information for people on social welfare benefits

Since the 1st of October 2016 the law concerning social welfare has become more restrictive.

Social welfare fraud has always been illegal, fraud also including lying or deceiving, such as forging documents has always lead to prosecutions.



Due to the new changes in the law, it is also illegal to unlawfully receive social welfare benefits. Foreign adult nationals will now be prosecuted to the full extent of the law and risk deportation, which in most cases is executed.

Examples for unlawfully receiving social welfare benefits include:

- giving false or incomplete information
- concealing facts and information
- to lead a socialworker astray or to acknowledge false information, for example knowingly agree to information which is false due to a misunderstanding by the socialworker

Recommendations

Always inform the socialworkers straight away when you have new information and hand in the correct documentation for validation.

- Every form of income has to be fully declared, for example

- Change of jobs, wage increase
- Any form of insurance benefits (AHV, IV, EL, EO etc.)
- Self-employment
- Sales of items (online or at a market)
- Any money received as a gift



- Any form of reduced expenses, for example

- Change in rent contract
- Premium reductions health insurance
- Change of people per household



- Any form of assets, for example:

- All bank accounts in Switzerland and abroad
- All forms of properties and possessions in Switzerland and abroad





The law

- Important notifications to the social welfare have to be confirmed in writing by a socialworker
- A full interrogation and your testimony will take place by the social welfare in the suspicion of fraud exists, before an official notification to the state's attorney (Staatsanwaltschaft) is done
- Demand a written form of the court's decree (Verfügung)
- Contact the legal advice centre
- Check whether a hardship case can be requested

In the case of unlawfully receiving social welfare benefits there will be two court cases. One with the social welfare directly and then a criminal court case.

If a case concerns deportation, the affected can receive a free attorney throughout the criminal court case.



Consequences

- A fine, in low-level cases up to 3000.- CHF
- Imprisonment of up to a year
- For foreign nationals, after the imprisonment deportation is a realistic consequence. You will not be allowed back to Switzerland for 5 to 15 years.



Addresses of «Rechtsberatungsstellen»

- Rechtsauskunft Anwaltskollektiv
Kernstrasse 8
8004 Zürich, 1. Stock

Sprechstunde ohne Voranmeldung
Montag bis Freitag 12.30–18.30 Uhr

Spezielle Beratungen im Ausländer- und Asylrecht jeweils am Mittwoch von 12.30–18.30 Uhr

Ansprechpartnerinnen: Regula Howald und Brigitt Thambiah

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