

## **S2 Going South – Social Security/Welfare**

*This leaflet is for you if you live in Northern Ireland (NI) and you are a frontier worker working in the South, or if you want to go to live in the South. It tells you about the social welfare system in the South and about social security payments from Northern Ireland (NI) which may be exported to the South. It tells you about the social welfare benefits you may get if you have children, are unemployed, sick, have a disability, need help to pay specific expenses, or are otherwise in need of financial support. The benefits that are available in retirement are described in Going South - Retirement (Leaflet S4). It covers the general rules – there is not enough space to give all the details. You may get further information from the addresses and websites listed.*

*Note that the telephone numbers are given as if you are calling from the South. If calling from Northern Ireland you place the digits 00 353 and drop the first zero in the area code. Lo Call (1890) numbers can only be contacted when calling from the South.*

*The information in this leaflet is mainly for citizens of the EU/EEA. Citizens of all countries, including citizens of the EU and EEA member states, may have to establish habitual residence in the Common Travel Area (Ireland, the UK, the Channel Islands and the Isle of Man) before they can qualify for certain benefits. Citizens of the EU/EEA member states are entitled to combine social insurance contributions paid in two or more member states in order to qualify for benefits and they are entitled to transfer certain benefits from one member state to another. Citizens of other countries may acquire entitlement to insurance-based benefits after working for a period and may acquire rights to other benefits after a period of legal habitual residence.*

The information in this leaflet was compiled in January 2006. Subsequent changes may affect the accuracy of the content.

### **Department of Social and Family Affairs**

The Department of Social and Family Affairs (DFSA) is responsible for social security / welfare payments. You can get application forms and further information about all benefits from local social welfare offices. Most application forms are available on-line. [www.welfare.ie](http://www.welfare.ie)

A small number of payments are available from the Health Service Executive (HSE). You may apply for HSE payments from local health offices or health centres: [www.hse.ie](http://www.hse.ie)

## **Unemployment Benefits**

### **Unemployment Benefit (UB)**

You may qualify for UB if you are

- unemployed,
- aged under 66
- capable of work, available for work and genuinely seeking work and
- have enough PRSI contributions

Contributions paid in NI may be combined with contributions in the South to help you qualify. Usually the country where you last paid social insurance is responsible for considering your entitlement to a contribution based unemployment payment (see below for important exception to this rule in the case of Frontier Workers). Essentially UB is the equivalent of contribution based Jobseekers Allowance (JSA) in NI.

UB is payable for a maximum of 65 weeks or 52 weeks if you have less than five years contributions. Extra amounts may be paid for adult and child dependants. Application can be made at a local social welfare office.

### **Unemployment Assistance (UA)**

If you are not entitled to UB or you have exhausted your entitlement, you may qualify for UA if you are resident in the South and unemployed, capable of work, available for work and genuinely seeking work, aged between 18 and 66 and you pass a means test. It is possible to have some income from a part time job or from self-employment and still qualify for some UA. It is effectively the equivalent of income based JSA in NI.

### **Transferring Jobseekers Allowance**

If you are unemployed and receiving contribution based JSA in NI you may be able to transfer this benefit to the South if you go there to live and look for work. You must have been receiving contribution based JSA for at least four weeks before you go. You should contact the local Social Security/Jobs and Benefits office where you claimed JSA before you go South in order to process the paperwork. You should be given Form E303. When you arrive in the South, you should go to a FÁS Employment Services office within seven days. You will get the same JSA payment as you were receiving in the North (converted to euro). Your right to receive JSA in the South lasts for a maximum of 13 weeks (78 days). If you are still unemployed at the end of that time, you may apply for Unemployment Assistance. Generally income based JSA cannot be transferred.

### **Frontier Workers**

If you are a frontier worker living in Northern Ireland and you lose your job in the South, you may use your PRSI contributions to claim contributions based JSA in NI. You must meet the other conditions for JSA. If you become partially unemployed, you should claim UB from the DSFA.

## **Sickness Payments**

### **Disability Benefit**

In the South there is no equivalent to Statutory Sick Pay as available in NI. If you are ill, unable to work, aged under 66 and you have enough PRSI contributions you may qualify for Disability Benefit (DB). DB is payable from the 4<sup>th</sup> day of illness. It is payable for 12 months or up to age 66 if you have at least five years PRSI contributions. You may combine any contributions paid in NI with your PRSI contributions in order to qualify. It may be to your advantage to change to Invalidity Pension after 12 months, if you are eligible.

If you are entitled to paid sick leave under the terms of your contract, you may be obliged to pay your DB to your employer or the sick pay you receive may be reduced by the amount of DB – this depends on the precise terms of your contract of employment.

### **Invalidity Pension**

You may qualify for this pension if you have been on DB for at least 12 months and are unable to work for the next year. It remains payable indefinitely but most people transfer to Old Age Contributory Pension at age 66 if they are eligible (see Leaflet S4 *Going South – Retirement*).

### **Transfer of Payments**

Incapacity Benefit can be transferred to the South if you move there to live. You should get prior approval from the Social Security Agency in NI.

If you move to the South to look for work and transfer your JSA to the South and then become ill, you may apply for and get Incapacity Benefit instead.

### **Frontier Workers**

Under EU regulations it is generally the case that the country where you last paid social insurance is liable to consider your entitlement to sickness benefits.

Therefore, a frontier worker living in NI who becomes ill when working in the South can qualify for DB, Invalidity Pension or Occupational Injuries Benefits. (See Disability Payments).

Claims for DB are usually made in the South through your GP. Since GPs in NI do not hold the relevant application forms, you should contact a local Social Welfare office and request a claim form – DBOB1. Alternatively, a claim can be made for Incapacity Benefit in NI, which will be referred to DSFA in Dublin for payment.

**Disability Allowance** Disability Allowance is a means tested payment made to people aged between 16 and 66, resident in the South, who are unable to work because of a physical or mental illness, which has continued or may reasonably be expected to continue for at least a year.

## **Disability and Carers Payments**

### ***Transferring Attendance Allowance, Disability Living Allowance, Carer's Allowance***

In general, these NI payments cannot be exported to the South but certain very long-term recipients may be able to transfer them – generally, you must have been receiving Attendance Allowance or DLA before June 1992. Carer's Allowance may only be transferred if the person being cared for can transfer their payment.

### **Carer's Allowance**

In the South you may qualify for Carer's Allowance if you are aged 18 or over, resident in the South and are caring for a person who needs full time care and attention and you pass a means test. If the person being cared for is under 16, he/she must be receiving a Domiciliary Care Allowance from the Health Service Executive.

The means test is based on the income of the carer and the carer's spouse or partner but an amount of the spouse's or partner's income is disregarded. The allowance is payable while the conditions are being met.

### **Domiciliary Care Allowance**

A Domiciliary Care Allowance may be paid if you are resident in the South, caring for a child under 16 who has a severe disability and needs substantially greater care than a child who does not have a disability. It is payable by the HSE.

### **Respite Care Grant**

You may get an annual respite care grant if you are receiving Carer's Allowance, Carer's Benefit or Domiciliary Care Allowance or if you are not receiving any carer payment but are providing full time care and attention to a person who needs it.

### **Carer's Benefit**

You may qualify for Carer's Benefit if you give up work to care for a person who needs full time care and attention and you have enough PRSI contributions. If you are a frontier worker living in NI and employed in the South you can qualify for Carer's Benefit if you meet the care and contribution conditions. If you are living in NI and getting Carer's Benefit you will also qualify for the Respite Care Grant.

### **Blind Pension**

Blind Pension is a means tested payment for people who are resident in the South, aged 18 or over and who are visually impaired. Visually impaired people aged 16 – 18 may get Disability Allowance.

### **Blind Welfare Allowance**

Blind Welfare Allowance is a means tested payment, which may be paid by the HSE to visually impaired people who are receiving Blind Pension or Disability Allowance.

### **Occupational Injuries Benefit**

This Scheme is equivalent to the Industrial Injuries Scheme in NI. There are a number of different benefits for people who are injured as a result of an accident at work or who suffer from a work related illness. The most common of these is Injury Benefit which is payable following an accident at work. If you have a long-term disability as a result of the accident you may qualify for Disablement Benefit. If you are a frontier worker resident in NI and employed in the south you may qualify for these benefits if you are injured in an accident at work or contract a prescribed disease at work.

### **Further Information**

*Entitlements for People with Disabilities 2005* Comhairle.

## **Maternity Payments**

### **Maternity Benefit/Adoptive Benefit**

You may get Maternity Benefit (MB) or Adoptive Benefit (AB) if you are entitled to maternity or adoptive leave and you have paid enough PRSI contributions. You may also qualify if you are self-employed and have paid enough contributions. MB is payable for 18 weeks, rising to 22 weeks for maternity leave commencing on or after 01 March 06 and to 26 weeks for maternity leave commencing on or after 01 March 07. AB is payable for 16 weeks, rising to 20 weeks for adoptive leave commencing on or after 01 March 06 and to 24 weeks for adoptive leave commencing on or after 01 March 07. If you are entitled to maternity pay under your contract of employment you may have to pay your MB to your employer or may have your pay reduced by the amount of MB.

State maternity payments are generally paid by the state in which the mother was last employed, and payments can be transferred or exported if the mother moves to another EU/EEA state.

If you were previously insurably employed in NI or any other country covered by EU Regulations and you have paid at least one full rate contribution in the South, you may combine your insurance contributions to help you qualify for Maternity or Adoptive Benefit.

### **Health and Safety Benefit**

Health and Safety Benefit is a weekly payment for women who are granted health and safety leave because their employer cannot remove a risk to health or safety during pregnancy or while breastfeeding.

## **Payments for Families and Children**

### **Child Benefit**

You may get Child Benefit (CB) if you are caring for a child aged under 16 or under 19 and in full time education or, attending a FAS Youthreach course or physically or mentally disabled and dependent on you. There is no means test and it is not based on social insurance contributions. Payment of family benefits such as CB may be governed by where you work or receive contributory benefits from rather than where you live. This may mean that a frontier worker resident in NI will receive CB from the South. The rules around family benefits are complex and frontier workers may find that entitlement to one family benefit may impact on entitlement to another.

### **Early Childcare Supplement**

Early Childcare Supplement is a payment made to parents with children who are under six years of age. A payment of €250 is made every 3 months along with Child Benefit. Frontier workers living in NI and employed in the South may receive the supplement.

### **Family Income Supplement**

Family Income Supplement (FIS) is a weekly payment for families where a parent is working but receiving low pay. It is payable to employees only, working at least 19 hours per week (or 38 hours every fortnight). The family must be responsible for one child aged under 18 or aged 18 -22 in full time education. It is paid on the basis of insurable employment in the South so a frontier worker living in NI and working in the South may qualify depending on their income level.

### **Orphans Payments**

An Orphan's (Contributory) Allowance may be payable if the deceased parent had enough PRSI contributions. It may also be paid if a child is abandoned by his/her parents. It is paid to the child's guardian until the age of 18 or until the age of 22 if the child continues in full time education. It can be paid to a guardian living in NI. Orphan's (Non-contributory) Pension is a means tested payment that may be available to a guardian who is resident in the South.

### **One Parent Family Payment**

A One-Parent Family Payment (OPF) may be paid to a parent living in the South who is bringing up children alone. It is means tested and it is possible to have

some income from employment and remain entitled to some of the payment. The parent may be unmarried, widowed, a prisoner's spouse, separated or divorced. You are expected to look for maintenance from your spouse, former spouse or other parent.

### **Child Tax Credit / Working Tax Credit**

These payments are detailed in leaflet N2 *Going North Social Welfare / Social Security*. Frontier workers resident in NI who are employed or self-employed in the South may qualify.

### **Retirement Payments**

The rules in relation to State Retirement Pensions are described in Booklet S4 *Going South – Retirement*.

## **Bereavement Benefits**

### **Widow's/Widower's Contributory Pension**

You may qualify for a Widow's/Widower's Contributory Pension on the basis of either your own or your late spouse's contributions but you may not combine these. You may combine contributions paid in NI with those in the South in order to qualify. If your late spouse and /or you paid contributions in the South and in NI you may qualify for a full or partial Widow's/Widower's Pension from the South and from NI. There is also scope for combining contributions from NI and the South in order to qualify for a Pro Rata Widow's/Widower's Contributory Pension. This pension is payable as long as you remain a widow/widower.

### **Widow's/Widower's Non-Contributory Pension**

If you do not qualify for a contributory pension, are resident in the South and you do not have a dependent child, you may qualify for the means tested non-contributory pension. If you do have a dependent child, you should apply for the One Parent Family Payment. This pension is payable as long as you remain a widow/widower or until the age of 66 when you may apply for an Old Age Pension.

### **Widowed Parent's Grant**

You may qualify for a grant – currently €2,700 - if you have dependent children at the time of your spouse's death and you qualify for a Widow's/Widower's contributory or non-contributory pension or a One Parent Family Payment or Bereavement Grant.

### **Bereavement Grant**

A Bereavement Grant may be paid on the death of a person who has enough contributions or the death of their spouse or child.

### **Transfer of Bereavement Payments**

Contributory Widow/Widowers Pension are payable in the South if you move there to live.

## **General**

### **Supplementary Welfare Allowance (SWA)**

The SWA scheme is designed for people who are resident in the South and who do not have enough income to meet their needs. The rules are set out by the Department of Social and Family Affairs and it is administered by the HSE. You should apply at your nearest HSE local office or health centre. There are a number of different elements to the scheme. Your entitlement is dependent on your circumstances and each application is assessed on its merits. In general, you do not qualify if you are employed but there are some exceptions to this.