

WHAT HAPPENS IF YOU HAVE JUST COME TO THE UK FROM ABROAD?

THERE ARE SPECIAL ARRANGEMENTS BETWEEN THE UK AND THE FOLLOWING COUNTRIES FOR BENEFITS AND PENSIONS:

Austria	France	Latvia	Poland
Belgium	Germany	Liechtenstein	Portugal
Cyprus	Greece	Lithuania	Slovakia
Czech Republic	Hungary	Luxembourg	Slovenia
Denmark	Iceland	Malta	Spain
Estonia	Ireland	Netherlands	Sweden
Finland	Italy	Norway	Switzerland

We often refer to Great Britain (GB) which covers England, Scotland and Wales. We also refer to the United Kingdom (UK) which covers Great Britain and Northern Ireland.

WHAT MIGHT STOP YOU FROM GETTING SOME OR ALL BENEFITS?

- If you have a limit or condition on your entry to Great Britain
- If you are a sponsored immigrant or asylum seeker
- You will not be entitled to claim for any periods of absence abroad (outside GB)

WHAT MIGHT HELP YOU TO GET SOME OR ALL BENEFITS?

- You have humanitarian protection
- You have discretionary leave to remain in the UK
- You are a refugee
- You have exceptional leave to enter or remain in Great Britain
- You are an EU citizen or Swiss national, or a member of your family is one of these
- You have been living in a country that has a special agreement with the UK
- You are from Algeria, Morocco, Tunisia, Turkey or San Marino – and you are lawfully working in the UK – or you are part of such a family
- You are not subject to immigration control
- You have come here with the intention of staying permanently
- You have lived in Great Britain, Northern Ireland, the Isle of Man, Jersey, or Guernsey for 26 weeks in the last 12 months (13 weeks for babies under 6 months old)
- You are not expected to live more than 6 months
- You may be treated as being in Great Britain, if you are a member of HM Armed Forces serving abroad or a member of their family, a mariner or airman
- You have been working on the UK sector of the continental shelf - for example on an oil rig

WHAT BENEFITS CAN YOU GET?

- It depends on what National Insurance (NI) contributions you, your spouse/civil partner or late/former spouse/civil partner have paid over your working life (in the UK or in the countries listed above)
- It depends on why you have come to Great Britain
- It depends on whether your entry to Great Britain is subject to limitations or conditions
- Some benefits do not rely on NI contributions
- For further information contact the Benefit Enquiry Line on 0800 882200

STATE PENSIONS, BEREAVEMENT PAYMENTS, WIDOWED PARENTS' ALLOWANCES, BEREAVEMENT ALLOWANCES:

- You may only get State Pension if you have paid NI contributions in the UK. Sometimes it is the contributions of a spouse, late spouse or civil partner that count
- You may get Bereavement Benefits if your late spouse or civil partner has paid NI contributions in the UK. The equivalent of NI contributions, or residence, in certain other countries may help satisfy the conditions. But you may not be entitled to a Bereavement Payment if your spouse or civil partner died while you were both abroad
- For information on the general rules for State Pension, get leaflet RM1 'Retirement' from The Pension Service
- For information on the general rules for bereavement benefits, get leaflet WIDA5DWP 'If you are widowed or your civil partner dies', from Jobcentre Plus or The Pensions Service
- Women widowed prior to 9 April 2001 who return from abroad may be entitled to Widow's Benefit providing all the conditions are met
- You can call the Pension Service on 0845 60 60 265 for advice

INCAPACITY BENEFIT & THE CONTRIBUTION-BASED JOBSEEKER'S ALLOWANCE:

- You should get these benefits if you have paid enough UK NI contributions and/or the equivalent contributions in certain other countries (see the table above)
- You may be able to get Incapacity Benefit even if you have not paid enough NI contributions, if you are under 20 (or 25 if you were in education or training before the age of 20) and have been sick for 28 weeks, and have been in the UK for 6 months during the year before you claim
- You may be treated as having been in the UK if you have been in a special occupation, such as the armed forces (of another country on the table above)
- You may be treated as having been in the UK if you have lived and worked in another country on the table above
- For information on the general rules for Incapacity Benefit, get leaflet IB1JP 'A guide to Incapacity Benefit'
- For information about Jobseeker's Allowance get leaflet QCJSAA5JP
- Both these leaflets are available from Jobcentre Plus or The Pensions Service

STATUTORY SICK PAY (SSP) AND STATUTORY MATERNITY PAY (SMP)

- For information on the general rules for SSP, get leaflet SSPA5JP 'Statutory Sick Pay' from Jobcentre Plus
- For information on the general rules for SMP, get leaflet BC1 'Babies and children' from Jobcentre Plus
- To claim Maternity Allowance, you must lastly have worked in the UK for at least a week, earning at least £30 a week

- Your employment in certain other countries maybe used to help you qualify
- For basic information see leaflet BC1. For more detailed information about Maternity Allowance, visit website www.dwp.gov.uk/advisers/ni17a.

BENEFITS NOT BASED ON NATIONAL INSURANCE CONTRIBUTIONS – FOR INDUSTRIAL INJURIES AND DISABLEMENT:

You may be able to get these benefits if:

- You had an accident or contracted a disease at work after 1 October 1986 (after this date different rules apply)
- You were paying Class 1 NI contributions at the time (or the equivalent in another country on the table above)
- You were paying special NI contributions as a volunteer development worker

For more advice get leaflet DHC1JP 'A guide for disabled people, those with health conditions, and carers' from Jobcentre Plus.

CHILD BENEFIT & GUARDIAN'S ALLOWANCE:

- You must usually be resident in the UK or have a right to reside in the UK
- You may instead be a EU or Swiss citizen
- You may claim if you are from Algeria, Morocco, San Marino, Tunisia or Turkey and lawfully working in the UK, or a member of the family of such a person living in the same household
- You must be responsible for a child or children
- You must have come to live in the UK with the intention of making a settled home as part of the regular order of your life for the time being
- You cannot usually get Child Benefit if your right to remain in the UK is subject to immigration control
- You may be able to get Child Benefit if you have been given refugee status or have humanitarian protection or discretionary leave to enter or remain in the UK
- You should have leave to enter or remain in the UK that is not subject to any limitation
- You may claim if you have come from a country with a special agreement with the UK covering Child Benefit
- Guardian's Allowance is paid to people bringing up a child or children because one or both of their parents has died. You must be getting Child Benefit for the child or children to be entitled to Guardian's Allowance
- To claim Guardian's Allowance, at least one of the child's parents must have been born in the UK or the parent who died had been in the UK for at least 1 year during the 2 years since they were 16 years old

CHILD TAX CREDIT (CTC) and WORKING TAX CREDIT (WTC):

- CTC is for families with children and is payable regardless of whether the adult(s) in the family are in work
- WTC supports working people on low and middle incomes with extra amounts for people with disabilities
- Tax credits are administered by and claimed from HM Revenue & Customs
- You can also get more information from the DWP website at www.dwp.gov.uk
- Alternatively go to www.direct.gov.uk

INCOME-BASED JOBSEEKER'S ALLOWANCE, INCOME SUPPORT and PENSION CREDIT:

- You can only get these benefits if you have a right to reside and are 'habitually resident' in the UK, the Republic of Ireland, the Isle of Man or the Channel Islands
- 'Habitual residence' is decided by looking at all the circumstances in each case. An important factor is establishing a settled intention to reside
- The questions asked include "Have you worked in the UK?", "How long you have lived abroad?", "Why you have come to the UK?", "How you plan to support yourself in the UK?", and "How long you plan to stay in the UK?"
- You may be able to treat you as habitually resident if you have a right to reside, and are an EU or Swiss national who is a worker or has the right to reside
- The same applies if you are a member of the family of an EU or Swiss national who has recently been 'a worker'
- You may claim if you have refugee status
- You may claim if you have been given exceptional leave to enter or remain in the UK
- You may claim if you have been given Humanitarian Protection or Discretionary Leave to remain in the UK
- You may claim if you left Montserrat after 1 November 1995 because of the volcanic eruption
- You may claim if you have been deported to the UK – provided you are not subject to immigration control
- For detailed information on the rules for Pension Credit get leaflet PC10S 'A guide to Pension

HOUSING BENEFIT COUNCIL TAX BENEFIT:

- You can only get these benefits if you have a right to reside and are habitually resident in the UK, the Republic of Ireland, the Isle of Man or the Channel Islands
- You may be treated as habitually resident if you have a right to reside, and are an EU or Swiss citizen who has recently been employed or self-employed in the UK
- You may be given help if you are a refugee
- You may be helped if have exceptional leave to enter or remain in the UK
- You may be helped if you have been given Humanitarian Protection or Discretionary Leave to remain in the UK
- If you are an asylum seeker or sponsored immigrant, you are unlikely to be entitled to Housing Benefit or Council Tax Benefit
- Your local council will ask you for some more information

For information about the general rules for Housing Benefit, get leaflet HBA5DWP 'Help with your rent'. For information about the general rules for Council Tax Benefit, get leaflet CTA5DWP 'Help with your council tax' from Jobcentre Plus or The Pension Centre.

WINTER FUEL PAYMENTS:

- These are annual tax-free payments made to eligible older people to help them with their winter fuel costs. You may be entitled to a Winter Fuel Payment if:
- You will be aged 60 or over on the 3rd Monday in September in the qualifying week
- You cannot get a Winter Fuel Payment if during that week your right to remain in the UK is subject to immigration control

- For more information about Winter Fuel Payments, get leaflet SFHA5JP 'Help with extra heating costs from the Social Fund' from Jobcentre Plus, The Pensions Service or you can contact the Winter Fuel Payment helpline (details are at the back of this leaflet)

USEFUL CONTACTS:

The Pension Service

- Phone: 0845 60 60 265 (Sam to 8pm Monday to Friday)
- Textphone: 0845 60 60 285
- Welsh-language service: 0845 60 60 275
- Textphone (Welsh language): 0845 60 60 295
- Website: www.thepensionservice.gov.uk

International Pension Centre

- Phone: 0191 21 87777
- Textphone: 0191 21 87280
- Website:
- E-mail: WP-IPC-Customer-Care@thepensionservice.gsi.gov.uk
- Address: Tyneview Park, Newcastle-upon-Tyne NE98 1BA

Winter Fuel Payments helpline

- Phone: Helpline: 0845915 1515.
- Textphone: 0845 601 5613.
- Calls to these numbers are charged at local rate.
- Website www.thepensionservice.gov.uk/winterfuel

HM Revenue & Customs Child Benefit Office

- Phone: 0845302 1444
- Textphone: 0845 302 1474
- Website: www.hmrc.gov.uk/childbenefit
- Address: PO Box 1, Newcastle-upon-Tyne, NE88 1AA

HM Revenue & Customs Tax credits

- Phone: Helpline: 0845 300 3900 (open 7 days a week, 8am-8pm)
- Textphone: 0845 300 3909.
- For the tax credits helpline in Northern Ireland, please call 0845 603 2000, or textphone 0845 607 6078.
- Website: www.hmrc.gov.uk/taxcredits