



Amigos de la Gente de Edad

June 2004

Exportable Benefits

This factsheet has been produced by Age Concern España to offer an overview of exportable benefits from Great Britain (or the United Kingdom where specified) available to older people resident in Spain. It also includes a list of useful contact addresses.

The information given here is based mainly on the Department for Work and Pensions (DWP) booklet 'Your social security insurance, benefits and healthcare rights in the EEA' (SA29) and subject to continual change. This guidance is neither definitive nor legal, and you are strongly advised to refer to the DWP in GB for the latest information and to check your eligibility for any of the benefits mentioned below. The DWP will be able to establish what your entitlements are and to advise on payment arrangements.

At times it may be difficult to obtain a definitive answer from the DWP to your questions straight away, as benefit regulations are under constant review. Be patient, but do persevere.

Pensions

You can continue to receive your British State Pension while you live in Spain. If you are living in Spain for more than six months or permanently, DWP can pay your benefit straight into your bank account in Spain. Alternatively, they can pay into your UK bank or building society account or will send a cheque (in sterling) at the end of every 4-13 weeks.

If you are away for less than two years, DWP can pay your benefit as a lump sum when you return to the UK.

If you have not yet reached State Pension age (currently 60 for women and 65 for men in the UK), and you have been insured in the UK, the DWP will usually invite you to claim four months before you reach State Pension age. The letter will ask you if you want to claim by telephone, or a claim form can be sent to you for completion. The claim form asks whether you have any insurance or periods of residence in other countries. This enables other EEA countries to look at your insurance under its own scheme, and if you meet the rules, you will receive a pension from each appropriate country.

If you claim UK Retirement Pension in Spain, the authorities will pass details of your claim to any other EEA country where you have been insured.

You may also be paid an extra amount for certain adults who depend on you, even if that person lives in another EEA country. There are special rules for children who depend on you. The benefits for your children will be paid by either:

- The country from which you get a State Pension, or
- The country from which you were insured for the longest time if you get a State Pension from two countries.

Pension Credit

In order to qualify for a Pension Credit you must normally live in Great Britain. Regulations allow for entitlement to continue during periods of temporary absence from GB, i.e., for up to four weeks. People coming from abroad (including returning UK nationals) must satisfy habitual residence criteria before reapplying for Pension Credit.

Winter Fuel Payments

The UK Government provides Winter Fuel Payments for help with heating bills during the winter months. The annual payment is £200 per household for people aged 60 or over with an extra £100 for households with someone aged 80 or over.

If you received or applied for a Winter Fuel Payment in the UK before moving to Spain or Gibraltar, you may be able to continue receiving payments.

To be eligible, you must have been entitled to a Winter Fuel Payment before leaving the UK. This means you must have normally been living in the UK and aged 60 or over during a qualifying week. The Winter Fuel Payment scheme began in 1998 and the first qualifying week was 05 – 11 January 1998. If you left the UK before 05 January 1998, you will not be able to receive a Winter Fuel Payment outside the UK.

For more information or to obtain a copy of leaflet 'Your guide to Winter Fuel Payments' (WFPL1), ring the Winter Fuel Payment Helpline or visit the DWP website. Contact details are given below under Useful Contacts.

Sickness and invalidity allowances

Attendance Allowance (AA), Carer's Allowance (CA), Disability Living Allowance (DLA)

The UK Government states that these are 'special non-contributory' benefits and are not usually exportable¹.

¹ AA and DLA are no longer exportable on a permanent basis unless you were receiving AA or DLA in June 1992 and you are an insured person by virtue of having worked in the UK.

If your stay in Spain is temporary, you can usually continue to receive AA or DLA for 26 weeks (longer if you are going abroad specifically for medical treatment for your illness or disability). For periods over 26 weeks, you may experience difficulty in qualifying for benefit, as you usually must have been present in GB for 26 out of the last 52 weeks to satisfy the residence conditions.

People claiming AA or DLA on the basis that they are terminally ill are exempt from the rule that they have to have been present in GB for 26 weeks out of the last 52 weeks.

If you are in receipt of Carer's Allowance in the UK, you can continue to receive this only if your stay is for less than 4 weeks or if you are going to Spain solely to help the person you care for, and that person is still paid AA or DLA.

Industrial injuries disablement benefit

If you received an injury at work, or develop a specified occupational disease late in life, you may be entitled to Industrial Injuries Disablement Benefit. You must have been working in the UK or employed by a UK employer.

There is no time limit for making a claim for this benefit and a claim can be made if you are living in Spain. If an award is made, payment will be backdated for no more than three months before the date of claim.

Constant Attendance Allowance and Exceptionally Severe Disablement Allowance may also be available to someone who is in receipt of Industrial Injuries Disablement Benefit, subject to the level of disability and assessment by the DWP.

Providing an individual continues to satisfy conditions for entitlement, all of these benefits are payable in Spain. For more information contact the International Pension Centre at the address below under Useful Contacts.

Bereavement benefits

Bereavement benefits are available equally to men and women and are based on the contribution record of the late spouse.

The Bereavement Payment is a single lump-sum payment paid immediately on bereavement. It is tax-free and is paid mainly to widows and widowers under State Pension age. If you are over State Pension age when your spouse dies, you will still receive the payment provided that your spouse was under State pension age or was over State pension age (currently 60 for women, 65 for men) but not receiving a State Retirement Pension based on his or her contribution record.

If you have not yet reached retirement age and do not have children aged under 19, you may be eligible for Bereavement Allowance; a weekly payment for up to 52 weeks from the date of widowhood. If you do have children under age 19 for whom you are entitled or treated as entitled to Child Benefit, you may be eligible for Widowed Parents Allowance. There are special rules when you and your child are living abroad.

If you are above retirement age, in the event of bereavement your retirement pension would be reviewed to determine whether it could be increased by using the contribution record of your late spouse.

Sources

Going abroad and social security benefits, a basic guide to benefits if you are going abroad permanently or for a temporary stay. Department for Work and Pensions. GL29 December 2003

Welfare Benefits and Tax Credits Handbook. Child Poverty Action Group 2003/2004 5th Edition. ISBN 1901698513

Your guide to Winter Fuel Payments 2003 (updated annually). Department for Work and Pensions. WFPL1. ISBN 1-84388-195-0

Your social security insurance, benefits and healthcare rights in the EEA. Department for Work and Pension, SA29 from February 2003

Useful contacts

International Pension Centre
Department for Work and Pensions
Tyneview Park
Benton
Newcastle-upon-Tyne
NE98 1BA
Tel.: +44 191 218 7777
Fax: +44 191 218 3836
www.dwp.gov.uk

Winter Fuel Payment Centre
Southgate House
Cardiff Central
Royal Mail
Cardiff
CF911 1ZH
UK
Tel.: +44 29 20428635
Fax: +44 29 20428676

Winter Fuel Payment Helpline
Tel.: +44 845 9 15 15 15
Website: www.thepensionservice.gov.uk/winterfuel

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