



AD HOC QUERY ON 2019.7 Access conditions of TCNs to social benefits and grants

Requested by FR EMN NCP on 22 January 2019

Responses from EMN NCP Austria, EMN NCP Belgium, EMN Czech Republic, EMN NCP Estonia, EMN NCP Finland, EMN NCP France, EMN NCP Greece, EMN NCP Hungary, EMN NCP Latvia, EMN NCP Netherlands, EMN NCP Poland, EMN NCP Slovakia, EMN NCP Spain, EMN NCP Sweden plus EMN NCP Norway (19 in Total)

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1. Background information

The Directorate of Immigration of the General Directorate for Foreign Nationals in France (DGEF) within the French Ministry of the Interior has been requested by the Ministry to elaborate an overview of the conditions of access for TCNs to social benefits and allowances.

The EMN NCPs drafted late 2018 an Inform on "social benefits and rights for beneficiaries of international protection". Consequently this AHQ applies to other categories of TCNs. We will use the responses provided for the Inform regarding the beneficiaries of international protection.

You can complete the attached chart if this is more useful for you.

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2. Questions

1. Please detail the different types of grants and social benefits available to legally residing TCNs in your Member States (for example medical coverage, minimum income, benefit for disability, housing grant, family benefits, other)

2. What are the conditions to benefit from these benefits and grants?

for example, Length of regular residence, duration of a professional activity, family links, other

3. Are the conditions of access different depending on the type of residence permit issued?

4. Can TCNs in irregular situation benefit from social benefits and grants in your Member State ? if yes which one?

We would very much appreciate your responses by **15 April 2019**.

3. Responses

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		Wider Dissemination ²	
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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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	<p>EMN NCP Austria</p>	<p>Yes</p>	<p>1. For the purposes of this Ad Hoc Query, some of the social benefits granted in Austria have been selected, which are also granted to regular staying third country nationals. These include, for example, the following social benefits:- social insurance (health insurance, accident insurance and pension insurance)- unemployment allowance- social assistance/ Needs-based Guaranteed Minimum Resources- family allowance - disability pass - care allowance-housing benefit - childcare allowance. In addition to regular residence, however, more extensive conditions must be fulfilled in some cases.</p> <p>2. - Social insurance (e.g. Art. 2 General Social Insurance Act)a) Health insurance: In Austria, in the case of illness, the health insurance covers the costs of (medical) treatments and medical appliances. In Austria there is a compulsory insurance system for all gainfully employed persons (e. g. Art. 1 General Social Insurance Act). Persons without compulsory insurance have under certain conditions the option of voluntary self-insurance. b) Accident insurance: In Austria, accident insurance covers, inter alia, the costs of accident treatment and rehabilitation costs. Inter alia, there is an accident insurance for workers and employees in the case of an accident at work or an occupational disease. c) Pension insurance: In Austria, pension insurance provides financial security for insured persons, inter alia, in old age. The Austrian system of compulsory insurance for all employed persons also includes pension insurance. If third country nationals are employed in Austria, they are subject to the provisions of social insurance. According to the wording of the law, nationality or lawful residence in Austria is not required for social insurance benefits. However, access to the labour market requires an appropriate residence permit or an official employment permit. Without this title or the employment permit, legal employment is not possible, so that in these cases there is also no access to the social insurance system in Austria. Similarly, irregular employees are not registered within the social insurance system.- Unemployment allowance: In the case of unemployment, an unemployment allowance is granted in Austria under certain conditions. Employees are insured in the case of unemployment. To be entitled to unemployment allowance, the unemployed person must have been employed for a certain minimum period and be subject to unemployment insurance. The receipt of unemployment allowance is not explicitly based on nationality or lawful residence. However, the receipt of unemployment allowance</p>
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			<p>requires, inter alia, that an employment can and may be taken up. One requirement for a person to take up employment is a regular stay within the federal territory (Art 7 para 3 Unemployment Insurance Act 1977).- Social assistance/ Needs-based Guaranteed Minimum Resources: The purpose of social assistance/ Needs-based Guaranteed Minimum Resources in Austria is to provide a minimum amount necessary to live. As a rule, third country nationals are only entitled to the Needs-based Guaranteed Minimum Resources if they have lived regularly in Austria for more than 5 years, whereby the provinces may provide for their own deviating regulations and conditions (see Q3).- Family allowance: Parents are entitled to a family allowance if their main place of residence is in Austria. Persons who are not Austrian citizens are entitled to family allowances only if they are regularly residing in Austria (Art 3 Austrian Family Charges Equalisation Act). - Disability pass: According to Art. 40 of the Federal Disability Act, a disabled person's pass can be claimed by persons who, inter alia, have their habitual residence or domicile in Austria and a degree of disability or a reduction in earning capacity of at least 50%. The possession of a disabled person's pass does not entitle the holder to a financial benefit. However, discounts are granted when presenting the document.- Care allowance: The care allowance is an earmarked benefit to partially cover the additional expenses incurred by nursing care. According to Art. 3 of the Federal Care Allowance Act, care allowance can be received by persons who have their habitual residence in the federal territory and receive a pension or full pension (after an accident at work) according to the General Social Insurance Act, for example.- Housing benefit: In Austria, the housing allowance is the responsibility of the individual provinces and is a support for housing costs. Vienna and Vorarlberg should be mentioned here as examples: In Vienna, usually no housing allowance is granted to foreigners who have been living regularly in Austria for less than 5 years. In Vorarlberg, only those non-Austrian, non-EU or EEA nationals who have been resident in Austria for more than 10 years or who can refer to an activity of at least 8 years covered by social insurance or who have the status of "long-term resident third country nationals"; or "subsidiary protection beneficiary"; receive the housing allowance.- Childcare allowance: The receipt requires, inter alia, the regular residence of the parent and child in Austria (Art. 2 para 1 subpara 5 Child-care Allowance Act).</p>
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			<p>3. The receipt of social benefits is (partly) linked to the regular residence in Austria. A differentiation according to residence title is partly made in the granting of the needs-based Guaranteed Minimum Resources, as this is regulated individually by the provinces. Depending on the province, this may require an unlimited residence (e. g. in Lower Austria) or a certain minimum residence (e. g. in Carinthia). Access to social insurance requires a residence permit which also grants access to the labour market.</p> <p>4. As shown in answer 2, some social benefits explicitly require lawful residence in the federal territory. According to the wording of the law, legal residence is not required for social insurance, the disability pass and the care allowance. However, without a residence permit, there is no access to the labour market, so in these cases there is no social insurance and therefore no access to social insurance benefits. If a third country national resides irregularly in Austria and the Federal Office for Immigration and Asylum becomes aware of this, a return decision must be issued pursuant to Art. 52 para 1 subpara 1 Aliens Police Act 2005. The authorities in Austria have a comprehensive information authorisation or obligation to provide information, so that the Federal Office for Immigration and Asylum is provided with foreigner's data which the Federal Office for Immigration and Asylum needs to carry out a measure or a procedure - for example to issue a return decision (Art. 30 para 4 Federal Office for Immigration and Asylum Procedures Act).</p>
	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. - Urgent medical care- Medical coverage- Social benefits: unemployment fee, living wage (minimum income, social integration), invalidity allowance and (early) retirement- Rights and housing benefits: social housing (possibility to rent / buy at a social rate), scholarship - Family benefits: child care benefit</p> <p>2. - Urgent medical care: no conditions- Unemployment fee: The amount of the benefit depends on:•the amount of the last salary received• the family situation (cohabiting with dependent family, single, cohabiting without dependent family) starting from the second year of unemployment• the length of your professional activity prior to your unemployment situation• the length of time since you registered as unemployed. For the first year (3 + 3 +</p>

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			<p>6 months)Amount of the last salary received first 3 months of unemployment: 65%next 3 months: 60%following 6 months : 60%Digression of the amount of benefit does not apply to persons:•with a long professional past (at least 25 years);•aged 55 or over; •who are permanently unemployable for at least one third of the time. Unemployed persons aged 60 and over may be entitled, under certain conditions, to a "seniority supplement" from the 2nd year of unemployment. In particular the beneficiary must be able to demonstrate a working career of at least 20 years. The amount of the seniority supplement depends on the family circumstances and the age of the applicant. Income guarantee benefit (AGR - Allocation de garantie de revenu): If you are unemployed and you undertake part-time work in certain cases you can receive a supplementary allowance which is additional to your earnings. This income guarantee benefit (AGR) aims to guarantee that you have an overall income which:•is at least equal to your unemployment benefit if your part-time work does not exceed 1/3 of your time;•is higher than your unemployment benefit if your part-time work exceeds 1/3 of your time.- Living wage (minimum income, social integration): actual place of legal residence in Belgium, willing to work (or not able to work), being 18 years or older (or pregnant, or have dependent children), insufficient income, not entitled to other social benefits.- Invalidity allowance: These allowances are only granted under certain conditions. To benefit from these allowances, the disabled person must:• be Belgian citizen or belong to certain categories of foreigners - mainly foreigners registered in the population register, and foreigners legally residing from a country of the European Union, or stateless persons or refugees;• be resident in Belgium and actually stay in Belgium, not only at the time of the application, but also during the whole period during which it receives the allowance (with exceptions for certain temporary stays abroad).Attention, since July 1, 2018, for the replacement income allowance, the person must have resided in Belgium for at least 10 years, including 5 years uninterrupted. There are mainly 3 types of allowances for people with disabilities:1. The income replacement allowance is granted as a result of the reduction or elimination of work capacity.2. The integration allowance is granted because of the loss of autonomy caused by the disability.3. The allowance for assistance to the elderly is granted to persons over 65, suffering from a loss of autonomy because of their disability.- (Early) retirement: If the legally residing TCN who is from a country with which Belgium has a bilateral agreement on social security, the length of service in that country is taken into account. Belgium is bound by bilateral agreements on social security with the following</p>
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			<p>countries: the United States of America, Canada, San Marino, Serbia, Bosnia and Herzegovina, the Republic of Montenegro, Kosovo, Turkey, Algeria, Morocco, Tunisia , Israel, Chile, Australia, Croatia, Philippines, Japan, Macedonia, South Korea, Uruguay, Argentina, Albania, Republic of Moldova and India. The length of service in these countries of origin is taken into account for entitlement to early retirement and for specific calculation rules. No Belgian pension is obviously paid for these periods, since no contributions have been paid to Belgian social security. Allegedly residing TCNs, as all Belgians, are subject to the general regulations on GRAPA ('Garantie de Revenus Aux Personnes Agées', which means elderly earnings guarantee). GRAPA is a benefit granted to persons aged 65 or over whose income is too low to sustain themselves.- Social housing: The CPAS (The Public Social Action Center or 'Centre Public d' Action Sociale') provides housing for anyone who does not know how to pay for housing. If you have found adequate housing, but you cannot pay the rental guarantee, the CPAS will advance the amount, under strict conditions. You can, as a homeless person, have recourse to the CPAS of your commune for various allowances, for a medical and social assistance, for a mediation of debts ... The CPAS can also lodge you temporarily in an emergency housing. An emergency housing makes it possible to temporarily accommodate people in a situation of need. The CPAS thus prevents these people from being dragged into a downward spiral of precariousness of existence. The same goes for the elderly. If you have enough resources of your own, you must pay for your stay in a nursing home yourself. If your income is not enough to pay for a nursing home stay, your food debtors will be asked to complete the amount. If they also do not have enough resources, the CPAS will complete, under certain conditions, the deficit.- Scholarship: Scholarship are transferred from the federal government to the communities and regions. In the Federation Wallonia-Brussels the conditions are as follows: Beneficiaries of refugee status, resident in Belgium, for at least one year on 31 October of the school year; nationals of developing countries and territories (as defined by the UN), residing in Belgium with their family for 5 years on 31 October of the current academic year and who have completed at least 5 years of study. Nationals of other countries, residing in Belgium with their family for 5 years to 31 October of the academic year in progress and who have completed at least 5 years studies; provided that the country of origin grants reciprocity to Belgian nationals (there is an exception to the latter condition for Turkey).The foreigners regularized (on the basis of article 9bis of the law of December 15, 1980) who</p>
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	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. The Estonian social security system is based on the principle of solidarity, i.e. the benefits extend to permanent residents of Estonia, such as Estonian citizens, third country nationals (TCN) staying in Estonia with a temporary residence permit and the right of residence or a long-term residence permit/permanent right of residence. Therefore, TCNs who live in Estonia and have at least a temporary valid residence permit are entitled to be the subjects of the Estonian social security system. The Estonian social security system is not citizenship-based, actual and permanent living in the country is essential. However, the TCN must have a sufficient legal income which would enable him and his family member's</p>


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			<p>subsistence living in Estonia. Sufficient legal income does not include a subsistence benefit nor needs-based family benefit, which in turn means that if a TCN cannot support himself/herself or his/her family member, the Police and Border Guard Board (hereinafter PBGB) has the right to revoke the person's (and the family member supported by him/her) residence permit, refuse to extend the residence permit or refuse to issue a long-term residence permit. Therefore, a third-country national can apply for and receive subsistence benefits in Estonia, but it could have an effect on him/her acquiring/extending his/her further residence permit. It has been regulated that if a TCN who holds an EU Blue Card has received subsistence benefit during the validity period of the EU Blue Card, a residence permit of an EU Blue Card owner will be refused. Generally, a TCN settling in Estonia must have concluded an insurance policy before entering the country and / in exceptional cases, the insurance policy may also be concluded inside the country. The insurance policy does not have to be submitted if the TCN is covered by mandatory health insurance pursuant to the Health Insurance Act (includes persons who come to Estonia to work) or as established with an international agreement. A third-country national shall acquire Estonian health insurance if he/she works here, i.e., social tax is being paid for him/her, or if he/she is a person equalised with insured persons under the Health Insurance Act (e.g. children, students, pregnant women) or if he/she concludes a voluntary insurance contract or a private insurance policy with the Estonian Health Insurance Fund or if person is the subject of an international agreement. Regarding health insurance, differences from persons living in Estonia arise in the cases of foreign students, seasonal workers, posted workers, and family members who have arrived in Estonia in order to settle with the family of a third-country national and who have a temporary residence permit in Estonia; they must have a private health insurance policy in order to gain access to Estonia's health services. A TCN is required to have a valid health insurance policy guaranteeing that any costs related to his or her medical treatment as a result of illness or injury during the period of stay in Estonia will be met. In the absence of a valid insurance contract, the PBGB may revoke the person's residence permit. Therefore, when applying for and receiving benefits it does not matter whether the person has a temporary or long-term residence permit. However, if the third-country national staying in Estonia with a temporary residence permit does not have sufficient income/ receives subsistence benefit / does not have a valid insurance contract it</p>
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			<p>may become an obstacle when acquiring a residence permit, extending a residence permit, or acquiring a long-term residence permit. residence_permits_and_social_benefits_and_rights.docx</p> <p>2. Answers are provided in attached file.</p> <p>3. Answers are provided in attached file.</p> <p>4. Answers are provided in attached file.</p>
	EMN NCP Finland	Yes	<p>1. The Missoc database https://www.missoc.org/missoc-database/comparative-tables/) includes a comprehensive overview of all the grants and social benefits available in Finland (see attached table). Third-country nationals are not excluded from any benefits if they reside legally in Finland. fi_missoctable01july2018.xlsx</p> <p>2. In general, third-country nationals do not have any special requirements compared to other immigrants than that they need to have a valid residence permit. The Finnish social security system is divided into residence-based and employment-based social security. Residence-based social security applies to persons who actually reside in Finland or are considered to reside in Finland. Residence entitling a person to social security is defined differently in different legislation and decisions pertaining to residence are made by several different authorities. Residence-based social security includes benefits administered by Kela, the Social Insurance Institution of Finland (including compensation for medical expenses, daily sickness allowance, daily parental allowance, child benefit, basic unemployment allowance and labour market support for the unemployed, national pension and guarantee pension as well as housing benefits), as well as public health care and social assistance arranged by municipalities. Persons moving to Finland must apply for eligibility for residence-based social security with Kela, which issues an insurance decision. In order to be eligible for residence-based social security as referred to in the Finnish Act on the</p>

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			<p>Application of Residence-based Social Security Legislation, a third-country national must have a residence permit with a duration of at least one year and move to Finland on a permanent basis. Permanent residence is determined on the basis of an overall evaluation irrespective of the person's nationality. Evidence of permanent residence includes an employment contract that is effective until further notice or has a period of validity of at least two years. The right of family members to social security is, in principle, determined independently. Persons moving to Finland on a permanent basis are covered by social security from the date of arrival in the country. Regardless of residence, a third-country national is covered by sickness insurance pursuant to the Finnish Sickness Insurance Act and is entitled to compensation for medical expenses and sickness allowance or rehabilitation allowance from the date of beginning employment or self-employment, if the employment contract is for a period of at least four months or the person has completed a period of self-employment of at least four months. In order to be covered by public health care and social services arranged by municipalities, a third-country national must have a municipality of residence in Finland. However, emergency medical care is universally provided, and the provision of social services may, in urgent cases or other special circumstances, also be extended to third-country nationals who do not have a municipality of residence in Finland. The municipality of residence is registered in the Population Information System by the local register office upon application. Pursuant to the Finnish Municipality of Residence Act, a third-country national is domiciled in a municipality if he or she has a residence permit for continuous or permanent residence. If the residence permit is for temporary residence of at least one year, a further requirement is that the person is considered, taking the overall circumstances into account, to intend to reside in Finland permanently. Evidence of permanent residence includes an employment contract for employment in Finland that is effective until further notice or has a period of validity of at least two years. A municipality of residence is also registered for a family member of a person who has a municipality of residence in Finland. Purely employment-based social security in Finland includes the earnings-related pension insurance system, accident insurance and unemployment security pursuant to the Finnish Unemployment Security Act. Statutory earnings-related pension insurance applies to all work performed in an employment relationship, and pension accrues based on the employee's earnings. An employee is covered by accident insurance, which covers occupational accidents and</p>
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			<p>occupational diseases, from the start of employment. The earnings-related pension is ultimately paid to pensioners irrespective of their nationality or country of residence. The same applies to accident insurance benefits. Employed wage earners and self-employed persons may join a voluntary unemployment insurance fund that pays its members an earnings-related daily allowance during unemployment. Those who are not entitled to an earnings-related daily allowance may receive a basic unemployment allowance or labour market support from Kela. Qualifying for earnings-related and basic unemployment allowance is subject to satisfying the condition regarding previous employment, meaning that the person must have a sufficient history of employment prior to unemployment in order to qualify. Qualifying for labour market support, however, is not subject to having a previous history of employment. Unemployment benefits are only paid to persons residing in Finland pursuant to the Finnish Act on the Application of Residence-based Social Security Legislation, and qualifying for benefits is subject to the person registering as a jobseeker at the local Employment and Economic Development Office. Social assistance is a means-tested form of last resort assistance. Social assistance is granted by the municipality of which the person is a permanent resident. Emergency social assistance can also be granted to a person residing in a municipality on a temporary basis. As a starting point, the Finnish Aliens Act states that foreign nationals are responsible for their means of support in Finland. Repeatedly requiring social assistance may lead to refusal or cancellation of the residence permit. The case-specific overall evaluation of such persons takes into consideration the reasons that led to the person having no means of support, the duration of residence in Finland and the person's ties to Finland. The authorities responsible for residence permits do not, however, generally receive information on whether a foreign national has been granted social assistance. On the 1st of April, a new Act on the Application of Residence-based Social Security Legislation in cross-border situations enters into force. Regarding those immigrants who come for employment, the right to benefits is primarily reviewed based on the employment and not on residence-based criteria. Persons who do not come for work, the right to benefits still remains residence-based. According to the new Act, even persons in short-term employment in Finland are entitled to social security benefits and health insurance during their employment (previously need for at least an employment contract of a min. duration of four months). If a short-term employed person brings his/her child, the person is entitled to child allowance during the period of</p>
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			<p>employment, excluding seasonal workers in certain professions and students who are working beside their studies.</p> <p>3. As a general rule, the type of residence permit does not affect the rights to social benefits, but as a result of implementing certain Directives some residence permit categories are excluded from some benefits; e.g. a student who works is not entitled to family benefits and seasonal workers have some restrictions regarding family and unemployment benefits.</p> <p>4. Social welfarePersons in an irregular situation who need indispensable assistance urgently should primarily be referred for a needs assessment to the authority responsible for social welfare in the municipality. Municipalities must always check with the reception situation centre of the Finnish Immigration Service to find out whether an individual has a right of residence in Finland. Where possible, municipalities should also ensure that persons in an irregular situation, who receive emergency accommodation are provided with food and possible other acute assistance. According to the Social Welfare Act, every person residing in the municipality has, in an emergency situa-tion, the right to receive social services based on their individual needs in a way which does not endanger their right to receive indispensable subsistence and care. In other than urgent cases, services will be provided for persons who have a municipality of residence in Finland. Those in need of urgent social services under the Social Welfare Act should turn to their temporary municipality of residence. Organisation of temporary accommodation and other urgent social welfareTemporary accommodation under the Social Welfare Act is organised for persons who need short-term urgent assistance. The organisation of temporary accommodation is associated with different kinds of crises, and the aim is to find a solution that best suits each person's situation. At the same time the person's need for other urgent social welfare should be assessed. A social welfare professional will assess what kinds of urgent services the person needs. One possible form of services is emergency accommodation which can be arranged also for persons without a residence permit. Urgent social welfare in connection with indispensable care can also include food, clothing and necessary medication. Even regarding urgent socials services the client must be given an appealable decisions and instructions concerning claim for a revised decision. According to</p>
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			<p>the Health Care Act, public healthcare must always provide urgent care to all who are in need of it, irrespective of whether they have or have not the right to health services on the basis of residence in a municipality or on some other grounds. Urgent cases mean cases involving: an injury, a sudden onset of an illness, a long-term illness suddenly getting worse, or a deterioration of functional ability where immediate intervention is required. In these cases, starting the treatment cannot be postponed without aggravating the illness or injury. urgent oral healthcare, mental healthcare, substance abuse care and psychosocial support. The assessment of need for urgent care is usually made by the unit providing 24-hour healthcare. Healthcare professionals assess whether patients are in need of urgent care. Their assessment is a medical assessment based on the health of the patient and on national clinical guidelines. Patients who have no residence permit or municipality of residence in Finland must pay themselves the costs of urgent care in full. Municipalities can decide to grant persons in an irregular situation access to even other services than urgent care. Provision of non-urgent care Some persons in an irregular situation need also non-urgent care. Municipalities are not obliged to provide public healthcare services to persons who have no municipality of residence in Finland unless they are covered by EU legislation or an international social security agreement. Persons in an irregular situation who receive non-urgent care in public healthcare must pay themselves the costs of care in full.</p>
	<p>EMN NCP France</p>	<p>Yes</p>	<p>1. All TCNs legally residing in France have access to the following social benefits: Supplementary universal health care, Universal healthcare protection, disability insurance, supplementary health insurance. They also have access to: - the following social measures: Income of active solidarity (RSA), solidarity allowance for the elderly (ASPA), independance social allowance, Supplementary invalidity allowance (ASI) ; - the following disability benefits: allowance for the adults with disabilities, disability compensation allowance; - to the following family benefits: early childhood benefit, family allowance, family supplement, disabled-child education allowance, family support allowance, old-age pension for at home parents, new school year allowance ; - to the following housing</p>


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			<p>allowances: individualized housing assistance, family housing allowance, social housing allowance.</p> <p>2. All the above mentioned benefits are subject to the proof of a regular residence in France. A list of applicable residence permits is published by regulation for each benefit. Only the RSA, ASPA and ASI do not apply to foreign nationals who do not hold a residence permit allowing them to work. In addition, some benefits are subject to a minimum duration of residence in France, only applicable for third country nationals: - for RSA, 5 years under cover of a residence permit authorizing to work (15 years in Mayotte) except for refugees and beneficiaries of subsidiary protection -for ASPA and ASI, 10 years under cover of a residence permit authorizing to work.</p> <p>3. The Code of Social Security establishes for certain benefits, by Order or Decree, the list of residence permits which give access to the required benefit. For other benefits, it just mentions the consequences of the residence permit (authorizing to work). The Code for social action and families does not refer to a list of residence permits but to generic categories (10-year residence permit, residence permit required for legally residing in France and authorizing to work).</p> <p>4. In France, irregular TCNs can benefit from the State medical aid (AME). This benefit is subject to a minimum of 3 month residence condition in France. However this condition can be waived in case of urgent medical care on the basis of an individual decision taken by the minister in charge of social action.</p>
	<p>EMN NCP Greece</p>	<p>Yes</p>	<p>1. a. Minimum Income b. Housing grant (rental benefit) c. Benefit for Disability d. Family benefits</p> <p>2. a. Valid residence permit b. Five consecutively years of legal residence in the country c. Valid residence permit for humanitarian reasons or as a member of a Greek or EU citizen's</p>

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			<p>family, asylum seeker who is not accommodated in a suitable structured. Beneficiaries have to stay legally and permanently in Greece the last five (5) years before the application</p> <p>3. No</p> <p>4. No</p>
	<p>EMN NCP Hungary</p>	<p>Yes</p>	<p>1. Legally and permanently residing TCNs Legally and permanently residing TCNs are eligible for certain social security and other social benefits according to Act III of 1993 on social administration and social benefits; and Act LXXX of 1997 on the eligibility for social security benefits, private pensions and the funding of these services. If a TCN lodges an application for residence permit, according to the Act II on the admission and right of residence of third-country nationals, the applicant shall provide proof of having access to comprehensive health insurance services (in particular on the basis of specific other legislation on the social security system, international agreement, or under specific agreement), or that he/she has the necessary financial resources to cover the costs of such services. Refugees, beneficiaries of subsidiary protection As mentioned in section 1) paragraph 10 of the Act LXXX of 2007 on Asylum: unless a rule of law or government decree expressly provides otherwise, a refugee shall have the rights and obligations of a Hungarian citizen with exceptions set out in Subsections (2) and (3). As mentioned in section 1) paragraph 17 of the Act LXXX of 2007 on Asylum – except as set out in sections (2)–(4) –, unless a law or government decree expressly provides otherwise, a beneficiary of subsidiary protection shall have the rights and obligations of a refugee. Refugees, beneficiaries of subsidiary protection and admitted persons are entitled to stay in a reception facility for 30 days after their recognition. During this time, the social workers of the Immigration and Asylum Office help to get the personal documents and they contribute to finding accommodation opportunity as well. Unaccompanied minors who gained refugee or beneficiary of subsidiary protection status are accommodated in a children protection facility, so they fall under the child protection law. Aftercare support continues until the age</p>

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			<p>of 25, in case the young adults are enrolled in education or if their cost of living is not guaranteed. Based on the Act LXXX of 2007 on Asylum Government Decree 301/2007 (XI.9.) if the refugee or beneficiary of subsidiary protection is not covered by any social security system, s/he is entitled to health care services, in accordance with Sections 26-28, for six months from the date the decision on his/her recognition becomes legally final. It means the following health care services:</p> <ul style="list-style-type: none">• basic health care services according to a special regulation, examinations and medical treatments by general practitioners• examinations and medical treatment for ambulant patients in case of emergencies, medicines, and bandages used in the course of treatment• hospital care in case of emergencies, the relating medical treatment ordered by the doctor – including operations, and medicaments and prosthetic means• after the ambulant or the hospital treatment, the asylum seeker shall be entitled to the required examination and medical treatment till his/her illness is cured or till the patient's condition is stabilized• according to a separate regulation they are entitled to medicaments and medical appliances that can be ordered free of charge or by 90 percent or 100 percent social assurance support for those entitled to public health care and cannot be substituted by any other means,• other medical appliances prescribed• dental care and dental treatment• prenatal care and obstetrics, abortion in accordance with the conditions defined in the Act on the Protection of Life of Embryos• compulsory vaccinations according to different ages <p>Education for school-aged refugees and beneficiary of subsidiary protection children is provided in Hungary. Access to vocational training is granted on the same terms as for Hungarian citizens. Ministry of Human Capacities deals with – among others – with accreditation of foreign diplomas and certificates, and with the conditions of getting into the primary, secondary and tertiary education for refugees and beneficiaries of subsidiary protection. So it is possible to recognize qualifications obtained abroad, but for this, the original physical documentation has to be provided, a photocopy is not enough. Refugees and beneficiaries of subsidiary protection have access to accommodation opportunities labour market and social services as well. In these fields, assistance is provided by NGOs in cooperation with Family Support Service and Employment Affairs Centres. For instance, Baptist Integration Centre hosts refugee and beneficiary of subsidiary protection families, – including single mothers with children –, in the temporary home for families.</p>
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			<p>2. Legally and permanently residing TCNs/TNCs are the beneficiaries of these benefits if they hold a valid residence permit for permanent residence (i.e. national permanent residence permit, EC permanent residence permit, interim permanent residence permit). Refugees, beneficiaries of subsidiary protectionAs mentioned above, refugees, beneficiaries of subsidiary protection and admitted persons are entitled to stay in a reception facility for 30 days after their recognition. Refugee or beneficiary of subsidiary protection is not covered by any social security system, s/he is entitled to health care services for six months from the date the decision on his/her recognition becomes legally final.</p> <p>3. The following legally residing TCNs can access the benefits:• those who have a 'resident' status holding one of the aforementioned permits• those who have an 'immigrant' status• recognized refugees• TCNs who are victims of trafficking in human beings</p> <p>4. Illegally staying TCNs are beneficiaries of emergency medical treatment only.</p>
<p>==</p>	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. In Latvia there are two types of social allowances: state social benefits and state social insurance services. State social benefits are available only to TCN who has received permanent residence permit. Comparatively all TCNs who are employed and pay taxes are available state social insurance services which amount is depended on the amount of salary, from which social insurance contributions have been paid. Social benefits include: family state benefit, allowance to the family state benefit for a child with disabilities, allowance for child care, extra bonus assigned to the basic amount of the child care benefit of parent`s benefit for the care of twins or several children born at a single delivery, disabled child benefit, child birth benefit, state social security benefit, allowance to compensate transport expenses of persons with mobility disabilities, benefit for a disabled person in need of care, state support for children suffering from celiac disease. More detailed information could be found online: http://www.beglis.lv/uploads/files/pabalsti_patveruma_mekletajiem_eng.pdfState social insurance services are: unemployment benefit, sickness benefit, maternity benefit, paternity</p>

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			<p>benefit, parental allowance, old age pension, disability pension, survivor`s pension granted to children of the deceased, insurance indemnity related to accident at work or occupational disease, funeral allowances. More detailed information is available http://www.integration.lv/uploads/files/informativie-materiali/2018/vsaa-infografika-soc-apdr-en.pdf</p> <p>2. State social benefits are available only to TCN who has received permanent residence permit. Comparatively all TCNs who are employed and pay taxes are available state social insurance services which amount is depended on the amount of salary, from which social insurance contributions have been paid.</p> <p>3. Yes. State social benefits are available to TCN who has received permanent residence permit. TCN holding temporary residence permits do not receive state social benefits. But in the case if TCN holding temporary residence permit works legally, he/ she can receive state social insurance services.</p> <p>4. Irregularly staying persons cannot receive any social benefits mentioned before.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. I would like to refer you to the MISSOC tables; https://www.missoc.org/missoc-database/comparative-tables/ . It sets out exactly the criteria on the basis of which you are entitled to social security. This information concerns the situation of 1 January 2018. At the moment the update is taking place to reflect the situation of 1 January 2019. MISSOC was established in 1990 to promote a continuous exchange of information on social protection among the EU Member States. The database includes information on social protection in the 28 Member States of the European Union, the three countries of the European Economic Area – Iceland, Liechtenstein and Norway – as well as Switzerland. This system has grown into a central database for public authorities, professional users and European citizens, providing up-to-date information on social protection legislation, benefits and conditions in all participating countries. It allows users to find descriptive information about a</p>


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			<p>specific country, and offers the opportunity to compare and analyse several social protection systems.</p> <p>2. On the basis of Regulation 1231/2010 Regulation 883/2004 applies to third country nationals who legally reside on the territory of the EU Member States. This Regulation includes provisions on the aggregation of insurance periods and export obligations. The aggregation rules ensure that, when employees apply for a benefit, the periods worked in other EU-Member States are included in the assessment of the reference requirement of, for example, unemployment benefits.</p> <p>3. No. Every TCN with a valid residence permit can apply for the grants and benefits mentioned in the table.</p> <p>4. ResidencyFor the national insurance schemes (General Child Benefit Act, Child Benefit Act, General Surviving Relatives Act, General Old Age Pensions Act, Long-Term Care Act) and the Healthcare Insurance Act, it is only possible that entitlement can only arise if one is insured. You are insured in case of legal residency. In addition, for non-residents, the provision of work in the Netherlands and, on that basis, the income tax subject to entitlement. Resident is the person who lives in the Netherlands. The residency is lawful if the person has the Dutch nationality or has a valid residence permit. A non-EU citizen has a valid residence permit if a residence permit has been issued in the framework of the Aliens Act, provided that the conditions for that permit are met. Employment relationship For employee insurance (Unemployment Insurance Act, WIA, Sickness Benefits Act) the main rule is that accepting a (private law or public law) employment in the Netherlands entails that you are compulsorily insured for employee insurance and are entitled to continued payment of wages by the employer in case of sickness. The insurance and premium obligations will continue for as long as the employment relationship exists and end when the employment ends. Where an employee resides or resides during the employment relationship is irrelevant.”</p>
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	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. Foreigners in the centre receive:• Accommodation;• Food;• Reimbursement of costs of transport in specific cases, i.e. cases connected with refugee status proceedings, medical examination and vaccination or other justified cases;• Constant financial aid for the purchase of personal hygiene products in the amount of PLN 20 a month and so-called pocket money in the amount of PLN 50 a month;• Provision of non-recurring financial aid for the purchase of clothes and shoes in the amount of PLN 140;• Provision of cash equivalent to food for children aged 6 and below and schooled children in the amount of PLN 9 a day.Outside of the centre foreigners receive:• Benefit in cash covering the cost of stay on the territory of Poland.No of family members Amount per day/per person Amount per month/per personSingle 25 PLN (around 6,25 EUR) 750 PLN (around 187,5 EUR)2 persons 20 PLN (around 5 EUR) 600 PLN (around 150 EUR)3 persons 15 PLN (around 3,75 EUR) 450 PLN (around 112,5 EUR)4 persons 12,50 PLN (around 3 EUR) 375 PLN (around 93,75 EUR)Moreover, irrespectively of the form of assistance, all foreigners have the right to:• Access to public schools and necessary didactic materials (books and school materials)• Free Polish lessons, access to classrooms in each facility;• Health care coordinated by the Petra Medica Sp. z. o. o. in Warsaw, pursuant to an agreement concluded with the Office for Foreigners, which covers: <input type="checkbox"/> Medical points in the centre – where doctor and nurses provide medical assistance.<input type="checkbox"/> Specialised treatment<input type="checkbox"/> Psychological care – psychologists can be accessed in centres for foreigners, also by people who receive benefits outside the facility.•Dental care – Foreigners may obtain dental treatment in dentist's offices with which the Office for Foreigners has signed agreements on the provision of the above mentioned services.• Assistance with a voluntary return</p> <p>2. According to the article 74 of the the Act on granting protection to foreigners within the territory of the Republic of Poland conditions to benefit from these benefits and grants are following:1. Social assistance and health care shall be provided during:1) the proceedings on granting refugee status, starting on the day when the foreigner reported to the centre, with the proviso that in emergencies involving threat to life and health of the foreigner, health care shall be provided from the day when the foreigner has submitted an application for granting refugee status2)2 months from the day of delivery of the final decision on granting refugee status or during 14 days after the delivery of the final decision</p>
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			<p>to discontinue the proceedings, in case when the proceedings on granting refugee status were discontinued. 2. Social assistance and health care shall not be provided after the lapse of: 1) 14 days from the day of delivery of the final decision to discontinue the proceedings in case when the proceedings on granting refugee status were discontinued; 2) the deadline to fulfil the obligation by a foreigner to leave the territory of the Republic of Poland after issuing the decision to deny refugee status, grant subsidiary protection or grant the permit for tolerated stay; 3) 2 months after the day of delivery of the final decision in other cases. 3. The duration of provision of social assistance and health care shall be extended until the day on which the foreigner should leave the territory of the Republic of Poland in a manner organised by the Head of the Office in case when: 1) the foreigner notified in writing the Head of the Office of his intention of voluntary return; 2) transferring the foreigner to another Member State responsible for examination of the application for refugee status on the basis of Council Regulation (EC) No 343/2003. 4. If the spouses or minor children residing in the centre are involved in separate proceedings for granting refugee status, the duration of the assistance granted to the spouses and their minor children shall end on the day when the duration of assistance provided for a longer period expires</p> <p>3. According to the article 70 (1) of the the Act on granting protection to foreigners within the territory of the Republic of Poland, Social assistance and health care shall be provided for the applicant and the person on whose behalf the applicant is acting, and the following may be provided: 1) assistance in voluntary return to the country where they were granted the right of entry, hereinafter referred to as referred to as "assistance in voluntary return"; 2) assistance in the case of transferring the foreigner to another Member State responsible for examination of the application for refugee status on the basis of Council Regulation (EC) No 343/2003. 2. Provision of Paragraph 1 does not apply to the foreigner who: 1) benefits from subsidiary protection, 2) stays on the territory of the Republic of Poland under the permit for tolerated stay - after the expiry of the periods referred to in Article 74(1); 3) stays in the territory of the Republic of Poland based on a residence permit for a specified period of time, settlement permit or a residence permit for EC long-term resident; 4) stays in an educational care centre; 5) stays in a guarded centre or in detention for expulsion; 6) is temporarily arrested or serves a prison sentence.</p>
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			4. See answer the question 3.
	EMN NCP Slovakia	Yes	<p>1. Social security in Slovakia has three basic pillars: 1. social insurance; 2. assistance in material need; 3. state social support. Social security is linked to the legal residence of foreigners in Slovakia and fulfilment of the conditions.1. Social insurance: The social insurance system is divided into sickness insurance benefits, pension insurance benefits, accident insurance benefits, wage guarantee insurance benefits and unemployment insurance benefits. Social security is the most complex part of the social security system. Every employee (under certain conditions, also self-employed persons) is obliged to contribute into it through his employer. A foreigner with a permanent or temporary residence may also contribute voluntarily to the social insurance system and then, if necessary and after fulfilling the conditions, s/he can receive the social security benefits. The social security system is therefore based on the payment of contributions and the subsequent receipt of benefits.2. State social support is family benefits through which the state contributes to the functioning of the family and its members in a newly-acquired situation, e.g. at the birth of a child. Entitlement to state social support benefits is currently not conditional on the payment of contributions, and includes: child allowance and child care allowance, parental allowance, childbirth allowance, multiple childbirth allowance, funeral allowance.3.Assistance in material need presents a kind of a rescue network for people who find themselves in a situation of material need in Slovakia. An alien whose income does not reach the subsistence level may request support from the state in the form of assistance in material need.</p> <p>2. The conditions are very different for all types of social security benefits. As an example, we can state:Sickness benefits: one is eligible for sickness benefit if he/she has been insured with the Social Insurance Company for the required period and meets the additional specific conditions for the benefit. The claim does not arise automatically, but it is necessary for a person to pay social security contributions for a certain period of time. If a person is</p>


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			<p>sick and has all the prescribed payments, s/he is entitled to benefits once other conditions are met, regardless of the type of legal stay (whether permanent, temporary, tolerated). For sickness benefits, a person is entitled if s/he is insured for sickness (if s/he is voluntarily insured for at least 270 days in the last two years prior to the occurrence of temporary incapacity for work) and is also recognized incapable to work for illness or injury. If a person is an employee, s/he is entitled to sickness benefits from the 11th day of the temporary incapacity to work. In the case of self-employed persons and voluntarily insured persons, entitlement arises from the first day of incapability to work. The sickness benefit amounts to 25% of the average wage for the first 3 days of the PN and 55% of the average wage from the 4th day of the incapability to work. The benefit is paid for up to 52 weeks. Pension insurance benefits: a person is entitled for the retirement pension insurance benefits if s/he has reached the retirement age (currently 62 years) and has been pension insured for at least 15 years. The retirement pension depends on the number of pension insurance years, the average wage and the actual retirement entitlement to a pension. Child Allowance: a person is entitled to a child allowance if s/he is a parent of a dependent child, cares for this child, and has a permanent or temporary residence in the SR. Parental allowance: a person is entitled to a parental allowance if s/he is a parent of a child or a person to whom a child was entrusted to a substitute care and/or spouse of the child's parent if s/he lives with a parent's child in the same household while providing the child with proper care within 3 years and has a permanent or temporary residence in the SR.</p> <p>3. The social security system is bound to te legal stay in the territory of the SR. See Q2</p> <p>4. No.</p>
	<p>EMN NCP Spain</p>	<p>Yes</p>	<p>1. In Spain, social grants and benefits are managed by all the Administrative levels: national, regional and even at a local level. They can vary from one region/municipality to others, so it is not possible to add a comprehensive list here of all the benefits or grants TCNs have access to in Spain. Nevertheless, what we can say is that all legally residing</p>


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			<p>TCNs are entitled to the same grants and benefits as Spanish citizens are. That includes, at a national level, complete medical coverage.</p> <p>2. On the one hand, they have to be legally residing in Spain. On the other, they will have to fulfil the requirements to be entitled to that benefit or grant, as the rest of citizens: if there is an income requirement for some benefits, or having a certain number of children for family benefits, having worked for a certain amount of time for the unemployment benefit or retirement pensions, among others.</p> <p>3. No</p> <p>4. Yes. They have medical coverage, and the children up to 18 years old have right to education and, if they fulfil the academic requirements, to academic grants.</p>
	EMN NCP Sweden	Yes	<p>1. Everyone with a residence permit valid for more than one year residing in Sweden has the right to be registered in the population registry. When registered in the population registry the person has the same rights, and obligations, as everyone else living in the country. If the residence permit is valid for less than a year the person is not entitled to social benefits.</p> <p>2. A residence permit with a duration of more than one year.</p> <p>3. No</p> <p>4. No. Since all social benefits are connected to registration in the population registry they are not entitled to that if they are not registered. Urgent medical care can be given and kids in an irregular situation are allowed to go to school.</p>

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	<p>EMN NCP Norway</p>	<p>Yes</p>	<p>1. Generally, permanent legal residents in Norway have equal access to most social benefits. However, to get permanent residence, a TCN generally must be able to support themselves as well as family members through legal employment. Once a TCN and their family members have a temporary residence permit and employment, they generally become obligatory members of the National Insurance Scheme. Most benefits become available once an immigrant has been employed for some weeks. Employees pay a national insurance contribution of 7.8 per cent of gross income. The contribution is deducted together with tax. Some employees may be exempt from the Norwegian National Insurance Scheme because they belong to a social security scheme in their home country. There are exceptions to this rule however. All forms of social assistance are means-tested and this applies to Norwegian nationals as well as beneficiaries of subsidiary protection and immigrants that are TCN. TCN must have resided in Norway for a period of five years for some forms of social welfare assistance. Some benefits are only available to legal residents who have at least 3 years of residence – and this is the same for Norwegian nationals as well as other residents. The rules are complex. Medical coverage is the same for everyone residing legally in Norway. Labour immigrants who are not registered as residing in a Norwegian municipality are not entitled to a primary doctor. However, anyone in need of emergency health care (when their life or health is in danger) will receive this care irrespective of their residence status. In order for a family to be granted family immigration permits, it is a requirement that the person living in Norway can guarantee subsistence for the family members applying for family immigration. In the case of some types of family members, it is also a requirement that the family living in Norway can guarantee accommodation. A person must earn pension rights for 40 years to be entitled to a full pension from Norway. A special program referred to as “Cash-for-care benefit” is for parents of children between the ages of 1 and 2 and is only available after a TCN parent has resided legally in Norway for a minimum of 5 years. A small monthly amount is also paid to the parents with the purpose of partly covering the expenses of having a child. A TCN can be paid these child benefits from the month following the child’s birth, or the month after the parent gained a legal residence permit and after they arrived in Norway with the child. If the child is born in Norway after a TCN has registered in the National Register, family allowance is granted automatically.</p>
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			<p>2. • A residence permit pursuant to the general regulations entitles the holder to live and work in Norway. There are many types of work permits, and different rules, guidelines and application procedures apply. A complete overview of residence permits and information about the different permits, conditions and application procedures is available at www.udi.no. • Generally, a TCN must prove that he/she can support themselves and their families through legal employment to get a residence permit. • National Insurance Schemeo When someone works and pays tax, he/she becomes an obligatory member of the national insurance scheme. The employer is responsible for employees' membership in the National Insurance Scheme. This does not apply to TCNs who work temporarily for his/her foreign employer in Norway.o Exceptions – persons employed on ordinary Norwegian ships, persons with short-term residence and pensioners with social security from another country do not qualify for membership in the National Insurance Scheme</p> <p>3. • A residence permit pursuant to the general regulations entitles the holder to live and work in Norway. There are many types of work permits, and different rules, guidelines and application procedures apply. A complete overview of residence permits and information about the different permits, conditions and application procedures is available at www.udi.no. • Generally, a TCN must prove that he/she can support themselves and their families through legal employment to get a residence permit. • National Insurance Schemeo When someone works and pays tax, he/she becomes an obligatory member of the national insurance scheme. The employer is responsible for employees' membership in the National Insurance Scheme. This does not apply to TCNs who work temporarily for his/her foreign employer in Norway.o Exceptions – persons employed on ordinary Norwegian ships, persons with short-term residence and pensioners with social security from another country do not qualify for membership in the National Insurance Scheme</p> <p>4. Irregular migrants' children are entitled to attend obligatory schooling from 1st – 10th grade levels. Illegal residents will in most cases also receive medical attention for life-threatening health issues.</p>
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	Athena BALOPOULOU	Yes	<p>1. a. Minimum Income b. Housing grant (rental benefit) c. Benefit for Disability d. Family benefits ahq_2019.7_el_ncp_residence_permits_and_social_benefits_and_rights.docx</p> <p>2. a. Valid residence permit b. Five consecutively years of legal residence in the country c. Valid residence permit for humanitarian reasons or as a member of a Greek or EU citizen's family, asylum seeker who is not accommodated in a suitable structured. Beneficiaries have to stay legally and permanently in Greece the last five (5) years before the application</p> <p>3. No</p> <p>4. No</p>
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