

Contents

1	What is the purpose of the Agreement?	3
2	Who does this Agreement cover?	3
3	Which payments are covered by the Agreement?	4
4	Which country's Social Security laws apply?	4
5	How does the Agreement benefit me?	5
6	How are payments calculated?	6
7	How do I get my payment?	8
8	Does the Agreement affect any payments I may get from another country?	9
9	How can I qualify for an Australian pension under the Agreement?	10
10	Can I qualify for a payment from both countries?	10
11	Can I claim extra benefits?	10
12	Where can I get more information?	11

February 2011

Qualifying conditions for our schemes change from time to time. Always check with your local Social Welfare Office or contact our Information Services to see if qualifying conditions have changed (see page 13 for contact details).

The information in this booklet is correct at the time of publication. This booklet is intended as a guide only, and is not a legal interpretation.

Social Security Agreement between Ireland and Australia

This leaflet is a brief guide to the Social Security Agreement between Ireland and Australia which came into force on 8 April 1991 and was revised from 1 April 2006.

1. What is the purpose of the Agreement?

The main purpose of the Agreement is to protect the pension rights of people who have worked and paid reckonable social security contributions in both Ireland and Australia.

The Agreement does this by allowing social security contributions paid in one country to be counted towards qualifying for certain payments in the other country.

The Agreement also deals with the social security status of workers who are sent on temporary assignments from one country to the other.

2. Who does this Agreement cover?

The Agreement covers you if you have been subject to the social security laws of both Ireland and Australia.

Self-employed contributors are also covered by the Agreement. It also extends to your dependants and survivors, for example Widow's, Widower's or Surviving Civil Partner's (Contributory) and Guardian's (Contributory) Pensions.

3. Which payments are covered by the Agreement?

The **Irish** payments covered under the Agreement are:

- State Pension (Contributory) (payable at age 66),
 - State Pension (Transition) (payable at age 65),
 - Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension,
 - Guardian's Payment (Contributory),
 - Invalidity Pension,
- and**
- Bereavement Grant.

The **Australian** payments covered under the Agreement are:

- Age Pensions,
 - Disability Support Pensions,
- and**
- Pensions for Widow's and Widower's.

4. Which country's Social Security laws apply?

In general, you are subject to the Social Security legislation of the country where you work.

Therefore, if you come to work in Ireland you will normally be subject to Irish social security law and pay social insurance (PRSI) contributions here.

Similarly, if you go to work in Australia, you will be subject to Australian social security laws and may have to pay social security contributions there.

Temporary Assignments

If you are sent by an Irish employer to work in Australia on a temporary assignment, you will continue to pay Irish PRSI contributions up to the first four (4) years of your employment in Australia.

If your assignment lasts longer than 4 years the agreement may be extended with the prior agreement of the two countries.

Therefore, if you are at present working in Ireland and are being sent to work in Australia on a temporary assignment, you or your employer should contact the following section:

PRSI Special Collections

Department of Social Protection
Cork Road
Waterford

LoCall: 1890 690 690 (from the Republic of Ireland only), or
+353 14 715898 (from Northern Ireland or overseas).

This should be done as early as possible, so that the necessary forms and advice can be given.

5. How does the Agreement benefit me?

You may qualify for social welfare payments based on a combined Irish and Australian contribution record if you do not have enough contributions on either record alone.

6. How are payments calculated?

Irish Payments

Under the provisions of the Agreement, contributions paid in Australia can be used to satisfy the PRSI conditions for Irish payments.

However, you must have a minimum amount of Irish PRSI contributions to be eligible to combine Australian and Irish Social Security contributions.

In the case of State Pension (Contributory), State Pension (Transition), Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension, and Invalidity Pension, you will need to have worked in Ireland and have a minimum of 52 Irish contributions paid or credited.

Once these conditions are satisfied a formula (see below) is used in order to establish the rate payable for:

- State Pension (Contributory),
- State Pension (Transition),
- Invalidity Pension, and
- Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension.

Formula for calculating pension where Irish and Australian contributions are involved.

Total number of Irish contributions

multiplied by

Amount of pension due if all the contributions were made in Ireland

and then divide by

Total combined contributions in Ireland and Australia.

The social insurance conditions vary slightly depending on the other country or countries involved.

Example

The following is an example of how we work out a pension if you have social insurance paid both in Ireland and Australia.

You have 280 Irish and 560 Australian contributions over 35 years from the date you started insurable employment up to the end of the tax year before you reach pension age.

Step 1

We work out the 'notional' pension that you would get if your contributions, both Irish and Australian were Irish contributions. To do this, we add together the Irish and Australian contributions and then we divide the total by the number of years to get the yearly average number of contributions.

Contributions

$$\begin{array}{r} 280 \text{ Irish} + 560 \text{ Australian} \\ 840 \div 35 \text{ years} \end{array} \qquad \begin{array}{r} 840 \\ 24 \end{array}$$

A yearly average of 24 Irish contributions would give a weekly personal pension of €225.80* (notional amount).

*State Pension rate as at January 2011.

Step 2

We multiply the notional pension by the number of Irish contributions and divide the answer by the total number of contributions. This gives the pro-rata pension payment.

Personal amount

$$\frac{\text{€}225.80 \times 280}{840} \qquad \text{€}75.27$$

If you qualify to receive an Increase for a Qualified Adult (IQA) with your Irish pension, we multiply the notional amount, including the IQA, by the number of Irish contributions and divide the answer by the total number of contributions.

Personal amount plus Increase for a Qualified Adult under 66

$$\frac{\text{€}379.30 \times 280}{840} \qquad \text{€}126.43$$

*These figures are based on State Pension rate as at January 2011.

Guardian's Payment (Contributory), Bereavement Grant

Once entitlement to a Guardian's Payment (Contributory) or Bereavement Grant has been established either by virtue of Irish contributions alone or by a combination of Irish and Australian contributions, the full appropriate rate is payable.

Australian Payments

Any enquiries on Australian Payments should be directed to their Centrelink International Services. Contact details are on page 12.

7. How do I get my payment?

If you live in Ireland

If you qualify you may receive an Irish payment:

- at a chosen post office with a Social Services Card or
- direct to your current, deposit or savings account at a financial institution.

If you qualify for Invalidity Pension and you get paid at a post office using Electronic Information Transfer (EIT), you may also avail of the Household Budget Service.

Bereavement Grant is a once-off payment made by cheque.

If you reside outside the State

If you qualify for an Irish pension you may have your payment made by Electronic Fund Transfer to an Irish account or an account within a financial institution outside the State. Payment will be in the currency of the country in which you hold the account. This payment will be made every four weeks. One week will be paid in advance and three weeks will be paid in arrears.

8. Does the Agreement affect any payment I get from another country?

No!

If you are entitled to a payment under this Agreement, this will not affect your entitlement to a payment by another State under the provisions of the EC Regulations on Social Security.

This means that you could get a payment from another State under EC Regulations and a payment from Ireland under this Agreement at the same time.

This could arise if you had been employed in Australia, Ireland and another country covered by EC Regulations.

However, when working out a person's entitlement to a payment under this IRL/Australian Agreement, work periods completed in the other country covered by EC Regulations will not be taken into account.

You cannot claim two Irish pensions. For example, if you qualify for one based on a combined contribution record under this Agreement with Australia and another based on a combined record with another EU state under EC Regulations, you will receive whichever Irish pension is greater.

9. How can I qualify for an Australian pension under the Agreement?

If you have at least one year of residence in Australia after reaching age 16, you can use periods of Irish PRSI contributions to help you qualify for a pension under Australian legislation.

10. Can I qualify for a payment from both countries?

Yes!

It is possible for a person to qualify for a payment from both countries (Ireland and Australia) at the same time.

11. Can I claim extra benefits?

If you live in Ireland and receive either an Irish or Australian social welfare pension, you may qualify for free benefits under the Irish social security system subject to the usual conditions,

- Household Benefits Package (Electricity/Gas Allowance, Free Television License and Telephone allowance),
- Fuel Allowance,
- Free Travel.

For more information, log on to **www.welfare.ie**.

12. Where can I get more information?

If you are residing in Ireland and wish to claim or enquire about an Irish entitlement under the Agreement, you may contact your local Social Welfare Office or:

For **State Pension (Contributory), State Pension (Transition), Widow's, Widower's or Surviving Civil Partner's Pension, or Guardian's Payments (Contributory)**, contact:

Department of Social Protection
Social Welfare Services
College Road
Sligo

LoCall: 1890 500 000 (from the Republic of Ireland only), or
+353 71 9157100 (from Northern Ireland or overseas).

For **Invalidity Pensions**, contact:

Invalidity Pension Section

Social Welfare Services
Government Buildings
Ballinalee Road
Longford

LoCall: 1890 92 77 70 (from the Republic of Ireland only), or
+353 43 3340000 (from Northern Ireland or overseas). For

Bereavement Grant contact Social Welfare Services in Sligo if a pension has been in payment from there.

In all other cases, contact:

Bereavement Grant Section

Department of Social Protection
Social Welfare Services
Government Buildings
Ballinalee Road
Longford

LoCall: 1890 927 770 (from the Republic of Ireland only), or
+353 43 3340000 (from Northern Ireland or overseas).

For more information on **Temporary Assignments** contact:

PRSI Special Collections Section

Department of Social Protection
Government Offices
Cork Road
Waterford

LoCall: 1890 690 690 (from the Republic of Ireland only), or
+353 1 4715898 (from Northern Ireland or overseas).

Note

The rates charged for using 1890 (LoCall) numbers may vary among different service providers.

With regards to entitlements to Australian benefits under the Agreement, please contact:

Centrelink International Services

GPO Box 273
Hobart
Tasmania 7001
Australia

E-mail: **international.services@centrelink.gov.au**

They will also deal with any queries about Australian benefits.

Claim forms for Australian pensions can be downloaded from the following website:

http://www.centrelink.gov.au/internet/internet.nsf/forms/claim_overseas_ie.htm

For information booklets, application forms and more information on social welfare services:

- Log on to **www.welfare.ie**.
- LoCall Information Line at **1890 66 22 44** (from the Republic of Ireland only) or **+353 71 91 93313** (from Northern Ireland or over seas).
- Drop in to your local Social Welfare Office or Citizens Information Centre.

Note

The rates charged for using 1890 (LoCall) numbers may vary among different service providers.

Other useful booklets:

Bereavement Grant	SW 47
Free Travel	SW 40
Guardian's Payment (Contributory) and Guardian's Payment (Non-Contributory)	SW 115
Household Benefits Package	SW 107
Invalidity Pension	SW 44
State Pension (Transition) and State Pension (Contributory)	SW 118
Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension	SW 25