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Qualifying conditions for our schemes change from time to time. Always check with your local Social Welfare Office or with Information Services to see if qualifying conditions have changed (see page 8 for contact details).

The information in this leaflet is correct at the time of publication.

1. What is the purpose of the Agreement?

The main purpose of the Agreement is to protect the pension rights of migrant workers who move between Ireland and Austria. It does this by allowing social insurance contributions paid in one country to be counted towards certain benefits in the other country. The Agreement also deals with the social insurance status of workers who are sent from one country to the other for a temporary period.

2. Who is covered by the Agreement?

The Agreement covers:

In Ireland the Agreement covers all employees paying PRSI Classes A, E, and H and self-employed people at Class S.

In Austria the Agreement covers all employees including apprentices, self-employed farmers, the self-employed in trade and commerce, and certain other groups of self-employed.

NOTE

People paying PRSI contributions in Ireland at Class B, C or D rates are also covered but only for Widow's/Widower's Pension and Guardian's Payment (Contributory).

3. What benefits are covered by the Agreement?

The benefits covered in Ireland are:

- State Pension (Contributory) (payable at age 66)
- State Pension (Transition) (payable at age 65)
- Widow's or Widower's Contributory Pension
- Guardian's Payment (Contributory)
- Invalidity Pension.

In Austria, the Agreement covers:

- benefits under the legislation concerning pension insurance (i.e. retirement, disability and survivor's benefits) with the exception of insurance for notaries.

4. Which country's social security laws apply?

Generally speaking, workers are subject to the laws of the country in which they work. Therefore, if you go to work permanently in Austria, you will be subject to Austrian social security law and pay social insurance contributions there. Similarly, someone coming to work permanently in Ireland from Austria will be subject to Irish social welfare law and pay PRSI contributions here.

Temporary assignments

If you are sent by an Irish employer to work in Austria on a temporary assignment, you will continue to pay Irish PRSI contributions for the first two years of your employment in Austria. This period can be extended but only by prior agreement between the two countries.

Similar arrangements apply to an Austrian on a temporary work assignment in Ireland.

If, therefore, you are at present working in Ireland and are being sent to work in Austria on a temporary assignment, you or your employer should contact the following address as early as possible, so that the necessary forms and guidance can be given to you:

PRSI Special Collections

Department of Social and Family Affairs

Cork Road

Waterford

Telephone (051) 356000 or (01) 7043000

Fax: (051) 877838

Note

Special rules apply to people working in international transport (i.e. with airline carriers) or seagoing ships in government and semi-government employment. For more information please contact PRSI Special Collection at the above address.

5. How do I apply for a pension covered by the Agreement?

You should apply for a pension to the country in which you are resident. You may qualify for:

- an Irish pension based solely on your Irish PRSI contributions or a pro-rata pension based on contributions in both Ireland and Austria

and/or

- an Austrian pro-rata pension based on your contributions in Austria and in Ireland.

If you are **living in Ireland** and you were also insured in Austria, you should make your claim on the appropriate claim form available from the Department of Social and Family Affairs.

When you claim any of the pensions in Ireland, and indicate that you also worked in Austria, we will notify **the Federation of Austrian Social Insurance Authorities**. That is the body in Austria which will deal with your claim to an Austrian pension. You will be asked to complete a separate claim form for this pension which you must return to this Department. We will then verify the required particulars on this form from our records and send the claim form for you to the Hauptverband.

If you are **living in Austria** you should make your claim direct to the Hauptverband. The address to write to is given in **Section 8**. They will take up the question of your entitlement to an Irish pension with us.

6. How will my pension be calculated?

If you qualify for an Irish pension on your Irish PRSI contributions alone, that pension is always put into payment. In other words, if a pension can be awarded in Ireland without the need to take contributions in Austria into account, that pension will always be paid and there will be no need to combine your insurance records in both countries.

In this case you may also qualify for an Austrian pension and we will pass on the relevant information to the **Hauptverband der Österreichischen Sozialversicherungsträger** for you.

If you do not qualify for a pension on your Irish insurance contributions alone then the amount of the Irish pension payable under the Agreement will be calculated using the following formula:

For example, if you had 12 years reckonable Irish insurance and 6 years reckonable Austrian insurance, you will get 2/3 of the appropriate Irish pension.

If you qualify for an Austrian pension, with or without the need to combine the insurance periods in both countries, the amount of the Austrian pension will be calculated **in all cases** according to the same formula.

7. Does this Agreement affect entitlement to payments from other countries under the EC Regulations on Social Security?

No. Payments which a claimant (or his/her dependants) is entitled to under the Agreement are completely separate from those payable as a result of the EC Regulations on Social Security. Any benefit already in payment, or subsequently made, under EC regulations will not be affected by any payment made under the terms of the Agreement.

A person can of course receive payment under both the EC Regulations and this Agreement, if he/she worked for example in Ireland, Austria and another EC Member State, but the calculation of pension amounts under the Agreement **will not** take account of periods of work in the relevant EC State.

8. Where can I get more information?

In Ireland, you can get further information on the Agreement from:

International Records

Department of Social and Family Affairs
Oisin House
212-213 Pearse Street
Dublin 2
Ireland

If ringing within the Republic of Ireland:
Tel No: (01) 704 3000

If you are living in Austria you can contact:

Hauptverband der Österreichischen Sozialversicherungsträger

Kundmangasse 21
1031 Vienna
Austria

They will also deal with any queries about your Austrian Pension.

You can get information on social welfare services, or get information booklets and application forms:

- on the Internet at **www.welfare.ie**,
- or**
- from your local Social Welfare Office (see State Directory section of your phone book or the Golden Pages for contact numbers),
- or**
- by telephoning the Department's LoCall Leaflet Request Line at **1890 20 23 25**,

or

- by telephoning Information Services at LoCall 1890 66 22 44 (from the Republic of Ireland) or + 353 71 91 93313.

Note

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

Citizens Information

The Citizens Information Board is the statutory body which supports the provision of information, advice and advocacy on the broad range of social and civil services to the public. It provides the Citizens Information website and supports the voluntary network of Citizens Information Services and the Citizens Information Phone Service.

www.citizensinformation.ie

Lo-Call 1890 777 121 (Mon-Fri 9am-9pm)

Local Centres (see Golden Pages)

Citizen Information is available from over 250 locations nationwide. The contact details and opening hours of your nearest Citizens Information Centre are listed in the Golden Pages.