



Emigrant Support Service

August 2018 – Issue 203

CONTACT US:

Safe Home Ireland
St Brendan's Village
Mulranny, Westport
Co. Mayo, Ireland.

Tel: 098 36036
(from Ireland)

00 353 98 36036 (UK)

011 353 98 36036
(USA/Canada)

0011 353 98 35036
(Australia)

Website:

www.safehomeireland.com

Email:

info@safehomeireland.com



Safe Home office hours:

Monday–Thursday:

9am–5pm

Friday: 9am–4pm

**Thinking of returning or
moving to Ireland?**

Get in touch



ADVICE &
INFORMATION



OUTREACH
VISITS



HOUSING
ASSISTANCE



CONNECT

From the Chairman's Desk

Greetings,

It's been a hectic two days for Pope Francis who came to Ireland to address the World Meeting of Families. What a change from when Pope John Paul visited us forty years before in 1979 with massive turnouts in Dublin, Galway and Knock, reflecting the awesome power of the Irish Roman Catholic Church at that time.

This was now a different pope, and a different and more honest and transparent Ireland, when adverse weather and changed times resulted in lesser crowds, but still a wonderful spectacle. Arriving in a small Skoda was in keeping with Pope Francis's message of servitude and humility and was most refreshing to see.

The Holy Father was impressive for his energy and charisma. He was on a healing mission, taking lots of time to meet and apologise and seek forgiveness from a representative group of people who were victims of sexual and other abuse at the hands of the clergy over the years in Ireland, including the abuse in mother and baby homes run by the clergy on behalf of the state, as well as those abused through forced labour in the Magdalene Laundries. Whether it was Knock or Dublin, the same message of apology and seeking forgiveness was given out. The fact that Taoiseach Leo Varadkar could speak so plainly in the presence of Pope Francis spoke volumes of how church and state have entered a new era.

The reference by Pope Francis to the dangers of the depersonalising effects of social media to the detriment of human relations was relevant. If any reminder was needed of the ubiquity of the instruments of social media, it was there in spades with the sight of so many smart phones on display, capturing every moment of the pontiff's visit, used not alone by the crowd, but also it seemed on the TV coverage by virtually every clergy member on the altar as the Pontiff approached.

The importance of family and the need to support older people, as well as the sick, disadvantaged, lonely, depressed and the dying, were all part of the message to Ireland from the Bishop of Rome on behalf of what some claim is the oldest institution in the western world.

So long for now,

Dr. Jerry Cowley - Chairman



Government of Ireland
Emigrant Support Programme
An tAon Gníomhaíocht Eacnamaíoch agus Trádála
Department of Foreign Affairs and Trade

Understanding the Habitual Residence Condition

Habitual Residence Condition (HRC) is a requirement which must be satisfied in order to qualify for certain social welfare assistance (means tested) payments and in some cases, Child Benefit* in Ireland. The Habitual Residence Condition **has no relevance** whatsoever to residency rights or the visa application process.

***Child Benefit and EU Regulations:** EU/EEA citizens and Swiss nationals working in Ireland satisfy the habitual residence condition for Child Benefit. This is also the case if the worker becomes unemployed and gets Jobseeker's Benefit.

What is Habitual Residence? The term "habitually resident" is not defined in Irish law. In practice it means that the applicant has to have a proven close link to Ireland. The term also conveys permanence - that a person has been in Ireland for some time and intends to stay here for the foreseeable future.

If you have lived outside of Ireland for any extended period of time it is likely that any claim that you make for social assistance welfare payments in Ireland will have to be accompanied by a Habitual Residence form – **HRC1**

The HRC1 form is available to view/download on the Department of Social Protection and Employment Affairs (DEASP) website: www.welfare.ie

This HRC applies across the board regardless of whether or not you were born and reared in Ireland/are an Irish Citizen. Under EU law, an exemption on Habitual Residence could not be made for Irish Citizens without extending this to all EU Nationals.

However, for returning Irish emigrants, DEASP guidelines state, "A person who had previously been habitually resident in the State and who moved to live and work in another country and then resumes his/her long-term residence in the State **may** be regarded as being habitually resident immediately on his/her return to the State."

This is providing that the returned emigrant can provide information that satisfies the deciding officer that they have returned home permanently and that they have severed their ties with the country they have left.

You must be Habitually Resident to qualify for the following payments:

- Back to Work Family Dividend
- Blind Pension
- Carer's Allowance
- Child Benefit*
- Disability Allowance
- Domiciliary Care Allowance
- Guardian's Payment (Non-Contributory)
- Jobseeker's Allowance and Jobseeker's Allowance Transitional payment
- One-Parent Family Payment
- State Pension (Non-Contributory)
- Supplementary Welfare Allowance
- Widow's, Widower's or Surviving Civil Partner's (Non-Contributory) Pension

When assessing a welfare claim, firstly the applicant's right to reside in Ireland and other qualifying conditions for the particular benefit are looked at, then when making a decision on Habitual Residence, the following 5 factors are examined:

- Length and continuity of residence in Ireland
- Length and purpose of any absence from Ireland
- Nature and pattern of employment
- Your main centre of interest (e.g. where your family home is located, where your close family reside, where your financial accounts are located)
- Your future intentions to live in Ireland as it appears from the evidence

Applicants who are being assessed for Habitual Residency should provide as much back up documentation as possible with their claim/attach it to the HRC1 form. Including a cover letter with your HRC1 form that outlines any previous residency/connections in and to Ireland is also a good idea.

By backing up your claim with documentation, it will be easier and quicker for a deciding officer to assess your eligibility. When considering the relevant documentation to provide, consider the following categories:

(A) Proof that shows you have cut all ties with the country you have left

And

(B) Proof to show your links with Ireland and that you intend to remain here for the foreseeable future.

Important Notes!

1. The '2 year rule': Despite some reports to the contrary, applicants do not have to have lived in Ireland for 2 years in order to be considered habitually resident in the State. Applicants may be considered habitually resident immediately, **IF** they meet all the relevant conditions for the welfare payment being applied for, as well as having a good paper trail of documentation to fulfil the habitual residency condition.

2. Welfare options for EU citizens in their first 3 months of residence: Where an EU citizen, (who is not a worker, self-employed person or a person who retains such status and members of his or her family), arrives in Ireland, they can only be eligible to apply for once-off payments under the Supplementary Welfare Allowance (SWA) scheme (e.g. Exceptional Needs Payment/Urgent Needs Payment) for the first three months of residence. Meeting habitual residence conditions is not relevant in these particular instances.

3. UK citizens in their first 3 months of residence: Under the Common Travel Area Agreement UK citizens are not solely restricted to applying for once-off payments under SWA. They are also eligible to apply for the full range of relevant welfare payments in their first three months of residence. However, as well as meeting the various criteria for the relevant payment, they must also satisfy the habitual residence requirements.

Housing Opportunities; Co. Mayo and Co. Cork



Mulranny Day Centre Housing (St. Brendan's Village), Co. Mayo has 2 one-bedroom properties available. Maximum weekly rent is €79. St. Brendan's Village in Mulranny is a sheltered housing scheme designed for older/disabled people who can live independently. The village offers secure affordable tenancies in a community setting, with additional support services on-site. While preference for this scheme will be given to Safe Home applicants originally from Co. Mayo or those with strong family links to the county, applicants from other counties may also apply. Qualifying applicants who are registered and approved by Mayo County Council can apply for assistance with their rent. Those who are not on the Council list will have to meet the full rent costs from their own income.

For Safe Home applicants from Co. Cork; Cluid Housing Association has a two-bedroom property available in their housing scheme in **Newmarket, Co. Cork** (nearest towns are Kanturk and Mallow). Applicants **must be** registered and approved on the Cork County Council housing list to be considered. Maximum weekly rent is €75 + €14 weekly service charge. **Note!** This particular property is located on the top of a steep hill so it definitely would not suit anyone who has mobility problems



Please contact the Safe Home office for more information on both schemes

Difficulties in registering with a G.P in Ireland

Some returnees have reported a difficulty in being able to register as a patient with the G.P services in the areas that they have returned to. This is because G.P's in certain areas are already over-subscribed and have therefore closed their lists to new patients. Understandably, this has caused particular difficulties where returnees wished to register for the Free G.P visit schemes that are available here (for children under 6yrs and people aged 70yrs+). Signing up to a G.P also forms part of the application process for the Medical Card in Ireland.

Anyone who can prove they have been turned down by 3 G.P's in these particular instances should contact the Health Service Executive (HSE) who have advised that they can assist with appoint a G.P on a temporary basis until a vacancy becomes available in a G.P surgery in the area.

Unfortunately, this assistance is not available to people who are looking to register with a G.P as a private patient (unless you have a child under the age of 6 years or are over 70 years). The decision on who to accept in this regard is very much down to individual G.Ps. For now, the only advice that appears to be available for people in these circumstances is to 'shop around' and if possible to request to be added to a waiting list, if operated by the GP/Surgery.