

Not for wider dissemination

EMN Ad-Hoc Query on Follow-up to the DE EMN NCP Ad-Hoc Query on allowances for international protection applicants

Requested by Adolfo SOMMARRIBAS on 5th July 2016

Protection

Responses from Austria, Belgium, Blocked / Unknown, Croatia, Czech Republic, Estonia, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom, Norway (21 in total)

Disclaimer:

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.



Background information:

In 2015, there was an important inflow of international protection applicants to Luxembourg. The increase of international protection applications was of 124,3% in compairison to 2014. On 25 August 2015, the DE EMN NCP launched an ad-hoc query on allowances for international protection applicants. Seen the constant legislative amendments that some countries have introduced the Luxembourgish authorities would like to update the information compiled in that ad-hoc query.

Questions

- 1. Does the situation in your Member State has changed since you answer the DE EMN NCP on allowances for international protection applicants?
- 2. Have there been legislative amendments to the allowances received by international protection applicants in your Member State since September 2015? If yes, can you please detail them.
- 3. What are the current amounts of allowances for asylum seekers in cash and in kind?- What that do in-kind allowances comprise? Please specify according if the applicant: a) is lodging in reception centres and outside accommodation (e.g. share accommodation, rented flat, etc.) b) is a single adult, a family (two adults and two minor children) an a minor (if minors are treated different) Please used table provided. If the situation has not changed in your MS since you answer the DE EMN NCP, please only make reference to your previous answer.
- 4. Allowances in cash are calculated per day, per week or per month according the respective national regulations. What is the frequency they are paid to the asylum seekers normally? Are there differences?
- 5. Is there any time limit for the allowances (during the asylum procedure, after a positive decision, after a negative decision)?

Responses

Country	Wider Dissemination	Response
Austria	Yes	 Yes Changes were made to the maximum rates for the providers of accommodation (see: Table at next question) see attached file In regards to the other services, it is referred to the reply of the AHQ of the

		German national contact point of 25. August 2015. 4. Cash benefits are in general paid on a monthly basis. The disbursement of cash benefits for school supplies and clothing is, however, paid once a year. 5. According to Article 2 Para 1 Basic Welfare Support Agreement the following time limits for benefits under the basic welfare support exist: • Asylum-seekers during the asylum procedure, as long as the need for protection and help is present; • Persons granted asylum during the first four
		months after the granting of asylum; • Foreigners without residence permit after negatively completed asylum procedure, who cannot be deported or until their departure.
Belgium	Yes	 No. But maybe note that since 8 July 2016, as a recognized refugees you no longer immediately get a right of residence for an unlimited duration. You get a residence permit of limited duration during the first five years of your stay. After five years, from the day you applied for asylum, you get a permanent residence. No (the only amounts that changed are related to the (equivalent) integration income that beneficiaries of international protection (recognised refugees and beneficiaries of subsidiary protection) receive and this is just because of indexation (see amounts below). No changes, see answer on the DE EMN NCP ad-hoc query on allowances for international
		 protection applicants, dd. 25 August 2015. 4. In the reception facilities (collective and individual): the aid in cash (pocket money and â€~ living allowance') is paid on a weekly basis. 5. a. No time limit during the asylum procedure b. After a positive decision: Art 43 of the Belgian Reception Act foresees a transition period between material aid in the reception facilities and social integration and assistance by the Public Social Welfare Centers. So in practice, after the recognition as refugee or after being granted subsidiary protection the person concerned has another two months (extension possible in some cases: twice with one month) to stay in the reception facility. The allowances in cash or in kind differ depending the stay in a collective or individual reception facility

		(see answer on the DE EMN NCP ad-hoc query dd. 25 August 2015). With other words, during two
		(up to four) months the beneficiaries of international protection are entitled to the same material aid and allowances as asylum seekers in the collective or individual reception facilities. Note: the
		beneficiary of international protection has no obligation to stay in the reception facilities during the transition period. He can leave and go live on his own and will be entitled to social integration and
		assistance. This is an integration income or equivalent integration income, paid on a monthly basis. The amounts have changed recently (indexation). As of 1 June, 2016 is the integration income: â— ³ / ₄
		for a person cohabitating (living together) (Category 1): â, ¬578.27 per month; â—¾ for a single person (Category 2): â, ¬867.40 per month; â—¾ for a person living with a dependent family
		(Category 3): â, ¬1156.53 per month. c. After a negative decision: ex-asylum seekers have to leave the reception facility they were living in and are entitled to go to the open return places where they
		receive material aid and pocket money (same as in the regular collective reception centers) for a
		period of 30 days = timespan of the order to leave the territory (extensions possible in exceptional cases). If they choose not to go open return place they will not receive any material aid nor pocket
		money or other financial allowances. They will only be entitled to urgent medical aid.
Blocked / Unknown	Yes	1. NO. A slight decrease in the amounts of in-cash (from 20 cents to 1 euro) has been made due to the national index level of social security.
		2. NO.
		3. Please see the attached file. (No change apart from the slight decrease in the amounts of in-cash.)
		4. Normally once or twice a month. If a transfer is planned, allowance can be paid early.
		5. Reception services are entitled to asylum seekers and to those with temporary protection status. Those who have been granted residence permit based on the asylum application and those with
		temporary protection status who have been granted continuous residence permit, may receive
		reception services for a reasonable time. A municipality of residence is registered for persons receiving international protection, which enti-tles them to all public health care services in exchange
		for the municipal resident's client fee. New legislation came into force 1.7.2015 regarding this. Asylum seeker is expected to make every effort to return voluntarily through assisted voluntary return

		or by his/her own means. If the third country asylum seeker does not return voluntarily, their reception services end after 30 days after the date when the negative decision is enforceable. If he/she applies for assisted voluntary return but does not return or cancels the application, the reception services end after 90 days. Exception to this are unaccompanied minors (under 18) who continue receiving services. Also the Director of the reception centre also does have the ability to continue reception services if there is an ex-ceptional personal reason. If it is not possible to return despite the efforts of the asylum seeker, the person can continue receiving reception services and apply for residence permit on the grounds of not being able to leave the country. If the reception services end, the person has to leave the reception centre. After this point, he/she would be an illegally residing alien. Asylum seekers from a EU member state, Iceland, Liechtenstein, Norway or Switzerland receive reception service until the notification of the negative decision to the asylum application.
Croatia	Yes	 No. No. Seekers of international protection accommodated in the Reception Centre for asylum seekers have the same rights regardless of whether they are single, family or unaccompanied minors, and those rights include financial assistance (100 kn per person), basic needs including food, clothing, shoes, laundry, hygiene package. Medical care includes emergency care and essential treatment of diseases and serious mental disorders. There are no differences. Calculation is made on a monthly basis. Cash allowances are paid monthly by the amount of 100 HRK. Yes, during asylum procedure applicant is entitled for allowance if he/she stayed in the Reception for asylum seekers continuously for 25 days in on month. After negative decision, applicant is entitled for allowance until the decision became final. After positive decision, person granted international protection is entitled for social benefits as Croatian nationals and there are no time limits for social benefits.

Czech Republic	Yes	1. NO
Керионс		2. NO
		3. The situation in the Czech Republic has not changed since the DE ad-hoc query.
		4. Pocket money is calculated per day and paid once in a week, financial assistance for persons accommodated at asylum centres is also calculated per day and paid once in 14 days. Allowances for persons accommodated outside the centres are paid as a lump sum for three months.
		5. No, generally, there are no time limits during the asylum procedure. As long as the applicant for international protection is accommodated at the accommodation centres, s/he receives a financial assistance described above. If s/he decides to leave the centre (on voluntary basis) s/he will get a three-month benefit. There are no other benefits available afterwards with the exception of medical care. This person is free to come back to the asylum centre during the whole asylum procedure. After a negative decision a situation of person is assessed individually according to the status of the person. After a positive decision, an access to the social security system and healthcare is the same for beneficiaries of IP as well as for the foreign nationals with permanent residence.
Estonia	Yes	1. Yes, but mainly due to fact, that minimum allowances (subsistence benefits) paid to applicants for international protection, are paid depending on the subsistence level in Estonia which is provided each year by the State Budget Act (for ex. in 2015 it was 90 euro per month and in 2016 130 euro per month).
		2. Yes, Since 1st May 2016 entered into force amendment to Act on Granting International Protection to Aliens according to which was left out of the law possibility that - applicant residing at the accommodation centre for asylum seekers are paid a monetary benefit for urgent small expenses in the amount of 10 per cent of the rate specified in subsection subsistence benefit. Now there is no extra paid allowances.
		3. Please find changes in attached file (changes are made on track).

		4. Per month.
		5. No changes.
France	Yes	 No changes. The Law has changed. Yes. The reform of 29 July 2015 has introduced a new type of allowance for asylum-seekers. (Allocation pour demandeur d'siele = ADA) which replaces by merging the two previous allowances for asylum-seekers: the temporary waiting allowance (Allocation temporaire d'attente = ATA) and the monthly subsistence allowance (Allocation mensuelle de subsistence = AMS). This new type of allowance was set up on 1 November 2015 and is monitored by the French office for immigration and integration (OFII). To be able to benefit from the asylum-seeker allowance, the asylum-seeker has to: - be at least 18 years of age; - have monthly resources which are, together with those of the family, lower than the amount of the Active Solidarity Income (Revenue de Solidarité Active); - hold an asylum application attestation; - accept the material reception conditions proposed by the French Office for Immigration and Integration (OFII); - lodge an asylum application at the French Office for the Protection of Refugees and Stateless Persons (OFPAA) within 21 days (except in Dublin cases). Material reception conditions, including the ADA, are proposed to every asylum seeker by the OFII when he/she comes to the one-stop shop (guichet unique). In practice, care provision is formulated immediately after the competent administrative authority has registered the asylum application. cf table attached. The allowance ADA is calculated per day but paid monthly (at the beginning of the month+1). Since March, allowances are available thanks to a pre-paid card given to the asylum seeker at the one-step service. The asylum-seeker allowance ADA is allocated during the whole period of examination of the asylum application until a definitive decision (positive or negative) is taken, namely after the receipt of the decision letter of the French Office for the Protection of Refugees and Stateless persons

		2 CESEDA, or, in the event of an appeal, the receipt of the decision letter from the National Court on the Right of Asylum (CNDA). The allowance ceases to be paid after the month which follows the one after the notification of the definitive decision or from the moment of the departure of the asylumseeker under the Dublin II procedure. Exceptions: \hat{a} \notin Beneficiary of temporary protection: the allowance is paid during the protection period; \hat{a} \notin Victim of foreign trafficking or prostitution (Article L. 316-1 CESEDA): the allowance is paid for a period of 12 months with effect from the date of the application and is renewable during the validity of the residence permit. The allowance can be suspended in following cases: \hat{a} \notin Abandonment of accommodation without due cause; \hat{a} \notin Failure to comply with the requirement to report to the competent authority or failure to attend the interviews; \hat{a} \notin Non-disclosure of requested documents. The allowance can be withdrawn in following cases: \hat{a} \notin Concealment or disguise of financial means; \hat{a} \notin False information with regard to the family situation; \hat{a} \notin Violent behavior or serious breach of accommodation. The allowance is refused in following cases: \hat{a} \notin Request for reconsideration of the asylum application; \hat{a} \notin Delay of assistance request without due cause.
Germany	Yes	1. A number of legislative and organisational administrative measures have been taken in order to be able to adequately process the particularly large number of asylum applications received in the second half of 2015. The number of newly-arrived asylum-seekers has fallen since the beginning of 2016, but is still at a very high level. 2. Yes. Benefits in accordance with the Asylum-Seekers Benefits Act (Asylbewerberleistungsgesetz) are only paid to individuals who have come to Germany to draw social welfare benefits, who do not leave the country in good time despite being obliged to do so, or who prevent the forced termination of their residence through their conduct, to the extent which is dictated by the circumstances of the individual case. The same applies to persons in search of international protection for whose asylum procedure another Member State would be responsible on the basis of a distribution by the European Union (relocation) in derogation from the Dublin III Regulation. If accommodation is provided in an initial reception centre, the benefits in accordance with the Asylum-Seekers Benefits Act are to be provided as benefits in kind, or alternatively via vouchers, other non-cash benefits or (with lower priority) via cash benefits (Asylum Proceedings Acceleration Act [Asylverfahrensbeschleunigungsgesetz], Federal Law Gazette [Bundesgesetzblatt] Part I No. 40 of 23

			October 2015). On the basis of a re-evaluation of the necessary personal needs, the monthly amount of pocket money has been reduced slightly, whilst the monthly amount for the necessary needs for food, housing, clothing and healthcare has in contrast been increased slightly; the total monthly amount is hence slightly lower (Act Introducing Accelerated Asylum Proceedings [Gesetz zur EinfÃ!/4hrung beschleunigter Asylverfahren], Federal Law Gazette Part I No. 12 of 16 March 2016). 3. See attached excel list,answer to EMN enquiry 1085 of 4 July 2016. 4. The amounts are calculated on a monthly basis. They are also always paid monthly, but the Länder which are responsible for this can also determine a different interval. 5. Anyone who has been in Germany for 15 months without a major interruption and has not unlawfully extended their residence receives in place of the benefits in accordance with the Asylum-Seekers Benefits Act support benefits, to which the provisions of general social law apply accordingly. Once a positive decision has been reached with regard to the asylum application, the person in question receives benefits for job-seekers or social assistance, as required, in accordance with the provisions of social law which apply to all natives. If the asylum application is turned down, those concerned as a matter of principle receive benefits in accordance with the Asylum-Seekers Benefits Act until they leave the country. If they however do not leave in good time, and the foreigner is responsible for the reason, benefits are only paid to the extent which is dictated by the circumstances of the individual case.
Hui	ngary	Yes	 No. Yes, several legislative changes have been made regarding the allowances provided for applicants. As of 1 June 2016 asylum-seekers are not entitled to any in cash allowances except for reimbursement of the costs of schooling and education, travel allowance and allowance facilitating final departure from the country. See the table. Travel allowance is provided in connection with their procedure or using medical services at any

		time it is necessary. Reimbursement of the costs of schooling and education (until the age of 21) including school-start benefit once per academic year, and costs of travel/food/accommodation at student's hostel or dormitory. 5. N/A.
Italy	Yes	 No. Legislation on allowances in cask and in kind for asylum seekers and beneficiaries of international protection has not changed since 25 August 2015. No. See answer 1. (See our answer in the AHQ of 25 August 2016). (See our answer in the AHQ of 25 August 2016). (See our answer in the AHQ of 25 August 2016).
Latvia	Yes	 1. 1. Yes 2. Yes. The legislative amendments came into force on 12 July 2016 regarding the amount of allowance received by the asylum seekers accommodated at the asylum seekers reception centre (hereinafter â€" the Centre). The amount of allowance was increased from 2.15 â, ¬ per day to 3.00 â, ¬ per day 3. 3. The amount of allowance for asylum seekers living in the Centre is 3 â, ¬ per day. More information please see in the table attached. 4. 4. Calculation of the allowance is made on a weekly basis and paid every week. 5. 5. Any allowance for asylum seekers accommodated at the Centre or living outside the Centre is provided only during asylum procedure and while person has an asylum seekers status in Latvia.

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Lithuania	Yes	1. Yes
		2. The Description of the Procedure for Providing Lithuanian State Support for Integration of Aliens who Have Been Granted Asylum in the Republic of Lithuania (approved by the Minister of Social Security and Labour of the Republic of Lithuania by Order No A1-238 of 21 October 2004) was amended on 18 November 2015 (approved by Order No A1-668 of 18 November 2015). The amendments shortened the duration of support for integration and reduced the rates of one-time settling-in allowances and monthly allowances.
		3. Please see the attached table.
		4. The aliens who have been granted asylum are paid a monthly allowance.
		5. Regardless of the number of family members, after settling in a municipality a family of persons who have been granted asylum can receive for its daily needs up to EUR 510.
Luxembourg	Yes	1. No.
		2. Yes. The legilative amendments was the entering into force of the law of 18 December 2015 on the reception conditions of applicants for international protection.
		3. See attached document.
		4. Calculation is made on a monthly basis. Cash allowances are paid monthly.
		5. A) The social aid is provided during the asylum procedure. However, it can be revised if the international protection applicant whose procedure is taking more than 6 months to be decided obtains a temporary occupation authorisation. In that case, social aid will be adapted according to the income of the beneficiary. B) If the international protection applicant obtains a refugee status or a subsidiary protection status, the social aid stops once the decision is final. According to article 59 et 61 of the law of 18 December 2015 on international protection and temporary protection the beneficiary of
		international protection (refugee or subsidiary protection) has access to the labour market as a

			Luxembourgish national (with the exception of access to the public sector) and has access in the same conditions to the social assistance as any Luxembourgish national. So s/he is entitled to the Minimum guaranteed income (RMG) according to article 2 (2) of the amended law of 29 April 1999 on the creation of the right to a minimum guaranteed income. The total amount of RMG without taking into consideration the own resources of the beneficiary is 1348, 18â, ¬ for single adult; family of two adults: 2.022, 27â, ¬; amount for additional adult: 385,73â, ¬ and for a child 122,56â, ¬. C) In principle, in case of a negative decision the social aid stops.
	Netherlands	Yes	1. No.
			2. No.
			3. Nothing has changed since we last provided our answers (only negligible inflation correction). The amounts we provided last time are hence still correct.
			4. Allowances are paid each week, in advance.
			5. See our answer to the German ad hoc question of last year (no changes since then).
(a)	Portugal	Yes	1. Nothing to report.
			2. No.
			3. Applicants for international protection are provided a set of goods and services of several kinds: - Food: provided in kind, obtained by the participation of public bodies that finance it, and by civil society bodies [e.g.: Banco Alimentar contra a Fome (Food Bank) that provides food to reception centres to be redistributed among international protection applicants]; -Clothing: clothes obtained by the support of civil society bodies; -Financial allowance: monthly support amounting to â, ¬150. In addition to these, applicants for international protection are also provided with basic necessities (toiletries, neonatal and child hygiene goods), baby food, medical and medicine assistance, education and school supplies to children in school age and phone cards.

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			4. They are calculated per month and paid monthly to the asylum seekers.5. This allowance is paid until the admission decision of the asylum application. After that, Social Security is responsible for their support for a certain period of time.
	Slovak Republic	Yes	 No. However, there has been an adjustment regarding the amount for food (not paid in cash but provided in-kind) available in the reception centre (previous limit: 2,66 â, ¬/ day/ person; vulnerable persons: additional 0,66 â, ¬). Currently, the amount for food is approximately 3,50 â, ¬/ day/ person; food together with other living costs (electricity, water etc.) is approximately 6 â, ¬/ day/ person; vulnerable persons: additional 0,73 â, ¬. The sums are approximate as they can vary in the reception centres. No. See the response to the DE EMN NCP AHQ. Allowances are paid monthly and calculated per day. Yes, allowances are paid only during the asylum procedure.
	Slovenia	Yes	 Yes. Third country nationals who are beneficiaries of international protection status are entitled to the social assistance as Slovenian citizens which is currently 288,81 EUR per month, if they don' have their own subsistence for living). No. Asylum applicants accommodated in the organised accommodation are entitled to monthly pocket money (18 EUR) if they do not have their own means of subsistence. Applicants are entitled to pocket money until the procedure is finally disposed. Per month.

			5. In case of positive decision see Q.1 If the outcome of the procedure is negative and if the person can' be removed from the state because of the non-refoulement clause the person is entitled to the urgent medical care and financial allowance at the same amount than the social assistance for citizens.
-E	Spain	Yes	 No, it doesn't. No, there haven't been. Please, see our previous answer DE EMN NCP Allowances for basic needs and housing rent are paid monthly; the rest are paid on an ad hoc basis, depending on the needs arising and must be justified by the beneficiary. See our previous answer the DE EMN NCP. Allowances are get from the moment the application for asylum is under consideration by the responsible national authority until a negative decision is taken or the time limit runs out. See our previous answer the DE EMN NCP.
	Sweden	Yes	 No the allowances as not changed but the time limit for the allowances has since from the 1 of June 2016 the allowances (including housing) ends if he/she has received a decision that the application was rejected or that he/she will be deported and this decision is in force, or when the period for voluntary departure has ended. This applies to adults not living together with children under 18 years who he/she is responsible for. Please see question 5. No Changes In Sweden the rules are the same for everyone applying for international protection, there is no difference if the person is granted asylum or get a residence permit based on other protection grounds. In accommodation where food is provided free of charge, the daily allowance is: •SEK 24 per day per single adult •SEK 19 per day per adult sharing household expenses. •SEK 12 per day per child aged 0-17 years (from the third child onwards the daily allowance is halved) In accommodation where food is not included, the daily allowance is: •SEK 71 per day per

		single adult •SEK 61 per day per adult sharing household expenses. •SEK 37 per day per child aged 0‰ 3 years •SEK 43 per day per child aged 4‰ 10 years •SEK 50 per day per child aged 11‰ 17 years (from the third child onwards the daily allowance is halved). Apart from food, the daily allowance should cover clothes and shoes, medical care and medicine, dental care, toiletries, other consumables and leisure activities. This means that where the person is lodged do not matter ‰ just if food in included or not. For a family the amount will also differ depending on the age of the children. The Migration Agency is offering furnished accommodation but if the asylum seeker chooses to find his/her own accommodation no extra allowance will be paid. If there is a rent or something similar this must be covered by the asylum seeker. Medical care is provided in kind but for a small fee that can be claimed back from the Migration Agency. For more information please see: http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/While-you-are-waiting-for-a-decision/Financial-support.html 4. The allowance is calculated per day but is normally paid to the asylum seeker once a month. The payment is done in advance for the month after. If there are reason to believe that the right to the allowance will end shortly the payment period can be shortened. 5. The allowance is paid as long as the person is registered in the reception system, in other words until the person has got a residence permit and has moved to a municipality or until the person leaves the country in the case of return. Since the 1 June 2016 there is a new law in force saying that: the asylumseeker looses his/her right to financial support if he/she has received a decision that the application was rejected or that he/she will be deported and this decision is in force, or when the period for voluntary departure has ended. This applies to adults not living together with children under 18 years who he/she is responsibl
United Kingdom	Yes	 No. There have been no legislative amendments to allowances received by international protection

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			applicants since September 2015.
			3. Please see answer to DE ad-hoc query and worksheet for NO query (also attached for reference)
			4. Allowances are paid per week.
			5. This cash allowance pays £36.95 for a single person. It is collected once a week from a post office. This will continue until 28 days after the decision is made (if positive). From the date of the decision, recipients of international protection will be able to work and be eligible for the same benefits as UK nationals. If the applicant is refused, support continues until appeals are completed and ceases 21 days after that.
	Norway	Yes	1. No, but we are considering making changes.
			2. No.
			3. see attachment.
			4. allowance information provided in Euro is per month; asylum seekers are paid every two weeks.
			5. Once an applicant has exhausted the procedures for international protection and has been instructed to leave the country, his/her support is reduced between 25 - 40%. School-aged children lose their right to obligatory education but it might be possible for older children to participate in some form of schooling if the township they are living in offers anything to asylum seekers, and that varies. EMA can be accepted into upper secondary school while waiting for application to be handled, but cannot expect to finish the year if they get a negative decision since a negative decision would mean they lost their right to education.