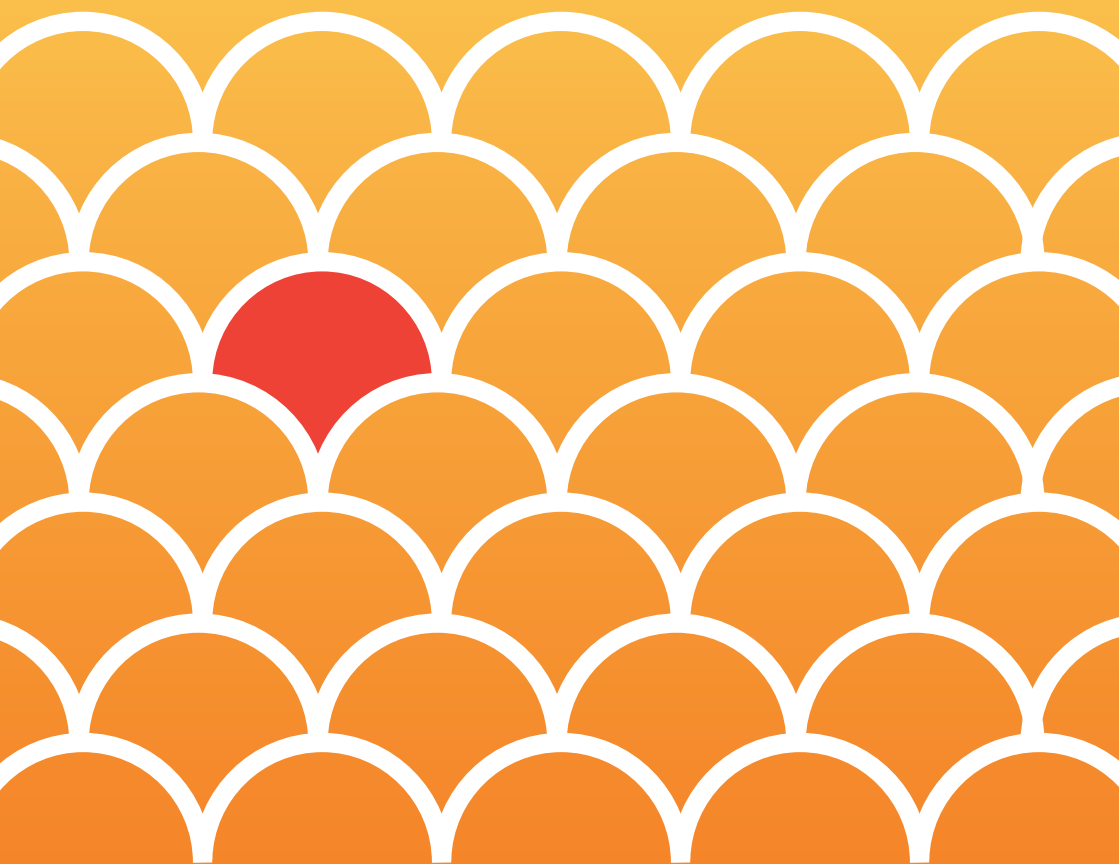




Citizens **Information** Board  
*information · advice · advocacy*

## Guide to entitlements for over sixties



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This guide is published by the Citizens Information Board. The information in this leaflet is intended as a general guide only and is not a legal interpretation.

The Citizens Information Board is the national agency responsible for supporting the provision of information, advice and advocacy on social services and for the provision of the Money Advice and Budgeting Service.

April 2018

# How to use this booklet

This booklet provides an overview of entitlements for older people, so that you can quickly get to know the range of services and supports that are available.

There is an online version of this guide with more detailed information on all the topics covered.

For everything **printed in bold** in this leaflet, you can go to the online guide to find out more.

**[citizensinformation.ie/guides](http://citizensinformation.ie/guides)**



You can also get information on all the topics covered in this guide from the network of Citizens Information Centres and from the national Citizens Information Phone Service on 0761 07 4000.

# Payments for older people

To qualify for some social welfare payments you must have enough **Pay Related Social Insurance (PRSI)** contributions. These can include contributions you paid while working, **credited contributions** and **voluntary contributions**.

Other social welfare payments are **means tested** and whether you qualify depends on your income.

The **State Pension (Contributory)** is paid to people from the age of 66 who have enough social insurance contributions. It is not means tested. You can have other income and get a State Pension (Contributory).

If you have worked in Ireland and one or more EU states, you may qualify for a pension from both countries. If you do not qualify for a full pension from either country, your social insurance contributions from each EU state can be taken into account to help you qualify for either an Irish pension or a pension from the other EU state. Ireland has similar **bilateral agreements** with some non-EU countries.

If you do not qualify for a State Pension (Contributory), you can apply for the means-tested **State Pension (Non-Contributory)**. It is only paid to people living in Ireland. You must be aged 66 or over and satisfy both a **habitual residence test** and a means test to qualify.

If you qualify for a social welfare payment, you may also get an extra amount for an adult dependant (an **Increase for a Qualified Adult**) and for any dependent children (an **Increase for a Qualified Child**).

There are some special provisions for older jobseekers. For example, most jobseekers over the age of 62 do not have to engage with the Department of Employment Affairs and Social Protection's activation process, do not have to sign on monthly and can have a payment such as **Jobseeker's**

**Benefit** paid directly to a bank account. Jobseekers over the age of 62 can take part in activation voluntarily (for example, training or employment support programmes).

If you do not qualify for any other social welfare payment, you may be eligible for a means-tested **Supplementary Welfare Allowance**.

### Illness and disability payments

Some payments are paid to people with short-term illnesses. For other payments you need to show that you have an illness or disability that will last longer than one year. Most illness and disability payments stop when you reach the age of 66 and you may then qualify for a State pension.

**Illness Benefit** and **Invalidity Pension** are social insurance payments based on your PRSI contributions. Illness Benefit is intended for people with a short-term illness and can be paid for up to two years.

Invalidity Pension is a long-term payment for people with serious illnesses or disabilities. People getting Invalidity Pension automatically transfer to State Pension (Contributory) at the age of 66.

You cannot work while you are getting either payment. If you have been getting Illness Benefit (for a minimum of six months) or Invalidity Pension and you wish to return to work or self-employment you must apply for **Partial Capacity Benefit**. This scheme supports people whose disability reduces their capacity for work. If you qualify for Partial Capacity Benefit you can keep all or part of your payment, depending on how restricted your capacity for work is.

**Disability Allowance** is a means-tested payment for people with a disability that is expected to last at least a year and substantially restricts their ability to work. You can earn a certain amount from rehabilitative work while you are getting Disability Allowance.

If your illness or disability was caused by a work-related accident or illness, you may qualify for the **Occupational Injuries Benefit Scheme**.

If you are sick and do not qualify for any payment, you may be eligible for a means-tested **Supplementary Welfare Allowance**.

### **Death-related payments**

If a person who was getting a social welfare payment dies, their spouse, civil partner or cohabitant can generally continue to get their payment for six weeks after the death. Carer's Allowance can continue to be paid for 12 weeks after the death of the person being cared for.

If you are getting a social welfare payment that included a payment (Increase for a Qualified Adult) for your late spouse, civil partner or cohabitant, you will continue to get the same rate of payment for six weeks after their death. This six-week payment is usually paid in a lump sum.

**Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension** is a weekly payment to the spouse or civil partner of a person who has died. Either you or your late spouse or civil partner must have enough social insurance contributions (PRSI) to qualify. At the age of 66 your payment increases to the State Pension (Contributory) rate.

**Widow's, Widower's or Surviving Civil Partner's (Non-Contributory) Pension** is a means-tested payment for widows, widowers or surviving civil partners aged under 66 without dependent children who do not qualify for the Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension.

If you have a dependent child, you can apply for the **One-Parent Family Payment** (if your youngest child is under 7) or the **Jobseeker's Transitional payment** (if your youngest child is under 13). For both payments you must satisfy the habitual residence condition, a means test and you must not be cohabiting.

The **Widowed or Surviving Civil Partner Grant** is a once-off payment to widows, widowers or surviving civil partners with dependent children. You may qualify for this grant if you are eligible for certain social welfare payments.

### Extra payments

Everyone aged over 70 who is resident in the State qualifies for the **Household Benefits Package**. Some people aged under 70 also qualify for the package. The Household Benefits Package consists of a gas or electricity allowance and free television licence.

The **Living Alone Increase** is a weekly supplementary payment made to people getting certain social welfare payments who are living alone.

The **National Fuel Scheme** (Fuel Allowance) helps households that depend on long-term social welfare payments to pay for heating in winter.

If you are getting a Living Alone Increase and also qualify for the National Fuel Scheme you will be eligible for the new **Telephone Support Allowance** to be introduced in June 2018.

People getting an Irish social welfare pension automatically get an increase in their pension when they reach the age of 80. There is also an increase for people who are living on certain islands off the coast of Ireland.

If you reach the age of 100, you may get the **Centenarian Bounty**. This is an award made by the President of Ireland to people living in Ireland (regardless of nationality) and to Irish citizens who were born on the island of Ireland to mark their 100th birthday.

Some older people may need full-time care and attention and many older people are carers. If you are caring for someone, you may qualify for a carer's payment.

The main social welfare payments for people providing full-time care are **Carer's Benefit** (based on PRSI contributions) and **Carer's Allowance** (which is means tested). You may be entitled to a **half-rate Carer's Allowance** with other social welfare payments if you are taking care of someone who needs full-time care. For example, a half-rate Carer's Allowance can be paid with a State pension.

A **Domiciliary Care Allowance** can be paid to people who take care of a child under 16 with a severe disability.

Carers may qualify for an annual **Carer's Support Grant** (previously called the Respite Care Grant).

Carers may be eligible to take unpaid leave from work for up to two years to care for someone in need of full-time care and attention. This is called **carer's leave**.

You can also get **tax relief on the cost of employing a carer**.



# Health services

The Health Service Executive (HSE) is responsible for providing health and personal social services. Some services are provided directly by the HSE. Many of the community, residential and rehabilitative training services are provided by voluntary organisations with funding from the HSE.

You are entitled to health services if you are **ordinarily resident** in Ireland. Broadly speaking, being ordinarily resident means that you have been living in Ireland for at least a year or that you intend to live in Ireland for at least a year.

**Medical cards** are given to people with low incomes and to some people who qualify on other grounds. It entitles you to a range of health services free of charge. These include GP (family doctor) services, certain prescribed drugs, and public hospital services. People aged over 70 can apply for a medical card that has higher income limits than apply to people aged under 70.

If you are not eligible for the medical card, you may be eligible for the **GP visit card**. The card entitles you to free visits with participating GPs. The GP visit card is available to everyone aged over 70 without an income test.

Medical card holders are entitled to **prescribed medicines** but in general must pay a prescription charge. Under the **Long Term Illness Scheme**, people suffering from certain conditions can get free medicines and appliances for those conditions.

If you are not covered by either of these schemes you can register for the **Drugs Payment Scheme**, which covers prescription costs that are over a set monthly limit.

There are **charges for public hospitals** but some people are exempt, including medical card holders. Private hospitals set their own charges and many people pay these charges through **health insurance**.

**Community care services** help people remain living in their communities when they might have difficulties doing so because of illness, disability or age.

Community care services include **public health nurses, social workers, occupational therapists, home help services, chiropody services, speech and language therapy services, respite care** and **day care**.

A set of services provided by the HSE to help an older person be cared for in their own home is called a **Home Care Package**.

There are wide variations in the provision of community care services and not all are available in all areas.

Find out more about what is available locally by asking your Local Health Office, Citizens Information Centre or GP.

If you are a medical card holder, the HSE may help with the cost of purchasing necessary medical and surgical **aids and appliances** (for example, wheelchairs and walking aids). If you buy certain aids and appliances, you may be able to claim a **VAT refund**.

The **Treatment Benefit Scheme** provided by the Department of Employment Affairs and Social Protection may cover you for dental, aural and optical services if you have enough PRSI contributions.

# Moving into residential care

Public nursing homes are generally run by the HSE and private nursing homes are privately run. They are all subject to the same standards and inspection regime.

The **Nursing Homes Support Scheme (NHSS)**, also known as the Fair Deal, provides financial support to people who need long-term nursing home care. The scheme is operated by the HSE.

Under the NHSS, you make a contribution towards the cost of your care and the State pays the balance. The scheme covers all approved nursing homes.

Before you go into a nursing home, a contract of care is agreed between you and the nursing home. This contract sets out the terms that will govern your care and welfare and must include details of the services to be provided and the fees to be charged.

If you are paying nursing home fees, for yourself or someone else, you can claim income tax relief on the fees under the **scheme for relief on medical expenses**.

The Health Information and Quality Authority (HIQA) is responsible for the **registration and inspection of all residential care services for older people**. This includes public, private and voluntary nursing homes.

**Sheltered housing** is accommodation for people with specific needs. Residents are supported in their accommodation by paid staff. It can also be called retirement housing.

# Housing

If you are an older person with mobility problems, or if you have a disability, you may be able to get financial help with alterations to make your home more suitable for your needs.

The **Housing Adaptation Grant for People with a Disability** is available where changes need to be made to a home to make it suitable for a person with a physical, sensory or intellectual disability or mental health difficulty to live in.

If you only require minor work, you can apply for the **Mobility Aids Grant Scheme** instead.

The **Housing Aid for Older Persons Scheme** is aimed at people aged over 66 to improve the condition of their home, but may apply to people aged under 66 in cases of hardship.

**VAT refunds are available on aids and appliances** used by people with disabilities. This refund scheme also applies to the cost of installation and adaptation work.

The **Better Energy Homes Scheme** provides grants to homeowners to upgrade their homes with energy-saving and renewable energy solutions. If you are renting, your landlord may be able to get a grant under the scheme.

The separate **Better Energy Warmer Homes Scheme** funds energy upgrades for homeowners on low incomes.

You may be eligible for a tax credit under the **Home Renovation Incentive** for money spent on adapting your home.

If you are in mortgage arrears, your lender is bound by two statutory codes of conduct. These are the **Central Bank's Code of Conduct on Mortgage Arrears (CCMA)** and its **Consumer Protection Code 2012**. You can contact the **Money Advice and Budgeting Service (MABS)** to help you deal with your debt. The **Abhaile** scheme, which is available through MABS, provides a range of services to help you to deal with your situation, including financial advice, legal advice and insolvency advice.

If you are on a low income and you need somewhere to live, you can apply for **local authority housing**, which is allocated according to need. In general, local authorities take age into account when prioritising applications for housing. Some local authorities and **voluntary organisations** provide specific housing for older people. Rents are based on ability to pay.

If you qualify for social housing support but there is no suitable social housing available in your area, you should apply for the **Housing Assistance Payment (HAP)**. Under HAP, you arrange to rent from a private landlord. The local authority pays your landlord directly and you pay a rent contribution to the local authority, based on your ability to pay.

**Rent Supplement** is a payment for people in private rented accommodation who cannot afford to pay the full rent. If you are getting Rent Supplement for a long period, you may be eligible for the **Rental Accommodation Scheme (RAS)**, which provides long-term housing under local authority agreements with landlords. Alternatively, you may be asked to switch over to HAP.

The **Seniors Alert Scheme** provides grant support for a personal monitored alarm to help older people to live securely in their homes.

# Transport

The **Free Travel Card** is available to people aged over 66 and to certain people with disabilities aged under 66. It allows you to travel, free of charge, on public transport and on a number of private bus and ferry services. If you are unable to travel alone for medical reasons, you may get a Free Travel Companion Card which allows anyone aged over 16 to accompany you.

If you have a **Public Services Card (PSC)** it will have FT-P displayed in the top left hand corner if you have free travel. If FT+S is on the card you can travel with your spouse, partner or cohabitant. If FT+C is on the card you can have a companion (over 16) travel with you for free.

The period of time for which a **driving licence** is issued depends on the age of the applicant, with different rules for people aged under 60, people aged 60 to 67, people aged 67 to 70 and people aged over 70.

Drivers with disabilities may be eligible for the **Disabled Person's Parking Card** and **Disabled Drivers and Passengers Tax Relief**. If you get this tax relief you can apply for a free pass for toll roads by contacting your nearest toll road operator.

If you are aged over 65, you are liable to pay income tax in the normal way. However, there are **tax exemption limits for people aged over 65** and there are some extra tax credits. If your income is below the exemption limit you are not liable for tax.

Income from virtually all sources is taxable. This includes all long-term social welfare payments such as the State Pension and Widow's, Widower's or Surviving Civil Partner's Pension. Tax credits and reliefs reduce the amount of tax you have to pay.

If a social welfare payment is your only income, you may not have to pay tax because the tax credits you get are more than the tax you owe. If you have a social welfare payment and another source of income, you may have to pay tax, as **most social welfare payments are taxable**.

You can claim an **Age Tax Credit** in addition to your personal tax credit once you or your spouse or civil partner reaches the age of 65.

People aged over 66 do not pay **Pay Related Social Insurance (PRSI)**. If you are aged under 66, you are liable to pay PRSI on your income from employment, self-employment and unearned income (for example, income from rents or investments and interest on savings).

Medical card holders and people aged over 70 with income below a certain limit pay a reduced rate of **Universal Social Charge**.

You can claim **tax relief on medical expenses** that you pay for yourself or for someone else, including doctors' bills, drugs, appliances, and hospital and nursing home costs.

**Bereavement tax credits** are available to a widowed person or surviving civil partner.

**Rent tax relief** is only available to people who were already renting on 7 December 2010. Rent tax relief is at a higher rate for people aged over 55. (This relief is no longer available but you can still claim the relief in 2018 for any of the previous four years, if you haven't already done so).

The **Home Carer's Tax Credit** is available for married couples or civil partners, one of whom works in the home caring for a person aged over 65, a child, or a person with a disability who requires care. There is also a **tax relief available for employing a carer**.

The **Dependent Relative Tax Credit** may apply if you maintain a relative who has a disability or who is aged over 65, or if you maintain a son or daughter who lives with you and on whom you rely because of old age or infirmity.

**Deeds of covenant** may offer tax savings where one person gives money to another person who is aged over 65 or is permanently incapacitated.

A **trust fund** that is set up for the benefit of a person who is totally and permanently incapacitated may be exempt from tax.

If you are aged over 65 or permanently incapacitated and you do not pay tax because you have a low income, you can apply for exemption from **Deposit Interest Retention Tax (DIRT)**, which is charged on interest earned on savings.

You may be able to claim a **Value-Added Tax (VAT) refund on aids and appliances**.

**Tax relief on pensions** is available for contributions to occupational pensions, personal pensions and Personal Retirement Savings Accounts (PRSAs) – the amount of the relief is age-related. If you get a lump sum on retirement, the amount of the lump sum that is tax-free is capped.



There is no single **retirement age** and the usual retirement age in contracts of employment is 65. Many employment contracts, however, make provision for early retirement from the age of 60 (or in some cases, from the age of 55). Most also make provision for early retirement on health grounds.

Many contracts of employment have a mandatory retirement age – the age at which you must retire. Under employment equality legislation, which provides for **age equality** in employment, an employer may set a mandatory retirement age provided it is objectively justified.


The State Pension (Contributory) and State Pension (Non-Contributory) are payable from the age of 66 (the qualifying age will rise to 67 in 2021). Older people who have to retire at the age of 65 may **qualify for a jobseeker's payment** until they reach State Pension age. If you are **working in retirement**, then you have the same **employment rights** as everyone else.

A contributory pension, such as Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension or State Pension (Contributory), is not affected by other income, whether from employment or from other sources. Most non-contributory or means-tested payments are reduced if you have other income. There are circumstances where you can keep part of a payment while working part-time.

If you opt for early retirement, you may need to take various steps to ensure that you **maintain your entitlement to a social welfare pension**.

A number of organisations throughout the country provide pre-retirement courses which may help you to prepare for retirement.

Active retirement is a concept which has become increasingly popular and a range of **active retirement organisations** promote education and leisure activities for retired people.



If you are forced into early retirement, you may consider yourself **unemployed** rather than retired and may need information on benefits for unemployed people. If you are made redundant, you may qualify for a **statutory redundancy payment**. If you retire early, for whatever reason, you may qualify for **Jobseeker's Benefit** or for **Jobseeker's Allowance**.

# Occupational and personal pensions

You may be a member of an occupational pension scheme or have a Personal Retirement Savings Account (PRSA) or a personal pension.

**Occupational pensions** are organised by employers to provide pensions to employees on retirement or to surviving dependants on the death of an employee. They may be contributory or non-contributory. In contributory schemes, both you and your employer pay contributions towards the scheme. In non-contributory schemes, you do not contribute but your employer does.

**Personal Retirement Savings Accounts (PRSAs)** and **personal pensions** are organised individually by employed people who do not have an occupational pension scheme or by self-employed people.

A **defined benefit pension scheme** is one where the benefit entitlement is defined in some way, for example, by reference to your earnings, your length of service, an index or a fixed amount.

A **defined contribution pension scheme** is one where the contribution is fixed by agreement but the benefits are decided by reference to the value of the contributions paid under the scheme and are not fixed in advance.

**Additional Voluntary Contributions (AVCs)** are additional payments you make to top up your pension benefits, if this is allowed under the rules of your pension scheme.

In general, you need to deal directly with the pension provider to find out exactly what benefits your pension gives you. The **Pensions Authority** is the regulatory body for occupational pensions and PRSAs. If you have a complaint, the Authority will advise you about your rights. The **Financial Services and Pensions Ombudsman** investigates and decides on complaints relating to occupational pensions and PRSAs.

# Decision-making

All adults have the right to make decisions about their lives, their finances and their personal and health care.

If you become incapable of dealing with your affairs, for whatever reason, there are various legal arrangements you can make to have someone else do these things on your behalf. Some of these arrangements are quite limited while others give much wider powers.

If you are capable of managing your own financial affairs but are unable to actually collect your social welfare payment, you may appoint an **agent to collect your social welfare payment** for you, either on a short-term or long-term basis. If you are unable to manage your own financial affairs, the Department of Employment Affairs and Social Protection may appoint an agent.

A **power of attorney** is a document whereby one person (the donor) authorises another person (the donee or attorney) to act for them in certain matters in accordance with the terms set out in the document.

A power of attorney can be limited to a particular purpose, for example, the sale of your house in your absence, or can be general, for example, entitling the attorney to do almost everything that you yourself would do.

An **enduring power of attorney** is a power of attorney made by you (the donor) when you are mentally capable that is only intended to be brought into force if you become mentally incapable. This power must meet other legal requirements. An enduring power of attorney must be registered by the Registrar of Wards of Court.

Property, including money assets, may be held in **trust** on behalf of another person or for a particular purpose. By creating a trust you can ensure that, should you become mentally incapable, your affairs will be managed in a particular manner. The **Wards of Court** system is effectively the only

means by which a substitute decision maker can be imposed on an adult. In order to be made a Ward of Court, you must be of “unsound mind” and not be capable of managing your person or property.

In general, medical and surgical procedures may not be carried out without the informed consent of adult patients. If a Ward needs medical treatment for which a consent form is required by the hospital, the approval of the President of the High Court should be obtained. In emergency cases, it may not be possible to gain approval. In this case, normal medical considerations should apply.

New legislation has been introduced which, when it comes into effect, will deal with assisted decision making, **advance care directives** and will set up a Decision Support Service.

# Other legal matters

## Equality

Equality legislation outlaws discrimination on a number of grounds, including age.

## Jury service

In general, **jury service** is obligatory for people aged under 65 who are on the electoral register. If you are aged 65 or over, you are “excusable as of right”. This means that you may be called to serve on a jury and may do so, but you can tell the court if you do not wish to serve.

## Making a will

It is very important to make a **will** to ensure that your wishes are carried out. It also makes it easier and less costly to administer your estate.

A spouse or civil partner has a right to what is called a **legal right share** of their deceased spouse’s or civil partner’s estate. If there are no children, the spouse or civil partner is entitled to one-half of the estate. If there are children the spouse or civil partner is entitled to one-third of the estate.

If you find that your spouse or civil partner has made a will that does not recognise your legal right share, you may still claim your right.

There are set rules about what happens to your estate if you have not made a will – the legal term is that you died **intestate**.

On **divorce** or **dissolution of a civil partnership**, a spouse or civil partner loses succession rights. However, when the court is assessing issues such as maintenance and property, it must take into account any benefit that a spouse or civil partner loses as a result of the divorce or dissolution.

# Complaints and appeals

If you are unhappy about a service you have received, or if you feel that you have been unfairly treated when claiming your entitlements, you can make a complaint or an appeal. For example, if you are refused a social welfare payment or get a lower payment than you expected, you can appeal the decision to the **Social Welfare Appeals Office**.

If you need to make a complaint about health and social care services, **healthcomplaints.ie** has information about how to do this.

If you have concerns about your care in a nursing home, **you can make a complaint to the Health Information and Quality Authority (HIQA)**. A member of your family who has concerns, or someone else acting for you, can make a complaint on your behalf.

The **Ombudsman** can investigate complaints about public bodies. Under the Disability Act 2005, the Ombudsman also has a role in investigating complaints about accessibility to public services.

# Further information

## Online

You can get more information on any of the topics covered in this booklet on **[citizensinformation.ie](http://citizensinformation.ie)**. For an online version of this guide with links to detailed information for all the topics printed in bold, go to **[citizensinformation.ie/guides](http://citizensinformation.ie/guides)**.

## Citizens Information Phone Service

If you have any questions about any of the information covered in this booklet you can contact the Citizens Information Phone Service at 0761 07 4000, Monday to Friday, 9am to 8pm.

## Citizens Information Centres

You can visit your local Citizens Information Centre for information and advice. Find your nearest centre at **[centres.citizensinformation.ie](http://centres.citizensinformation.ie)**.

## National Advocacy Service for people with disabilities

The National Advocacy Service for people with disabilities (NAS) is an independent, confidential and free representative advocacy service. You can contact the NAS on 0761 07 3000.

## Money Advice and Budgeting Service (MABS)

The Money Advice and Budgeting Service is a free, confidential service for people in debt or who are in danger of getting into debt. You can contact the MABS Helpline on 0761 07 2000, Monday to Friday, 9am to 8pm.

## Assist Ireland

The website **[assistireland.ie](http://assistireland.ie)** contains information on daily living aids, mobility aids and assistive technology.



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# April 2018

The Citizens Information Board provides independent information, advice and advocacy on public and social services through [citizensinformation.ie](http://citizensinformation.ie), the Citizens Information Phone Service and the network of Citizens Information Services. It is responsible for the Money Advice and Budgeting Service and provides the National Advocacy Service for people with disabilities.

## Citizens Information



**[citizensinformation.ie](http://citizensinformation.ie)**



**0761 07 4000**

Mon to Fri, 9am – 8pm



**Drop in**

215 locations nationwide

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