

CITIZENS' RIGHTS FACTSHEET 3

PENSIONS IN THE EU. WHAT ARE YOUR RIGHTS UP TO AND AFTER BREXIT?

Are you a UK citizen living in another EU country? Are you a citizen from another EU country living in the UK? Here are answers to your frequently asked questions about pension rights.

STATE PENSIONS

I am a UK citizen and I am approaching pensionable age. I have lived and worked in several EU countries. How will this affect my state pension?

There is detailed guidance on the official website of the European Union [europa.eu](https://europa.eu/youreurope/citizens/work/retire-abroad/state-pensions-abroad/index_en.htm) [here](https://europa.eu/youreurope/citizens/work/retire-abroad/state-pensions-abroad/index_en.htm):
https://europa.eu/youreurope/citizens/work/retire-abroad/state-pensions-abroad/index_en.htm

Here is a summary:

If you have worked in one or more EU countries, you may have accumulated pension rights in each of these countries. When you are approaching pensionable age, you will have to apply to the **pension authority** in the country where you last worked. You can apply to the pension authority in the country where you are living now and your host country will then forward your claim to the country you last worked in.

You can find contact details of pension authorities in each of the EU countries [here](https://europa.eu/youreurope/citizens/national-contact-points/index_en.htm?topic=work&contacts=id-611493):
https://europa.eu/youreurope/citizens/national-contact-points/index_en.htm?topic=work&contacts=id-611493

The country where you last worked will then process your claim and bring together records of your contributions from all the countries you have worked in.

The claim process varies across EU countries. In some countries the pension authority will send you your pension **application form** before you reach that country's pensionable age. You can check with your pension authority to see whether they will automatically send it to you. If not, you will need to ask for an application form.

Please note: you should look for information on how to obtain your pension at least 6 months before your pensionable age because the process can take some time in some countries.

How long do I need to have worked to get a pension? In some EU countries you must have worked for a minimum period of time to be eligible to receive a state pension. The relevant pension authority has to take into account all the periods you have worked in other EU countries, as if you had been working in that country all along, to assess whether you are entitled to a pension. This is called **the principle of aggregation of periods**.

Which documents will I need for the application process? These vary across EU countries but you normally need to supply your bank details and some form of identification (e.g. your ID card or your passport).

When do I reach pensionable age? The age you can start to receive a state pension varies across EU countries. You can only receive your pension from an EU country you have worked in when you have reached the legal pensionable age in that country. So, if you have accumulated pension rights in several EU countries, you will only receive those parts of your pension once you have reached the legal pensionable age in those countries.

This means it is very important to find out in advance, from all the countries where you have worked, when you can receive your pension from that country and also what your situation would be if you started receiving a pension from other EU countries. If you take one pension earlier than the other, it might affect the amounts you receive.

So, how does it work? How is my pension calculated?

Each pension authority in each EU country you have worked in will look at the contributions you have paid into their system, how much you have paid in other countries, and for how long you have worked in different countries.

Each pension authority will then calculate the part of the pension it should pay taking into account periods completed in all EU countries.

These are the principles of the overall pension calculation: the pension authority will add together the periods you completed in all EU countries and work out how much pension you would get had you contributed into its own scheme over the entire time – this is called the **theoretical amount**. This amount will then be adjusted to reflect the actual time you were covered in that country – this is called the **pro-rata benefit**.

If you meet the conditions to receive a state pension irrespective of any periods completed in other countries, the pension authority will also calculate the **national pension** – this is known as **an independent benefit**. The national authority will then compare the pro-rata benefit and the independent benefit and you will receive whichever is higher from that EU country. You will receive a **P1 form** setting out each country's decision on your pension claim.

What if I have problems dealing with a pension authority in an EU country? The European Commission runs an assistant service to help you if you have difficulties with a pension authority and calculation of your pension rights. You can ask for help from this service [here](http://ec.europa.eu/eu-rights/enquiry-complaint-form/home?languageCode=en&origin=yec_work): http://ec.europa.eu/eu-rights/enquiry-complaint-form/home?languageCode=en&origin=yec_work

I am a UK citizen and I am approaching pensionable age. I live in the UK but want to move to another EU country when I retire. How can I receive my UK state pension if I move to another EU country?

The UK government provides guidance on how to claim your UK state pension abroad, if you wish to move and retire to another EU country. You can find full details [here](https://www.gov.uk/state-pension-if-you-retire-abroad):

<https://www.gov.uk/state-pension-if-you-retire-abroad>

Note the following statement from the UK government with regard to pension rights: *There will be no change to the rights and status of UK nationals living in the EU, nor EU nationals in the UK, while the UK remains in the EU.*

To make a claim, you must be within 4 months of your state pension age. To claim your pension, you can either contact the International Pension Centre at <https://www.gov.uk/international-pension-centre> or send the international claim form at

<https://www.gov.uk/government/publications/guidance-on-claiming-a-state-pension-if-you-retire-abroad> to the International Pension Centre (the address is on the form).

You can only receive your state pension in one country so, if you spend part of the year in one EU country and part of the year in another, you have to choose which country to receive your pension in.

UK state pensions can be paid into a UK bank account or an account in the country where you live. You can also arrange for your pension to be paid into a joint bank account or the account of a third party. Remember, you may be liable to pay income tax on this income.

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