

December 2005

Information for asylum-seekers from Turkey, Turkish Republic of Northern Cyprus or Croatia

A recent court judgement (*Szoma vs. Secretary of State for Department of Work and Pensions*) has made it possible for asylum seekers from Turkey, Turkish Republic of Northern Cyprus and Croatia to apply for benefit payments from a UK agency other than **NASS**. The judgement says that **Department for Work and Pensions** should provide support to asylum seekers from these countries who have temporary leave to remain and who no longer receive **NASS** payments.

Who will benefit from this?

If you are from Turkey, Turkish Republic of Northern Cyprus or Croatia and you are near the end of the asylum process you may be able to benefit from this. If your **NASS** support has been stopped or you expect this to happen soon we recommend you apply to receive these benefits. All applications will be assessed by the **Department of Work and Pensions** and there is a chance your claim may be dismissed.

What benefits are available?

Some of the benefits you can apply for are:

- **Income-based Jobseeker's Allowance**
- **Income Support**
- **Housing Benefits**
- **Council Tax Benefits**

Who is eligible?

To be eligible you must be from:

- Turkey or
- Turkish Republic of Northern Cyprus or
- Croatia

And you must also have Temporary Admission. You have Temporary Admission if you hold:

- A **Standard Acknowledgment Letter (SAL)** and an **IS 96** or
- **ARC card**.

The law may be changed soon which would prevent people taking advantage of this. If you think you may be eligible you should apply as soon as possible.

Why are only people from Turkey, Turkish Republic of Northern Cyprus and Croatia eligible?

A UK law says that people from countries that have signed the European Convention on Social and Medical Assistance (ECSMA) are eligible for UK benefits as long as they are 'lawfully present' in the UK. However, other law prevents EU residents from receiving benefits except in certain circumstances. A recent judgement ruled that asylum seekers are

'lawfully present' in the UK. This means that people from ECSMA countries, who are not from EU countries can apply for benefits in the UK. The only countries that have signed ECSMA and who are not also in the EU are Turkey, Turkish Republic of Northern Cyprus and Croatia.

How to apply for these benefits:

1. Go to your local **JobCentre Plus** and tell them that you would like to claim **Income Support** or **Jobseekers Allowance**.
2. **JobCentre Plus** will
 - a. Help you to fill in a form or
 - b. Some Glasgow **JobCentre Plus** offices will give you a phone number to contact. If you are given a phone number to contact call them to say you would like to claim benefits. They should return your call within 24 hours. They will arrange an appointment for an interview and send you an application form to complete.
3. You will be given a **JobCentre Plus** interview, please bring your completed application form with you. If you need help filling in your form your local **Citizens Advice Bureau** can help you.
4. You will also be given a temporary **National Insurance Number** which will allow you to claim benefits.
5. You will then be asked to go for a **National Insurance** interview. After the interview you should be given a full **National Insurance Number**.

What to do if your application is refused

If you are told that you are not eligible for benefits you have a right to appeal with a one month time limit. **Scottish Refugee Council** can help you with this.

Contact Details

Scottish Refugee Council

5 Cadogan Square, 170 Blythswood Court, Glasgow, G2 7PH

Or

Edinburgh Refugee Centre, St Georges Church West, 58 Shandwick Place, Edinburgh, EH2 4RT and

Edinburgh Central Citizens Advice Bureau: 58 Dundas Street, Edinburgh, EH3 6QZ

Telephone 0800 085 6087 Ask to make an appointment with the Housing & Welfare Team.

Legal Services Agency, Fleming House, 134 Renfrew Street, Glasgow, G3 6ST

Telephone: 0141 353 3354

Some English words are used in this briefing. These are names of organisations or other words that cannot be translated. Please ask an advice worker to explain what they mean.

Scottish Refugee Council, 5 Cadogan Square, Glasgow G2 7PH. 0141 248 9799
Building a better future with refugees in Scotland