
I. DECLARATIONS REFERRED TO IN ARTICLE 1(L) OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE REGULATION WILL APPLY

The date of application of Regulation (EC) No 883/2004 to the listed national legislation, insofar as it is covered by the scope of the Regulation, is 1 May 2010, except where otherwise stated. This is also the date from which the Regulation applies in this Member State.

II. LEGISLATION AND SCHEMES REFERRED TO IN ARTICLE 3 OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE REGULATION WILL APPLY

  

The General State Budgets for 2016, approved by Law 48/2015 of 29 October 2015, were carried over automatically as provided for in Article 134.4 of the Spanish Constitution pending the approval of the new budgets, by means of Law 3/2017 of 27 June 2017 on the General State Budgets for 2017, in force since 29 June 2017.

1. Sickness benefits

   i) Benefits in kind

   - Decree 2065/1974 of 30 May 1974, Title II, Chapter IV, Articles 98 to 125.
   - Royal Decree 83/1993 of 22 January 1993 regulating the selection of medicinal products for the purposes of financing by the National Health System.
   - Royal Decree 1575/1993 of 10 September 1993 regulating the free choice of doctors in the primary health care services of the National Institute of Health.
   - Royal Decree 8/1996 of 15 January 1996 regulating the free choice of doctors in the specialised health care services of the National Institute of Health.
   - Law 15/1997 of 25 April 1997 on the implementation of new ways of managing the National Health System.
   - Royal Decree 1663/1998 of 24 July 1998 extending the list of medicinal products for the purposes of financing from Social Security funds or from the national health budget.
- Royal Legislative Decree 1/2000 of 9 June 2000 approving the recast Armed Forces Social Security Act, Section 1 of Chapter V, Articles 10 to 16.
- Royal Legislative Decree 3/2000 of 23 June 2000 approving the recast version of the legal provisions in force on the special social security scheme of judicial staff, Section 1 of Chapter V, Articles 13 to 17.
- Royal Legislative Decree 4/2000 of 23 June 2000 approving the recast Social Security Act for State Civil Servants, Chapter V, Section 1, Articles 13 to 17. This applies solely to Articles 19, 27(1) and 35 of Regulation (EC) No 883/2004.
- Law 41/2002 of 14 November 2002 setting out basic rules on patient autonomy and on rights and obligations regarding medical information and documentation.
- Royal Decree 375/2003 of 28 March 2003 approving the General Regulation governing the mutual insurance scheme of administrative officials, Chapter V, Articles 65 to 87. This applies solely to Articles 19, 27(1) and 35 of Regulation (EC) No 883/2004.
- Royal Decree 605/2003 of 23 May 2003 laying down measures for the uniform handling of information on waiting lists in the National Health System.
- Law 16/2003 of 28 May 2003 on the cohesion and quality of the National Health System.
- Royal Decree 1746/2003 of 19 December 2003 regulating the organisation of the peripheral services of the National Health Management Institute and the composition of the bodies participating in the monitoring and supervision of the management.
- Royal Decree 183/2004 of 30 January 2004 governing the individual health card.
- Royal Decree 1030/2006 of 15 September 2006 establishing the portfolio of common services of the National Health System and the procedure for its revision.
- Law 39/2006 of 14 December 2006 on the Promotion of Personal Autonomy of, and Care for, People in a Situation of Dependency.
- Royal Decree 823/2008 of 16 May 2008 setting the margins, deductions and discounts corresponding to the distribution and dispensation of medicinal products for human use.
- Order TIN/971/2009 of 16 April 2009 setting up compensation for transport costs in cases of health care following on from occupational risks and attendance at medical examinations or assessments.
- Royal Decree 1015/2009 of 19 June 2009 governing the availability of medicinal products in special situations.
• Royal Decree 1718/2010 of 17 December 2010 on medical prescriptions and dispensing orders.
• Royal Decree 1026/2011 of 15 July 2011 approving the regulation governing the mutual insurance of judicial staff.
• Royal Decree 1039/2011 of 15 July 2011 laying down the framework criteria to guarantee a maximum period for access to National Health System health care.
• Law 33/2011 of 4 October 2011, the General Health Act.
• Royal Decree -Law 16/2012 of 20 April 2012 on urgent measures to guarantee the sustainability of the National Health System and to improve the quality and safety of its services. Judgment 139/2016 of the Constitutional Court of 21 July 2016 declared Article 3.3 of Law No 16/2003 of 28 May 2003 on the cohesion and quality of the National Health System, as amended by Article 1.1 of Royal Decree-Law No 16/2012 of 20 April 2012 on urgent measures to guarantee the sustainability of the National Health System and to improve the quality and safety of its services, unconstitutional and null.

That regulation provided that Spanish citizens or nationals of any Member State of the European Union, the European Economic Area or Switzerland residing in Spain and foreigners authorised to reside on Spanish territory who were not deemed to be insured – because they were not in any of the situations which, according to Article 3.2 of Law 16/2003, determine that status – might claim to be insured provided that their annual income did not exceed EUR 100,000 euros (the amount set in Article 2.1.b of Royal Decree 1192/2012 of 3 August 2012 regulating the status of insured persons and beneficiaries for the purpose of receiving publicly-funded health care under the National Health System).

By virtue of the judgement cited, therefore, that requirement no longer holds.

• Order ESS/1452/2012 of 29 June 2012 creating a personal data file for the application by the National Social Security Institute of the provisions of Royal Decree-Law 16/2012 of 20 April 2012 on urgent measures to guarantee the sustainability of the National Health System and to improve the quality and safety of its services.
• Royal Decree 1192/2012 of 3 August 2012 regulating the status of insured persons and beneficiaries for the purpose of receiving publicly funded health care under the National Health System.
• Royal Decree 1506/2012 of 2 November 2012 regulating the additional common basket of orthoprosthesis of the National Health Service and laying down the bases for setting the maximum amounts of funding for orthoprosthesis.
• Royal Decree 576/2013 of 26 July 2013 establishing the basic requirements of the special agreement on the provision of health care to persons who are not deemed to be insured or entitled to receive health care under the National Health System and amending Royal Decree 1192/2012 of 3 August 2012 regulating the status of insured persons and beneficiaries for the purpose of receiving publicly funded health care under the National Health System.
• Royal Decree 702/2013 of 20 September 2013 amending Royal Decree 183/2004 of 30 January 2004 regulating the individual health card.
• Royal Legislative Decree 1/2013 of 29 November 2013 approving the recast General Law on the Rights of Persons with Disabilities and their Social Inclusion.
• Order SSI/2371/2013 of 17 December 2013 governing the information system of the system for autonomy of, and care for, people in a situation of dependency.
• Royal Decree 1050/2013 of 27 December 2013 regulating the minimum level of protection set out in Law 39/2006 of 14 December 2006 on the promotion of the personal autonomy of, and care for, people in a situation of dependency.
• Royal Decree 1051/2013 of 27 December 2013 governing the provisions of the system for the autonomy of, and care for, people in a situation of dependency set out in Law 39/2006 of 14 December 2006 on the promotion of personal autonomy and care for people in a situation of dependency.
• Royal Legislative Decree 1/2015 of 24 July 2015 approving the recast Law on guarantees and rational use of medicines and health products.
• Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act. Article 42.

ii) Cash benefits
• Royal Legislative Decree 4/2000 of 23 June 2000 approving the recast Social Security Act for State Civil Servants.
• Royal Decree 375/2003 of 28 March 2003 approving the General Regulation governing the mutual insurance scheme of administrative officials.
• Law 39/2006 of 14 December 2006 on the Promotion of the Personal Autonomy of, and Care for, People in a Situation of Dependency.
• Order SSI/2371/2013 of 17 December 2013 governing the information system of the System for Autonomy of, and Care for, People in a Situation of Dependency.
• Royal Decree 1050/2013 of 27 December 2013 regulating the minimum level of protection set out in Law 39/2006 of 14 December 2006 on the promotion of the personal autonomy of, and care for, people in a situation of dependency.
• Royal Decree 1051/2013 of 27 December 2013 governing the provisions of the system for the autonomy of, and care for, people in a situation of dependency set out in Law 39/2006 of 14 December 2006 on the promotion of personal autonomy and care for people in a situation of dependency.
• Royal Decree 625/2014 of 18 July 2014 regulating certain aspects of the management and control of temporary incapacity cases in the first 365 days of their duration.
• Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act. Chapter V of Title II, Articles 169 to 176, regarding the General Scheme, and Chapter III of Title IV regarding the Special Social Security Scheme for Self-Employed Persons.
• Law 3/2017 of 27 June 2017 on the 2017 General State Budget: the Eighth Additional Provision of which regulates cooperation agreements between the social security management bodies, the Autonomous Communities and the health management institute for the control and monitoring of temporary incapacity. In force since 29 June 2017. **Amendment:** Paragraph Three of the Thirty-first Final Provision amends the wording of Article 170(2) of Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act, regarding temporary incapacity. If the deadline of 365 days is exceeded and the National Social Security Institute issues a decision stating that the person in question can return to work, the mandatory requirement for companies to cooperate in the payment of the benefit shall cease on the day that the said decision is issued. The corresponding subsidy for the period that takes place between the date of the said decision and its notification to the interested person will be paid by the managing entity or the insurer.

2. **Maternity and equivalent paternity benefits**

i) Benefits in kind


• Law 42/1999 of 25 November 1999 on the conditions applicable to Civil Guard staff, as amended by Law 46/2007 regulating voluntary leave taken to look after children, which treats the first year of such leave taken to look after children as pensionable for any kind of State pension.

• Royal Legislative Decree 1/2000 of 9 June 2000 approving the recast Armed Forces Social Security Act.

• Royal Legislative Decree 3/2000 of 23 June 2000 approving the recast version of the legal provisions in force on the special social security scheme of judicial staff.


• Royal Decree 1026/2011 of 15 July 2011 approving the regulation governing the mutual insurance of judicial staff.

ii) Cash benefits

• Royal Legislative Decree 1/2000 of 9 June 2000 approving the recast Armed Forces Social Security Act.

• Royal Legislative Decree 3/2000 of 23 June 2000 approving the recast version of the legal provisions in force on the special social security scheme of judicial staff.
• Royal Legislative Decree 4/2000 of 23 June 2000 approving the recast Social Security Act for State Civil Servants.
• Royal Decree 375/2003 of 28 March 2003 approving the General Regulation governing the mutual insurance scheme of administrative officials.
• Royal Decree 295/2009 of 6 March 2009 regulating the cash benefits of the Social Security system for maternity and paternity leave and risk during pregnancy and natural breastfeeding.
• Order PRE/1744/2010 of 30 June 2010 regulating the procedure for recognition, control and monitoring of temporary incapacity for work, risk during pregnancy and natural breastfeeding in the Special Social Security Scheme for State Civil Servants.
• Royal Decree 1026/2011 of 15 July 2011 approving the regulation governing the mutual insurance of judicial staff.
• Royal Decree 1148/2011 of 29 July 2011 for the application and development of the allowance for the care of minors suffering from cancer or another serious illness.
• Royal Decree-Law 11/2013 for the protection of part-time workers and other urgent measures in the economic and social order.
• Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act, Chapter VI of Title II, Articles 177 to 192, regarding the General Scheme and Chapter III of Title IV regarding the Special Social Security Scheme for Self-Employed Persons.
• Law 48/2015 of 29 October 2015 on the 2016 General State Budget (the Eleventh Final Provision of which defers to 1 January 2017 application of the increase in the duration of paternity leave to a total of four weeks provided for in Law 9/2009 of 6 October 2009). The carry-over of the budgets determined the entry into force of Law 9/2009 and, in this way, births, adoptions, guardianship for the purposes of adoption and fostering formalised with effect from 1 January 2017 give rights to paternity benefit for a term of four weeks (which may be extended — when Article 48.7 of the recast Workers’ Statute adopted by means of Royal Legislative Decree 2/2015 of 23 October 2015 applies — by two days for each child, starting with the second, in the event of multiple births, adoptions, guardianships for the purposes of adoption and fostering). It also amends the recast State Pensioners Act (Royal Legislative Decree 670/1987 of 30 April 1987), adding an Eighteenth Additional Provision recognising a maternity supplement in the State Pension Scheme with effect from 1 January 2016.
• By virtue of judgments Nos 881/2016 and 953/2016 of the Supreme Court of 25 October and 16 November respectively, harmonising the law, the parents of children born by surrogacy pursuant to the laws in force in a foreign country may receive the maternity allowance provided for in Article 177 of the recast General Social Security Act approved by Royal Legislative Decree 8/2015 of 30 October 2015 (TRLGSS) provided that the requirements of that Article by which the right in question may be exercised are met.
3. **Invalidity benefits**

i) Benefits in kind

NONE

ii) Cash benefits

- Royal Legislative Decree 670/1987 of 30 April 1987 approving the recast State Pensioners Act. Chapter II and Chapter IV of Subtitle II of Title I.
- Royal Legislative Decree 3/2000 of 23 June 2000 approving the recast version of the legal provisions in force on the special social security scheme of judicial staff.
- Royal Decree 375/2003 of 28 March 2003 approving the General Regulation governing the mutual insurance scheme of administrative officials.
- Order APU/3554/2004 of 7 November 2005 regulating the procedure for the recognition of rights deriving from occupational disease and accidents at work within the scope of the mutual insurance scheme of administrative officials.
- Royal Decree 1026/2011 of 15 July 2011 approving the regulation governing the mutual insurance of judicial staff.
- Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Law on Social Security provides for, within the scope of the protection afforded by the Social Security, from 1 January 2016, a maternity supplement, under the contributory scheme, for invalidity pensions for women who have two or more children, as governed by Article 60.
- Royal Decree 746/2016 of 30 December 2016 on adjustment of and supplements to pensions from the social security system and on the adjustment of pensions from the social security system and other public social benefits for 2017. It adjusts the amount of permanent invalidity pensions and sets the minimum amounts. In force since 1 January 2017
- Law 3/2017 of 27 June on the 2017 General State Budget, Chapter IV, on the adjustment and modification of the value of state pensions provides for an increase in 2017 of 0.25 per cent for permanent invalidity pensions under the contributory scheme and sets minimum amounts.
4. Old-age benefits

i) Benefits in kind

NONE

ii) Cash benefits

- Order of 18 January 1967 laying down rules for the application and payment of old-age benefit in the General Social Security Scheme.
- Royal Legislative Decree 670/1987 of 30 April 1987 approving the recast State Pensioners Act. Chapter II and Chapter IV of Subtitle II of Title I.
- Royal Decree 375/2003 of 28 March 2003 approving the General Regulation governing the mutual insurance scheme of administrative officials.
- Royal Decree 1851/2009 of 4 December 2009 implementing Article 161 bis of the General Social Security Act regarding the early retirement of workers with a degree of disability of 45 per cent or more. (The reference to Article 161 bis of the General Social Security Act should be understood to be made currently to Article 206 of Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act).
- Law 27/2011 of 1 August 2011 on the updating, adaptation and modernisation of the social security system.
- Royal Decree 1698/2011 of 18 November 2011 regulating the legal arrangements and general procedure for setting reduction coefficients and lowering the retirement age in the social security system.
- Royal Decree 1716/2012 of 28 December 2012 implementing the provisions on benefits laid down by Law 27/2011 of 1 August 2011 on the updating, adaptation and modernisation of the Social Security system.
- Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act. With regard to the scope of the protection afforded by the Social Security, it provides for a maternity supplement for retirement pensions, from 1 January 2016, under the contributory scheme, for women who have had two or more children. Governed by Article 60.
- Royal Decree 746/2016 of 30 December 2016 on adjustment of and supplements to pensions from the social security system and on the adjustment of pensions from the social security system and other public social benefits for 2017. It adjusts retirement pensions and sets the minimum amounts. In force since 1 January 2017
• Law 3/2017 of 27 June on the 2017 General State Budget, Chapter IV, on the adjustment and modification of the value of state pensions, provides for an increase in 2017 of 0.25 per cent for retirement pensions under the contributory scheme and sets minimum amounts.
Link: www.seg-social.es (Normativa/Normas de pensiones/Otras normas de interés sobre prestaciones/Revalorización de pensiones)

5. **Survivor’s benefits**

i) Benefits in kind

NONE

ii) Cash benefits

• Statute of State Pensioners, approved by Royal Decree of 22 October 1926.
• Decree 1211/1972 of 13 April 1972 approving the recast Law on the pension fund entitlements of the Military and Equivalent Staff of the Armed Forces, Civil Guard and Armed Police.
• Royal Legislative Decree 670/1987 of 30 April 1987 approving the recast State Pensioners Act. Chapter II and Chapter IV of Subtitle II of Title I.
• Royal Legislative Decree 1/2000 of 9 June 2000 approving the recast Armed Forces Social Security Act.
• Royal Legislative Decree 3/2000 of 23 June 2000 approving the recast version of the legal provisions in force on the special social security scheme of judicial staff.
• Royal Legislative Decree 4/2000 of 23 June 2000 approving the recast Social Security Act for State Civil Servants.
• Royal Decree 375/2003 of 28 March 2003 approving the General Regulation governing the mutual insurance scheme of administrative officials.
• Order APU/95/2004 of 12 January 2004 laying down rules for the application of the death grant in the Special Social Security Scheme for State Civil Servants.
• Royal Decree 296/2009 of 6 March 2009 amending certain aspects of the regulation of death grants and survivors’ benefits.
• Royal Decree 1026/2011 of 15 July 2011 approving the regulation governing the mutual insurance of judicial staff.
• Law 27/2011 of 1 August 2011 on the updating, adaptation and modernisation of the social security system.
• Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act, Chapter XIV of Title II, Articles 216 to 234, regarding workers under the General Scheme, and Chapter III of Title IV regarding the Special Social Security Scheme for Self-Employed Persons. It also provides for, within the scope of the protection afforded by the Social Security, as governed under Article 60, a maternity
supplement, from 1 January 2016, for widows’ pensions for women who have had two or more children.

- Royal Decree 746/2016 of 30 December 2016 on adjustment of and supplements to pensions from the social security system and on the adjustment of pensions from the social security system and other public social benefits for 2017. It adjusts widows’, orphans’ and survivors’ pensions and sets the minimum amounts. In force since 1 January 2017
- Law 3/2017 of 27 June on the 2017 General State Budget, Chapter IV, on the adjustment and modification of the value of state pensions provides for an increase in 2017 of 0.25 per cent for widows’, orphans’ and survivors’ pensions and sets minimum amounts.

Link: www.seg-social.es (Normativa/Normas de pensiones/Otras normas de interés sobre prestaciones/Revalorización de pensiones)

6. **Benefits in respect of accidents at work and occupational diseases**

i) Benefits in kind

NONE

ii) Cash benefits

- Royal Legislative Decree 3/2000 of 23 June 2000 approving the recast version of the legal provisions in force on the special social security scheme of judicial staff.
- Royal Decree 375/2003 of 28 March 2003 approving the General Regulation governing the mutual insurance scheme of administrative officials.
- Order APU/3554/2005 of 7 November 2005 regulating the procedure for the recognition of rights deriving from occupational diseases and accidents at work within the scope of the mutual insurance scheme of administrative officials.
- Royal Decree 1299/2006 of 10 November 2006, approving the schedule of occupational diseases in the Social Security system and laying down criteria for the notification and registration thereof.
- Royal Decree 1026/2011 of 15 July 2011 approving the regulation governing the mutual insurance of judicial staff.
- Law 17/2012 of 27 December 2012 on the 2013 General State Budget. The Seventh Final Provision sets the rates for accidents at work and occupational diseases.
- Order ESS/66/2013 of 28 January 2013 updating the lump-sum compensations for injury, mutilation and deformities that are permanent but non-disabling.
• Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act.

• Royal Decree 746/2016 of 30 December 2016 on adjustment of and supplements to pensions from the social security system and on the adjustment of pensions from the social security system and other public social benefits for 2017. In force since 1 January 2017.

• Law 3/2017 of 27 June 2017 on the 2017 General State Budget, Chapter IV, on the adjustment and modification of the value of state pensions, provides for an increase in 2017 of 0.25 per cent for Social Security pensions and sets minimum amounts.

Link: www.seg-social.es (Normativa/Normas de pensiones/Otras normas de interés sobre prestaciones/Revalorización de pensiones)

7. Death grants:

i) Benefits in kind

NONE

ii) Cash benefits

• Royal Legislative Decree 4/2000 of 23 June 2000 approving the recast Social Security Act for State Civil Servants.

• Royal Decree 375/2003 of 28 March 2003 approving the General Regulation governing the mutual insurance scheme of administrative officials.

• Order APU/95/2004 of 12 January 2004 laying down rules for the application of the death grant in the Special Social Security Scheme for State Civil Servants.

• Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act, Chapter XIV of Title II, regarding workers under the General Scheme and Chapter III of Title IV regarding the Special Social Security Scheme for Self-Employed Persons.

8. Unemployment benefits

i) Benefits in kind

NONE

ii) Cash benefits


• Royal Decree 1369/2006 of 24 November 2006 regulating the active integration benefits (RAI) programme for unemployed people with special economic needs and difficulties in finding work.

• Law 32/2010 of 5 August 2010 setting up a specific system of protection for self-employed persons in the event of cessation of activity.
• Article 20 of Royal Decree-Law 13/2010 of 3 December 2010 on measures in the field of taxation, employment and liberalisation to promote investment and job creation, in force since 3 December 2010, provided that public officials entering service with effect from 1 January 2011 must be included in the General Social Security Scheme (RGSS), including the staff of the armed forces, as provided in the recast General Social Security Act approved by Royal Legislative Decree 8/2015 of 30 October 2015.
• Royal Decree-Law 1/2013 of 25 January 2013 extending the programme for professional requalification of persons who are no longer entitled to unemployment protection and adopting other urgent measures for the employment and social protection of the unemployed.
• Royal Decree Law 16/2014 of 19 December 2014 regulating the Programa de Activación para el Empleo [Getting Active for Employment Programme], as prolonged by Royal Decree Law 1/2016 of 15 April 2016.
• Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act. Title III (Chapters II, III and V) and Title V.

9. Pre-retirement benefits
i) Benefits in kind
NONE
ii) Cash benefits

10. Family benefits
i) Benefits in kind
• Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act. Chapter XV of Title II regarding workers under the General Scheme and Chapter III of Title IV regarding the Special Social Security Scheme for Self-Employed Persons.

ii) Cash benefits
• Royal Legislative Decree 4/2000 of 23 June 2000 approving the recast Social Security Act for State Civil Servants.
• Royal Decree 375/2003 of 28 March 2003 approving the General Regulation governing the mutual insurance scheme of administrative officials.
• Royal Decree 1335/2005 of 11 November 2005 regulating family benefits under the social security system.
Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act. Chapter I of Title VI, Articles 351 to 362.

Royal Decree 746/2016 of 30 December 2016 on adjustment of and supplements to pensions from the social security system and on the adjustment of pensions from the social security system and other public social benefits for 2017. Sole Article 2 provides for an increase of 0.25 per cent for family benefits under the social security system per dependent child aged 18 or over with a degree of disability of 65 per cent or more. In force since 1 January 2017


Link: www.seg-social.es (Normativa/Normas de pensiones/Otras normas de interés sobre prestaciones/Revalorización de pensiones)

11. Special non-contributory cash benefit

Special non-contributory cash benefits intended to provide a minimum subsistence income pursuant to Article 70(2)(a)(i) of Regulation (EC) No 883/2004.

i) Benefits in kind

NONE

ii) Cash benefits

Retirement pension under the non-contributory scheme. 5 178.60 a year, 369.90 a month.

Invalidity pension under the non-contributory scheme. 5 178.60 a year, 369.90 a month. These could be increased by a supplement for another person’s needs, whereupon they would come to 7 767.90 a year, or 554.85 a month.

Pension supplement for the rental of housing for pensioners under the non-contributory social security scheme. EUR 525

Cash benefits for elderly and disabled persons who are unable to work. 2 098.04 a year, 149.86 a month.

Minimum income guarantee. 2 098.04 a year, 149.86 a month.

Royal Decree 2620/1981 of 24 July 1981 regulating cash benefits for elderly and disabled persons who are unable to work. This was repealed by Law 28/1992 of 24 November 1992 but, pursuant to Article 7.2 thereof, rights recognised before 23 July 1992 are retained.
• Royal Decree 383/1984 of 1 February 1984 governing the special system of social and financial benefits for persons with disabilities (regulates the minimum income guarantee).


• Royal Legislative Decree 1/2013 of 29 November 2013 approving the recast General Law on the Rights of Persons with Disabilities. (Regulates the minimum income guarantee.) Repeals Law 13/1982 of 7 April 1982. In force since 04 December 2013. This benefit was withdrawn by Law 26/1990 of 20 December 1990 establishing non-contributory social security benefits, but, in accordance with the Twenty-fifth Transitional Provision of Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act, the recognised rights are maintained provided that the requirements laid down in specific legislation are met.

• Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act, regulating non-contributory invalidity pensions and non-contributory retirement pensions (Articles 363 to 372). In force since 2 January 2016.

• Royal Decree 746/2016 of 30 December 2016 on adjustment of and supplements to pensions from the social security system and on the adjustment of pensions from the social security system and other public social benefits for 2017. Sole Article 2 provides for an increase of 0.25 per cent for non-contributory pensions. In force since 1 January 2017.

• Law 3/2017 of 27 June 2017 on the 2017 General State Budgets. Article 44 governs the initial valuation and revaluation of non-contributory Social Security pensions and sets the amount of retirement and invalidity pensions in the non-contributory scheme for 2017.

  Link to website: www.seg-social.es (Normativa/Normas de pensiones/Otras normas de interés sobre prestaciones/Revalorización de pensiones)

• Corresponding legislation adopted by the Autonomous Communities. Jointly managed by the State and the Autonomous Communities. The Autonomous Communities do not have any specific regulations; State regulations apply.

Special non-contributory cash benefits intended to guarantee the specific protection for the disabled linked to their social environment, pursuant to Article 70(2)(a)(ii) of Regulation (EC) No 883/2004.
i) Benefits in kind

NONE

ii) Cash benefits

Mobility subsidy and compensation for transport costs. 762.00 a year, 63.50 a month

- Royal Decree 383/1984 of 1 February 1984 governing the special system of social and financial benefits for persons with disabilities (regulates the mobility subsidy and compensation for transport costs)
- Royal Legislative Decree 1/2013 of 29 November 2013 approving the recast General Law on the rights of persons with disabilities (regulates the mobility and transport costs allowance). In force since 4 December 2013.
- Law 48/2015 of 29 October 2015 on the 2016 General State Budget (approving the 2016 amount of the mobility subsidy and compensation for transport costs covered by Article 8.1.b) of Royal Legislative Decree 1/2013 of 29 November). In force since 28 June 2017
- Royal Decree 746/2016 of 30 December 2016 on adjustment of and supplements to pensions from the social security system and on the adjustment of pensions from the social security system and other public social benefits for 2017. In force since 1 January 2017
- Law 3/2017 of 27 June on the 2017 General State Budgets. The Fortieth Additional Provision establishes the amount of the minimum income guarantee, the allowance for caring for a third person and the mobility and transport costs allowance, from 1 January 2017.

Link: www.seg-social.es (Normativa/Normas de pensiones/Otras normas de interés sobre prestaciones/Revalorización de pensiones).

III. DECLARATIONS REFERRED TO IN ARTICLE 8(2) OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE REGULATION WILL APPLY

The date of application of Regulation (EC) No 883/2004 to the listed national legislation, insofar as it is covered by the scope of the Regulation, is [1 May 2010], except where otherwise stated. This is also the date from which the Regulation applies in this Member State.

IV. MINIMUM BENEFITS PROVIDED FOR IN ARTICLE 58 OF REGULATION (EC) NO 883/2004 AND THE DATE FROM WHICH THE REGULATION WILL APPLY

The date of application of Regulation (EC) No 883/2004 to the listed national legislation, insofar as it is covered by the scope of the Regulation, is [1 May 2010], except where otherwise stated. This is also the date from which the Regulation applies in this Member State.
- Royal Legislative Decree 670/1987 of 30 April 1987 approving the recast State Pensioners Act. Chapter I.

- Royal Decree 746/2016 of 30 December 2016 on adjustment of and supplements to pensions from the social security system and on the adjustment of pensions from the social security system and other public social benefits for 2017. It approves the minimum amounts of the contributory pensions under the Social Security system. In force since 1 January 2017.

- Law 3/2017 of 27 June 2017 on the 2017 General State Budgets. Article 43 on the recognition of minimum Social Security supplements sets the minimum amounts of the pensions under the system under the contributory scheme in 2017. (Chapter V of Title IV)

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<tr>
<th>2017 PENSION RATES</th>
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<th>WITH A NON-DEPENDENT SPOUSE</th>
<th>ECONOMIC UNIT ONE-PERSON</th>
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<td>EUR/month</td>
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<td>Recipient aged 65 or with disability of &gt;65%</td>
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<tr>
<td>Per beneficiary</td>
<td>194.80</td>
<td>2 727.20</td>
<td></td>
</tr>
<tr>
<td>PAYABLE TO FAMILY MEMBERS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Per beneficiary</td>
<td>408.10</td>
<td>5 713.40</td>
<td></td>
</tr>
<tr>
<td>SOVI</td>
<td>408.10</td>
<td>5 713.40</td>
<td></td>
</tr>
<tr>
<td>Minimum income limit</td>
<td>8 321.85</td>
<td>7 133.97</td>
<td></td>
</tr>
</tbody>
</table>

V. POSSIBILITY FOR ANY CATEGORY OF SELF-EMPLOYED WORKER TO BE COVERED BY AN UNEMPLOYMENT BENEFITS SYSTEM (ARTICLE 65A(1) OF REGULATION (EC) NO 883/2004) AND LEGISLATIVE REFERENCE, WHERE APPROPRIATE

Royal Decree 1541/2011 of 31 October 2011 implementing Law 32/2010 of 5 August 2010 (Law 32/2010 has now been repealed, which means that the reference must be made to Royal
Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act).

Royal Legislative Decree 8/2015 of 30 October 2015 approving the recast General Social Security Act. It governs protection in the event of cessation of activity, with regard to self-employed workers, in Title V, Articles 327 to 350.

**Amount** (Article 339 of the TRLGSS): the calculation basis for the financial benefit in the event of the cessation of professional activity is the average of the contribution bases over the last 12 continuous months immediately prior to the legal cessation of activity. The amount is determined by applying 70% to the calculation basis.