

**GENERAL INFORMATION ON THE SOCIAL
SECURITY SYSTEM AND THE STATE PUBLIC
EMPLOYMENT SERVICE (SEPE)**

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1. SOCIAL SECURITY SYSTEM

I. Introduction

The [Social Security System](#) is a set of arrangements through which the State guarantees adequate protection in the contingencies and situations defined by law to the persons included in its scope of application, because they carry out a professional activity or meet the requirements demanded in the non-contributory category, as well as to the family members or assimilated persons dependent upon them.

For the purposes of contributory benefits, all Spaniards residing in Spain and foreigners residing or staying legally in Spain are included within the scope of application of the Social Security System, regardless of their sex, marital status or profession, provided that, in both cases, they work in Spain and are included in one of the following headings:

- Employed persons.
- Self-employed or freelance workers.
- Worker-members of worker cooperatives.
- Students.
- Public and civil servants or members of the armed forces.

Social Security is a public administration under the Ministry of Inclusion, Social Security and Migration.

ORGANISATIONS	BENEFITS	PROCEDURES
Social Security Institute	<i>Permanent Disability.</i> <i>Pensions (Retirement).</i> <i>Temporary Incapacity/ Risk Pregnancy.</i> <i>Maternity/Paternity: Risk Breastfeeding, Student Insurance.</i>	Electronic office
Social Security General Treasury	<i>Registration of companies in the Social Security Scheme and the assignment of a contribution code.</i> <i>Membership, Registration, De-registration of workers with their own contract and management of Social Security, as well as occasional changes in information about the workers.</i> <i>Management and control of contributions, as well as collection of the contributions and other resources for financing the Social Security System.</i> <i>Payment of pensions and benefits to the Social Security System for the public fulfilment of these obligations.</i>	Portal

II. Membership and registration

Any person who is going to start an employment activity that determines his or her inclusion in a social security system scheme must apply for a membership number.

How is this done?

- **Employers** are obliged to request membership of the social security system for anyone who enters their service and who is not already a member.
- The **self-employed or persons treated as self-employed** who start their activity as such and are not already members are obliged to apply for membership.

How do I obtain the number?

The application for membership ([form TA.1](#)) must be addressed to the [Provincial Directorate of the Social Security Treasury or Administration](#) in the same province in which the company in which the employed or equivalent worker provides services has its registered office or in which the establishment of the self-employed worker is located.

Applications for membership must be made prior to the commencement of the employee's work activity.

III. Beneficiaries of an insured person

Who is eligible for Social Security benefits?

The beneficiaries of an insured person may benefit provided that they are in one of the following situations:

- Being the spouse of the insured person or cohabiting with him/her in an analogous relationship of attachment, constituting a civil partner.
- Being an ex-spouse or being legally separated, dependent on the insured person because he/she is entitled to receive a compensatory pension.
- Being a descendant, or equivalent, of the insured person or of their spouse, even if legally separated, of their dependent ex-spouse or of their civil partner, in both cases dependent upon the insured person and under 26 years of age or, in the event of being over this age, having a recognised disability to a degree equal to or greater than 65%.
- The brothers and sisters of the insured person.

They will have the status of beneficiaries if they meet the following requirements:

- They do not hold the status of insured persons within the meaning of Article 2.1.a RD 1192/2012.
- They have authorised and effective residence in Spain, except for persons who temporarily move to Spain and are in charge of workers transferred by their company outside Spanish territory, provided that they are in a situation comparable to that of being registered, paying contributions to the appropriate Spanish Social Security scheme.

What documents are required in order for beneficiaries to benefit from health cover?

- The [application form](#) for recognition of the right to health care, both for the future insured person and for the beneficiaries.
- National Identity Document (DNI) or official document identifying the insured and their beneficiaries.
- Family book or certificates from the Civil Registry proving the relationship with the insured person, when entitlement is requested for the beneficiaries.

Where do I apply?

At any of the [Social Security information and customer service centres](#), the provincial offices of the [Social Marine Institute \(ISM\)](#), or through the [Electronic Office](#) if you have a digital certificate.

IV. Contributions

Where can I see what has been contributed so far?

- If I have worked and paid contributions in the Basque Country and I want to see what I have accumulated, where can I access this information?

[Accessing your work history](#) via social security.

- If I have worked and paid contributions outside the State and I want to see what I have accumulated, where can I go to access it?

The work history must be requested in each country. Two calculations are always carried out. On the one hand, each State determines eligibility for a pension by taking into account only the periods of insurance credited in that State. On the other hand, once you receive the certification from the other country, you can calculate how much you would be paid if you take into account the sum of the contribution periods in the States party to the Convention. [More information](#).

Can I import what has been contributed in other countries to the Basque Country?

It depends on which country you have paid contributions and for what period of time.

EU/EEA/Switzerland

**Not EU/EEA/Switzerland
but with bilateral agreement**

**Countries without
bilateral agreement**

<p>Yes, the countries communicate with each other via a network and are able to retrieve the contributions made.</p>	<p>Yes, the countries communicate with each other via a network and are able to retrieve the contributions made.</p>	<p>Check with the competent organisations in those countries.</p>
	<p><i>Bilateral agreements: Andorra, Argentina, Australia, Brazil, Canada, Cape Verde, Chile, China, Colombia, Dominican Republic, Ecuador, Japan, Korea, Mexico, Morocco, Paraguay, Peru, Philippines, Russia, Tunisia, Ukraine, United States, Uruguay and Venezuela.</i></p>	

V. Retirement

I have paid contributions abroad in several countries, can I receive a pension for the years I have paid contributions overseas?

The application must be made to the Social Security Institute (INSS) in the region where you live.

The pension is paid by the country in which the last contribution was made or by the country in which you live. The countries communicate with each other (see the three scenarios mentioned above) and the *prorata temporis* clause applies, along with the laws of each of the countries.

VI. Remote working

If I am paying social security contributions in country X, can I work remotely from country Y?

The basic principle of social security is that you pay contributions in the country where you work.

- NO in the case of voluntary relocation

In the case where the company does not indicate that the transfer is made in order to carry out professional activities. If you are working in the same country even though you are working in another autonomous community, the social security system does not require any notification and the employee will receive all benefits.

- YES if you are posted

If the employer decides that, for professional reasons, the employee must carry out his or her professional activities from country Y despite the fact that he or she is contributing in country X. In order for the employee to benefit from social security cover, the company must report the posting to the social security authorities of the country in which the contributions are being paid.

VII. European Health Insurance Card

The European Health Insurance Card (EHIC) is the personal and non-transferable document proving entitlement to the medically necessary health benefits during a temporary stay within the territory of the European Economic Area (1) or Switzerland, taking into account the nature of the benefits and the length of the intended stay, in accordance with the legislation of the country of stay, regardless of whether the purpose of the stay is tourism, a professional activity or studies.

In some cases, you will have to bear a fixed amount or a percentage of the costs of health care, on an equal footing with insured persons from the State to which you are travelling. These amounts are non-refundable.

Where do I apply?

By Internet, via the [Social Security Electronic Office](#). A digital certificate is not required to access this service.

2. STATE PUBLIC EMPLOYMENT SERVICE (SEPE)

I. Unemployment benefit

SEPE, The State Public Employment Service (SEPE) is an autonomous body attached to the Ministry of Labour and Social Economy. SEPE, together with the Public Employment Services of the Autonomous Communities (in the case of the Basque Country, Lanbide) constitute the National Employment System.

I have worked and paid contributions in the Basque Country and have become unemployed. Am I entitled to unemployment benefits? What do I have to do?

If you become unemployed, you should bear in mind that Lanbide is not responsible for benefits/subsidies, so you will need to apply to the State Public Employment Service, which is responsible for these payments. Some Lanbide offices have a SEPE service.

1. Register as a jobseeker with Lanbide
 - a. If you have never been registered in Lanbide before, complete the information on the [Lanbide registration request form](#). Once your application has been received and validated, we will send you an SMS with the access code for [Mi Lanbidenet](#), where you can check and update your information.
 - b. If you are already registered with Lanbide, you can check if your registration is "active" by filling in your identification details in the [Lanbide registration request form](#), where you will be informed about your situation and your registration will be "reactivated", if it has been deactivated.
2. Claim the Benefit or Subsidy at [State Public Employment Service \(SEPE\)](#)
 - a. If you have a permanent CI@ve, a Digital Certificate or an electronic DNI, use the SEPE Electronic Office to carry out your procedures: [submit the application](#).
 - b. If you do not have an electronic certificate, you can request an appointment or [make a pre-application through the SEPE website](#).

I have worked and paid contributions in a country in the EU, EEA or in Switzerland and have become unemployed. Am I entitled to unemployment benefit in the Basque Country?

To collect unemployment benefits in Spain, in addition to the contributions that the worker has accumulated in Spain, those that they may have accumulated in other European countries are also taken into account. It is recommended that, before returning to the Basque Country, you request [Form U1 \(previously E-301\)](#) in the European country. You cannot claim unemployment benefit in the Basque Country directly after returning from the European country without working here. The worker must be covered by a contract that contributes to unemployment benefit, even if it is only for one day. You can claim benefit when this contract ends due to its expiry, dismissal, etc., i.e. when you are legally unemployed.

Requirements:

- You must have at least 360 days of accumulated contributions in the last six years that have not been used up in other benefits. The number of days contributing in Spain, in Europe and in other countries with which there is a bilateral agreement are taken into account¹.
- It is not possible to claim unemployment after a voluntary departure in Spain, or after having ceased to be self-employed. It has to be after the termination of an employment contract for reasons beyond the employee's control.

If you claim unemployment in the Basque Country, but you have received part of the benefit via another European Employment Service, the unemployment benefit you have already received abroad will be deducted from your Spanish unemployment benefit. This information is included in Form U1.

I have worked and paid contributions in a non-European country where there is no Bilateral Agreement and I have become unemployed. Am I entitled to unemployment benefit in the Basque Country?

Workers returning from non-European countries where there is no bilateral agreement with Spain can apply for the allowance for returned emigrants².

¹ <https://www.seg-social.es/wps/portal/wss/internet/InformacionUtil/32078/32253>

² <https://www.sepe.es/HomeSepe/Personas/distributiva-prestaciones/quiero-cobrar-el-paro/subsidio-para-emigrantes-retornados.html>

3. CONTACT

All information presented in this document has been compiled from official sources. However, in no case does it have an official or binding character, nor does it replace the information offered by the organisations responsible for these matters, to which, in all cases, the interested party should refer:

1. [CASIA](#) (Coordination, Assistance and Integrated Support to the Authorised Network)
2. [Social Security](#)
 - [INSS](#) (National Social Security Institute)
 - [TGSS](#) (Social Security General Treasury)
 - [Contact](#)
 - [Telephone service](#)
 - [Enquiries](#)
3. [SEPE](#) (State Public Employment Service)
 - Call centre in Bizkaia: (0034) 944 500 598
4. [LANBIDE](#) (Basque Employment Service)
 - [Contact](#)