

**Do migrant workers have driving licences and do they have insurance for their vehicles?**

Licences issued in the European Community and European Economic Area make up two groups that are treated equally. The full list is: *Austria, Belgium, Bulgaria, Czech Republic, Republic of Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Romania, Portugal, Slovenia, Slovakia, Spain, Sweden, United Kingdom.*

If migrant workers hold a valid European community licence, this will authorise them to drive in the UK for the period set out below. Alternatively, they can exchange their licence for a British one at any time. Provided their licence remains valid they may drive in the UK:

- *car, motorcycle driving licence holders (ordinary driving licence)*
- *until aged 70 or for three years after becoming resident, whichever is the longer period*
- *lorry, minibus, bus driving licence holders (vocational driving licence):*
- *until aged 45 or for five years after becoming resident, whichever is the longer period*
- *if you are aged over 45 (but under 65) until your 66th birthday or for five years after becoming resident, whichever is the shorter period*
- *if you are aged 65 or over for 12 months after becoming resident*

In order to continue driving after these periods, they must get a British driving licence. Every car driven on the road requires to be insured. The driver must hold a valid driving licence. Migrant workers will also require to pay road tax for the vehicle in the form of an Excise Licence which must be displayed on the car windscreen.

## Dispelling the Myths

<b>Myth</b>	<b>'They're taking our jobs.'</b>
<b>Fact</b>	In Scotland, unemployment is low and there is a labour shortage in many hard to fill areas. Migrant workers are now the mainstay of many sectors such as catering, tourism and hospitality, agriculture and care and have revitalised many rural communities.

<b>Myth</b>	<b>'They're a drain on our taxes.'</b>
<b>Fact</b>	Migrant workers actually contribute more than they take. Most migrants are of working age and the Home Office estimates that they contribute 10% more in revenue than they receive in benefits.

<b>Myth</b>	<b>'They all head for Britain.'</b>
<b>Fact</b>	National Insurance Registrations suggest that migrant workers make up 7% of the UK population, however in Perth and Kinross the number of migrant workers registering for a national insurance number was 1940 for 2006/07 which is just 2.7% of the population. Although it is estimated that Perth and Kinross has the third highest number of migrant workers in Scotland it is still only a small proportion of the workforce, in fact if the number of workers who registered in Perth and Kinross during 2006/07 gathered at McDiarmid Park at the same time it would be over 75% empty.

If you or someone you know would like a copy of this document in another language or format, (on occasion only, a summary of the document will be provided in translation), this can be arranged by contacting Shelley Hague on 01738 477950.

 Council Text Phone Number 01738 442573

All Council Services can offer a telephone translation facility

*Designed by Chief Executive's Service (2007364 - Sep 07)*



# Migrant Workers

## your questions answered

If you are from a country that is a member state of the EU do you have rights to live and work in Scotland?

**Who are the member states?**

**Why are migrant workers here?**

What rights do migrant workers have to work?

Do migrant workers get more benefits?

Can migrant workers get extra benefits eg for vehicles?

Do migrant workers need less ID to get bank accounts?

What rights do migrant workers have to housing?

What rights do migrant workers have to the NHS?

This leaflet has been produced to provide some facts about the rights of migrant workers in Scotland. It gives the answers to some commonly asked questions.



**If you are from a country that is a member state of the EU do you have rights to live and work in Scotland?**

People coming to Scotland from an EU member state have every right to be here in the same way that we have the right to go to their country or to other member states to work or retire.

**Who are the member states?**

The EU comprises 27 countries. They are set out below under the dates they joined. The new member states that were accepted in 2004 are referred to as the A8 countries. Some of the rights of foreign nationals from the A8 countries such as entitlement to benefits etc are restricted.

**Why are migrant workers here?**

Migrant workers often fill jobs in the manual labour workforce that are poorly paid or seasonal, and which will not attract local people who want greater stability. The majority of the migrants come over from their country where there are either no jobs or very poorly paid employment. Migrant workers come to Scotland to earn money for themselves and their families before returning to their own country. Sometimes migrant workers will settle on a permanent basis and their families will join them over here. If migrant workers are members of the EU they have every right to be here as we have the right to go to their country or to other member states.

**What rights do migrant workers have to work?**

Migrant workers are allowed to work but should pay taxes etc like everyone else. Employers should check migrant workers have a NI number before employing them. Migrant workers have the same rights to minimum pay, holidays etc as everyone else. Migrant workers from one of the A8 countries have to register with the Home Office after starting their job in the UK. Migrant workers have 28 days to apply.

**Do migrant workers get more benefits?**

All foreign nationals must have a NI number to claim benefits. Some EU citizens are entitled to claim as long as they are working or actively seeking work and have a NI number. People from other countries must have special work permits and cannot generally claim benefits.

**Can migrant workers get extra benefits eg for vehicles?**

They get no extra benefits. Migrant workers can apply for loans or grants for work vehicles but are subject to the same rules and application process as anyone else.

**Do migrant workers need less ID to get bank accounts?**

Generally it is harder for foreign nationals to open a bank account. Banks require ID including passports and where necessary work permit details, proof of address and/or a recommendation from an employer. The employer must be a company which has an account with the bank and has known the foreign person for a specified period of time.

**What rights do migrant workers have to housing?**

Nationals from EU member states who were part of the union before 1 May 2004 and are employed or self employed will be eligible to register for housing. Nationals who are not working have to establish that they have the right to reside before being admitted onto the housing register. A8 migrants who are employed or self employed enjoy the same rights after one year providing that they have been in continuous employment with a Home Office registered employer. Once admitted onto the housing register all EU Nationals are considered for housing in the same way as for UK residents.

**What rights do migrant workers have to the NHS?**

Generally migrant workers have the right to register as an NHS patient with a doctor. If migrant workers are here for up to 3 months they can attend the doctor as a temporary resident without having to register. If migrant workers are planning to be here for more than 3 months they can go and register with a practice.

**Are the police more lenient because migrant workers don't speak English?**

This is certainly not the case. In fact if caught migrants don't just get dealt with by the court but will also face action by the Home Office Immigration Service and can be deported to their country of origin with conditions not to return. If migrant workers are unable to speak fluent English then an interpreter will be used to assist the court.

1957		1973	1981	1986	1995	2004			2007
Belgium	Italy	Denmark	Greece	Portugal	Austria	Cyprus, Hungary	Latvia, Poland	Slovakia	Bulgaria
France	Luxembourg	Ireland		Spain	Finland	Czech Republic	Lithuania	Slovenia	Romania
Germany	Netherlands	United Kingdom			Sweden	Estonia	Malta		