



# **PRACTICAL GUIDE**

## **INFORMAL CARER STATUS: PRIMARY INFORMAL CARER AND NON-PRIMARY INFORMAL CARER**

INSTITUTO DA SEGURANÇA SOCIAL, I.P.

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**TECHNICAL FILE**

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*The information in this practical guide does not waive the consultation of the law.*

## A – Informal Carer Status - What is it?

The Informal Carer Status, approved by Law no. 100/2019 of 6 September, is covered by a set of rules establishing the rights and duties of the *carer* and of the *person receiving care* and the measures to support them.

Regulatory Decree no. 1/2022 of 10 January establishes the terms and conditions for the recognition of the informal carer status, as well as the measures to support informal carers and the persons receiving care.

## B – Who may be recognised as an informal carer?

**Who may be recognised as an informal carer?**

**Primary informal carer**

**Non-primary informal carer**

**Who may be recognised as an informal carer?**

For the purposes of the Informal Carer Status, there are two types of carers:

- the primary informal carer and
- the non-primary informal carer

**Primary informal carer**

1. Spouse or *de facto* partner, relative or kin, in straight line or collateral line, up to the 4<sup>th</sup> degree, of the person receiving care:
  - a. he/she must be taking care of the person concerned on a permanent basis;
  - b. he/she has to prove that he/she and the person receiving care have established a relationship of mutual support and sharing of resources;
  - c. he/she may/may not have the same tax residence as the person receiving care;
  - d. he/she cannot be receiving remuneration from a professional activity or due to the care provided to the person concerned.
2. Person without a family relationship with the person receiving care:
  - a. he/she must be taking care of the person concerned on a permanent basis;
  - b. he/she must be living in the same household and have the same tax residence as the person receiving care;
  - c. he/she cannot be receiving remuneration from a professional activity or due to the

care provided to the person concerned.

### **Non-primary informal carer**

1. The non-primary informal carer accompanies and takes care of another person on a regular, but not permanent basis.
2. Both parents with shared custody of the person receiving care may be recognised as non-primary informal carers.
3. The non-primary informal carer may or may not receive remuneration from a professional activity or for the care provided to the person concerned, or be holder of unemployment benefits.

## **B1 – Who is the person receiving care?**

1. For the purposes of the informal carer status recognition, the person receiving care must fulfil the following conditions:
  - a) He/she must be in a dependency situation and in need of permanent care provided by a third party;
  - b) he/she cannot be accommodated in a public or private residential facility, of social or health care response;
  - c) he/she must also be holder of **one** of the following social benefits:
    - i. 2<sup>nd</sup> degree long-term care supplement, or
    - II. Allowance for care provided by a third party, or
    - III. 1<sup>st</sup> or 2<sup>nd</sup> degree of the long-term care supplement, or Allowance for care provided by a third party granted by the Civil Servants Pension Fund (CGA - *Caixa Geral de Aposentações*).
- 2 - The person receiving care may also be temporarily bedridden or in need of permanent care due to a dependency situation.
- 3 - In situations where the person receiving care is holder of the 1<sup>st</sup> degree long-term care supplement, the temporary situation referred to in the previous paragraph is determined by a specific assessment from the user's family doctor or medical assistant, who defines the time limit after which the dependency situation of the person receiving care shall be reassessed.
- 4 - In situations where the person receiving care is not holder of the 1<sup>st</sup> degree long-term care supplement, the dependency situation is assessed by the disability assessment services (SVI) of the Social Security Institute (ISS, I.P.), and the person receiving care must submit a

statement issued by his/her family doctor or medical assistant, defining the temporary period after which the dependency situation of the person being cared shall be reassessed.

**Please note:** If the person receiving care is not holder of any of the previously mentioned benefits, he/she may submit the respective application along with the application for the Recognition of the Informal Carer Status.

### **Consent from the person receiving care**

The person receiving care must clearly state that he/she understands the situation and wants the applicant to be recognised as his/her informal carer.

This consent is submitted to the Social Security services:

1. by means of a statement signed by the person receiving care, provided that he/she is an adult. This statement is included in the informal carer application form and must be accompanied by a medical statement attesting that the person receiving care is in full use of his/her intellectual faculties, or
2. by his/her legal representative, who signs the statement of consent in the application form; in this case, the person concerned must submit the document certifying the legal representation status (**e.g. power of attorney**).
3. If the person receiving care is an adult and not in full use of his/her faculties, it is still possible to provide a **provisional consent**:
  - The spouse or *de facto* partner, relative or kin, in straight line or collateral line, up to the 4<sup>th</sup> degree, must attach to the application form proof of the request submitted to the court for a legal action to obtain consent.
4. The carer must notify the social security services of the court's decision on the legal action to obtain consent, within 10 working days from the date of receipt of the court notification.

## **B2 – Necessary conditions for the recognition of the informal carer status**

### **Necessary conditions for the recognition of the informal carer status**

#### **General conditions for informal carers**

#### **Specific conditions for primary informal carers**

### **Cessation of recognition of the informal carer status**

### **Necessary conditions for the recognition of the informal carer status**

- I. The recognition of the informal carer status depends on the following situations:
  - ✓ In what concerns the applicant, he/she must fulfil the general conditions for the entitlement to the informal carer status; however, if the person concerned is applying for the primary informal carer status, he/she must also fulfil the specific conditions for that purpose.
  - ✓ The person receiving care is required to fulfil certain conditions and give his/her consent - **See glossary**
- II. Only one carer per household can be recognised as an informal carer.
- III. The recognition may be granted to up to three non-primary informal carers per person receiving care.

**Please note:** The recognition of the informal carer status takes effect as of the date on which the application is considered **duly completed** (i.e., the date on which the last document attesting the conditions necessary for the informal carer status recognition is submitted) - **See necessary documents**

### **General conditions for informal carers**

The informal carer must fulfil the following conditions, cumulatively:

- ✓ to be legally resident in the national territory;
- ✓ to be aged 18 or older;
- ✓ to have adequate health conditions to provide care to the person concerned and be available to provide that care;
- ✓ to be spouse or *de facto* partner, relative or kin, in straight line or collateral line, up to the 4<sup>th</sup> degree, of the person receiving care;
- ✓ the informal carer may not have a family relationship with the person receiving care but must be living in the same household with the person concerned, in the case of primary informal carer;
- ✓ parents with shared custody of the person receiving care can both be considered non-primary informal carers;
- ✓ the informal carer cannot be a total invalidity pensioner or an invalidity pensioner under the special invalidity protection scheme<sup>1</sup> and cannot be receiving dependency benefits.

### **Specific conditions for primary informal carers**

In addition to the aforementioned general conditions, the primary informal carer must also fulfil the following conditions, cumulatively:

- ✓ the spouse or *de facto* partner, relative or kin, in straight line or collateral line, up to the 4<sup>th</sup> degree, of the person receiving care, who accompanies and takes care of him/her on a permanent basis, must prove that he/she and the person receiving care have established a relationship of mutual support and sharing of resources, whether or not they have the same tax residence;
- ✓ a person who does not have a family relationship with the person receiving care, but accompanies and takes care of him/her on a permanent basis, must be living in the same household and have the same tax residence as the person receiving care;
- ✓ the care must be provided on a permanent basis, **even if** the person receiving care is attending an educational establishment, special education or non-residential social responses, in situations where the Specific Intervention Plan for the carer (PIE - *Plano de intervenção específico ao cuidador*) determines the need to complement the care provided by the informal carer in this way;
- ✓ the carer cannot be engaged in gainful employment or any other activity incompatible with the provision of permanent care to the person concerned;
- ✓ the carer cannot be holder of unemployment benefits;
- ✓ the carer cannot be receiving remuneration for the care provided to the person concerned.

### **Cessation of recognition of the informal carer status**

The informal carer status ceases to be recognised in the following situations:

- a) Cessation of usual or legal residence in national territory of the carer and/or the person receiving care.
- b) The carer becomes permanently disabled or dependent.
- c) Non-compliance with the informal carer's duties, attested by substantiated information from the social security or health professionals accompanying the carer.
- d) Non-submission of the statement of consent, within 30 days after the communication of the Court's judgment within the scope of the Legal Scheme of Accompanied Adults, where applicable.
- e) Non-submission of information/documents requested by the services.



- f) Cessation of the requirements that led to the recognition of informal carer status.
- g) Withdrawal or death of the carer or of the person receiving care.
- h) End of entitlement to the Primary Informal Carer Allowance.

**Please note:** The informal carer is **required to communicate** to social security, within 10 working days, any change in the circumstances that determined the recognition of the Informal Carer status, namely the previously mentioned situations.

## **C - What are the support measures for informal carers?**

### **Common measures to support the informal carer**

**Qualified professionals - health professionals and social security professionals**  
**Specific Intervention Plan for the Carer (PIE - *Plano de Intervenção Específico ao Cuidador*)**  
**Self-help groups**  
**Training and information**  
**Psychosocial support**  
**Informal carer's rest**  
**Working student status**  
**Recognition, Validation and Certification of Competences**

### **Specific measures to support the non-primary informal carer**

#### **Specific measures to support the primary informal carer**

**Primary Informal Carer Allowance**  
**Registration in the Voluntary Social Insurance Scheme**

#### **Promotion of the carer's integration into the labour market**

### **Common measures to support the informal carer**

- 1. Qualified professionals - health professionals and social security professionals**
  - These qualified professionals are appointed by the competent health and social security services of the residence area of the person receiving care, in accordance with this person's needs. They are responsible for a close follow-up of the situation

and for the mobilisation of the resources available to ensure that the support and services necessary to respond to the needs of the person concerned, in terms of health care and social support, are provided in a tailored and organised way.

- The qualified professional from the health services, within the scope of the Family Health Team, is responsible for:
  - ✓ advising, monitoring, enabling and training the informal carer in order to develop his/her competences in the provision of health care to the person concerned.
- The qualified professional from the social security services is responsible for:
  - ✓ providing information on rights and benefits
  - ✓ the identification of situations requiring further support and referral to social support networks, including support provision in home and community contexts, promoting home care service provision.

**Please note:** The follow-up by health and social security qualified professionals begins with the provisional decision to recognise the Informal Carer status. In this case, the social security qualified professional informs, guides and supports the informal carer in obtaining the documents whose submission has been temporarily waived, in order to complete the process.

**Please note:** In situations where the person receiving care lives in the municipality of Lisbon, the competences of the social security qualified professionals are ensured by professionals of the charitable organisation *Santa Casa da Misericórdia de Lisboa*.

## **2. Specific Intervention Plan for the Carer (PIE - *Plano de Intervenção Específico ao Cuidador*)**

- The Specific Intervention Plan for the Carer (PIE) is a document resulting from the diagnosis of the situation and planning of measures focused on continuity and proximity of care according to the identified health and social security needs.
- The PIE is drawn up jointly by the qualified professional from the health services, and by the qualified professional from the social security services, with the active participation of the informal carer and the person receiving care, or his/her accompanying person or his/her representative, within a maximum of 30 days from the decision granting the informal carer status.
- The PIE includes the assessment of the informal carer's needs, the follow-up, counselling, capacity-building and training strategies that the carer must pursue in

order to meet or minimise the needs arising from the situation of the person receiving care and the resources to be mobilised for support and relief in the provision of care.

- This plan shall include the following information:
  - ✓ The identification of the carer and of the person receiving care;
  - ✓ The diagnosis of the informal carer's needs in line with those of the person receiving care;
  - ✓ Identification of care to be provided by the informal carer, as well as information supporting such care;
  - ✓ Annual rest period of the informal carer, where applicable;
  - ✓ Statement of consent of the person receiving care for accommodation in a social response or unit of the National Network of Integrated Long-term Care (RNCCI - *Rede Nacional de Cuidados Continuados Integrados*) so that the informal carer may rest, where applicable;
  - ✓ Continuous training and capacity-building actions and information that the informal carer should attend or consult;
  - ✓ Access to health and social support measures aimed at the person receiving care, promoting his/her autonomy, participation, life quality and good care, namely those that contribute to improving the life quality of the person concerned;
  - ✓ Assessment of the carer's life quality and burden, where appropriate;
  - ✓ Identification of relevant resources in the community for the situation under assessment;
  - ✓ Identification of qualified professionals of the health and social security services, as well as the way in which they may be contacted swiftly;
  - ✓ Identification of the self-help groups available in the residence area of the carer.
- The Specific Intervention Plan for the Carer (PIE) must be evaluated and reviewed whenever necessary, at least once every six months, considering the changes in the needs of the informal carer or the person receiving care, as well as the available support resources and services.
- The Specific Intervention Plan for the Carer (PIE) may be reviewed at any time, whenever there is a change in the needs associated with the care provision.

### **3. Self-help groups**

- Informal carers have the right to participate in self-help groups, created in the health services responsible for their follow-up, promoted by health professionals with a view to mutual help and sharing of experiences.

These groups are made up of people who are experiencing or have experienced similar situations and/or difficulties and are aimed at minimising their possible isolation.

Self-help groups are aimed to:

- ✓ provide information, support and encouragement;
- ✓ promote self-esteem, trust and emotional stability;
- ✓ foster communication between people and the establishment of positive supportive relationships;
- ✓ minimise isolation by fostering integration into the community.

In order to enable the carer to participate in these self-help groups, and if necessary, the qualified professional from the social security services must provide information about the existing **formal support networks** that are more appropriate to substitute the carer during his/her possible temporary absence.

#### 4. Training and information

- ✓ Health services shall provide the informal carer with specific information appropriate to the needs of the person receiving care and information on how best to provide him/her with the necessary care, in cooperation with social security services, whenever necessary.
- ✓ In situations where the person receiving care resides in a municipality different from the one where the carer is residing, the competent health services of the residence area of the person receiving care are responsible for ensuring the necessary training adequate to the situation.
- ✓ It is up to the health services to define the content and organisation of the training actions and specific information according to the activities to be carried out by the informal carer, identified in the Specific Intervention Plan for the Carer (PIE), in cooperation with the social security services, whenever necessary.

#### 5. Psychosocial support

- The social security and health services, without prejudice to coordination with other social action resources of the community, shall ensure psychosocial support for the informal carer through an organised and coordinated

intervention, with the aim of:

1. Promoting the development of personal and social skills;
2. Promoting the necessary conditions for the provision of care appropriate to the well-being of the person receiving care;
3. Providing information and ensuring referral to responses and services to mitigate and solve complex situations, namely at the level of dependency, mental health, the informal carers' rest need, among others;
4. Promoting the use of resources and social support, the need for which is expressed in the diagnosis of the informal carer's needs.

In the provision of psychosocial support, the principle of minimum intervention must be safeguarded, in the sense that the intervention must be carried out exclusively by entities whose action is essential for the effective promotion of rights and the protection of the person receiving care.

## **6. Informal carer's rest**

The informal carer may benefit from a rest period, according to the assessment carried out in the Specific intervention plan for the carer (PIE), with a view to reducing the carer's physical and emotional burden.

To allow the informal carer's rest, under the conditions to be defined by Ministerial Order, the person receiving care may:

1. Be referred, within the scope of the National Network of Integrated Long-term Care (RNCCI - *Rede Nacional de Cuidados Continuados Integrados*), to a long-term inpatient and maintenance unit, benefiting from a positive differentiation. **See glossary**
2. Be referred, within the scope of the Mental Health National Network of Integrated Long-term Care (*RNCCI de Saúde Mental*) to a residence accommodation unit with maximum support or a residence unit with moderate support, benefiting from a positive differentiation;

**Please note:** the rest measures provided for in paragraphs 1 and 2 are implemented by a qualified health professional.

3. Be referred to and accommodated in social support establishments, namely Residential Structures for Elderly People (ERPI – *Estrutura Residencial para Pessoas Idosas*), Residential Homes or Host Families for elderly people and adults with disabilities, on a periodic and temporary basis;
4. Benefit from home support services (SAD – *Serviços de Apoio Domiciliário*);
5. Benefit from the reserve pool of carers.

**Please note:** the rest measures provided for in paragraphs 3, 4 and 5 are implemented by a qualified social security professional.

The carer's rest must be defined in the Specific Intervention Plan for the Carer (PIE) and must take into account:

- ✓ the will of the informal carer and of the person receiving care;
- ✓ the needs of the carer and of the person receiving care;
- ✓ the labour requirements of the informal carer, where applicable;
- ✓ functional limitations and exhaustion levels of the informal carer, namely through burden assessment;
- ✓ the type of responses of the supporting social network;
- ✓ the proximity to the residence area of the person receiving care.

## **7. Working student status**

Informal carers who do not work but attend education or vocational training are covered by the working student status.

## **8. Recognition, Validation and Certification of Competences**

After the end of care provision, the person who has been recognised as an informal carer and wishes to pursue a professional activity, may be referred to a Qualifying Centre (*Centro Qualifica*) for the purposes of diagnosis and referral to a qualification path, namely within the scope of the recognition, validation and certification of competences (RVCC) at school and professional levels<sup>1</sup>, allowing the skills acquired as a carer to be recognised.

<sup>(1)</sup> Within the scope of the recognition, validation and certification of competences (RVCC) at school and professional levels, all the training actions attended by the informal carer, as well as skills acquired throughout the informal care provision experience, are taken into account.

## **Specific measures to support the non-primary informal carer**

The non-primary informal carer may also be entitled to the following specific measures in addition to the common support measures:

- **Reconciliation between work and the provision of care.**

The **non-primary** informal carer may benefit from:

- ✓ the parental protection scheme<sup>1</sup>
- ✓ the teleworking scheme<sup>2</sup>
- ✓ measures that promote the reconciliation of work and the provision of care, by agreement with the employer or in accordance with the provisions of the applicable collective labour regulation instrument.

Strengthening the labour protection of non-primary informal carers includes, namely, a system of absences, leave and the organisation of working time, in accordance with the terms to be defined in specific legislation.

Non-primary informal carers may also benefit from measures that promote the reconciliation of work and the provision of care, by agreement with the employer or in accordance with the provisions of the applicable collective labour regulation instrument.

In accordance with the Labour Code – Articles 101-A to 101-H – non-primary informal carers are also entitled to:

- An annual leave for the care of the person concerned, of five working days, which must be taken consecutively.
- Part-time work to be taken consecutively or non-consecutively for a maximum period of four years.
- Flexible working hours.
- Authorisation to work part-time or flexitime.
- Protection in the event of dismissal.

**Please note:** Accumulation of schemes - A care worker who has parental rights in relation to the person receiving care cannot accumulate the provisions of articles 33 to 65 of the Labour Code with the aforementioned rights.

### **Notes (1)(2) – in accordance with the Labour Code, as amended**

#### **Specific measures to support the primary informal carer**

The primary informal carer may also be entitled to the following specific measures in addition to the common support measures:

##### **1. Primary Informal Carer Allowance**

**Primary informal carers** who fulfil the following conditions, **cumulatively**, are entitled to the Primary Informal Carer Allowance:

- ✓ They have been formally recognised as primary informal carers

- ✓ They fulfil the means-testing condition for the allowance granting
- ✓ They are not receiving benefits that cannot be accumulated with the allowance - **see section D, pages 24 and 25.**

## 2. Registration in the Voluntary Social Insurance Scheme

The voluntary social insurance scheme is an optional contributory scheme aimed to ensure the right to Social Security for adult national citizens who are considered fit for work and are not covered by any Mandatory Social Protection Scheme, or are covered by social protection schemes not relevant within the scope of the Portuguese Social Security system.

Primary Informal carers are entitled to be registered in/covered by the voluntary social insurance scheme by paying a contribution rate of 21,4%.

Protection under this scheme covers the eventualities of invalidity, old age and death.

**Please note:** For more complete information on this contributory scheme, please consult the respective Practical Guide - Registration, change of elements and end of coverage by the Voluntary Social Insurance Scheme (*Guia Prático - Inscrição, Alteração e Cessação do Seguro Social Voluntário*).

## 3. Promotion of the carer's integration into the labour market

The **primary** informal carer is entitled to support and technical interventions with a view to his/her social and occupational integration and return to the labour market.

The primary informal carer, after the conditions that determined the recognition of the informal carer status have ceased, must be registered at the employment centre in order to be entitled to the following support:

- ✓ Referral to the job offers immediately available, according to the person's profile;
- ✓ Professional guidance to support the management of the carers' professional career, namely, those who want to rethink their professional project, who are interested in creating a business project or who have to make educational and training choices;
- ✓ Geographical mobility supports for candidates who conclude employment contracts or create their own employment and whose workplace involves their geographical mobility;
- ✓ Integration supports within the scope of professional traineeships, appropriate to the basic academic or professional qualification of these candidates, for the development of skills and improvement of the employability profile;



- ✓ Hiring supports within the scope of available measures aimed at stimulating the hiring of these candidates and facilitating their integration into the labour market;
- ✓ Entrepreneurship supports within the scope of available measures, to help the creation of small business projects and the creation of new jobs;
- ✓ Integration supports through the development of socially useful activities that meet temporary social or collective needs with a view to promoting employability;
- ✓ Integration supports aimed at improving the social and occupational skills of these candidates through contact with the labour market, avoiding isolation, demotivation or marginalisation risks.

## C1 – How does the primary informal carer allowance work? How much will I receive and when will I receive it?

### Specific condition for entitlement to the primary informal carer allowance

#### Means-testing

#### Household composition

#### Determination of the reference household income for the primary informal carer allowance granting

#### Household reference income per capita

#### Determination of the primary informal carer income for the calculation of the primary informal carer allowance

#### Allowance amount

#### Primary Informal carer allowance amount

#### Reference value of the primary informal carer allowance

#### Increase in the primary informal carer allowance

### Specific condition for entitlement to the primary informal carer allowance

#### I.

The **means-testing condition (income)** is a precondition for the entitlement to the primary informal carer allowance, according to which the household reference income of the primary informal carer cannot exceed 1,3 times the Social Support Index (IAS - *Indexante dos Apoios Sociais*) value - (€679.25).

**Please note:** The current value of the Social Support Index (IAS) is €522.50 (€522.50 x 1,3 = €679.25).

If the household meets this condition, the primary informal carer can apply for the allowance.

### **Household composition**

- For the determination of the household's reference income, in addition to the informal carer and the person receiving care, the following persons living with them in common economy belong to the same household:
  - ✓ Spouse or *de facto* partner;
  - ✓ Relatives and kin, in straight line or collateral line, up to the 4<sup>th</sup> degree of the person receiving care (e.g. children, grandchildren, great-grandchildren, great-great-grandchildren, siblings, parents, uncles/aunts, grandparents, great-grandparents, great-great-grandparents, great-uncles/aunts or cousins).
- People are considered to live in common economy when they are living in the same household and have established a relationship of mutual support and sharing of resources.
- The common economy situation continues to be considered when the allowance holder or any household member is absent from home for a period equal to or less than 30 days, or for a longer period if the absence is due to health, study, vocational training or employment situations, of temporary nature, even when that absence started before the date of the allowance application submission.
- Persons who are in any of the following situations are not considered as household members:
  - ✓ A person bound by a contractual relationship, such as subletting and lodging that implies common residence or housing;
  - ✓ A person that is living in the same household because he/she is working for a household member;
  - ✓ A person who is staying in the house for a short time;
  - ✓ A person living in the household against his/her will because of physical or psychological coercion or other conduct undermining his/her individual self-determination.

**Please note: Children and young people who are accommodated in Reception Centres are considered separately.**

## **II.**

**For the purposes of calculating the reference income of the informal carer's household, the income of the respective household members is taken into account:**

- Employment income;

**Note 1:** Employment income earned by young student-workers aged up to 27, whose annual amount cannot exceed 14 times the guaranteed minimum monthly wage (RMMG) - Article 6(2)(b) of Decree-Law no. 70/2010.

**Note 2:** Income earned by young people working during school holidays is not taken into account, in accordance with article 83-A et seq. of Law no. 110/2009 of 16 September - Code of Contributory Schemes of the Social Security Welfare System.

- Business and professional income;
- Capital income;
- Property income;
- Pensions;
- Social benefits;
- Housing support on a regular basis.

### III.

#### **Determination of the reference household income for the primary informal carer allowance granting**

##### **Household reference income per capita**

- All the income of the primary informal carer's household members, including the person receiving care, is taken into account.

##### **Note:**

- ✓ The income taken into account refers to the second month prior to the date of the application submission.
  - ✓ Income not taken into account:
    - Income replacement benefits (e.g. unemployment benefits);
    - Income earned by young people working during school holidays is not taken into account, in accordance with article 83-A et seq. of Law no. 110/2009 of 16 September - Code of Contributory Schemes of the Social Security Welfare System;
    - Dependency benefits of the person receiving care
  - ✓ The twelfths of the holiday pay and Christmas bonus are also taken into account.
  - ✓ If the most recent employment income is variable, it is considered the average income earned in the last 3 months.
- The household Income is calculated on the basis of the weighting of each household member according to the following equivalence scale:

| Household members | Weight |
|-------------------|--------|
| Applicant         | 1      |
| Each adult        | 0,7    |
| Each minor        | 0,5    |

The monthly income per household member results from the sum of all monthly incomes of the informal carer's household, divided by the number of household members.

Example: Family with 3 adults and 2 minors with a total monthly income of €1.000,00

|                       |            |
|-----------------------|------------|
| Applicant             | 1          |
| 2 <sup>nd</sup> adult | 0,7        |
| 3 <sup>rd</sup> adult | 0,7        |
| 1 <sup>st</sup> minor | 0,5        |
| 2 <sup>nd</sup> minor | 0,5        |
| <b>Total</b>          | <b>3,4</b> |

- The household's monthly income (€1.000,00) is divided by 3,4.

In this example, the monthly household income, weighted according to the equivalence scale is €294,12 (€1.000,00: 3,4)

As this income is lower than 1,3 times the Social Support Index (IAS) value (€679,25), the primary informal carer can apply for the primary informal carer allowance.

**Please note:** See other examples of the primary informal carer allowance calculation in the frequently asked questions.

#### IV.

### **Determination of the primary informal carer income for the calculation of the primary informal carer allowance**

The following income of the primary informal carer is taken into account for the calculation of the primary informal carer allowance:

1. Business income:
  - Only business income that does not arise from gainful employment is taken into account. Example: Copyright, Energy production.
2. Capital income <sup>(1)</sup>
3. Property income <sup>(2)</sup>
4. Pension income – **See Note**

**Note:** Pension income includes:

- Anticipated old-age pensions;
- Survivor's pensions;
- Temporary or life annuities;
- Benefits from insurance companies or pension funds;
- Maintenance payments.

**Please note: Support under the Child Support Guarantee Fund and others of a similar nature are considered maintenance payments.**

#### **Notes:**

<sup>(1)</sup> If the applicants have movable assets (bank deposits, shares, postal savings certificates or other financial assets), 1/12 of the highest values of the following assets shall be considered as capital income:

- a) The value of capital income earned (interest on bank deposits, stock dividends or income from other financial assets);
- b) 5% of the total value of the movable assets (credits deposited in bank accounts, shares, postal savings certificates or other financial assets).

<sup>(2)</sup> If the applicants are property owners, 1/12 of the total value of the following assets shall be considered as property income:

- a) Permanent residence (only if the permanent residence asset value is higher than 450 times the Social Support Index (IAS) value, i.e., €235.125,00:
  - ✓ 5% of the difference between the permanent residence asset value and €235.125,00 (if the difference is positive)

b) Remaining property, except the permanent residence. The higher value of the ones listed below shall be considered:

- ✓ The amount of rents actually received;
- ✓ 5% of the sum of all the properties asset value (except permanent residence).

## **Allowance amount**

### **Primary informal carer allowance amount**

The primary informal carer allowance amount is equal to the difference between the sum of the primary informal carer's income and the **reference value of the allowance**.

**The reference value of the allowance** is €574,75 [1,1 of the Social Support Index (IAS) value].

**Please note:** The Social Support Index (IAS) value in 2025 is €522,50 (this value is updated periodically by Ministerial Order).

### **Increase in the primary informal carer allowance**

The allowance amount is increased if the informal carer is registered in the voluntary social insurance scheme, and as long as he/she regularly pays the respective social security contributions.

The increase is equal to 50% of the contribution paid by the primary informal carer.

This contribution corresponds to 21,4%<sup>(1)</sup> of the Social Support Index (IAS) value<sup>(2)</sup>.

In 2025, Increase = 50% x [applicable contribution x (1 x IAS)]

$$50\% \times (21,4\% \times \text{€}522,50) = 50\% \times \text{€}111,82 = \text{€}55,91$$

<sup>(1)</sup> In accordance with the Code of Contributory Schemes of the Social Security Welfare System, available at [www.seg-social.pt](http://www.seg-social.pt)

<sup>(2)</sup> The IAS value in 2025 is €522,50

## **C2 – Entitlement period**

### **Reassessment of the allowance granting**

### **Suspension of the allowance payment**

### **Allowance payment resumption**

### **Cessation of the allowance payment**

The primary informal carer allowance is granted as of the month in which the application is considered duly completed, i.e., as of the date on which the last supporting document to assess the qualifying conditions for the allowance granting is submitted to the competent social security services, and **it is granted for as long as the respective qualifying conditions are met.**

### **Reassessment of the allowance granting**

The allowance is reassessed:

- *ex officio* (by the services), 12 months after the date of its granting or of the last reassessment.
- whenever the informal carer communicates to the social security services a change of:
  - ✓ the household composition
  - ✓ the household income
- whenever there is a change in the means-testing condition.

**Please note: the reassessment may result in the change of the allowance amount, or in the respective payment suspension or cessation.**

### **Suspension of the allowance payment**

The primary informal carer allowance payment is suspended when:

- ✓ The informal carer stops providing permanent care to the other person for a period of more than 30 consecutive days.
- ✓ The person who needs care is accommodated in a social response or unit of the National Network of Integrated Long-term Care (RNCCI), or admitted to a hospital for a period of more than 30 consecutive days. **See note.**
- ✓ One of the conditions required for the allowance granting is no longer met.

**Please note: if the person receiving care is a minor and the primary informal carer keeps a permanent follow-up, the allowance payment is not suspended.**

### **Allowance payment resumption**

If the situation that led to the suspension ceases to exist, the allowance payment is resumed in the month following the one in which the social security services are informed about this change of circumstances.

## **Cessation of the allowance payment**

The allowance payment ceases in the following situations:

- ✓ Cessation of usual or legal residence in national territory of the carer and/or the person receiving care
- ✓ The carer and the person receiving care are no longer living in the same household
- ✓ The carer becomes permanently disabled or dependent
- ✓ Withdrawal or death of the carer or of the person receiving care
- ✓ Non-compliance with the informal carer's duties, attested by substantiated information from the social security or health professionals accompanying the carer
- ✓ Cessation of the conditions that led to the recognition of informal carer status
- ✓ The informal carer begins to receive a benefit that cannot be accumulated with the allowance
- ✓ Suspension of the allowance payment for more than 6 months.

**Please note:** The end of the allowance payment implies a reassessment of the conditions for the informal carer status recognition, changing the type of informal carer status from primary to non-primary.

## **D – How does this benefit relate to other benefits that I already receive or may receive in the future?**

**The primary informal carer allowance cannot be accumulated with ...**

**The primary informal carer allowance can be accumulated with...**

**The primary informal carer allowance cannot be accumulated with...**

**The primary informal carer allowance cannot be accumulated with the following benefits:**

- ✓ Scholarship
- ✓ Long-term Care Supplement
- ✓ Solidarity Supplement for the Elderly
- ✓ Total invalidity pension or invalidity pension from the special invalidity protection scheme
- ✓ Orphan's pension



- ✓ Old-age pension, **with the exception of anticipated old-age pensions**, provided that the person concerned fulfils the conditions described in the next section, cumulatively.
- ✓ Invalidity social pension, special scheme
- ✓ Old-age social pension
- ✓ Pensions due to occupational diseases associated with total permanent incapacity for any and all work
- ✓ Dependency benefits
- ✓ Unemployment benefits from the welfare system/solidarity subsystem
- ✓ Social Integration Income (RSI)
- ✓ Sickness benefit
- ✓ Special education allowance
- ✓ Childcare allowance
- ✓ Allowance for care provided by a third party
- ✓ Activity cessation allowance

**The primary informal carer allowance can be accumulated with:**

- Family benefit for children and young people
- Prenatal family benefit
- Disability bonus
- Occupational disease benefits
- Relative invalidity pension, **if the person concerned is below the legal age for the old-age pension granting**
- Survivor's Pension
- **Anticipated** old-age pension, provided that the person concerned fulfils the following conditions, cumulatively:
  - The informal carer must demonstrate/prove that, on the date of the pension application submission or up to 12 months after that date, he/she was living in the same household with the person receiving care, holder of the 2<sup>nd</sup> degree long-term care supplement or the allowance for care provided by a third party, or the 1<sup>st</sup> degree long-term care supplement, **or**
  - In case the person receiving care is holder of the 1<sup>st</sup> degree long-term care supplement, he/she must be bedridden or in need of permanent care on a

temporary basis or for a long period of time and this situation must be certified by the disability assessment service of the Social Security Institute.

- The reduction in the pension amount, for the purposes of applying the sustainability factor or the reduction factor, is higher than 20%.
  - Widow's/Widower's pension
  - Social Inclusion Benefit (PSI)
  - Reimbursement of funeral expenses
  - Funeral grant
  - Death grant
  - Parental allowances from the welfare system/solidarity subsystem

## **E - How can I apply? E1 - What forms and documents do I have to submit?**

### **Where to submit the application**

#### **Application for the Recognition of the Informal Carer Status and application for the Primary Informal Carer Allowance**

##### **Forms**

##### **Necessary documents**

###### **Applicant and person receiving care**

###### **Applicant**

##### **In the case of application for the Primary Informal Carer Allowance**

###### **Person receiving care**

###### **Person providing consent**

### **Where to submit the application**

#### **Application for the Recognition of the Informal Carer Status and application for the Primary Informal Carer Allowance**

- These applications must be submitted to the social security services, preferably via the Social Security Online Service (*Segurança Social Direta*), at [www.seg-social.pt](http://www.seg-social.pt).

- In the **Família** (Family) menu, click on **Estatuto do cuidador informal** (Informal carer status).
- Click on **Pedir novo estatuto do cuidador informal** (New application for the informal carer status) and follow the steps.
- You can check what documents you need in order to apply for the informal carer status.
- To proceed with the application, you must accept the conditions shown at the bottom of the page and click on **Autorizo e Certifico** (I Authorise and Certify).

**Please note:** At the top of the page, in the **Ajuda** (Help) tab, you will find questions and answers on how to apply for the informal carer status.

- The applications can also be sent by post, together with the documents indicated therein, to the address of the Social Security District Centre of your residence area.

## Forms

- CI 1/2025 – *Requerimento - Reconhecimento do Estatuto do Cuidador Informal* (Application - Recognition of the Informal Carer Status).
- CI 1/1/2025 – *Requerimento - Reconhecimento do Estatuto do Cuidador Informal - folha de continuação* (Application - Recognition of the Informal Carer Status - continuation sheet).
- CI 2/2025 – *Requerimento – Subsídio de Apoio ao Cuidador Principal* (Application - Primary Informal Carer Allowance).
- CI 2/1/2025 – *Requerimento - Subsídio de Apoio ao Cuidador Principal - folha de continuação* (Application - Primary Informal Carer Allowance - continuation sheet).
- CI 17/2025 – *Declaração Médica* (Medical Statement)
- CI 12/2025 – *Declaração Consentimento de Reconhecimento do Cuidador Informal* (Statement - Consent to the Recognition of the Informal Carer Status).
- CI 13/2025 – *Declaração Composição e Rendimento do Agregado Familiar* (Statement - Household Composition and Income).

## Necessary documents

- I. **Applicant and person receiving care** - in the case of application for recognition of the informal carer status

- Valid ID document (citizen card/identity card or passport);
- Document attesting legal residence in Portugal. **See note**
- Sworn statement by the carer stating that he/she has adequate physical and psychological conditions to provide care to the person concerned;
- Form RV 1017-DGSS – *Identificação de pessoas singulares abrangidas pelo Sistema de proteção social de cidadania* (Identification of natural persons covered by the citizenship social protection system) if the person concerned is not registered in the social security system, attaching the supporting documents requested therein.

**Note:**

**EU citizens:**

- EU citizen registration certificate issued by the municipal council of the place of residence, if the person concerned is a foreign citizen from one of the states referred to in <sup>(1)</sup>

**Foreign citizens not belonging to one of the states referred to in <sup>(1)</sup>:**

- Temporary stay visa, a residence visa, a temporary residence permit or a permanent residence permit, provided that they are staying or residing in national territory under one of the abovementioned permits for at least one year.

**Refugees:**

- Proof of refugee status.

**<sup>(1)</sup> Citizens of the European Union, European Economic Area and third countries that have an agreement on the free movement of persons within the European Union.**

## **II. Applicant**

### **In the case of application for the Primary Informal Carer Allowance**

- Taxpayer card;
- If you want to receive the allowance by bank transfer, see Section **F1 – Allowance payment**

## **III. Person receiving care**

- Valid ID document (citizen card/identity card or passport);
- Document attesting legal residence in Portugal. **See note**
- Statement of consent;
- Statement of the person receiving care confirming that he/she has a relationship of mutual support and sharing of resources with the carer, where applicable;
- Statement of the person receiving care confirming that he/she is living in the same household with the carer, where applicable;

Form RV 1017-DGSS – *Identificação de pessoas singulares abrangidas pelo Sistema de proteção social de cidadania* (Identification of natural persons covered by the citizenship social protection system) if the person concerned is not registered in the social security system, attaching the supporting documents requested therein.

- Document attesting that the person concerned receives dependency benefits from another authority;
- Application forms RP 5027-DGSS and RP 5036-DGSS, if the person receiving care is not holder of the Long-term care supplement or the Allowance for care provided by a third party, respectively.

#### **IV. Person providing consent**

The person giving consent must submit one of the following documents, depending on the situation:

- Statement - Consent to the Recognition of the Informal Carer Status
  - This statement of consent is signed by the person receiving care, provided that he/she is an adult, and must be accompanied by a medical statement attesting that the person receiving care is in full use of his/her intellectual faculties. This document may also be signed by a legal representative on his/her behalf
- Proof of the Court's judgment appointing the accompanying person, within the scope of the Legal Scheme for Accompanied Adults.
- Document attesting the legal representation.
- Proof of the application submitted to the Court, within the scope of the Legal Scheme for Accompanied Adults, in what concerns the person receiving care.
- Form RV 1017-DGSS – *Identificação de pessoas singulares abrangidas pelo Sistema de proteção social de cidadania* (Identification of natural persons covered by the citizenship social protection system) if the person concerned is not registered in the social security system, attaching the supporting documents requested therein.
- Statement of the person receiving care confirming that he/she has a relationship of mutual support and sharing of resources with the person that is taking care of him/her on a permanent basis, in case the carer is the spouse or *de facto* partner, relative or kin, in straight line or collateral line, up to the 4<sup>th</sup> degree and whether or not they have the same tax residence.
- Statement of the person receiving care confirming that he/she has a relationship of

mutual support and sharing of resources with the person that is taking care of him/her on a permanent basis and that they both have the same tax residence, in case the primary carer has no family relationship with the person receiving care.

- In situations where the consent is given on a provisional basis, the applicant must submit proof of the request made to the court to take legal action to obtain consent.

#### **PLEASE NOTE:**

#### **The beneficiaries must have their address updated in the social security system**

If you do not yet have a citizen card, to change your address you should use:

- preferably, the Social Security Online Service (*Segurança Social Direta*), at [www.seg-social.pt](http://www.seg-social.pt)
- **Or** submit form MG 2 – *Requerimento de Alteração de Dados* (Application - Change of personal details), which is available at any Social Security Customer Information Service or on the Internet, at [www.seg-social.pt](http://www.seg-social.pt). In the **Acessos Rápidos** (Quick Access) menu, click on **Formulários** (Forms) and in the field **Pesquisar por palavra-chave** (Keyword Search) insert the form number or name.

**Please note:** Beneficiaries holding a Citizen Card must change their address online by accessing the Citizen Portal at <https://www.portaldocidadao.pt/>. In order to do this, they must register in advance. This service allows any person of legal age to simultaneously and online notify the entities with whom they wish to update their address. They can also do this in person, at one of the customer information service network counters (Citizen Bureaus and other entities that issue the Citizen Card).

#### **F – When will I receive a reply?**

The competent social security services must give you a reply within 20 days as of the date on which the application is considered duly completed (accompanied by the necessary documents).

1. If any of the document(s) needed to prove the general requirements relating to the informal carer was(were) not submitted with the application, as well as evidence of the requirements relating to the person receiving care, the Social Security will notify the person concerned to submit the missing documents within 10 working days. Failure to do so will automatically result in the rejection of the application for recognition of informal carer status.
2. In situations where the application for recognition of the informal carer status is accompanied by a request for certification that the person receiving care is holder of the 1<sup>st</sup> degree long-term care supplement and is temporarily bedridden or in need of permanent

care, the application will only be considered duly completed on the date of submission of a statement issued by the user's family doctor or medical assistant.

3. In situations where there is need of permanent care due to a dependency situation, as provided for in the previous paragraph, and the person receiving care is not holder of the 1<sup>st</sup> degree long-term care supplement, the application will only be considered to have been duly completed as of the date of submission of a certificate issued by the disability assessment services (SVI) of the Social Security Institute (ISS, I.P.).

### **Provisional recognition of the Informal Carer Status**

The informal carer status can be provisionally recognised when the application is submitted with the following documents:

- a) Citizen card, identity card or passport;
- b) Document attesting legal residence in Portugal, when applicable;
- c) Sworn statement by the carer stating that he/she has adequate physical and psychological conditions to provide care to the person concerned

### **AND**

Provided that, on the date of the application submission, the applicant declares that he/she fulfils the conditions for the Informal Carer status recognition and undertakes to submit the following documents within 90 days:

- i. Consent from the person receiving care, stating unequivocally (clearly) that he/she wants the applicant to be recognised as his/her informal carer.

This consent is submitted to the Social Security Institute (ISS, I. P.) services, by means of a statement signed by the person receiving care, provided that he/she is an adult, and must be accompanied by a medical statement attesting that the person receiving care is in full use of his/her intellectual faculties. This document may also be signed by a legal representative on his/her behalf.

- ii. Proof of the application submitted to the Public Prosecutor's Office or to the Court, within the scope of the Legal Scheme for Accompanied Adults, where applicable.
- iii. Statement of the person receiving care confirming that he/she has a relationship of mutual support and sharing of resources with the person that is taking care of him/her on a permanent basis, in case the carer is the spouse or *de facto* partner, relative or kin, in straight line or collateral line, up to the 4<sup>th</sup> degree and whether or not they have the same tax residence.
- iv. Statement of the person receiving care confirming that he/she is living in the same household with the carer, in case the primary carer has no family relationship with the person receiving care.

**Please note:** the application will not be provisionally recognised, i.e., will be rejected without further consideration, if the applicant does not commit to submit the aforementioned documents within 90 days.

Upon the recognition of the informal carer status, an identification card is issued by the Social Security Institute (ISS, I.P.), which the informal carer must submit whenever required.

## F1 – Allowance payment

The payment of the Primary Informal Carer Allowance can be made by:

- bank transfer, or
- mail (postal order)

**Payment by bank transfer is faster and safer.**

**How to register or change your IBAN (International Bank Account Number) in the Social Security Information system:**

### 1. Through the Social Security Online Service (*Segurança Social Direta*)

- Access the Social Security portal on the Internet at [www.seg-social.pt](http://www.seg-social.pt);
- Click on **Segurança Social Direta** (Social Security Online Service);
- Insert your **NISS** (Social Security Identification Number) and **Password**;
- In the **Perfil** (Profile) menu, click on **Conta bancária** (Bank account) > **consultar e alterar conta bancária** (Consult and change bank account) > **Alterar conta bancária** (Change bank account).
- Insert your **IBAN** and click on **Próximo: Dados do Banco** (Next: Bank details);
- Select the bank statement with the IBAN, which must include the name of the applicant or beneficiary as the account holder and click on **Próximo: Registar conta** (Next: Register account).
- Confirm your details and click on **Registar conta bancária** (Register bank account);

The IBAN must be validated by the Social Security services. When confirmed, a message is sent to the Social Security Online Service **message box** of the applicant or beneficiary.

### 2. At the Social Security customer information services

In order to register or change your IBAN in the Social Security information system, you must submit form **MG 14 – Requerimento de Registo ou Alteração de IBAN** (Application for IBAN Registration or Change), which is available for printing on the



Social Security website, in the **Formulários** (Forms) tab, and attach a copy of the document attesting the IBAN, which must include the name of the applicant or beneficiary as the account holder.

The IBAN must be validated by the Social Security services. When confirmed, a message is sent to Social Security Online Service **message box** of the applicant or beneficiary.

### **How to open a Minimum Banking Services account**

If you still do not have a current account, you may open a minimum banking services account at any bank.

The annual cost is less than 1% of the national minimum wage.

To find out if you meet the necessary criteria and to obtain more information, please visit the website [www.clientebancario.bportugal.pt](http://www.clientebancario.bportugal.pt) or go to one of the Social Security Customer Information Services.

### **Payment by mail (postal order)**

Postal orders may be withdrawn at the Portuguese postal services (CTT) or deposited in banks. They may also be endorsed (passed or transmitted), and there can only be one endorsement on each postal order issued.

## **G – What are the informal carer's duties?**

### **Primary Informal Carer Allowance holders**

#### **Duties of the primary informal carer with regard to the person receiving care**

### **Primary Informal Carer Allowance holders**

- The primary informal carer allowance holder must notify the social security services of situations that lead to the suspension or termination of the allowance, within 10 working days of the date on which they occur, namely:
  - ✓ Change of residence;
  - ✓ Change of household composition;
  - ✓ Change of income;
  - ✓ Beginning of professional activity;
  - ✓ Inability to provide care to the person receiving care;
  - ✓ Withdrawal or death of the carer or of the person receiving care;
  - ✓ Accommodation of the person receiving care in a public or private social or

healthcare facility.

### **Duties of the primary informal carer with regard to the person receiving care**

1 - With regard to the person receiving care, the informal carer must:

- a) Attend to and respect his/her interests and rights;
- b) Provide support and care to the person concerned, in coordination with and under the guidance of health professionals, and request social support whenever necessary;
- c) Ensure the necessary support for the overall well-being of the person receiving care;
- d) Contribute to the improvement of the quality of life of the person receiving care, intervening in the development of his/her maximum functional capacity and aiming at his/her autonomy;
- e) Promote the satisfaction of the basic and instrumental needs of daily life, including ensuring compliance with the therapeutic scheme prescribed by the health team that accompanies the person receiving care;
- f) Develop strategies to promote the autonomy and independence of the person receiving care, as well as foster communication and socialisation, in order to maintain the person receiving care interested in various subjects;
- g) Strengthen the family relationships with the person receiving care;
- h) Promote a safe, comfortable and peaceful environment by encouraging daily rest periods for the person receiving care, as well as leisure time;
- i) Ensure the hygiene conditions of the person receiving care, including housing hygiene;
- j) Ensure adequate nutrition and hydration to the person receiving care.

2 - In addition to the duties listed above, the informal carer must also:

- a) Communicate to the health team any changes in the state of health of the person receiving care, as well as any needs that, if satisfied, would contribute to improving his/her quality of life and recovering his/her state of health;
- b) Participate in the training and capacity-building activities assigned to him/her;
- c) Inform the competent social security services within 10 working days of any change in the circumstances that led to the recognition referred to in article 4 of Law no. 100/2019 of 6 September;
- d) Collaborate whenever inspections are carried out by the Social Security Institute (ISS, I.P.).

## **G1 – Cessation of recognition of the informal carer status**

- The informal carer status ceases to be recognised in the following situations:
  - ✓ Cessation of usual or legal residence in national territory of the carer and/or the person receiving care
  - ✓ The carer becomes permanently disabled or dependent
  - ✓ Non-compliance with the informal carer's duties, attested by substantiated information from the social security or health professionals accompanying the carer
  - ✓ Non-submission of the statement of consent, within 30 days after the communication of the Court's judgment within the scope of the Legal Scheme of Accompanied Adults, where applicable
  - ✓ Subsequent non-fulfilment or cessation of the requirements that led to the recognition of the status of informal carer
  - ✓ Withdrawal or death of the carer or of the person receiving care
  - ✓ The carer and the person receiving care no longer live in the same household, in the case of a primary informal carer

Once the informal carer status has ceased, the identification card issued to the informal carer is automatically cancelled by the social security services.

## **H – Applicable legislation**

### **Ministerial Order no. 6-B/2025/1 of 6 January**

Updates the Social Support Index (IAS) value to €522,50 in 2025.

### **Ministerial Order no. 372-B/2024/1 of 31 December**

Annual update of pensions and other social security benefits.

### **Ministerial Order no. 291/2024/1 of 12 November**

First amendment to Ministerial Order no. 100/2022 of 22 February, establishing the Primary Informal Carer Allowance amount and the informal carer's household reference income at 1,1 times the Social Support Index (IAS) value, as of January 2025.

### **Regulatory Decree no. 5/2024 of 6 November**

Amends the Regulatory Decree no. 1/2022, of 10 January, which establishes the terms and conditions for the recognition of the informal carer status, as well as the support measures for informal carers and the persons receiving care.

**Decree-Law no. 86/2024 of 6 November**

Second amendment to Law no. 100/2019 of 6 September, which approves the Informal Carer Status.

**Ministerial Order no. 283/2024/1 of 30 October**

Extends the deadline provided for in article 1 of Ministerial Order no. 127/2024/1 of 1 April, until 31 December 2024.

**Law no. 20/2024 of 8 February**

Amends the Informal Carer Status Scheme, approved in annex to Law no. 100/2019 of 6 September.

**Ministerial Order no. 335-A/2023 of 3 November**

Defines and establishes the terms and conditions for the informal carer's rest and approves the seventh amendment to Ministerial Order no. 196-A/2015, of 1 July, in its current wording.

**Law no. 13/2023 of 3 April**

Amends the Labour Code and related legislation as part of the decent work agenda

**Ministerial Order no. 100/2022 of 22 February**

Establishes the Primary Informal Carer Allowance amount and the household reference income of the informal carer.

**Regulatory Decree no. 1/2022 of 10 January**

Establishes the terms and conditions for the recognition of the informal carer status, as well as the measures to support informal carers and the persons receiving care.

**Law no. 100/2019 of 6 September**

Approves the Informal Carer Status.

## I – Glossary

### ***Persons treated as residents***

#### ***The following persons are treated as residents:***

- Refugees or stateless persons with a valid temporary protection permit;
- Foreign citizens with a valid stay permit or respective renewal.

### ***Person receiving care***

A person who is holder of the 2<sup>nd</sup> degree long-term care supplement or the allowance for care provided by a third party, or the 1<sup>st</sup> degree long-term care supplement, provided that he/she is temporarily bedridden or in need of permanent care.

### ***Social Support Networks***

Set of human resources and institutional services that represent the totality of the relationships that the person receiving care has at his/her disposal and that can provide support in home and community contexts.

### ***Means-testing condition***

The means-testing condition is the limit on the income and assets value of the applicant and his/her household members, taken into account for the granting of a social security benefit or social support according to the legislation.

### ***Positive Differentiation***

Adjustment of the monthly payments within the scope of the informal carer's rest, according to income and other factors, in particular family, social, employment and demographic factors.

## Frequently Asked Questions

### **1 - WHO IS CONSIDERED AN INFORMAL CARER?**

The informal carer may be the spouse or *de facto* partner (situation similar to marriage), a relative or kin, in straight line or collateral line, up to the 4<sup>th</sup> degree, of the person receiving care (including: parents, stepparents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, siblings, nephews, uncles/aunts, great-uncles/great-aunts and cousins).

The informal carer may not have a family relationship with the person receiving care but must be living in the same household with the person concerned. Informal carers may also be parents with shared custody of the person receiving care.

The law establishes two types of informal carers: the primary and non-primary informal carer.

The difference between one and the other lies in whether the care is provided on a permanent basis or not.

In the case of a primary informal carer, he/she must fulfil the following conditions, cumulatively: he/she must be taking care of the other person on a permanent basis; he/she cannot be employed; he/she cannot be carrying out an activity that is incompatible with the care provision, even if it is without remuneration (e.g. volunteering); he/she cannot be receiving a remuneration for the care provided to the person concerned and he/she must be living in the same household with him/her.

In the case of a non-primary informal carer, he/she does not provide the care on a permanent basis, he/she can be employed and does not need to live in the same household with the person receiving care.

If the primary informal carer is unemployed and receiving unemployment benefits, he/she shall be treated as a non-primary informal carer.

## **2 - WHO IS THE PERSON RECEIVING CARE?**

The person receiving care is someone who is in a dependency situation, needs to be cared for by another person and does not have autonomy for 'the acts indispensable to the satisfaction of basic needs of daily life', including eating, locomotion and hygiene care.

He/she must also be holder of a dependency benefit (the 2<sup>nd</sup> degree long-term care supplement or the allowance for care provided by a third party, or the 1<sup>st</sup> degree long-term care supplement, provided he/she is temporarily bedridden or in need of permanent care).

## **3 - HOW TO APPLY FOR THE RECOGNITION OF THE INFORMAL CARER STATUS?**

The application for the recognition of the informal carer status may be submitted via the Social Security Online Service (*Segurança Social Direta*) or at any Social Security customer information service.

The recognition of the informal carer status is the responsibility of the Social Security Institute.

Whenever the specific intervention of the municipality or entities from other sectors is necessary, namely justice, education, employment and vocational training and security forces, it is the duty of these entities to collaborate with the informal carer and the person receiving care, providing them with all the appropriate information and support.

#### **4 - WHAT SUPPORT IS AVAILABLE FOR THE INFORMAL CARER?**

Informal carers - both primary and non-primary - can take a very active part in the decisions and medical follow-up of the person receiving care and can, among other things, help define intervention plans or receive specific training.

They may also benefit from psychosocial support, home support and accommodation in units of the National Network of Integrated Long-term Care and in mental health facilities, at a lower cost, as well as support for their integration into the labour market after the care provided to the person concerned ends.

At the tax level, in addition to the benefits provided for by law, the benefits differ depending on the type of carer.

In the case of primary informal carers, they may also be entitled to a “support allowance”, which takes into account their household resources, composition and income.

This allowance can be increased if the primary informal carer is registered in/covered by the voluntary social insurance scheme.

This voluntary social insurance scheme is aimed to complement or start a contributory career that ensures social security protection in the contingencies of occupational diseases, maternity, invalidity pension, old-age pension and death benefits.

#### **5 - WHAT ARE THE INFORMAL CARER’S RIGHTS?**

In addition to the previously mentioned support, the informal carer has the right to be formally recognised for the performance of his/her duties, as well as to receive training for the development of his/her capabilities, benefit from psychological support from the health services whenever necessary, and benefit from rest periods aimed at his/her well-being and emotional balance.

The non-primary informal carer has the right to be able to “balance the provision of care and professional life”, to work remotely and to receive parental benefits, in accordance with the Labour Code.

#### **6 - WHAT ARE THE INFORMAL CARER’S DUTIES?**

The main duty of the informal carer is to provide all the necessary support to the person receiving care, including ensuring adequate nutrition as well as personal and household hygiene care, ensuring compliance with treatments, promoting a safe, comfortable and peaceful environment and leisure periods.

It is also the carer's responsibility to inform the doctors of any changes in the health status of the person receiving care and to inform Social Security of any change in the situation that led to the informal carer status recognition.

## **7 - WHAT IS INFORMED CONSENT?**

Informed consent is the informed authorisation given by the person receiving care in the application for the recognition of the informal carer status.

Consent means that there is an agreement/approval from the person receiving care.

Informed means that the person receiving care, who gives the consent, understands the situation and wants that person to be his/her informal carer.

This must be a free act, i.e. without adversities, manipulation or coercion.

## **8 - WHO CAN GIVE AN INFORMED CONSENT?**

According to the general law, informed consent can be given by those who are capable of doing it, such as adults without definitive or temporary cognitive disorders (at the level of knowledge/understanding/comprehension).

In the case of incapacitated persons, the consent must be given by their legal representatives.

## **9 - CAN THE CONSENT BE REVOKED?**

Yes, the consent can be revoked at any time.

## **10 – What is a legal action to obtain consent?**

A legal action to obtain consent is one of the forms of special procedures provided for by law, regulated in articles 1000 to 1005 of the Code of Civil Procedure (*Código de Processo Civil - CPC*). This legal action is aimed to supply the consent necessary for the performance of a given act, when it has been refused or could not be given by a person who would have been entitled to do so.

If the reason for the legal action is the **incapacity**, absence of the person receiving care, or this person requires an accompanying person, the respective legal representative, attorney or guardian, closest relative or accompanying person and the Public Prosecutor's Office are summoned; If there is more than one relative in the same degree, the one considered most suitable is summoned.



In this type of consent procedures, it is up to the court to decide what is the fairest and most convenient solution for the specific case, taking into account the elements presented by the parties.

## **11 - WHAT IS THE LEGAL SCHEME OF ACCOMPANIED ADULTS?**

Any adult can choose in advance the person accompanying him/her and this will must be respected.

The Legal Scheme of Accompanied Adults, approved by Law no. 49/2018, of 14 August (*Lei nº 49/2018, de 14 de agosto*) allows any person who, for reasons of health, disability or behaviour, is unable to exercise his/her rights personally, fully and consciously, or to fulfil his/her duties, to apply to the court for the necessary accompanying measures. It also allows this person to choose who he/she wants to be his/her accompanying person (person or persons responsible for assisting or representing him/her in making decisions of a personal or property nature).

Accompanying measures may also be requested by the public prosecutor's office, the spouse, the *de facto* partner or any relative of the person in need of such measures.

The purpose of accompanying the adult is to ensure his/her well-being, recovery, the full exercise of all his/her rights and the fulfilment of his/her duties, except where otherwise provided by law or by judgment.

The aim of special procedure for accompanying adults is to limit the measures to what is strictly necessary, privileging the autonomy of the persons with reduced capacity.

## **12 - WHAT IS THE INFORMAL CARER'S REST?**

The "carer's rest" is defined as the set of interventions that provide periods of relief or effective rest for carers, temporarily freeing them from the care provision activities. Its aim is to reduce the burden or amount of care they provide and enable them to restore their energy, deal with personal and/or health issues, etc.

## **13 - CAN I BE RECOGNISED AS A PRIMARY INFORMAL CARER, EVEN WHEN I BENEFIT FROM DOMESTIC SERVICES OR HOME SUPPORT SERVICES?**

Yes, you can. If you meet the entitlement conditions, you can apply for the recognition of the Informal Carer Status, even if you benefit from domestic services or home support services.

## **14 - CAN I BE THE PRIMARY INFORMAL CARER OF TWO PERSONS? IF YES, CAN I SUBMIT ONLY ONE APPLICATION?**

Yes, you can. The legislation does not define a maximum limit of persons per carer. In this case, the carer must live in the same household with the two persons receiving care and fulfil the other legal conditions.

Since the application only makes it possible to identify one person receiving care, in this case, you must complete also the *Folha de Continuação – Modelo CI 1/1/2025 Requerimento – Reconhecimento do Estatuto do Cuidador Informal (folha de continuação)* [Form CI 1/1/2025 Application - Recognition of the Informal Carer Status (Continuation Sheet)].

**15 - CAN I BE THE NON-PRIMARY INFORMAL CARER OF TWO PERSONS? IF YES, CAN I SUBMIT ONLY ONE APPLICATION?**

Yes, you can.

Since the application only makes it possible to identify one person receiving care, you must complete also the *Folha de Continuação – Modelo CI 1/1/2025 Requerimento – Reconhecimento do Estatuto do Cuidador Informal (folha de continuação)* [Form CI 1/1/2025 Application - Recognition of the Informal Carer Status (Continuation Sheet)].

**16 - I AM CONSIDERED A DEPENDENT PERSON IN ACCORDANCE WITH THE REQUIREMENTS REFERRED TO IN THE LAW, BUT I ONLY HAVE A MULTIPURPOSE MEDICAL CERTIFICATE. CAN I HAVE A DULY RECOGNISED PRIMARY AND/OR NON-PRIMARY INFORMAL CARER?**

If you are a dependent person and need regular and/or permanent care from another person, this person may be recognised as your informal carer, provided that you benefit from one of the dependency benefits provided for by law.

To this end, together with the application for the recognition of the informal carer status, you must submit the application for the long-term care supplement or for the allowance for care provided by a third party.

**17 - I NEED PERMANENT CARE ON A TEMPORARY BASIS. CAN I HAVE A DULY RECOGNISED PRIMARY AND/OR NON-PRIMARY INFORMAL CARER?**

Yes, you can. If you are holder of the 1<sup>st</sup> degree long-term care supplement and you are temporarily bedridden or in need of permanent care, you must submit a statement issued by your family doctor or medical assistant – *Modelo CI 17/2025 – Declaração Médica* (Form CI 17/2025 – Medical Statement) attesting this temporary situation.

**18 - I AM AN ASYLUM SEEKER. CAN I BE RECOGNISED AS AN INFORMAL CARER?**

Law no. 27/2008 of 30 June - the Asylum Law - defines an **asylum seeker** as a foreign national or a stateless person who has applied for international protection but **does not yet have a final decision on that application**.

Applicants for international protection shall be allowed to remain on national territory until a decision on the admissibility of the application has been taken, and **such stay shall not constitute a right to the issue of a residence permit**.

If, in addition to the other conditions provided for by law, these citizens are entitled to a valid residence permit or refugee status issued by the Portuguese authorities, they may apply for the recognition of the informal carer status.

#### **19 - IS THE INFORMAL CARER STATUS RENEWABLE?**

The informal carer status is not renewable. It is maintained for as long as the conditions that led to its recognition remain in place. Once it ceases, a new application must be submitted.

#### **20 - TO BE ENTITLED TO THE PRIMARY INFORMAL CARER ALLOWANCE, DOES THE HOUSEHOLD REFERENCE INCOME TO BE TAKEN INTO ACCOUNT INCLUDE THE INCOME TAX VALUE?**

Yes, because the law states that the income taken into account is the gross income, i.e. before tax.

The household reference income of the primary informal carer cannot be equal to or higher than 1,3 times the social support index (IAS - *Indexante dos Apoios Sociais*) value, i.e. €679,25.

#### **21 - IS THERE A PREDEFINED PERIOD FOR THE REST OF THE PRIMARY INFORMAL CARER?**

The informal carer may benefit from a rest period, which is defined within the scope of the Specific intervention plan for the carer (PIE), with a view to reducing the carer's physical and emotional burden.

#### **22 - IS THE NON-PRIMARY INFORMAL CARER ALSO ENTITLED TO A REST PERIOD?**

Yes, on the same terms as for the primary informal carer.

### **Examples of the Primary Informal Carer Allowance calculation**

#### **Calculation of the Primary Informal Carer Allowance:**

##### **Step 1**

The informal carer's household income must be lower than 1,3 times the Social Support Index (IAS) value - the household's reference income (which is calculated by applying the equivalence scale applicable to the household).

This reference income cannot be equal to or higher than 1,3 times the Social Support Index (IAS) value (€522,50 in 2025)  $1,3 \times €522,50 = €679,25$ .

## Step 2

Once the reference income has been verified and if it does not exceed 1,3 times the Social Support Index (IAS) value, the primary informal carer can apply for the support allowance.

At this stage, the income of the primary informal carer is taken into account, with the exception of the social integration income, the social inclusion benefit and respective supplement. The amount of the dependency benefit of the person receiving care is also taken into account in this calculation.

Allowance = €574,75 - (€€ carer + €€ person receiving care)

### 1<sup>st</sup> example:

Household with 3 members

Leonor (carer) – rent from a shop – €150,00

Rafael (person receiving care - minor child) - 1<sup>st</sup> degree long-term care supplement - €127,63.

Alberto (husband) - work income - €1.100,00

① Verification of the household's means-testing condition (the household income cannot exceed €679,25)

Means-testing - household income calculation =  $(€1.100,00 + €150,00) / (1 + 0,5 + 0,7) = €568,18$

As €568,18 is less than €679,25, the primary informal carer is entitled to the allowance.

② Calculation of the allowance amount

$€574,75 - (€150,00 + €127,63) = €297,12$

**Please note:** The fact that the carer earns an income does not in itself prevent her from being entitled to the allowance

### 2<sup>nd</sup> example:

Household with 4 members

Simone (carer) – without income

Two persons receiving care:

- Pedro (adult child) – holder of the Social Inclusion Benefit in the amount of €316,33 and the 1<sup>st</sup> degree long-term care supplement in the amount of €127,63.
- Ana (adult child) – holder of the Social Inclusion Benefit in the amount of €316,33 and the allowance for care provided by a third party in the amount of €122,90.

João (husband) – work income - €1.600,00

① Verification of the household's means-testing condition (the household income cannot exceed €679,25)

Means-testing - household income calculation =  $€1.600,00 / (1+0,7+0,7+0,7) = €516,13$

As €516,13 is less than €679,25, the primary informal carer is entitled to the allowance.

② Calculation of the allowance amount

$€574,75 - (€0 + €122,90) = €451,85$ .

Please note: the Social Inclusion Benefit has no impact on the Primary Informal Carer Allowance granting