

**Question for written answer E-8775/2010
to the Commission**

Rule 117

Konrad Szymański (ECR)

Subject: Discrimination against Polish immigrants in Ireland

A large number of Polish citizens who have been living in the Republic of Ireland for over two years are being denied access to the social benefits and services to which they are entitled because they allegedly fail to meet the 'habitual resident' requirement.

Under Section 246 of the Social Welfare Consolidation Act 2005, a 'habitual resident' is someone who has been present in Ireland for a continuous period of two years. However, proof of habitual residence depends on individual circumstances, with civil servants taking the final decision. There is no precise definition of 'habitual residence' in Irish law.

For over a year now, Irish civil servants have been denying Polish immigrants access to the benefits and services to which they are entitled, arguing that they do not meet the 'habitual resident' requirement. Appeals lodged with the Social Welfare Appeals Office have proved equally fruitless. This issue is increasing in scope, and the Commission therefore needs to be made aware of it.

What steps will the Commission take to ensure equal treatment for Polish citizens in gaining access to social benefits and services in the Republic of Ireland?