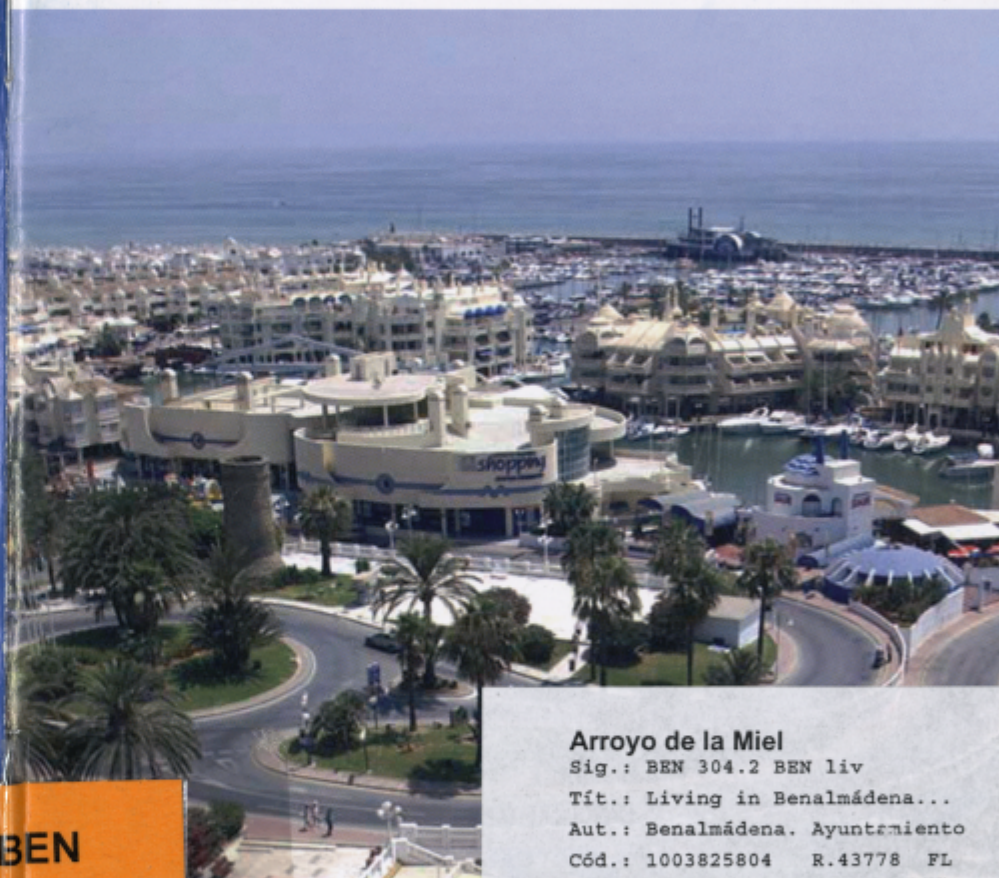




EXCMO. AYUNTAMIENTO DE BENALMÁDENA
Departamento de Extranjeros

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EXCMO. AYUNTAMIENTO DE BENALMÁDENA
Departamento de Extranjeros

Living in Benalmádena.....



The Presentation of the Guide for Foreign Residents

Leaving your country in order to settle down in a different country or spend long periods abroad is not an easy decision, however every year thousands of foreigners choose Benalmadena as a place to live. As well as a wonderful climate, excellent communications, and proximity of the airport and AVE train station, our town has other special qualities.

There is no other Town Hall in Andalusia, which committed itself to providing its town with the best possible standard of health services on offer. And, when foreigners decide to leave their countries, the health facilities are one of the most important aspects to consider.

This guide has been put together in order to help the integration of people like you, who have decided to live in our town. In it you will find a summary of the most important matters that could be difficult for you when you settle in our country such as, the purchase of a house, the census register, the taxes, the health services, the educational system, and so on.

This local Government is aware of the important role of foreigners' communities, living in our town. For this reason one of our priorities is to help you feel like at home.

Welcome to Benalmadena

Enrique Moya Barrionuevo
The Mayor of Benalmadena



the President of the Guide for Foreign Residents

leaving your country in order to settle down in a different country or spending periods abroad is not an easy decision, however, every year thousands of foreigners choose Benin because of a place to live. As well as a wonderful climate, excellent community and diversity of the airport and AVE train station, but there are other special qualities.

There is no other town like it in Benin, which is committed to providing its town with the best possible standard of health services on offer. And when foreigners decide to leave their country, the health facilities are one of the most important aspects to consider.

The guide has been put together in order to help the integration of people like you who have decided to live in our town. If you will find a summary of the most important matters that could be difficult for you when you settle in our country such as the purchase of a house, the census register, the taxes, the health services, the educational system, and so on.

The local Government is aware of the important role of foreigners in our town. For this reason one of our priorities is to help you feel like at home.

Welcome to Benin!


President of the Guide for Foreign Residents



Dear Foreign Resident,

It is a great pleasure to introduce myself as the Councillor for Foreign Residents. From this department we want to attend all your requests in order to help your integration in this municipality.

Please be advised that the location of the Foreign Residents Department is on the ground floor of the old building in Benalmadena Pueblo Town Hall. There you will find a person ready to assist you as an interpreter within the Town Hall in all the formalities you could require.

We would also like you to know that to facilitate the integration of senior citizens within our community an interpreter will be in the Hogar del Jubilado (Pensioners' House) in the Mezquita Square one day a week from 11:30 till 14:30 p.m.

In conclusion, we are entirely at your disposal if you need any information or help please do not hesitate to contact us.

Yours sincerely

Mª del Carmen Romero Porras
The Councillor for Foreign Resident



Dear Foreign Resident,

It is a great pleasure to introduce myself as the Counsellor for Foreign Residents from this department. We want to attend to your requests in order to help your integration in this municipality.

Please be advised that the location of the Foreign Residents Department is on the ground floor of the old building in Benito Juárez. There you will find a person ready to assist you as an interpreter within the town hall in all the formalities you could require.

We would also like you to know that to facilitate the integration of senior citizens within our community an interpreter will be in the Hogar del Jubilado (Pensioners' House) in the Masadita square one day a week from 11:30 to 14:30 p.m.

In conclusion, we are entirely at your disposal if you need any information or help please do not hesitate to contact us.

Yours sincerely,

M. del Carmen Gómez-Fernández
Counsellor for Foreign Residents

Buying a property.....

Foreign Residents Department, Benalmadena Town Hall

Living in Benalmadena.....

1. Planning Department of the Town Hall

2. Property Registry in Arroyo de la Miel

3. Tax Office in Benalmadena Pueblo

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Buying a property.....

In order to avoid problems, it is very important before buying any property (house, land, business), to verify its existing planning approval and to establish if there are any outstanding debts.

The property should be free of debts. If there are outstanding bills, the owner should pay them before selling or deduct them from the sale price.

To fully guarantee your purchase, you should consult the following offices for information:

1. Planning Department of the Town Hall
2. Property Registry in Arroyo de la Miel
3. Tax Office in Benalmadena Pueblo
4. Community of Owners (if the property is part of a community)

Yourself, or your representative can request this information. The following is an explanation of the requirements of each of these departments:

1) TOWN PLANING DEPARTMENT (URBANISMO)

(Town Hall, 1st floor, Mondays to Fridays from 9:00 to 14:00; TEL. 952 579 876)

Before buying a house or land, it is essential to consult with the Town Planning Department about the planning approvals of the property. This will avoid problems such as: being a house under construction and later being fined for not having a Building Licence, no electricity connected to the house, no connection to the municipal water system, etc.

To obtain precise information, it is preferable to take a plan, photographs of the area and of the house and the name of the owner or builder

2) PROPERTY REGISTRY (REGISTRO DE LA PROPIEDAD)

(Av. Ciudad de Melilla, 17. Benalmadena, Tel. 952 444 446)

This office will inform you of the name of the owner and if the property has an embargo, mortgage or outstanding debts. You must apply for Nota Simple to check that the property is free of charges. For this you need to indicate the complete address of the house or the name of the owner if it refers to land.

3) BENALMADENA TAX OFFICE (OFICINA DE RECAUDACIÓN)

(Arroyo de la Miel, Paseo del Generalife, Tel. 952 576 558
Benalmadena Pueblo, Town may, Tel. 952 579 809 / 836)

This office will inform you if there are any outstanding municipal debts such as IBI, Plusvalia etc. Before buying, you should confirm that there are no outstanding debts, as the debts go against the property and not against the previous owner. If debts are not paid within a determined period, you could receive notice of an embargo.

4) COMMUNITY OF OWNERS

If the building belongs to a community, you should find out who is the Administrator of the Community and verify that the house, apartment, business premises, garage or land does not have any outstanding debts.

Property purchase check-list.....

From "You and the Law in Spain," by David Searl

1. Advice from a Spanish lawyer or property consultant.
2. The seller's *escritura pública*, or title deeds, as registered in the *Registro de la Propiedad*.
3. A *nota simple* from the Property Registry, showing that no mortgages are registered against the property.
4. *Referencia Catastral*. The number itself appears on the IBI receipt, but you want the full certification document, the *Certificado Catastral*, that describes the property in detail.
5. A check on legality and *Plan Parcial* if you buy in an urbanisation, an assurance of a building permit if you buy a plot.
6. A paid-up receipt for the IBI or the *Declaración de obra nueva*.
7. Receipt for paid-up community charges and copy of the status if you buy in a condominium.
8. Copies of owner's bills for electricity, water, rubbish collection and even the telephone.
9. A contract in Spanish, and a translation into your own language, with terms you understand.
10. A decision about your form of payment, whether in euros or other currency, and be sure to insist on declaring the full amount.
11. An *escritura de compraventa* signed before *Notario*.
12. Payment of fees and taxes, and the 3 per cent deposit to *Hacienda* if you buy from a non-resident, using form 211.
13. An idea of how and when you get your final *escritura pública*, which makes you the real owner.

Drawing up the title deed (*escritura*).....

The title deed is a document that you sign when buying a property. It is formalised in front of a Notary and the purchaser and the seller should be present to sign the terms of the purchase. If you cannot be present, another person can represent you with a notarial power of attorney in Spanish.

In order for a title deed to have complete validity it must be registered in the Property Registry in Benalmadena, which is a public body where all purchases / sales are registered in this area. It is not sufficient to simply sign the deed; it is essential to register it to the Land Registry.

After the signing of the title deed, the Notary will supply you with a *Copia Simple*, a provisional copy of the deed. You will receive the formal deeds later once it has been inscribed in the Property Registry.

Purchase expenses.....

Apart from the price of the property, you will pay approximately an additional 10% for the following purchase expenses.

1. NOTARY EXPENSES

These expenses depend on the selling price that appears in the title deed. The Notary expenses are paid according to the agreement between purchaser and seller; however, it is the custom that the purchaser pays all the expenses.

2. PROPERTY REGISTRY FEE

This is charged when your *escritura* is taken to the property registry and registered under your name.

3. TRANSFER TAX

This ITP, the *Impuesto sobre Transmisiones Patrimoniales*, the property transfer tax. If you buy a new property from a developer, it will be IVA, Spanish for VAT. Both are charged at 7 per cent of the declared price.

4. PLUSVALIA

This is a municipal tax based on an officially assessed increase in the value of the land since its last transfer. This tax can be very little on transfers of small apartments or it can be quite a lot if you buy an old villa on a large plot of land, which has not changed hands for 15 years and so has increased greatly in value. Do not confuse this tax with seller's capital gains tax, which is from *Hacienda*, not from the municipality.

After purchasing a property.....

After completing your purchase, it is essential to change the seller's name to your name on all of the following receipts:

1. Land Value Tax
2. IBI Property Rates
3. Water
4. Electricity
5. Community of Owners (if the property belongs to a community)

In order to effect the change of name, you must present your new title deed in the following offices:

1. LAND VALUE TAX (PLUSVALIA)

Benalmadena Town Hall

(Rentas Department, Monday to Friday from 9:00 to 14:00)

2. IBI PROPERTY RATES

Benalmadena Town Hall

(Tax Office, Monday to Friday from 9:00 to 14:00)

3. WATER

Company Emabesa Explanada del Tivoli.

4. ELECTRICITY

Company Endesa C/ Moscatel 35 Arroyo de la Miel

5. COMMUNITY OF OWNERS

If your property is part of a community, you should find out who is the Administrator in order to notify the change of name.

Selling the property.....

Sellers of Spanish property should be aware that they are subject to Spanish capital gains tax on the profits from their sale, whether they are residents or non-residents.

Furthermore, a sale of Spanish property attracts transfer costs that can be as much as 20 per cent of price, in addition to the capital gains tax. In some areas, real estate agents charge commissions of 10 per cent, although the Spanish estate agents' association recommends 3 per cent.

The good news for non-residents is they now pay capital gain tax at a flat rate of 18 per cent on their profit from the sale instead of 35 per cent formerly charged. The bad news for residents is that they now pay the same 18 per cent, up from the previous 15 per cent. The Spanish Tax Agency requires that a buyer from a non-resident withhold 3 per cent of price and pay it directly to the Tax Agency. The seller never sees it.

Residents' tax is calculated as part of their income tax, paid the year after sale. Residents are not subject to the withholding of 3 per cent. You may be exempt from capital gains in two cases:

1. You are 65 years old or more, a resident, and you have lived in your home for minimum of three years.
2. You are resident and you use the full purchase price to buy another principal residence in Spain.

Property seller's checklist

From "You and the Law in Spain, by David Searl"

1. Real Estate Agent.
2. Advice from a Spanish lawyer or property consultant.
3. The sales contract.
4. In order to know exactly how much *Hacienda* thinks your property is worth, you can find out by asking at regional *Oficina Liquidadora*.
5. You need to assemble the following documents or Sellers' Pack:
 - *Escritura Pública*, which shows that you are the registered owner.
 - Your paid-up receipt for IBI
 - The Catastral Reference number
 - Most recent Income Tax Declaration
 - Last bill for the community charge
 - Copies of your bills for rubbish, water electricity and even telephone are necessary parts of your sale presentation.

Once you have assembled all this paperwork, it would be a good idea to prepare a folder with photocopies of each relevant document, so that you or your lawyer or you estate agent will be prepared to answer any question that a prospective buyer can have.

Building your own house

The first thing you need, is to get a building permit from the Town Planning Department situated on the second floor of the Town Hall of Benalmadena. The permit is called *Licencia de obra* or *Permiso de obra*.

You should check with the *Catastro* as well as the Property Registry (Av. Ciudad de Melilla 17 Benalmadena, Tel. 952 44 44 46).

Before you can register your new house for real estate taxes, you must make a *Declaración de la Obra Nueva*, a declaration of new work, in order to have the structure appear on your *escritura*. So far your deed mentions only the piece of land, not the house you have just built.

Census register

The census shows the number of inhabitants in the municipality and is of great importance, since the financial contributions from the central and regional government to the Town Hall are based on the number of registered inhabitants in the town. These funds are to provide the following services: local police, doctors, schools, cleaning, lighting, infrastructure etc. Therefore, the more registered inhabitants, the more money will be granted to the Town Hall for these services.

If you live in Benalmadena continuously, or for minimum of six months, you should register on the Census. You do not need a Residence Card, a passport is sufficient.

You can apply for a certificate to:

- Buy a car in Spain
- Be a member of Pensioners' Centre
- Have a pensioner discount on the Benalmadena Urban Bus.
- Vote in the local and European elections and stand as candidate in these elections, according to International Treaties.

To register on the Census, you just have to present yourself at the Town Hall with your passport, residence card or certificate of residence and one of the following documents:

- Title deed
- Rental contract

Inclusion in the Census Registry has NO relation to the payment of local or public treasury taxes.

How to register in Benalmadena.....

1. Fill application forms supplied.
2. Photocopy of identity cards of the members of your family.
3. Photocopy of your passport or residence permit.
4. Documents of your residence:
 - renting: photocopy of the contract
 - properties: photocopy of the title deed
(where the address and the owner's name is written).

Taxes

General taxes for foreigners.....

Wealth Tax ends, 2008 is the last year that any property owner will have to pay this tax.

Non-residents property owners will be among the biggest beneficiaries of the tax cut. This is because residents in Spain had large exemption on the value of their homes, but non-resident owners had to pay the tax from the first euro of valuation.

Generally, a foreigner must pay two basic taxes when owning a property or living in Spain.

These taxes are:

1. Property-owners' imputed income tax
2. Annual real estate tax

Apart from these taxes, which are those normally paid by all foreigners, there are other Town Hall taxes that are paid in specific cases and are explained as follows.

Municipal taxes and fees.....

IMPUESTO SOBRE BIENES INMUEBLES - PROPERTY TAX - IBI

This tax is based on the *Valor Catastral* - the assessed value for tax purposes of the property. When you buy a property in Benalmadena, come to the Town Hall as soon as you have your deeds (*escritura*) registered at the Property Registry. Change the name from the previous owner to yours on all your Town Hall bills.

In the case of a new property, you will receive the bill for the IBI after a few years. The initial bill, however, will include the changes for the previous years without any surcharge.

SUBSIDY FOR EXEMPLARY CITIZENSHIP

To obtain the subsidy for exemplary citizenship it is necessary to fulfill two requirements:

1. To be registered before the 1st of January of the year that one tries to subsidize.
2. Not to have any debts with the Town Hall at the beginning of May of the year that is tried to subsidize.

In case of being a holder of several IBI this subsidy will be applied only to one IBI, that of major amount.

BASURA Y RESIDUOS SÓLIDOS - RUBBISH AND SOLID RESIDUES

The amount of this fee varies according to the type of dwelling.

The taxes paid once a year are the following:

One-family isolated housings - 135,23 €

Attached housings - 90,15 €

The rest of housings - 45,08 €

AGUA - WATER

EMABESA is the municipal water company and it is located in explanada Tivoli, Arroyo de la Miel. The water meters are read every three months. Four bills are issued every year. The amount you have to pay per cubic metre depends on your quarterly consumption. The more you use the more it costs per meter. A new water contract has to be signed when a property changes ownership.

IMPUESTO SOBRE VEHÍCULOS DE TRACCION MECANICA - ROAD TAX

If you have a Spanish registered vehicle, you will pay municipal road tax every year. The amount depends on the size of the engine of the vehicle, calculated as the fiscal horsepower. The Malaga Traffic Headquarters send a yearly list of the registered owners of vehicle. The Town Hall issues the tax bills based on this register. Because of this, it is very important that, when you buy or sell a vehicle, you carry out all the correct procedures of registration or de-registration with the Malaga Traffic Headquarters. If this is not properly done, they will continue to send the Town Hall the Road Tax in your name and you are legally liable for it.

PLUSVALIA - LAND VALUE TAX

The Land Value Tax is paid every time a property changes owner by means of sale-purchase, inheritance or donation. The Land Value Tax is paid only once. You will also pay *Plusvalia* when, in a marriage, one of spouses passes away. If the property is in joint names, the remaining spouse will have to make a new title deed to transfer the half of the property that belonged to the deceased spouse to the remaining spouse and pay the *Plusvalia* for this inherited half. The amount of the *Plusvalia* depends on the rateable value of the property and the number of years elapsed since the last sale. The more years have passed the greater the amount to be paid.

CAR ENTRANCE

Those who have a garage or an entrance that allows access of a vehicle to a house or building must pay this tax. Every garage entrance should have Keep Clear (*Vado Permanente*) sign so that no one parks in front. In the case of a vehicle blocking the entrance, you can advise the local tow truck organisation to remove it.

Payment of the town hall taxes.

There are two ways to make the payments.

1. Direct debit at the bank:

In order to have all your taxes paid directly into your bank account you must sign the corresponding standing order, indicating the reference for each one of them. For your convenience, we suggest that you arrange a direct debit at your bank for payments of municipal taxes, and the bank will take care of the payments on the date they are due. This will avoid unnecessary surcharges for late payment.

The standing order will come into effect the same year it is submitted or sent to the Town Hall, provided it has been submitted 1 months before the beginning of the voluntary period of payment of the corresponding tax. The standing order will never have retroactive effects nor be applied to the payment of debts of previous years.

Receipt by direct debit will be charged into your bank account at the beginning of the voluntary payment period. All the bills paid by standing order have a discount of 5%.

2. Municipal Tax Office (*Oficina de Recaudación*)

If you do not have your payment on direct debit, the Tax Office will send you a notice when each bill is due, indicating the date for payment. You must take the notice to your bank and pay it.

If due to loss or misdirection, you do not receive this notice, this does not serve as an excuse for non-payment.

You should collect the notice at the Tax Office and take it to the bank for payment within the allotted payment period. Taxes not paid within the allotted time period will carry a surcharge, and after a determined time the Tax Office will embargo your bank accounts and ultimately the property.

Building licences

For whatever work you are going to do, whether inside or outside, you must apply for a Building Licence.

Before starting any works you must apply for a Building Licence in the Planning Department (*Urbanismo*), indicating the total cost of the works. Also, include the date of completion of the works.

CLASSES OF WORK AND REQUISITES

Alterations to an existing building are considered minor works. These works do not require plans and once the licence has been paid and issued, you can start the work.

The addition of an extension or the erection of a new property is considered as major works.

These works require plans that have been passed and stamped by the Board of Architects. The fees of an architect to produce these plans are in the range of 10 % of value of the works and do not include the rate for the Building Licence, which is paid separately.

CONCESION OF THE BUILDING LICENCE

The Town Hall grants the Building Licence only if the works to be carried out comply with the planning rules. If during the construction you wish to do works that have not been applied for, you should request an extension of the Building Licence. A technician from the Town Hall will inspect the works when they are finished. If the actual works exceed those applied for, you will have to pay the difference and a fine.

Tax advantages for residents

Foreigners often think that taking out an official residence permit in Spain will cost them money and expose them to Spanish taxes which non-residents can avoid. The truth is often the reverse. The resident property owner has a number of tax advantages over the non-resident.

1. If you are a resident and more than 65 years of age, and you have lived in your home for three years, you will not be subject to Spanish capital gains tax when you sell it, no matter how great your profit.

2. If you are a resident and you sell your property, you are not subject to having 3 per cent of the total purchase price withheld and deposited with Spain's Tax Agency as a guarantee against your tax liability. Also you do not pay your capital gains tax until the following year. A non-resident must declare in 30 days.

3. If you are a resident and you bequeath, your home to a spouse or child who is also a resident, you can probably avoid Spanish inheritance tax on 95 per cent of the valuation. The condition is that you have owned and lived in your home for a minimum of three years. The inheritor must be a resident and must undertake not to sell the property for 10 years, while continuing to be a resident. Top limit on the 95 per cent reduction is 120,000 €. In Andalusia, recent changes make the first 175,000 € exempt if you meet the conditions above. Over that, you must pay.

4. Spanish property owner's imputed income tax does not apply to the owner's principal residence.

5. If you really live most of the year in Spain, you are violating the law if you do not obtain a residence card. The law says that your tourist stay, even as a European Union Citizen, is limited to 180 days per year. You can be fined 300 € if you over-stay this limit.

Certificate of residence

Starting from 2007, EU citizens who intend to stay or reside in Spain for more than 3 months have to register on the Central Register for Foreigners (*Registro Central de Extranjeros*). If you have a valid Residence Card, you do not need to get a Certificate until your Residence Card expires. The Certificate of Residence is a green form stating your full name, address, nationality, NIE as well as your date of registration. You have to apply for this certificate at National Police Station (*Comisaría*).

Only citizens of European Union are entitled to the Certificate of Registration. This includes citizens of the European Economic Area and Switzerland. All others must apply for cards as before.

This certificate does not constitute an official means of identification.

Work permit

European Union National

EU citizens do not have to apply for Work Permit. You can go directly to *INEM Instituto Nacional de Empleo* and register yourself as an unemployed.

Non-EU Countries

You may not work in Spain without a Work Permit. You apply for it at the *Subdelegación del Gobierno en Málaga* (Plaza de la Aduana s/n. Tel. 952 21 51 33 / 64)

There are two classifications of Work Permits:

1. Employee (*Cuenta Ajena*) working as an employee with a contract.
2. Self Employed (*Autónomo*) working in your own business.

Starting a business.....

1. Open a bank account.
2. Make contact with a good *Gestoría* to advise you on all bureaucratic procedures.
3. Consult a lawyer to make sure you understand your contracts. A good adviser will save you time, trouble and money.
4. Apply for your Opening Licence (*Licencia de Apertura*) in the Town Hall in Benalmadena Pueblo on the first floor.
5. You need to acquire your Social Security Card.
6. You need to register yourself as a business person or professional for the IAE- *Impuesto Sobre Actividades Económicas*.

NIE number

(Foreigner identification number).....

Both residents and non-residents need an NIE. This is the *Número de Identificación de Extranjero*, the tax identification reference number which identifies the holder to the Spanish Tax Agency and in just about every transaction involving money, such as purchase or rent a house, buy a car, take out insurance, apply for a bank loan or mortgage or apply for residence-work permit.

If you are non-resident who owns property or intends to buy property, you need an NIE.

Spaniards also have tax identification number, but this is called *NIF*, el *Número de Identificación Fiscal*. They are exactly the same things, so you enter you NIE where it says NIF on forms in Spanish. You can apply for the NIE number at the National Police in Torremolinos (c/ Skál, 12. Tel 952 38 99 99)

Vehicles - driving in Spain.....

FOREIGN RESIDENTS

An official foreign resident may not operate a vehicle on foreign plates or on tourist registration, whether you are EU or non-EU citizen. You must have full Spanish registration on your vehicle.

An EU citizen who is resident in Spain may continue to use his home country driving licence. If so, he must obtain the same medical certificate that Spaniards obtain periodically, to renew their licences. The EU citizen can also exchange his EU driving licence for a Spanish one. Non EU citizens must take the Spanish driving exam to obtain a Spanish licence when they become official residents.

EU CITIZEN- NON RESIDENT

If you are a EU citizen non-resident in Spain, but want to keep a car here you have two options:

1. A non - resident can keep a car on foreign registration permanently in Spain as long as he does not actually operate the vehicle for more than six months in any calendar year.
2. A non - resident can purchase a car on normal Spanish plates. He must produce a title deed (*escritura*) for his property, a one-year rental contract, or a certificate of registration (*empadronamiento*) from the Town Hall.

The non-resident may use either of the cars mentioned above using his valid foreign driving licence, as long as he does not spend more than six months per year in Spain. If he owns a car on Spanish registration, he must carry a valid International Driving Licence issued in home country as well as his own foreign licence.

NON-EU, NON RESIDENTS

The non - EU resident who wants to keep a car in Spain can choose options one or two above, but he may also purchase and operate a completely tax free car on Spanish tourist plates, paying neither 16% IVA nor 12% special registration fee.

In principal the tourist, registration is valid for only six months, but a non-EU foreigner can apply to have the registration extended to 12 months of each year. He can then use his car whenever he wants, as long as he does not exceed the six-month limit in any year. The six months may not be continuous. The period can be broken into several visits.

COMPULSORY DOCUMENTATION TO CARRY IN THE CAR

Up to date Technical Inspection Card (*I.T.V.*)

Circulation Permit (*Permiso de Circulación*)

Car Insurance paid up to date (*Seguro de vehículos*)

Valid Drivers Licence (*Carnet de Conducir*)

Last receipt of paid road tax (*Último recibo de impuesto de circulación*)

In order to be valid, photocopies of these documents must be stamped (*compulsado*) by the Traffic Department. Otherwise, the originals must be carried and shown to the police.

In addition to these documents, the car must carry two red triangles and a reflective vest, which the driver must wear if he gets out of the stopped vehicle at night or in poor visibility.

TRAFFIC DEPARTMENT (*TRÁFICO*) IN MÁLAGA

C/ Max Estrella nº 12, Málaga

When you sell your old car, or even if you give it to another person, make sure that you execute the correct transfer of ownership papers with *Trafico* in Málaga. Even if you junk the car and it is off the road, be sure to obtain the *baja*, or de-registration certificate, from Málaga traffic department. This means you no longer can be charged for road tax or traffic fines. Without the *baja* or the *transferencia* document, you will be held responsible.

MOT (ITV) TECHNICAL INSPECTION OF VEHICLES

All vehicles must periodically pass the MOT (ITV), Technical Inspection of Vehicles. You cannot buy, sell or insure a vehicle that does not have a current MOT.

For the inspection of the vehicle, you must present the car documentation, consisting of in two documents: *Tarjeta de Inspección Técnica* and *Permiso de Circulación*.

WHAT TO DO IF YOU HAVE SOLD THE VEHICLE AND STILL RECEIVE THE ROAD TAX DEMAND

If you have sold your vehicle and still receive the tax demand, this means that the transfer was never completed. Therefore, you are still registered as the owner of the car and are responsible for whatever expenses the vehicle may incur, i.e. accidents, fines, taxes etc.

It is essential to have the purchase contract that you signed at the time of the sale, or a certificate from the scrap yard indicating that the car has been taken out of circulation because it is not roadworthy.

To resolve the problem of receiving tax demands, for a car that you no longer own, you must present to *Trafico* the original and a copy of the following documents:

- Purchase contract or contract for scrapping.
- Residents card or passport of purchaser
- Road Tax receipt for the current year

Education.....

The Spanish system authorises three types of educational establishments. There are public schools, private schools partially funded by the State (*centros concertados*) and fully private schools. The State guarantees a place in Public Education at any level.

OBLIGATORY EDUCATION

Primary education (6 to 11 years)

Secondary education (12 to 15 years)

NON- OBLIGATORY EDUCATION

Kindergarten (3 to 5 years)

Baccalaureate (16 to 18 years)

Trade schools: middle grade (16 to 17 years)

Superior grade (17 to 18 years)

Art schools

University

STEPS TO FOLLOW FOR SCHOOL REGISTRATION

Application period: from 1st to 31st of March at the school nearest the family home. Once the school has been selected, the parent should obtain the application forms and complete them accompanied by the following documentation: *Certificado de empadronamiento* - this is obtained at the Town Hall and shows that the family is registered in Benalmadena, passports, vaccination certificate, previous year tax declaration.

In case there are not sufficient places to meet the demand, the Matriculation Commission will establish a system of points rating each applicant in the following areas: proximity of residence, brothers or sisters already attending the school, family income, disability of a student or a parent, chronic illness or an unusually large family.

Before 12th of April, a list of applicants and the points assigned to them will be posted on the notice board of each school. If a parent feels his/her child's rating is incorrect, they can present an appeal within 10 working days. The final list of admissions will be posted on the notice board of each school before May 7.

The children in kindergarten, primary and secondary school must fill in the registration form and do the matriculation every year. For kindergartens, primary education and special education, this is from June 1st to June 8th. For obligatory secondary education, this is from July 1st to July 10th.

OTHER SERVICES OFFERED BY SCHOOLS

- Out-of-school activities: formative and cultural activities organized in schools in the evenings (English, computer science, dance, sport, etc.).
- Dining room: Possibility that the children have lunch in schools.
- Morning classroom: There is the possibility that children can enter a school at 7:30 a.m. when the parents are working at this time. Until 9:00, the children have other types of activities with monitors. All these services must be requested at the moment of registration. They are subsidized by the Regional Government of Andalusia by means of scholarship and the Income Tax Declaration of the previous year is important to the qualification. The person who does not have this declaration can present a sworn statement of income.

OBLIGATORY SECONDARY EDUCATION (ESO)

There are two cycles of two year each. Cycle 1 – Years one and two, at 12 to 14 years. Cycle 2 – Years three and four at 14 to 16 years. At the end of the Obligatory Secondary Education cycle, there are two possibilities for the students.

1. If he has not earned the Graduate Certificate, he receives a school report showing the years he has attended and the grades received. This report will be accompanied by an orientation towards his academic and occupational future.
2. If he has successfully completed his academic work, he receives the title of Secondary Education Graduate and he may go on to Baccalaureate, Middle Grade Trade School (*Formación Profesional*) or seek employment.

BACCALAUREATE

This is the final stage of Secondary Education. It is optional. It consists of two academic years, usually between the age of 16 and 18 years. The purpose of this stage is: general education, leading to greater intellectual and personal maturity. After earning the baccalaureate title a student may go on to Upper Level courses in some trades and skills, University studies, Artistic Studies.

TRADE SCHOOLS (*FORMACIÓN PROFESIONAL*)

This is the teaching body, which officially qualifies students to carry out the trades and skills. Students can enter the State trade school system if they hold a graduate certificate from Secondary Education or by specific examination if they attended Obligatory Secondary Examination but have not earned a certificate of Graduate.

There are two levels: Middle Level and Upper Grade Cycle Courses. The study units are combined with practical work experience.

Spanish social security

The Spanish Social Security system covers all the people who live and work in Spain and who pay into the system. This covers nationals and foreigners alike. Protection extends to the family of the insured person. The Spanish Social Security has two schemes:

- General scheme, for the employed worker. The employer pays the largest part of the contribution and the employee has a smaller part deducted from his monthly pay.
- Self-employed, or *autónomo*, scheme. The worker, who is self-employed, pays the total amount of the contribution. He can choose a maximum or a minimum amount to pay each month, which will affect his eventual pension amount.

ENTITLEMENT TO FREE HEALTHCARE

Before moving to Spain, you should make sure you apply for the new European Health Insurance card (EHIC), which replaces the old E111. UK nationals can obtain these at the Post Office.

An EHIC will cover you only for emergency healthcare treatment in Spain. It is really for tourists, but will ensure that you do not end up having to pay for treatment during your first few weeks or months here. It will not cover you for most types of non-urgent treatment such as treatment for ongoing conditions, full maternity care or vaccinations and you should not rely on it if you are living permanently in Spain.

RETIRED FOREIGN RESIDENTS

If you live more than six months in Spain you must apply for the Social Security Card, which will give you the right to medical services and appropriate medicines. If you are retired and entitled to Social Security medical care in your home country, you obtain Form E-121 before you leave your home country. With this form you go to the Spanish Social Security when you take up residence here and obtain a normal Spanish Social Security card, entitling you to free medical care and medicines.

HEALTH SERVICES

For the residents of Benalmadena, medical care starts at one of the three medical centres in Benalmadena Pueblo, Arroyo de la Miel or Torrequebrada. These centres offer a wide general medical service for most eventualities as well as nursing services. Prescribed medicines are free for old-age pensioners who qualify. The SAS pays 40% of the cost for non-pensioners who are working in Spain.

Your first step to getting the best service from the Spanish Social Security is to know the general practitioner assigned to you, known as your *médico de cabecera*. He/she is your family doctor and will oversee any continuing treatment you have and refer you for tests and specialist treatment. There is a service of voluntary interpreters Monday to Friday in the morning. If you do not have a general doctor assigned, call or visit the nearest center in order to get one. The new, modern hospital of Benalmadena has 24 hours emergency service.

061 FAST EMERGENCY SERVICE

This telephone number reaches not only ambulance services but also a mobile intensive care unit manned by a doctor, a nurse and a medical technician.

112 FOR ALL EMERGENCIES

This is a central call base for any emergency. Trained operators at the centre take the information and decide on the appropriate response. 902 505 061 is the central number for all medical emergencies.

Birth in Benalmadena

The birth of a child on Spanish soil must be registered with the Benalmadena Civil Registry, located in Benalmadena Pueblo. This registration will allow you to make a report to your own national Consulate, which will issue the certificate of birth of a citizen abroad, so you will have two certificates, the Spanish one and the one from your own nation.

When you register the birth of your child, you will come in contact with the peculiarly Spanish practice of using two last names. The Spanish rule is that the last name of the father comes first, followed by the last name of the mother.

Marriage in Benalmadena

You can be married in Spain as long as one of the parties is an official resident. The procedure for a civil wedding requires a lot of paperwork and you must allow at least two months for the formalities after you have your documents in order.

To present the documentation in the Civil Registry, a couple have to come accompanied by a person who could attest that the projected marriage does not incur legal prohibitions. They have to come with ID card, residence card or passport.

They must have:

1. Passport and photocopy.
2. Birth Certificate.
3. Certificate of residence in the last two years or census register.
4. Certificate of marital status.

All the documents must be legalized and translated.
Place of presentation: Civil Registry of Benalmadena.
Avda. Juan Luis Peralta n.º 39, Telf. 952 56 84 52

Funerals and burials.....

The death of a family member is a difficult time for all of us and especially in another country where the community support system is not so closely known as it might be in your country. Only advanced preparation and knowing what to do when the times comes can make this difficult situation a little easier for the survivors.

We recommend you:

- Talk with a few Spanish funeral directors. Find out what services they provide. Compare prices. Ask about burial insurance. Spanish funeral directors, like those in all countries, try to provide a very comprehensive service.
- Choose a cemetery or make sure you understand the legal formalities and other arrangements necessary for having the body or the ashes, shipped back to your country.

Spanish wills and inheritance tax.....

You should make a Spanish will disposing of your Spanish property in order to avoid time - consuming and expensive legal problems for your heirs. Make a separate will disposing of assets located outside of Spain.

As a foreigner, you will probably find that Spanish authorities will not insist that you follow the Spanish law of compulsory heirs, in which you must leave two-third of your estate to your children. You can leave your estate to whoever you choose, as long as your own national law permits this. Your estate however, will be subject to Spanish inheritance tax, which can be very high when property is left to non - relatives.

Spanish law provides no large exemption from inheritance tax, such as most countries have when the family home is transferred. The tax is due after the first 16,000 €. However if you are an official resident of Spain by leaving your property to a spouse or child who is also resident, you may be eligible for a 95 per cent reduction in the value of the property for inheritance tax calculation. This is not available to non - residents.

Municipal facilities.....

Ayuntamiento

Servicios Generales

Avda. Juan Luis Peralta s/n
Benalmadena Pueblo
Tel. 952 579 800

Tenencia de Alcaldía

Casa de la Cultura

Pza. de Austria s/n
Arroyo de la Miel
Tel. 952 444 689/98

Asuntos Sociales

Paseo Generalife s/n
Arroyo de la Miel
Tel. 952 560 425/ 952 576 128

Delegación Tercera Edad

Paseo Generalife s/n
Edificio Ovoide
Arroyo de la Miel
Tel. 952 566 813/ 952 577 738

Fomento y Desarrollo Local

Paseo Generalife s/n
Edificio Ovoide
Arroyo de la Miel
Tel. 952 577 736

Museo Arqueológico y Precolombino

Avda. Juan Luis Peralte 49
Benalmadena Pueblo
Tel. 952 448 593

Biblioteca Arroyo de la Miel

C/ Camino del Prado, 6
Arroyo de la Miel
Tel. 952 574 151/ 52

Biblioteca Manuel Altolaguirre

C/ Amapola, 9
Benalmadena Pueblo
Tel. 952 448 592

Castillo de Bil Bil

Avda. Antonio Machado, s/n
Benalmadena Costa
Tel. 952 444 320

Centro de Exposiciones

Avda. Antonio Machado, 33
Benalmadena Costa
Tel. 952 562 820

Auditorio Municipal

Recinto Ferial La Paloma
Arroyo de la Miel
Tel. 952 440 640

Patronato Deportivo Municipal

C/ Orujo 7
Arroyo de la Miel
Tel. 952 57 70 50

Polideportivo Benalmadena Pueblo

Avda. Juan Luis Peralte,
Benalmadena Pueblo
Tel. 952 568 085

Polideportivo Arroyo de la Miel

C/ Orujo 2
Arroyo de la Miel
Tel. 952 57 70 50

Campo de fútbol de Retamar

Urb. El Retamar
(junto estupa Budista)
Benalmadena Pueblo

Campo de fútbol "Tomillar"

Avda. Bonanza, s/n
Arroyo de la Miel

Club de Raqueta

Avda. de las Palmeras s/n
Benalmadena Costa
Tel. 952 576 801

Piscina Cubierta "Club de Hielo"

Avda. Federico García Lorca
Esquina Ciudad de Melilla
Arroyo de la Miel

Pista Municipal de Petanca

Camino del Prado
(junto a la Biblioteca)
Arroyo de la Miel

Delegación de Educación

Plaza de Austria s/n
Arroyo de la Miel
Tel. 952 444 689/98

Centro de Formación Permanente

Paseo Generalife, 6 (Edif. Ovoide)
Arroyo de la Miel
Tel. 952 566 546

Centro de Formación Permanente

Paseo Generalife, 6 (Edif. Ovoide)
Arroyo de la Miel
Tel. 952 566 546

Delegación de Juventud

Paseo del Generalife 6
Arroyo de la Miel
Tel. 952 445 442

Casa de la Juventud

C/ Cauce s/n
Arroyo de la Miel
Tel. 952 445 329

Casa de la Juventud

C/ Amapola 25
Benalmadena Pueblo
Tel. 952 448 442

Oficina Municipal de Turismo

Avda. Antonio Machado, 6-8
Benalmadena Costa
Tel. 952 442 494

Puerto Deportivo

Avda. Juan Sebastián Elcano
Benalmadena Costa
Tel. 952 577 022

Almacén Municipal

C/ Ribero Polígono Industrial
Arroyo de la Miel
Tel. 952 443 873

Other telephone numbers of interest.....

- **Oficina de Consumidor:** 952 44 15 45
- **Juzgado de Paz:** 952 56 81 12
- **Bomberos:** 952 56 34 29
- **RENFE:** 952 36 02 02
- **Protección Civil:** 952 56 26 55
- **Taxis Benalmádena:** 952 44 15 45
- **Policía Local:** 952 56 21 42
- **Emabesa:** 952 57 70 70
- **Emergencia Sanitaria:** 061
- **Policía Nacional:** 091

living in Benidorm has been compiled by Joanna Brodzowska from the Foreign Residents Department, with the assistance of

Dr Charles Betty, Head of Age Care Association
David Seed, author of "You and the Law in Spain"

Both deserve a special mention. Without their help this guide would not have been possible.

This information can also be found on our webpage www.benidormexpat.com and it will be updated periodically.

Foreign Residents Department, Benidorm Town Hall
Av. Juan Luis Pardo, s/n, Benidorm Pueblo
Tel: (0034) 962 639 602
residentes@benidormexpat.com

Club de Fútbol

Avda. de la Juventud s/n
Benalmadena Centro
Tel. 952 443 411

Paseo Deportivo "Club de Fútbol"

Avda. Peralta s/n
Benalmadena Centro de Salud
Avda. de la Miel

Red Municipal de Pelotas

Campo del Prado
(junto a la Biblioteca)
Arroyo de la Miel

Delegación de Educación

Plaza de Austria s/n
Arroyo de la Miel
Tel. 952 444 669/98

Centro de Formación Permanente

Paseo Generalife, 6 (Edif. Ovalde)
Arroyo de la Miel
Tel. 952 536 546

Centro de Formación Permanente

Delegación de Juventud

Paseo de Generalife 6
Arroyo de la Miel
Tel. 952 443 412

Casa de la Juventud

C/ Cruz Verde
Arroyo de la Miel
Tel. 952 445 329

Casa de la Juventud

C/ Amapola 25
Benalmadena Pueblo
Tel. 952 448 442

Oficina Municipal de Turismo

Avda. Antonio Machado, 6-3
Benalmadena Costa
Tel. 952 442 494

Puerto Deportivo

Avda. Juan Sebastián Elcano
Benalmadena Costa
Tel. 952 577 022

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residentes@benalmadena.com