

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Decision	1998/0231(COD) Procedure lapsed or withdrawn
Freedom of movement of workers: social security, Advisory Committee	
Subject 2.30 Free movement of workers 4.10.10 Social protection, social security	

Key players	
European Parliament	
Council of the European Union	
European Commission	Commission DG Employment, Social Affairs and Inclusion
	Commissioner

Key events			
13/10/1998	Legislative proposal published	COM(1998)0394	Summary
23/10/1998	Committee referral announced in Parliament, 1st reading		
22/04/1999	Vote in committee, 1st reading		Summary
21/04/1999	Committee report tabled for plenary, 1st reading	A4-0252/1999	
04/05/1999	Decision by Parliament, 1st reading	T4-0361/1999	Summary
06/08/2004	Additional information		Summary

Technical information	
Procedure reference	1998/0231(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 040; EC Treaty (after Amsterdam) EC 042; EC Treaty (after Amsterdam) EC 308
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	EMPL/4/10490

Documentation gateway

Legislative proposal	COM(1998)0394	14/10/1998	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	A4-0252/1999 OJ C 279 01.10.1999, p. 0008	22/04/1999	EP	
Economic and Social Committee: opinion, report	CES0453/1999 OJ C 169 16.06.1999, p. 0024	28/04/1999	ESC	
Text adopted by Parliament, 1st reading/single reading	T4-0361/1999 OJ C 279 01.10.1999, p. 0021-0064	04/05/1999	EP	Summary

Additional information

European Commission

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Freedom of movement of workers: social security, Advisory Committee

PURPOSE: to establish an Advisory Committee on freedom of movement and social security for Community workers and amend Council regulations 1612/68/EEC and 1408/71/EEC. **CONTENT:** the proposal is to establish a new Advisory Committee on freedom of movement and social security for Community workers, hence merging the existing technical committee on freedom of movement and the administrative commission on social security, which were established by regulations 1612/68/EEC and 1408/71/EEC, and to amend these regulations accordingly - i.e. disband the existing committees. The tasks of the new committee will be as follows: - to examine questions concerning the freedom of movement and social security of migrant workers, with particular regard to how worker mobility is linked to and affects national employment policy in the Member States; - to make a general study of the effects of implementing Community legislation and any additional provisions on the free movement of workers and coordination of social security systems; - to submit to the Commission any reasoned proposals for revising Community legislation on the free movement of workers and the coordination of social security schemes; - to deliver, either at the request of the Commission or on its own initiative, opinions on general questions or on questions of principle, in particular on exchange of information concerning developments on the labour market, on the movement of workers between Member States, on programmes or measures to develop vocational guidance and vocational training which are likely to enhance the opportunities of freedom of movement and employment, and on all forms of assistance to workers and their families, including social assistance and the housing of workers; - to examine general questions or questions of principle and the problems raised by the implementation of regulations issued pursuant to the provisions of Article 51 of the Treaty; - to examine matters connected with the rights and obligations in the Member States of workers resident in the Community who are nationals of third countries. The proposed structure and rules of procedure are based very largely on those of the two existing advisory committees. The tripartite composition and number of members are exactly the same. However, to ensure that the degree of expertise and representation are maintained in the two fields concerned (freedom of movement for workers and social security), it is proposed that governments should be represented by one member of the technical committee on freedom of movement and one member of the administrative commission on social security for migrant workers. The term of office for committee members will be extended from two to four years. With a view to simplifying the rules on appointments, another change brought in by the new provisions is that Member States are to notify the Commission directly of the names of their national representatives. Finally, a new requirement has been introduced that Member States must endeavour to ensure equal representation of men and women on the committee.?

Freedom of movement of workers: social security, Advisory Committee

The Committee has adopted a report by Marie-Thérèse HERMANGE (UFE, F) on the three Commission proposals (COD98229/COD98231) on free movement of workers. The Commission has amended Regulation 1612/68, Directive 360/68 and the Regulations 1612/68 and 1408/71. The rapporteur calls for more precise formulations in order to safeguard the free movement of non-Community nationals legally residing in the Member States. The rapporteur also suggests that the new advisory committee which will be responsible for examining problems concerning the free movement of workers and coordination of social security schemes should be composed of 45 members, not 90 as the Commission has proposed. The committee should examine the cross-border effects of Community legislation in particular for the migrant workers and frontier workers and to encourage cooperation between the Member States to find solutions for specific problems with regard to the social security of frontier workers.?

Freedom of movement of workers: social security, Advisory Committee

At first reading under codecision procedure, the European Parliament adopted the report by Marie-Thérèse Hermange (UPE,FR), which approves the Commission proposal for a European Parliament and Council decision establishing an Advisory Committee on freedom of movement and social security for Community workers and amending Council regulations 1612/68/EEC and 1408/71/EEC, subject to amendments, notably in the following areas: - providing that the advisory committee's comprehensive analysis of freedom of movement should include all aspects relating to frontier workers; - halving the number of members of the committee from 90 to 45; - adding to the list of organisations from which the committee may seek advice the standing committee on employment and those organisations with extensive experience in matters of the labour market; - adding to the the committee's tasks the examination of the cross-border implications in particular for migrant workers and frontier workers of Community legislative proposals and national provisions, including collective employment agreements on social protection, medical costs, taxation and labour law; - with regard to the provision of opinions by the committee on the exchange of information in certain areas, adding to the areas to be covered the movement of job seekers (as well as workers) between Member States and legal (as well as social) assistance to workers and their families; - adding to the committee's tasks the encouragement of

cooperation between the Member States to find solutions for specific problems with regard to the social security of frontier workers, inter alia with regard to their social security contributions and the right to payments and benefits; - adding to the committee's tasks the development of proposals addressed to the Member States to counter any adverse effects for frontier workers as a result of changes in the organisation or financing of social security systems.?

Freedom of movement of workers: social security, Advisory Committee

As this proposal is no longer of topical interest, it has been withdrawn by the Commission.