

Procedure file

| Basic information | |
|---|---------------------------------------|
| COD - Ordinary legislative procedure (ex-codecision procedure) Regulation | 2000/0070(COD) Procedure completed |
| Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72) | |
| Subject 4.10.10 Social protection, social security | |

| Key players | | | |
|-------------------------------|--|---|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | EMPL Employment and Social Affairs | V/ALE LAMBERT Jean | 06/06/2000 |
| Council of the European Union | Committee for opinion | Rapporteur for opinion | Appointed |
| | JURI Legal Affairs and Internal Market | The committee decided not to give an opinion. | |
| European Commission | Council configuration | Meeting | Date |
| | Energy | 2347 | 14/05/2001 |
| | Employment, Social Policy, Health and Consumer Affairs2333 | | 06/03/2001 |
| | Employment, Social Policy, Health and Consumer Affairs2313 | | 27/11/2000 |
| | Commission DG | Commissioner | |
| | Employment, Social Affairs and Inclusion | | |

| Key events | | | |
|------------|---|---|---------|
| 28/04/2000 | Legislative proposal published | COM(2000)0186 | Summary |
| 15/05/2000 | Committee referral announced in Parliament, 1st reading | | |
| 27/11/2000 | Debate in Council | 2313 | |
| 24/01/2001 | Vote in committee, 1st reading | | Summary |
| 24/01/2001 | Committee report tabled for plenary, 1st reading | A5-0026/2001 | |
| 14/02/2001 | Debate in Parliament |  | |
| 15/02/2001 | Decision by Parliament, 1st reading | T5-0084/2001 | Summary |
| 22/02/2001 | Modified legislative proposal published | COM(2001)0118 | Summary |

| | | | |
|------------|---|--|--|
| 14/05/2001 | Act adopted by Council after Parliament's 1st reading | | |
| 05/06/2001 | Final act signed | | |
| 05/06/2001 | End of procedure in Parliament | | |
| 10/07/2001 | Final act published in Official Journal | | |

| Technical information | |
|----------------------------|--|
| Procedure reference | 2000/0070(COD) |
| Procedure type | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype | Legislation |
| Legislative instrument | Regulation |
| Legal basis | EC Treaty (after Amsterdam) EC 308; EC Treaty (after Amsterdam) EC 042 |
| Stage reached in procedure | Procedure completed |

| Documentation gateway | | | | | |
|---|--|---|------------|-----|---------|
| Legislative proposal | | COM(2000)0186 OJ C 274 26.09.2000, p. 0113 E | 28/04/2000 | EC | Summary |
| Economic and Social Committee: opinion, report | | CES1002/2000 OJ C 367 20.12.2000, p. 0018 | 20/09/2000 | ESC | |
| Committee report tabled for plenary, 1st reading/single reading | | A5-0026/2001 | 24/01/2001 | EP | |
| Text adopted by Parliament, 1st reading/single reading | | T5-0084/2001 OJ C 276 01.10.2001, p. 0157-0241 | 15/02/2001 | EP | Summary |
| Modified legislative proposal | | COM(2001)0118 OJ C 180 26.06.2001, p. 0151 E | 22/02/2001 | EC | Summary |

| Additional information | |
|------------------------|-------------------------|
| European Commission | EUR-Lex |

| Final act |
|--|
| Regulation 2001/1386 OJ L 187 10.07.2001, p. 0001 Summary |

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

PURPOSE : to present a proposal for a Regulation of the European Parliament and of the Council amending Council Regulation 1408/71/EEC on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Council Regulation 574/72/EEC laying down the procedure for implementing Regulation 1408/71/EEC. CONTENT : the purpose of this proposal is to update Community Regulations 1408/71/EEC, 574/72/EEC, 118/97/EC and 1399/1999/EC, to take account of changes to national legislation as well as to clarify the legal situation as concerns certain Articles of the implementing Regulation. The amendments to the Articles relate to: - the separation of Article 34(4) and 34(5) of Regulation 574/72/EEC so that Article 34(5) no longer refers to the reimbursement procedure subject to a ceiling where expenses have been incurred during a stay in a Member State which does not provide for rates of reimbursement. Furthermore, the amendment offers an opportunity to correct errors in certain language versions, primarily in the English and Swedish versions, which refer to the "State of residence" rather than the "State of Stay"; - the reintroduction of Article 22c relating to "Studies in a Member State other than the competent State"; - the clarification of the current legal situation relating to Article 2 of Regulation 1103/97/EC and the responsibility for the quotation of EURO reference rates being assumed by the European Central Bank (ECB); The amendments to the Annexes relate to: - making applicable Regulation 1408/71/EEC to the French supplementary pension schemes

ARRCO and AGIRC; - the addition of an entry in Annex VI Section "E. France" to align the conditions under which a Community national not pursuing activity on French territory can voluntarily join a French supplementary pension schemes with the conditions earlier laid down for the person concerned to voluntarily join a basic French old-age insurance scheme. - the addition of an entry to "K.Austria" aims at removing any uncertainty concerning the applicability of Regulation 1408/71/EEC to the only Austrian statutory pre-retirement scheme, i.e. special assistance under the Special Assistance Act (SUG); - "N. Sweden" which takes account of the ruling of the European Court of Justice that had established that the Swedish parental benefit must be treated as a family benefit rather than a maternity benefit. In conclusion, freedom of movement for persons is one of the objectives and principles of the Agreement on the European Economic Area (EEA). Article 29 of Chapter 1 relates to social security for persons moving within the Community. Consequently, this proposal for a Regulation, if adopted, must be applied to the member countries of the EEA.?

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

The committee adopted the report by Jean LAMBERT (Greens/EFA, UK) approving the proposal under the codecision procedure (1st reading), subject to a few amendments designed mainly to bring the text into line with national legislation and with changes in national legislation in the UK and France.?

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

The European Parliament adopted the report drafted by Mrs Jean LAMBERT (Greens/EFA, UK). Parliament adopted a few technical amendments to take account of the recent changes within the national systems. It rejected the more substantial amendments with a view to having more thorough revision later. ?

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

The amendments accepted by the Commission intend to make the text clearer and more precise. To this end, the Commission has accepted the amendments which intends to: - refer in recital 3 to the name of the specific Austrian scheme insted of categorizing a benefit of which the nature is not clear; - bring the date of entry into force of the amendments relating to the inclusion of the statutory French supplementary pension schemes ARRCO and AGIRC in line with their notification by the French Government as of 1 January 2000; - ensure that the exemption of double calculation of pensions for the supplementary pension scheme for flying personnel employed in civil aviation. This scheme has been created by legislation and falls under the scope of the Regulation. As it is based not on pensions points but on pension periods a double calculation must not be excluded; - replace the reference to two specific UK benefits currently included in Annex IIa of Regulation 1408/71/EEC following a modification in UK legislation which renamed these benefits.?

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

PURPOSE : to amend Council Regulation 1408/71/EEC on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Council Regulation 574/72/EEC laying down the procedure for implementing Regulation 1408/71/EEC. COMMUNITY MEASURE : Regulation 1386/2001/EC of the European Parliament and of the Council amending Council Regulations 1408/71/EEC on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and 574/72/EEC laying down the procedure for implementing Regulation 1408/71/EEC (text with EEA relevance). CONTENT : the purpose of this Regulation is to update Community Regulations 1408/71/EEC, 574/72/EEC to take account of changes to national legislation as well as to clarify the legal situation as concerns certain Articles of the implementing Regulation. The amendments to the Articles relate to: - the separation of Article 34(4) and 34(5) of Regulation 574/72/EEC so that Article 34(5) no longer refers to the reimbursement procedure subject to a ceiling where expenses have been incurred during a stay in a Member State which does not provide for rates of reimbursement. Furthermore, the amendment offers an opportunity to correct errors in certain language versions, primarily in the English and Swedish versions, which refer to the "State of residence" rather than the "State of Stay"; - the reintroduction of Article 22c relating to "Studies in a Member State other than the competent State"; - the clarification of the current legal situation relating to Article 2 of Regulation 1103/97/EC and the responsibility for the quotation of EURO reference rates being assumed by the European Central Bank (ECB); The amendments to the Annexes relate to: - making applicable Regulation 1408/71/EEC to the French supplementary pension schemes ARRCO and AGIRC; - the addition of an entry in Annex VI Section "E. France" to align the conditions under which a Community national not pursuing activity on French territory can voluntarily join a French supplementary pension schemes with the conditions earlier laid down for the person concerned to voluntarily join a basic French old-age insurance scheme; - the addition of an entry to "K.Austria" aims at removing any uncertainty concerning the applicability of Regulation 1408/71/EEC to the only Austrian statutory pre-retirement scheme, i.e. special assistance under the Special Assistance Act (SUG); - "N. Sweden" which takes account of the ruling of the European Court of Justice that had established that the Swedish parental benefit must be treated as a family benefit rather than a maternity benefit. In conclusion, freedom of movement for persons is one of the objectives and principles of the Agreement on the European Economic Area (EEA). Article 29 of Chapter 1 relates to social security for persons moving within the Community. Consequently, this proposal for a Regulation, if adopted, must be applied to the member countries of the EEA. ENTRY INTO FORCE : this Regulation shall enter into force on 01/09/2001. Article 1, as far as the changes to Section "E France" of Annex IV, Part C, and of Annex IV to Regulation 1408/71/EEC are concerned, shall apply as from 1 January 2000. ?

