Procedure file

Basic information

COD - Ordinary legislative procedure (ex-codecision procedure) 2001/0137(COD) Regulation	Procedure lapsed or withdrawn
European parliamentary assistants: application of social security schemes Subject 4.10.10 Social protection, social security 8.40.09 European officials, EU servants, staff regulations	

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	EMPL Employment and Social Affairs		24/01/2002
		PSE GILLIG Marie-Hélène	
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs and Internal Market		10/07/2001
		PPE-DE LEHNE Klaus-Heiner	
Council of the European Union			
European Commission	Commission DG	Commissioner	
	Employment, Social Affairs and Inclusion	ANDOR László	

Key events

25/06/2001	Legislative proposal published	COM(2001)0344	Summary
02/07/2001	Committee referral announced in Parliament, 1st reading		
28/05/2002	Vote in committee, 1st reading		Summary
28/05/2002	Committee report tabled for plenary, 1st reading	A5-0199/2002	
11/06/2002	Decision by Parliament, 1st reading	T5-0283/2002	Summary
16/07/2002	Modified legislative proposal published	COM(2002)0405	Summary
18/09/2010	Proposal withdrawn by Commission		Summary

Technical information

Procedure reference	2001/0137(COD)

Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the EU TFEU 352-p1sub2
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	EMPL/5/14913

Documentation gateway

Legislative proposal		COM(2001)0344 OJ C 270 25.09.2001, p. 0141 E	25/06/2001	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0199/2002	28/05/2002	EP	
Text adopted by Parliament, 1st reading/single reading		T5-0283/2002 OJ C 261 30.10.2003, p. 0027-0082 E	11/06/2002	EP	Summary
Modified legislative proposal		COM(2002)0405 OJ C 331 31.12.2002, p. 0023 E	16/07/2002	EC	Summary

Additional information

European Commission	EUR-Lex

European parliamentary assistants: application of social security schemes

PURPOSE : to amend Council Regulation 1408/71 for the benefit of European parliamentary assistants. CONTENT : The social security arrangements pertaining to European parliamentary assistants is governed by the competent law of the Member States, within the meaning of Council Regulation 1408/71 and Council Regulation 574/72. Given the wide range of possible situations and the specific nature of the tasks of Parliamentary assistants working for one or more MEPs, determination of the social security legislation applicable to them has created a lack of certainty and practical difficulties in arranging for their social cover. In order to remedy this, the draft proposal introduces a right of option regarding the social security legislation applicable to them. This right of option is limited to employed assistants alone. Assistants may opt for one of the following: - the legislation of the Member State where they pursue their activity as an employed person; - the legislation of the Member State to which they were last subject. - the legislation of the Member State of which they are nationals. The draft proposal provides for transitional arrangements. The right of option takes effect only once. Other activities pursued are also subject to the legislation of the Member State for which they have opted. ?

European parliamentary assistants: application of social security schemes

The committee adopted the report by Marie-Hélène GILLIG (PES, F) approving the proposal subject to a few amendments under the codecision procedure (1st reading). The amendments were designed to clarify the wording of the proposal, for example so as to make it clear that the persons in question are not assistants working for the European Parliament (and hence forming part of the administration) but assistants working for Members of that Parliament. Moreover, it should be made clear in the text that in some cases the contract did not cover the whole term of office. The committee also wanted to spell out that the arrangement applies to all assistants having a contractual relationship with one or more Members, including those whose employment contract is administered collectively. Lastly, it amended the special rules applying to Germany, so as to ensure that an assistant could opt to be covered by the social security legislation of his/her last place of residence in Germany.?

European parliamentary assistants: application of social security schemes

Using its procedure without debate, the European Parliament adopted a resolution drafted by Marie-Helene GILLIG (PES, Fr) on the social security of Members' assistants. (Please refer to the document dated 28/05/02.) ?

European parliamentary assistants: application of social security schemes

The Commission accepts one of the five amendments made by the European Parliament. This relates to a reference in the recitals concerning the possibility of employment by several Members of the European Parliament. The other amendments are not accepted: -the Commission

refuses to replace the term "European parliamentary assistant" with the term "assistants to members of the European Parliament." -the additional justification for the right of option is not acceptable. The right of option is justified by the specific nature of the direct link between parliamentary assistant and member and not because the assistants' salaries and social security contributions are taken from the Community budget, which is also the case for other parliamentary workers. -it is already made clear in the Commission's text that the assistant may be contacted for a period shorter than the term of office of the member employing her. -the Commission rejects the option for assistant who have chosen for German legislation to be applied, to remain affiliated to the system covering the Land where they were last resident. This amendment is not needed to ensure the correct operation of the right of option for the German system. ?

European parliamentary assistants: application of social security schemes

As announced in Official Journal C 252 of 18 September 2010, the Commission decided to withdraw this proposal, which had become obsolete.