


Procedure file

| Basic information | |
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| COD - Ordinary legislative procedure (ex-codecision procedure) Regulation | Procedure completed 2004/0284(COD) |
| Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations | |
| Subject 4.10.10 Social protection, social security | |

| Key players | | | |
|-------------------------------|--|------------------------------------|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | EMPL Employment and Social Affairs | ALDE TOIA Patrizia | 31/01/2005 |
| Council of the European Union | Council configuration | Meeting | Date |
| | Employment, Social Policy, Health and Consumer Affairs2714 | | 10/03/2006 |
| | Employment, Social Policy, Health and Consumer Affairs2644 | | 03/03/2005 |
| European Commission | Commission DG | Commissioner | |
| | Employment, Social Affairs and Inclusion | | |

| Key events | | | |
|------------|---|---|---------|
| 23/12/2004 | Legislative proposal published | COM(2004)0830 | Summary |
| 11/01/2005 | Committee referral announced in Parliament, 1st reading | | |
| 03/03/2005 | Debate in Council | 2644 | Summary |
| 05/10/2005 | Vote in committee, 1st reading | | Summary |
| 12/10/2005 | Committee report tabled for plenary, 1st reading | A6-0293/2005 | |
| 15/11/2005 | Results of vote in Parliament |  | |
| 15/11/2005 | Decision by Parliament, 1st reading | T6-0424/2005 | Summary |
| 10/03/2006 | Act adopted by Council after Parliament's 1st reading | | |
| 05/04/2006 | Final act signed | | |
| 05/04/2006 | End of procedure in Parliament | | |

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| 27/04/2006 | Final act published in Official Journal | | |
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Technical information

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| Procedure reference | 2004/0284(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 |
| Committee dossier | EMPL/6/25770 |

Documentation gateway

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|---|---|------------|-----|---------|
| Legislative proposal | COM(2004)0830 | 23/12/2004 | EC | Summary |
| Amendments tabled in committee | PE360.263 | 19/07/2005 | EP | |
| Economic and Social Committee: opinion, report | CES1065/2005 OJ C 024 31.01.2006, p. 0025-0028 | 28/09/2005 | ESC | |
| Committee report tabled for plenary, 1st reading/single reading | A6-0293/2005 | 12/10/2005 | EP | |
| Text adopted by Parliament, 1st reading/single reading | T6-0424/2005 | 15/11/2005 | EP | Summary |
| Commission response to text adopted in plenary | SP(2005)5015 | 15/12/2005 | EC | |
| Draft final act | 03664/1/2005 | 05/04/2006 | CSL | |

Additional information

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| European Commission | EUR-Lex |
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Final act

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| Regulation 2006/629 OJ L 114 27.04.2006, p. 0001-0008 Summary |
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Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations

PURPOSE : to update Regulations 1408/71/EEC and 574/72/EEC to reflect changes in national legislation and to take account of enlargement.

PROPOSED ACT : Regulation of the European Parliament and of the Council.

CONTENT : Regulations 1408/71/EEC and 574/72/EEC were updated by Regulation 118/97/EEC and most recently amended by Regulation 631/2004/EC. This proposal intends to update these Community Regulations to reflect changes in national legislation, in particular of the new Member States since the end of accession negotiations. It also intends to complete the simplification of procedures on receiving medical care abroad introduced by Regulation 631/2004/EC by extending some of those modifications to the identical procedures regarding benefits for accidents at work and occupational diseases.

With the entry into force of Regulation 631/2004/EC, access to sickness benefits in kind during a temporary stay in another Member State no longer requires additional formalities other than presentation of a document. These extra requirements, specifically the obligation to submit systematically and in advance a certified statement to the institution of the place of stay certifying entitlement to benefits in kind and completing

extra formalities on arrival in the territory of the other Member State, was required formally, but was not applied in practice. The same formal obligation still exists for obtaining benefits in respect of accidents at work and occupational diseases during a stay in a different Member State and also appears to be needlessly restrictive and of a nature to hamper the free movement of the persons concerned. It is therefore appropriate to extend the simplified procedures to the provisions on benefits in respect of accidents at work and occupational diseases contained in Council Regulation 1408/71/EC and Council Regulation 574/72/EEC.

As the provisions of bilateral agreements listed in Annex III involving new Member States continue to apply and are not replaced by Regulation 1408/71 as of its application in the new Member States, these amendments need to apply from the date of accession 1 May 2004.

Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations

Pending the European Parliament's opinion, the Council noted virtual agreement as to substance concerning a draft Regulation amending Regulations 1408/71/EEC and 574/72/EEC on the application of national social security schemes to persons moving within the EU (miscellaneous amendments 2004).

The draft Regulation aims to update those two Regulations to take account of changes in national legislation, in particular in the new Member States since the end of the accession negotiations. Its purpose is also to complete the simplification of procedures on receiving medical care abroad introduced by Regulation 631/2004/EC by extending some of those modifications to the identical procedures regarding benefits for accidents at work and occupational diseases.

Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations

The committee adopted the report by Patrizia TOIA (ADLE, IT) broadly approving the proposal under the 1st reading of the codecision procedure, subject to a number of technical amendments. These aimed to simplify the proposal, to correct mistakes and to update the annexes of Regulation 1408/71.

Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations

The European Parliament adopted a resolution drafted by Patrizia TOIA (ADLE, IT). Parliament adopted amendments intended to simplify the proposal, to correct mistakes and to update the annexes of Regulation. These technical amendments are acceptable to both the Commission and the Council.

Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations

PURPOSE: to amend Council Regulations 1408/71/EEC on the application of social security schemes to employed persons, to self-employed persons and to members of their family moving within the Community.

LEGISLATIVE ACT: Regulation 629/2006/EC 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 the 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: in agreeing on this Act the EU, by amending Regulations 1408/71 and 574/72, has allowed for a simplification of procedures concerning provisions relating to ?benefits in respect of accidents at work and occupational diseases?.

The simplified procedures are an extension of those enshrined in Regulation 631/2004/EC for obtaining access to sickness benefits in kind during a temporary stay in another Member State. (See COD/2003/0138).

The amendments also take account of changes in the legislation of the new Member States, who acceded on 1 May 2004.

ENTRY INTO FORCE: 28 April 2008. However, in order to ensure legal certainty and in order to protect the legitimate expectations of persons affected, certain provisions (namely those in Annex III of Regulation 1408/71) will take effect retroactively from 1 May 2004.