

Social security: nationals of third countries not covered due to their nationality

2007/0152(COD) - 23/07/2007 - Legislative proposal

PURPOSE: to extend provisions on the co-ordination of social security systems to third country nationals.

PROPOSED ACT: Council Regulation.

CONTENT: the purpose of this proposal is to extend the provisions of Regulation (EC) No 883/2004 on the coordination of social security systems to nationals of third countries who are legally resident in a Member State and who are not already covered by these provisions. For a summary of this Regulation see: [COD/1998/0360](#). It is being presented in order to simplify existing acts and can be viewed, essentially, as a recasting exercise.

This proposal aims to ensure that the same rules applied to European citizens for co-ordinating social security schemes are applied to nationals of third countries since Regulation (EC) No 883/2004 and its implementing Regulations have entered into force. It is a key extension to the co-ordination of social security systems, both in terms of equal treatment and non-discrimination with respect to the nationals of third countries and in terms of administrative simplification, the reduction of administrative costs and legal clarity for all parties involved (national administrations, social security institutions and the persons insured.)

The main elements of the proposal, in summary, are as follows:

Article 1: The purpose of this article is to apply the provisions of Regulation (EC) No 883/04 and its implementing Regulations to nationals of third countries who are not already covered by this Regulation on the ground of their nationality. The nationals of third countries covered by this text must be legally resident on the territory of a Member State. To benefit from the Regulation in a second Member State, the third-country national does not have to satisfy the residency conditions. Instead they may simply move to the second country, in compliance with that country's national legislation on entry and residence.

Article 2: This article contains provisional rules designed to protect the persons covered by this Regulation, so that they do not lose their rights as a result of its entry into force.