Social security: coordination of social security systems and implementation

2010/0380(COD) - 18/04/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 540 votes to 19 with 30 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 883/2004 on the coordination of social security systems and Regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004.

Parliament adopted its position in first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise between Parliament and Council. They amend the Commission proposal as follows:

Unemployment benefits for self-employed frontier workers: Members inserted a new Article 65a into Regulation (EC) No 883/2004 ensuring that a self-employed frontier worker who becomes wholly unemployed receives benefits if he/she has completed periods of insurance as a self-employed person or periods of self-employment recognised for the purposes of granting unemployment benefits in the competent Member State and if no unemployment benefits system covering self-employed persons exists in the Member State of residence. That provision should be reviewed in the light of the experience after two years of implementation and, if necessary, it should be amended.

Provision of new measures for aircrew members: Annex III to Council Regulation (EEC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation defines the concept "home base" for aircrew members under Union law. In order to facilitate the application of Title II of the Regulation (EC) No 883/2004 for this group of persons, it is justified to create a special rule by using this notion of "home base" as the criterion for determining the applicable legislation for aircrew members. On the other hand, the applicable legislation for aircrew members should remain stable and the "home base" principle should not result in frequent changes of applicable legislation due to the industry’s work patterns or seasonal demands.

To recall, Annex III to Council Regulation (EEC) No 3922/91 defines the concept "home base" for aircrew members as the location nominated by the operator to the crew member from where the crew member normally starts and ends a duty period, or a series of duty periods, and where, under normal conditions, the operator is not responsible for the accommodation of the crew member concerned.

It should be noted that the proposed amendments are presented in line with each of the regulations covered by this proposed amendment to regulations No. (EC) 883/2004 on the coordination of social security systems and (EC) No. 987/2009 laying down detailed rules for implementing Regulation (EC) No 883/2004.