

Contingency measures in the field of social security coordination following the withdrawal of the United Kingdom from the EU

2019/0019(COD) - 04/03/2019 - Committee report tabled for plenary, 1st reading/single reading

The European Parliament adopted by 652 votes to 8 with 18 abstentions a legislative resolution on the proposal for a regulation laying down emergency measures in the field of social security coordination following the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union.

The position of the European Parliament adopted at first reading under the ordinary legislative procedure has amended the Commission proposal as follows:

Objective and scope of application

The proposed regulation laying down emergency measures in the field of social security coordination aims to ensure that, in the absence of an agreement on the United Kingdom's withdrawal from the EU, the rights of persons who have exercised, as Union citizens, their right to free movement before the withdrawal from the United Kingdom are protected. It ensures that Member States will continue to implement the fundamental principles of social security coordination in the EU laid down in Regulation (EC) No 883/2004, namely equal treatment, assimilation and aggregation of insurance periods.

The regulation would apply:

- nationals of a Member State, stateless persons and refugees who are or have been subject to the legislation of one or more Member States and who are or have been in a situation involving the United Kingdom before the date of application of the proposed regulation, as well as their family members and survivors;
- United Kingdom nationals who are or have been subject to the legislation of one or more Member States before the date of application of the regulation, as well as their family members and survivors.

Relationship between this regulation and other coordination instruments

The rules:

- would not affect existing social security conventions and agreements between the United Kingdom and one or more Member States that comply with Regulation (EC) No 883/2004 and Article 9 of Regulation (EC) No 987/2009;
- would be without prejudice to the possibility for the Union or the Member States to take measures concerning administrative cooperation and the exchange of information with the competent institutions of the United Kingdom in order to give effect to the principles of the Regulation;
- would not affect any competence of the Union or the Member States to conclude conventions and agreements on social security with third countries or with the United Kingdom covering the period after the date on which the treaties cease to apply in the United Kingdom.

The amended text also underlines the importance of ensuring that appropriate information is available in a timely manner to the persons concerned.

Report

One year after the date of application of the regulation, the Commission should report on its application. This report would address in particular the practical problems encountered by the persons concerned, in particular those arising from the lack of continuity in the coordination of social security systems.

The regulation should enter into force as a matter of urgency on the day following its publication in the Official Journal of the European Union and should apply from the day following the date on which the Treaties cease to apply in the United Kingdom, unless a withdrawal agreement concluded with the United Kingdom has entered into force on that date.