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

2019/0019(COD) - 27/03/2019 - Final act

PURPOSE: to protect the rights of citizens regarding social security entitlements in case of a Brexit without a withdrawal agreement.

LEGISLATIVE ACT: Regulation (EU) 2019/500 of the European Parliament and of the Council establishing contingency measures in the field of social security coordination following the withdrawal of the United Kingdom from the Union

CONTENT: the Regulation aims to ensure that persons who have exercised, as Union citizens, their right to freedom of movement before the withdrawal date maintain their social security entitlements related to facts or events that occurred and periods completed before the withdrawal date. These rights relate to periods of insurance, employment, self-employment or residence in the United Kingdom that were completed before the date of application of this Regulation.

In order to successfully safeguard the rights of the persons concerned, the Regulation ensures that Member States shall continue to apply the fundamental principles of EU social security coordination, namely equal treatment, assimilation and aggregation of insurance periods.

The Regulation shall apply to the following persons:

- 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 this Regulation, as well as members of their families and survivors;

- nationals of the United Kingdom who are or have been subject to the legislation of one or more Member States before the date of application of this Regulation, as well as members of their families and survivors.

The Regulation is without prejudice to existing conventions and agreements on social security between the United Kingdom and one or more Member States.

One year after the date of application of this Regulation, the Commission shall submit a report to the European Parliament and to the Council on the implementation of this Regulation. That report shall address, in particular, practical problems arising for the persons concerned, including those arising from the lack of continuity of the coordination of social security systems.

ENTRY INTO FORCE: 28.3.2019. The Regulation shall apply from the day following that on which the Treaties cease to apply to the United Kingdom pursuant to Article 50(3) of the TEU.