

Social security: coordination of the national systems to promote the free movement of persons (repeal. Regulation (EEC) No 1408/71)

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The Council agreed on a general approach, pending the European Parliament's Opinion in first reading, on Title III (special provisions concerning various categories of benefit) of the proposal for a Regulation on the co-ordination of social security systems in the Union. Final approval will be subject to agreement on the text as a whole, pending which agreements on the different chapters are considered provisional. The following chapters of Title III of the draft Regulation are covered by the agreed general approach: - Chapter 4 (invalidity benefits) : this chapter includes provisions for determining how invalidity benefits should be paid, and what national authorities are competent to pay them, in the case of those individuals who have worked in more than one Member State. The general principle is that the competent authority for the payment of the invalidity benefits is the one of the country where the person became invalid. It also includes provisions with respect to the worsening of conditions of invalidity. The general principle is that the country in which the worsening occurred is responsible for paying the benefits. However, the financial burden may be distributed among several countries. - Chapter 5 (old-age and survivors' pensions) : this chapter includes provisions that allow an individual having worked in different Member States to have one single interlocutor for the calculation of old-age and survivors' pensions, namely the authority of the country where the individual resides when the pension is requested. It allows, for instance, for the calculation and aggregation of all working periods in different Union countries to be made by one single competent authority. - Chapter 8 (special non-contributory cash benefits) : this includes provisions regulating cash benefits (e.g. minimum revenue/allowance in some Member States) that are independent from a person's previous contributions to social security. The general principle is that these benefits cannot be transferred from one country to another and are thus only payable in the country of residence of the beneficiary. To recall, the proposal aims at reforming Regulation 1408/71/EEC on the application of social security schemes to employed persons and their families moving within the Community. It also aims at simplifying Community legislation in order to remove obstacles to the free movement of persons created by the co-existence of different national social security systems. Given the complexity of the subject it has been decided to submit to the Council at the end of each Presidency separate parts of the proposal to facilitate the examination process. It is recalled that at its meeting on 3 June 2002, the Council reached agreement on a general approach as regards Titles I (general provisions) and II (determination of competent legislation). Moreover, the Council reached agreement on a general approach at its meeting on 2-3 December 2002 on chapter 1 (sickness, maternity and paternity), chapter 2 (accidents at work and occupational diseases) and chapter 3 (death grants) of Title III.