Social security: employed persons, self-employed persons and their families (amend. Regul. 1408/71 /EEC, 574/72/EEC)

1996/0227(CNS) - 20/09/1996 - Legislative proposal

OBJECTIVE: to update Community Regulations 1408/71 and 574/82 concerning the social security of migrant workers and their families moving within the EC in the light of changes made to national legislation and to take account of certain bilateral agreements concluded between the Member States. SUBSTANCE: the proposed regulation essentially seeks to: - refer, for a definition of the concept of 'member of the family', to the national legislation governing the benefit concerned; - include explicitly in the scope of Regulation 1408/71 the members of the family and survivors of civil servants and persons treated as such; - enable persons residing in a Member State other than the competent State to study or undergo vocational training and other members of their families to receive the benefits in kind for any care whether or not required immediately. Another aim is to improve the coordination of the national social security systems through the introduction of new arrangements to simplify and accelerate administrative procedures under the pluriannual programme TESS (Telematics in Social Security), which is designed to allow the use of telematic services for the exchange of social security data. In this context, a provision has been introduced with the aim of ensuring that documents exchanged by electronic means are accepted in the same way as paper documents. A further rule is introduced in respect of the burden of proof in cases where the correctness and quality of documents received by electronic means is questioned. Where the amendments to Regulation 574/72 are concerned, the proposal essentially seeks to: - introduce a new Title VI concerned wholly with electronic data processing; - ensure that the Administrative Commission on Social Security for Migrant Workers encourages the use of the telematic services for the exchange of information between the social security institutions in the Member States; - stipulate that the Member States are responsible for extending the use of telematic services between their own social security institutions; - provide for the Commission to give its support to activities of common interest (adoption of common architecture rules and interoperability tests); - emphasize that the Member States are responsible, in accordance with the Community provisions on the protection of individuals with regard to the processing of personal data, for managing their own part of the telematic services.