Basic information

1996/0001(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure lapsed or withdrawn
Social security: beneficiaries of pre-retirement benefits **Subject** 4.10.10 Social protection, social security	

Key players

European Parliament	**Former committee for opinion**	**Former rapporteur for opinion**	**Appointed**
	JURI Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	
Council of the European Union			

Key events

Date	Event	Reference	Summary
10/01/1996	Legislative proposal published	COM(1995)0735	Summary
16/02/1996	Committee referral announced in Parliament, 1st reading		
10/09/1996	Vote in committee, 1st reading		Summary
10/09/1996	Committee report tabled for plenary, 1st reading	A4-0278/1996	
28/11/1996	Debate in Parliament		
01/09/1999	Vote in committee, 1st reading		
01/09/1999	Committee report tabled for plenary confirming Parliament's position	A5-0006/1999	
16/09/1999	Decision by Parliament, 1st reading	T5-0012/1999	
11/12/2001	End of procedure in Parliament		
11/12/2001	Additional information		Summary

Technical information

Procedure reference	1996/0001(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation

Legal basis	EC Treaty (after Amsterdam) EC 042 EC Treaty (after Amsterdam) EC 308
Stage reached in procedure	Procedure lapsed or withdrawn

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0278/1996 OJ C 347 18.11.1996, p. 0004	10/09/1996	
Text adopted by Parliament, 1st reading/single reading		T4-0655/1996 OJ C 380 16.12.1996, p. 0016-0089	28/11/1996	Summary
Committee final report tabled for plenary, 1st reading /single reading		A5-0006/1999 OJ C 054 25.02.2000, p. 0010	01/09/1999	
Text adopted by Parliament confirming position adopted at 1st reading		T5-0012/1999 OJ C 054 25.02.2000, p. 0055-0075	16/09/1999	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1995)0735 OJ C 062 01.03.1996, p. 0014	10/01/1996	Summary
Reconsultation	SEC(1999)0581	28/04/1999	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0882/1996 OJ C 295 07.10.1996, p. 0039	10/07/1996	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Social security: beneficiaries of pre-retirement benefits

1996/0001(COD) - 10/01/1996 - Legislative proposal

OBJECTIVE: to amend Regulations (EEC) Nos 1408/71 and 574/72 on social security schemes for employed and self-employed persons and members of the families moving within the Community with a view to inserting a new chapter on pre-retirement benefits. The aim is to enable workers in receipt of pre-retirement benefits in one Member State to transfer those benefits when they move to a new place of residence in another member State. SUBSTANCE: The proposal for a Regulation: - includes a new chapter on per-retirement benefits, which it defines as 'cash benefits for elderly

employed persons who have become unemployed, either compulsorily or voluntarily, ensuring those concerned of an income substitution benefit until the age at which they qualify for an old-age pension'. These benefits may be paid under a statutory scheme or an agreement covering all employed persons or certain occupational groups. They may be funded by the State or another source and are payable: . subject to conditions relating to the age of the employed person, . whether the cessation of employment was voluntary or otherwise, . without any obligation to remain available to the employment services of the Member State concerned (the justification for the export of benefits hinges on this decisive point). The scope of the Regulation also extends to schemes under collective agreements, which have traditionally been excluded from Community rules; - establishes the principle whereby workers who qualify for pre-retirement benefits in the Member State responsible for payment may export those benefits when they move to a new place of residence in another Member State. This principle constitutes 'export of benefits' as opposed to their payment by the appropriate institution in the country of residence (bearing in mind not least that not every country has pre-retirement schemes). Provision is made to allow a worker to export benefits if, at the time of his last employment, he lived in a Member State other than the State responsible for payment. However, the institution in the place of residence, which, as a matter of course, bears the cost of unemployment benefits for workers in the above category, will be called upon to pay an amount not exceeding that due under normal circumstances by way of reimbursement to the institution responsible for pre-retirement benefits; - lays down the principle that the institution in the Member State of residence must carry out checks to ascertain whether the person concerned still satisfies the conditions required in order to retain his entitlement to the benefits provided for by the law of the Member State responsible for payment; - will apply without prejudice to national provisions debarring the concurrent drawing of benefits, thus reducing the amount of pre-retirement benefits in cases where a person in receipt of such benefits is carrying on an occupation, even on the territory of another Member State; - guarantees that health insurance benefits and family allowances can be paid to workers and members of their families; - ensures that the aggregation of insurance or employment periods and the calculation of benefits will be subject to the rules governing unemployment benefits.

Social security: beneficiaries of pre-retirement benefits

1996/0001(COD) - 10/07/1996 - Economic and Social Committee: opinion, report

As regards the reasons for the proposal, the Committee endorses the Commission's attempt to ease the situation on the labour market and promote free movement within the Community. The Committee regrets, however, that the proposed procedures would be complex and costly to implement, and would still not guarantee effective checks, particularly on whether pre-retirement benefit payment beneficiaries were engaged in gainful employment. It notes that recognition of the right to export benefits would involve extending the regulation to collective agreements, and would call on the Commission to ensure that implementation of the measures does not prejudice the independence of those who have signed collective agreements.

Social security: beneficiaries of pre-retirement benefits

1996/0001(COD) - 16/09/1999

The European Parliament confirmed its first reading in the context of the codecision procedure of the text it adopted on 28.11.1996 concerning this proposal for a regulation.

Social security: beneficiaries of pre-retirement benefits

1996/0001(COD) - 28/11/1996 - Text adopted by Parliament, 1st reading/single reading

*In adopting the report by Mr Sergio RIBEIRO (GUE, P), Parliament approved the Commission proposal. It emphasized the need to foster and develop cooperation between Member States with a view to finding solutions to the specific social security problems experienced by frontier workers, with particular regard to contributions and the right to payments and benefits.