Basic information

1996/0227(CNS) CNS - Consultation procedure Regulation	Procedure completed
Social security: employed persons, self-employed persons and their families (amend. Regul. 1408/71/EEC, 574/72/EEC) **Subject** 4.10.10 Social protection, social security	

Key players

European Parliament	**Committee for opinion**	**Rapporteur for opinion**	**Appointed**
	JURI Legal Affairs, Citizens' Rights		

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Social Affairs	2015	1997-06-27
	Social Affairs	1974	1996-12-02

Key events

Date	Event	Reference	Summary
20/09/1996	Legislative proposal published	COM(1996)0452	Summary
23/10/1996	Committee referral announced in Parliament		
02/12/1996	Debate in Council		
18/03/1997	Vote in committee		Summary
18/03/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0118/1997	
29/05/1997	Debate in Parliament		
05/06/1997	Modified legislative proposal published	COM(1997)0294	Summary
27/06/1997	Act adopted by Council after consultation of Parliament		
27/06/1997	End of procedure in Parliament		
04/07/1997	Final act published in Official Journal		

Technical information

Procedure reference	1996/0227(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (before Amsterdam) E 051 EC Treaty (before Amsterdam) E 235
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/4/08327

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0118/1997 OJ C 132 28.04.1997, p. 0007	18/03/1997	
Text adopted by Parliament, 1st reading/single reading		T4-0275/1997 OJ C 182 16.06.1997, p. 0015-0058	29/05/1997	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1996)0452 OJ C 341 13.11.1996, p. 0006	20/09/1996	Summary
Modified legislative proposal	COM(1997)0294 OJ C 245 12.08.1997, p. 0013	05/06/1997	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0103/1997 OJ C 089 19.03.1997, p. 0020	29/01/1997	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1997/1290
OJ L 176 04.07.1997, p. 0001 Summary

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

1996/0227(CNS) - 29/05/1997 - Text adopted by Parliament, 1st reading/single reading

By adopting the report by Mrs Ria OOMEN-RUIJTEN (PPE, NL), the European Parliament approved this proposal for the modification of the regulations with the following amendments: -it rejects the granting of a derogation to the Netherlands that would enable it to apply to students and people undergoing vocational training a social insurance scheme requiring them to be registered and allowing only for reimbursement on the basis of average cost, to be paid in the form of a lump sum; -it also calls for the nationals of third countries legally resident in the territory of a Member State to receive at least the health care benefits that are needed immediately.

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

1996/0227(CNS) - 27/06/1997 - Final act

OBJECTIVE: to update Regulations (EC) Nos 1408/71 and 574/72 on the application of social security schemes to migrant workers and members of their families moving within the Community, to take account of changes in national legislation and other technical changes. COMMUNITY MEASURE: Council Regulation (EC) No 1290/97 amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71. SUBSTANCE: the amendments to these 2 Regulations concern the following points: - for the purpose of defining 'member of the family', reference is made to the national legislation pursuant to which the service is provided; - civil servants, other persons treated as such, members of their family and their survivors are explicitly included in the scope of Regulation No 1408/71; - people staying in a Member State other than the competent State to study there or receive vocational training, and members of their families, are enabled to receive services in kind for any care, whether or not immediately needed. The new Regulation provides for a transitional period for the application of this new paragraph to the Netherlands, in view of the administrative problems to which it might give rise there. The transitional period must not extend beyond 01.01.1999. The Regulation also improves the coordination of national social security schemes by introducing new provisions concerning the simplification and speeding-up of administrative procedures in the framework of the multiannual TESS (Telematics in Social Security) programme, designed to facilitate the use of telematics services to exchange social security data. A clause is inserted to ensure that documents exchanged electronically will be accepted in the same way as paper documents. A rule is also introduced concerning the burden of proof in cases where the correctness and quality of a document received electronically is questioned. As regards the changes to be made to Regulation 574/72, the Regulation mainly: - inserts a new Title VIa, concerned wholly with electronic data processing; - seeks to ensure that the Administrative Commission on Social Security for Migrant Workers will encourage the use of telematics services to exchange information between the social security institutions in the Member States; - lays down that Member States are responsible for extending the use of telematics services between their own social security institutions; - stipulates that the Commission will support activities of common interest (adoption of common architecture rules and inter-operability tests); - stresses that Member States are responsible, in accordance with Community provisions on the protection of individuals with regard to the processing of personal data, for managing their own part of the telematics services. Lastly, a number of amendments are made to take account of certain bilateral agreements concluded between Member States. ENTRY INTO FORCE: 04/10/1997.

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

1996/0227(CNS) - 29/01/1997 - Economic and Social Committee: opinion, report

The Committee endorses the proposal in question because it meets the need to continue the amendment and updating of legal instruments designed to facilitate the coordination of social security systems and so to pave the way for convergence of Member States' social security policies. The proposal also seeks to simplify and accelerate administrative procedures. For migrant workers, this should facilitate access to legal instruments and improve management of the documents and benefits. The Committee notes with satisfaction that the proposal meets its repeated requests. It hopes that efforts to simplify all Community legislation will be continued and completed as soon as possible.

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.

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

1996/0227(CNS) - 05/06/1997 - Modified legislative proposal

In its amended proposal, the Commission incorporated the two amendments adopted by Parliament, namely: - an amendment to Article 22a of Regulation (EEC) No 1408/71 such that nationals of third countries and members of their family who are insured under the legislation of a Member State will no longer (as at present) be deprived of entitlement to urgently required health care during a stay on the territory of another Member State, - rescission of a derogation enabling the Netherlands to apply its health-care system to students and persons undergoing vocational training in the Netherlands and to members of their family who accompany them during that period, bearing in mind that this system requires registration and reimbursement on the basis of the average cost to be paid in the form of a lump sum (the persons concerned generate relatively little expenditure in the health-care sector, and the calculation of a lump sum for them does not seem reasonable).