Basic information

2000/0070(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72) **Subject** 4.10.10 Social protection, social security	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
EMPL Employment and Social Affairs	LAMBERT Jean (V/ALE)	06/06/2000

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	2333	2001-03-06
Employment, Social Policy, Health and Consumer Affairs	2313	2000-11-27
Energy	2347	2001-05-14

European Commission

Commission DG	Commissioner
Employment, Social Affairs and Inclusion	

Key events

Date	Event	Reference	Summary
28/04/2000	Legislative proposal published	COM(2000)0186	Summary
15/05/2000	Committee referral announced in Parliament, 1st reading		
27/11/2000	Debate in Council		
24/01/2001	Vote in committee, 1st reading		Summary
24/01/2001	Committee report tabled for plenary, 1st reading	A5-0026/2001	

14/02/2001	Debate in Parliament		
15/02/2001	Decision by Parliament, 1st reading	T5-0084/2001	Summary
22/02/2001	Modified legislative proposal published	COM(2001)0118	Summary
14/05/2001	Act adopted by Council after Parliament's 1st reading		
05/06/2001	Final act signed		
05/06/2001	End of procedure in Parliament		
10/07/2001	Final act published in Official Journal		

Technical information

Procedure reference	2000/0070(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 completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0026/2001	24/01/2001	
Text adopted by Parliament, 1st reading/single reading		T5-0084/2001 OJ C 276 01.10.2001, p. 0157-0241	15/02/2001	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2000)0186 OJ C 274 26.09.2000, p. 0113 E	28/04/2000	Summary
Modified legislative proposal	COM(2001)0118 OJ C 180 26.06.2001, p. 0151 E	22/02/2001	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1002/2000 OJ C 367 20.12.2000, p. 0018	20/09/2000	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Regulation 2001/1386 OJ L 187 10.07.2001, p. 0001	Summary

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

2000/0070(COD) - 06/03/2001

The Council was informed by the Presidency on the state of play regarding the proposed amendments for 1999 and 2000 to Regulation No 1408/71 on the application of social security schemes to employed persons, self-employed persons and members of their families moving within the Community. The purpose of the proposal is to update the Community Regulation to take account of changes to national legislation. On 15 February, the European Parliament delivered its Opinion. The amendments voted are acceptable to the Council. As the Commission submitted a modified proposal which takes up Parliament's amendments, there is now agreement on the text between the three Institutions. The Council thus took note of the agreement reached in first reading. Formal adoption will take place without discussion at a forthcoming Council session after legal-linguistic finalisation of the text.

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

2000/0070(COD) - 28/04/2000 - Legislative proposal

PURPOSE : to present a proposal for a Regulation of the European Parliament and of the Council amending Council Regulation 1408/71/EEC 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 Council Regulation 574/72/EEC laying down the procedure for implementing Regulation 1408/71/EEC. CONTENT : the purpose of this proposal is to update Community Regulations 1408/71/EEC, 574/72/EEC, 118/97/EC and 1399/1999/EC, to take account of changes to national legislation as well as to clarify the legal situation as concerns certain Articles of the implementing Regulation. The amendments to the Articles relate to: - the separation of Article 34(4) and 34(5) of Regulation 574/72/EEC so that Article 34(5) no longer refers to the reimbursement procedure subject to a ceiling where expenses have been incurred during a stay in a Member State which does not provide for rates of reimbursement. Furthermore, the amendment offers an opportunity to correct errors in certain language versions, primarily in the English and Swedish versions, which refer to the "State of residence" rather than the "State of Stay"; - the reintroduction of Article 22c relating to "Studies in a Member State other than the competent State"; - the clarification of the current legal situation relating to Article 2 of Regulation 1103/97/EC and the responsibility for the quotation of EURO reference rates being assumed by the European Central Bank (ECB); The amendments to the Annexes relate to: - making applicable Regulation 1408/71/EEC to the French supplementary pension schemes ARRCO and AGIRC; - the addition of an entry in Annex VI Section "E. France" to align the conditions under which a Community national not pursuing activity on French territory can voluntarily join a French supplementary pension schemes with the conditions earlier laid down for the person concerned to voluntarily join a basic French old-age insurance scheme. - the addition of an entry to "K.Austria" aims at removing any uncertainty concerning the applicability of Regulation 1408/71/EEC to the only Austrian statutory pre-retirement scheme, i.e. special assistance under the Special Assistance Act (SUG); - "N. Sweden" which takes account of the ruling of the European Court of Justice that had esatblished that the Swedish parental benefit must be treated as a family benefit rather than a maternity benefit. In conclusion, freedom of movement for persons is one of the objectives and principles of the Agreement on the European Economic Area (EEA). Article 29 of Chapter 1 relates to social security for persons moving within the Community. Consequently, this proposal for a Regulation, if adopted, must be applied to the member countries of the EEA.

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

2000/0070(COD) - 15/02/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report drafted by Mrs Jean LAMBERT (Greens/EFA, UK). Parliament adopted a few technical amendments to take account of the recent changes within the national systems. It rejected the more substantial amendents with a view to having more thorough revision later.

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

2000/0070(COD) - 05/06/2001 - Final act

PURPOSE : to amend Council Regulation 1408/71/EEC 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 Council Regulation 574/72/EEC laying down the procedure for implementing Regulation 1408/71/EEC. COMMUNITY MEASURE : Regulation 1386/2001/EC of the European Parliament and of the Council amending Council Regulations 1408/71/EEC 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 574/72/EEC laying down the procedure for implementing Regulation 1408/71/EEC (text with EEA relevance). CONTENT : the purpose of this Regulation is to update Community Regulations 1408/71/EEC, 574/72/EEC to take account of changes to national legislation as well as to clarify the legal situation as concerns certain Articles of the implementing Regulation. The amendments to the Articles relate to: - the separation of Article 34(4) and 34(5) of Regulation 574/72/EEC so that Article 34(5) no longer refers to the reimbursement procedure subject to a ceiling where expenses have been incurred during a stay in a Member State which does not provide for rates of reimbursement. Furthermore, the amendment offers an opportunity to correct errors in certain language versions, primarily in the English and Swedish versions, which refer to the "State of residence" rather than the "State of Stay"; - the reintroduction of Article 22c relating to "Studies in a Member State other than the competent State"; - the clarification of the current legal situation relating to Article 2 of Regulation 1103/97/EC and the responsibility for the quotation of EURO reference rates being assumed by the European Central Bank (ECB); The amendments to the Annexes relate to: - making applicable Regulation 1408/71/EEC to the French supplementary pension schemes ARRCO and AGIRC; - the addition of an entry in Annex VI Section "E. France" to align the conditions under which a Community national not pursuing activity on French territory can voluntarily join a French supplementary pension schemes with the conditions earlier laid down for the person concerned to voluntarily join a basic French old-age insurance scheme; - the addition of an entry to "K.Austria" aims at removing any uncertainty concerning the applicability of Regulation 1408/71/EEC to the only Austrian statutory pre-retirement scheme, i.e. special assistance under the Special Assistance Act (SUG); - "N. Sweden" which takes account of the ruling of the European Court of Justice that had established that the Swedish parental benefit must be treated as a family benefit rather than a maternity benefit. In conclusion, freedom of movement for persons is one of the objectives and principles of the Agreement on the European Economic Area (EEA). Article 29 of Chapter 1 relates to social security for persons moving within the Community. Consequently, this proposal for a Regulation, if adopted, must be applied to the member countries of the EEA. ENTRY INTO FORCE : this Regulation shall enter into force on 01/09/2001. Article 1, as far as the changes to Section "E France" of Annex IV, Part C, and of Annex IV to Regulation 1408/71/EEC are concerned, shall apply as from 1 January 2000.

Social security: employed persons, self-employed persons and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

2000/0070(COD) - 22/02/2001 - Modified legislative proposal

The amendments accepted by the Commission intend to make the text clearer and more precise. To this end, the Commission has accepted the amendments which intends to: - refer in recital 3 to the name of the specific Austrian scheme insted of categorizing a benefit of which the nature is not clear; - bring the date of entry into force of the amendments relating to the inclusion of the statutory French supplementary pension schemes ARRCO and AGIRC in line with their notification by the French Government as of 1 January 2000; - ensure that the exemption of double calculation of pensions for the supplementary pension scheme for flying personnel employed in civil aviation. This scheme has been created by legislation and falls under the scope of the Regulation. As it is based not on pensions points but on pension periods a double calculation must not be excluded; - replace the reference to two specific UK benefits currently included in Annex IIa of Regulation 1408/71/EEC following a modification in UK legislation which renamed these benefits.