Basic information

2004/0284(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations **Subject** 4.10.10 Social protection, social security	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
EMPL Employment and Social Affairs	TOIA Patrizia (ALDE)	31/01/2005

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	2714	2006-03-10
Employment, Social Policy, Health and Consumer Affairs	2644	2005-03-03

European Commission

Commission DG	Commissioner
Employment, Social Affairs and Inclusion	

Key events

Date	Event	Reference	Summary
23/12/2004	Legislative proposal published	COM(2004)0830	Summary
11/01/2005	Committee referral announced in Parliament, 1st reading		
03/03/2005	Debate in Council		Summary
05/10/2005	Vote in committee, 1st reading		Summary
12/10/2005	Committee report tabled for plenary, 1st reading	A6-0293/2005	
15/11/2005	Decision by Parliament, 1st reading	T6-0424/2005	Summary
15/11/2005	Results of vote in Parliament		
10/03/2006	Act adopted by Council after Parliament's 1st reading		
05/04/2006	Final act signed		

05/04/2006	End of procedure in Parliament		
27/04/2006	Final act published in Official Journal		

Technical information

Procedure reference	2004/0284(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 308 EC Treaty (after Amsterdam) EC 042
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/6/25770

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Amendments tabled in committee		PE360.263	19/07/2005	
Committee report tabled for plenary, 1st reading/single reading		A6-0293/2005	12/10/2005	
Text adopted by Parliament, 1st reading/single reading		T6-0424/2005	15/11/2005	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03664/1/2005	05/04/2006	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2004)0830	23/12/2004	Summary
Commission response to text adopted in plenary	SP(2005)5015	15/12/2005	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1065/2005 OJ C 024 31.01.2006, p. 0025-0028	28/09/2005	

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

Final act	
Regulation 2006/0629 OJ L 114 27.04.2006, p. 0001-0008	Summary

Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408 /71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations

2004/0284(COD) - 05/04/2006 - Final act

PURPOSE: to amend Council Regulations 1408/71/EEC on the application of social security schemes to employed persons, to self-employed persons and to members of their family moving within the Community.

LEGISLATIVE ACT: Regulation 629/2006/EC 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 the 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: in agreeing on this Act the EU, by amending Regulations 1408/71 and 574/72, has allowed for a simplification of procedures concerning provisions relating to *"benefits in respect of accidents at work and occupational diseases"*.

The simplified procedures are an extension of those enshrined in Regulation 631/2004/EC for obtaining access to sickness benefits in kind ruing a temporary stay in another Member State. (See COD/2003/0138).

The amendments also take account of changes in the legislation of the new Member States, who acceded on 1 May 2004.

ENTRY INTO FORCE: 28 April 2008. However, in order to ensure legal certainty and in order to protect the legitimate expectations of persons affects, certain provisions (namely those in Annex III of Regulation 1408/71) will take effect retroactively from 1 May 2004.

Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408 /71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations

2004/0284(COD) - 15/11/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Patrizia **TOIA** (ADLE, IT).Parliament adopted amendments intended to simplify the proposal, to correct mistakes and to update the annexes of Regulation. These technical amendments are acceptable to both the Commission and the Council.

Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408 /71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations

2004/0284(COD) - 03/03/2005

Pending the European Parliament's opinion, the Council noted virtual agreement as to substance concerning a draft Regulation amending Regulations 1408/71/EEC and 574/72/EEC on the application of national social security schemes to persons moving within the EU (miscellaneous amendments 2004).

The draft Regulation aims to update those two Regulations to take account of changes in national legislation, in particular in the new Member States since the end of the accession negotiations. Its purpose is also to complete the simplification of procedures on receiving medical care abroad introduced by Regulation 631/2004/EC by extending some of those modifications to the identical procedures regarding benefits for accidents at work and occupational diseases.

Social security: employed and self-employed persons, members of their families moving within the Community (amend. Regulations (EEC) No 1408 /71 and (EEC) No 574/72), changes in national legislations since the end of accession negotiations

2004/0284(COD) - 23/12/2004 - Legislative proposal

PURPOSE : to update Regulations 1408/71/EEC and 574/72/EEC to reflect changes in national legislation and to take account of enlargement.

PROPOSED ACT : Regulation of the European Parliament and of the Council.

CONTENT : Regulations 1408/71/EEC and 574/72/EEC were updated by Regulation 118/97/EEC and most recently amended by Regulation 631/2004 /EC. This proposal intends to update these Community Regulations to reflect changes in national legislation, in particular of the new Member States since the end of accession negotiations. It also intends to complete the simplification of procedures on receiving medical care abroad introduced by Regulation 631/2004/EC by extending some of those modifications to the identical procedures regarding benefits for accidents at work and occupational diseases.

With the entry into force of Regulation 631/2004/EC, access to sickness benefits in kind during a temporary stay in another Member State no longer requires additional formalities other than presentation of a document. These extra requirements, specifically the obligation to submit systematically and in advance a certified statement to the institution of the place of stay certifying entitlement to benefits in kind and completing extra formalities on arrival in the territory of the other Member State, was required formally, but was not applied in practice. The same formal obligation still exists for obtaining benefits in respect of accidents at work and occupational diseases during a stay in a different Member State and also appears to be needlessly restrictive and of a nature to hamper the free movement of the persons concerned. It is therefore appropriate to extend the simplified procedures to the provisions on benefits in respect of accidents at work and occupational diseases contained in Council Regulation 1408/71/EC and Council Regulation 574/72/EEC.

As the provisions of bilateral agreements listed in Annex III involving new Member States continue to apply and are not replaced by Regulation 1408 /71 as of its application in the new Member States, these amendments need to apply from the date of accession 1 May 2004.