Basic information

2005/0258(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Social security: employed, self employed persons and families **Subject** 2.20 Free movement of persons 4.10.10 Social protection, social security	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
EMPL Employment and Social Affairs	MATSOUKA Maria (PSE)	18/01/2006

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	2714	2006-03-10
Environment	2773	2006-12-18

European Commission

Commission DG	Commissioner
Employment, Social Affairs and Inclusion	ŠPIDLA Vladimír

Key events

Date	Event	Reference	Summary
21/12/2005	Legislative proposal published	COM(2005)0676	Summary
14/02/2006	Committee referral announced in Parliament, 1st reading		
10/03/2006	Debate in Council		Summary
04/10/2006	Vote in committee, 1st reading		Summary
12/10/2006	Committee report tabled for plenary, 1st reading	A6-0346/2006	
14/11/2006	Decision by Parliament, 1st reading	T6-0471/2006	Summary
14/11/2006	Results of vote in Parliament		
18/12/2006	Act adopted by Council after Parliament's 1st reading		
18/12/2006	Final act signed		
18/12/2006	End of procedure in Parliament		

30/12/2006	Final act published in Official Journal		

Technical information

Procedure reference	2005/0258(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/6/32890

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE374.132	15/06/2006	
Amendments tabled in committee		PE374.133	18/07/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0346/2006	12/10/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0471/2006	14/11/2006	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03669/2/2006	18/12/2006	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2005)0676	21/12/2005	Summary
Commission response to text adopted in plenary	SP(2007)0054	11/01/2007	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1574/2006	13/12/2006	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act	
Regulation 2006/1992 OJ L 392 30.12.2006, p. 0001	Summary

Social security: employed, self employed persons and families

2005/0258(COD) - 14/11/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Maria **MATSOUKA** (PES, GR) making some amendments to the proposal, which were largely technical in nature. They aimed to give the text more precise wording and bring it into line with certain provisions in national law and judgments of the Court of Justice.

Social security: employed, self employed persons and families

2005/0258(COD) - 18/12/2006 - Final act

PURPOSE: to amend Council Regulation 1408/71/EEC and Council Regulation 574/72/EEC laying down the procedure for implementing Regulation 1408/71/EEC.

LEGISLATIVE ACT: Regulation (EC) No 1992/2006 of the European Parliament and of the Council amending Council 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.

CONTENT: the purpose of this Regulation is to update some of the annexes to Regulation 1408/71/EEC in order to reflect changes in Member States' national social security legislation. It will facilitate application of the Community legislation coordinating social security schemes by ensuring that it correctly reflects the national legislation in force.

In particular, the Regulation ensures that the fundamental reform of the Netherlands health insurance scheme, with effect from 1 January 2006, is correctly reflected in the European coordinating provisions from the date on which it took effect. This measure will provide legal certainty regarding the coordination of sickness benefits.

ENTRY INTO FORCE: 2 January 2007.

Social security: employed, self employed persons and families

2005/0258(COD) - 21/12/2005 - Legislative proposal

PURPOSE : to amend Council Regulation 1408/71/EEC and Council Regulation 574/72/EEC laying down the procedure for implementing Regulation 1408/71 /EEC.

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

CONTENT : this proposal is intended to update some of the annexes to Regulation 1408/71/EEC to reflect changes in Member States' national social security legislation. It will therefore facilitate application of the Community legislation coordinating social security schemes by ensuring that it correctly reflects the national legislation in force.

Member States frequently amend their national social security legislation. As a consequence, the references made to national legislation in EU legislation coordinating social security schemes become outdated and create legal uncertainty. This is to the detriment of EU citizens moving within the EU, because they are not properly informed about their rights and makes it more difficult for the national social security institutions properly to apply EU provisions coordinating social security. The references in EU coordinating legislation, in particular in Regulations 1408/71 and 574/72, therefore need to be updated to reflect national legislation correctly. EU Regulations can be updated only by a Regulation.

It is in the interest of the citizens concerned that the Community Regulations are updated soon after the changes to national legislation. Especially in view of the fundamental pension reforms in Sweden and Finland as well as the reform of the Netherlands health care insurance scheme, Regulation 1408/71 needs to be updated as soon as possible, despite the entry into force, on 20 May 2004, of Regulation 883/2004 replacing it: this new Regulation will not apply until the implementing Regulation has entered into force, which will probably not be before 2007.

As the new Health Care Insurance Act in the Netherlands applies from 1 January 2006, the amendments regarding the Netherlands in Annexes I and VI need to apply from 1 January 2006.

The main changes are as follows:

Amendment of Annex I:

- The wording in the section on Sweden is brought into line with the new Social Insurance Act (1999:799) and a reference to the Social Insurance Contributions Act is added to identify self-employed persons;

- The wording in the section on the Netherlands is brought into line with the new Health Care Insurance Act.

Amendment of Annex IIa:

- Annex IIa lists special non contributory benefits granted to the persons concerned exclusively in the territory of the Member State in which they reside, under Article 10a of Regulation 1408/71. The amendments proposed reflect changes made to legislation in Lithuania and Slovakia.

Amendment of Annex III, Part A:

- Annex III lists the provisions of existing bilateral agreements which were in force prior to the application of the Regulation in the Member States concerned. Part A lists the provisions of bilateral agreements which continue to apply, despite the fact that the provisions of bilateral agreements are generally replaced by Regulation 1408/71. The amendment proposed will delete the provision of the General Convention of 28 October 1952 between Italy and the Netherlands listed in Annex III, Part A;

Amendment of Annex IV:

- Annex IV, Part A lists the legislations under which the amount of invalidity benefits is independent of the length of periods of insurance. The proposed amendments concern the legislation in the Slovak Republic. The Spanish law currently listed in Annex IV, Part B has been amended, and the relevant section has been updated;

- Changes to Annex IV, Part C concern the survivor’s pension in Slovakia, and the guarantee pension in Sweden;

- Amendments to Annex IV, Part D reflect changes in the new Swedish pension legislation, and the bilateral agreement on social security between Finland and Luxembourg, which entered into force on 1 February 2002.

Amendment of Annex VI:

- Annex VI sets out special procedures for applying the legislation of certain Member States. Proposed amendments reflect changes in the law in Estonia and the new health care reform in the Netherlands, and the reform of the Finnish employment pension legislation. Changes are also made to reflect new legislation regarding coverage under Swedish social security legislation and the reform of the Swedish pension legislation.

Social security: employed, self employed persons and families

2005/0258(COD) - 10/03/2006

Pending the European Parliament's opinion, the Council reached a general approach on a draft Regulation amending Regulation 1408/711/EEC on the application of social security schemes to employed persons and their families moving within the Community (miscellaneous amendments 2005).

The draft Regulation is intended to update Regulation 1408/71/EEC and its annexes to reflect changes in the legal situation at national level, thus ensuring proper Community coordination of national social security schemes.