



COMMISSION OF THE EUROPEAN COMMUNITIES

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96/0227 (CNS )

Proposal for a  
COUNCIL REGULATION (EC)  
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

(presented by the Commission)



## EXPLANATORY MEMORANDUM

regarding the proposal for a Council Regulation (EC) 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.

### I INTRODUCTION

Since the entry into force of Regulation (EEC) No 2001/83, under which Regulations (EEC) Nos 1408/71 and 574/72 were amended and updated in a single official document, following the extension of their scope to include self-employed persons, these Regulations have been amended by Council Regulations (EEC) Nos 1660/85 and 1661/85, Commission Regulation No 513/86 and Council Regulations Nos 3811/86, 1305/89, 2332/89, 3427/89, 2195/91, 1247/92, 1248/92, 1249/92, 1945/93, 3095/95 and 3096/95, and by the Acts of Accession of the Kingdom of Spain and the Portuguese Republic in 1985 and of the Republics of Austria and Finland and the Kingdom of Sweden in 1995.

This proposal is intended to update the Community Regulations in the light of changes made to national legislation, and to take account of certain bilateral agreements concluded between Member States.

Moreover, coordination will be enhanced with the introduction of new provisions geared mainly to simplifying and speeding up administrative procedures in conjunction with the multiannual TESS programme<sup>1</sup>, which was adopted by the Administrative Commission on Social Security for Migrant Workers with a view to developing telematic services for the coordination of social security schemes within the Community<sup>2</sup>. In this context, a set of common operational rules has been laid down to facilitate the use of telematic services for the exchange of social security information. These rules have been implemented and are already being used for exchanges of data between various institutions.

### II COMMENTS ON THE ARTICLES

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<sup>1</sup> TESS stands for "*Telematics in Social Security*".

<sup>2</sup> See section 3.4.2 of the *Medium-term social action programme 1995-97*, communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions. COM(95) 134 final of 12 April 1995.

## ARTICLE 1

### *Amendments to Regulation (EEC) No 1408/71*

#### 1. Amendment of Article 1 (f) (i)

For the purpose of defining the concept of "*member of the family*", Article 1 (f) (i) refers back to the national legislation under which the benefit is provided. Part II of Annex I allows the Member States to assign a meaning to this concept if their legislation does not enable them to identify such persons. Given that several chapters of the Regulation are involved, it is advisable to adapt the text of this provision.

#### 2. Amendment of the third paragraph of Article 2

Article 2 refers to persons covered by the Regulation. Members of the family and survivors of civil servants and persons treated as such are not referred to in the third paragraph. The proposed amendment aims to make good this shortcoming.

#### 3. Insertion of a new Article 22c

The purpose of this provision is to remove the condition that there should be an immediate need for treatment in the case of persons who, for study purposes, are staying in a Member State other than the competent State, along the same lines as Article 22b in respect of posted workers.

#### 4. Amendment of Article 81 (d)

This amendment is designed to emphasise the importance of the work of the Administrative Commission on Social Security for Migrant Workers aimed at encouraging the use of telematic services between Member States. This provision applies to all social security benefits and, more particularly, to pensions.

#### 5. Insertion of a new paragraph in Article 85

The new paragraph seeks to ensure that documents exchanged by electronic means are given the same status as paper documents. Consequently, such documents may not be rejected on the grounds that they were received by electronic means, provided the receiving institution has declared its ability to use telematic services. Like paper documents, a document received by electronic means may be rejected for other reasons.

A further rule is introduced in respect of the burden of proof in cases where the correctness and quality of the document received by electronic means is questioned. Telematic services are presumed to function correctly unless there is proof to the contrary.

Finally, it is pointed out that appropriate security measures are to be taken in accordance with the relevant Community provisions. These provisions are contained in European Parliament and Council Directive No 95/46/EC of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of

such data<sup>3</sup>, covering the various aspects of the processing of personal data referred to in this text, with particular reference to questions of security in the event of telematic data transfer.

6. Amendment to Annex I, Part II

Part II to Annex I gives, in accordance with what is laid down in the second sentence of Article 1 (f) (i) of the Regulation, the meaning of "members of the family" for those Member States whose legislation does not make it possible to identify such persons.

The amendment to the heading "E. FRANCE" is designed to clarify further the scope of this concept, limited to Title III, Chapter VII of Regulation (EEC) No 1408/71.

7. Amendment to Annex II, Part I

Part I to Annex II refers to special schemes for self-employed persons excluded from the scope of the Regulation pursuant to the fourth subparagraph of Article 1 (j).

The amendment to the text under the heading "D. SPAIN" takes account of the incorporation of members of professional associations into the social security system.

8. Amendment of Annex IIa

Annex IIa refers to special non-contributory benefits payable to the parties concerned exclusively on the territory of the Member State in which they reside, pursuant to Article 10a of the Regulation.

In view of the formal changes made to Spanish, Portuguese and Swedish legislation, certain entries under the headings "D. SPAIN", "L. PORTUGAL" and "N. SWEDEN" are to be adapted.

9. Amendment to Annex IV, Part D

Point 3 of part D to Annex IV deals with the agreements referred to in Article 46b (2) (b) (i) of the Regulation, intended to prevent the same credited period being taken into account two or more times.

It is proposed that the reference to the agreement between Luxembourg and Germany be deleted, since the agreement is no longer applied by the institutions concerned, following changes to the national laws of those States.

10. Amendment of Annex VI

Annex VI covers special procedures for applying the legislations of certain Member States.

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<sup>3</sup> Directive 95/46 of 24 October 1995, OJ L 281 of 23 November 1995, page 31.

a) Amendment to the heading "B. DENMARK"

This constitutes a technical adaptation taking account of the choice between two forms of insurance available to persons who join the Danish health insurance scheme.

b) Amendment to the heading "C. GERMANY"

The proposed amendment seeks to take account of the change to German legislation whereby insured persons are free to choose the sickness insurance fund with which they wish to be insured.

c) Amendment to the heading "D. SPAIN"

The suggested change to the first two points of this heading is intended to facilitate voluntary affiliation to the Spanish social security scheme for persons serving international organisations on Spanish territory and persons who cease to be covered by the Spanish system as a result of entering the service of an international organisation situated in another Member State.

d) Amendment to the heading "F. GREECE"

It is proposed to introduce a provision whereby it is possible for serving or retired civil servants, persons treated as such and members of their families to receive the benefits in kind referred to in Article 22 (1) (a) and (c), and paragraph 3, and Article 31 (a) of Regulation (EEC) No 1408/71.

e) Amendment to the heading "J. NETHERLANDS"

The suggested amendment is intended, for the purpose of applying the proposed Article 22 (c), to take account of the fact that, in the case of treatment other than that which is immediately required, the Netherlands' insurance schemes provide medical services on the basis of cooperation agreements concluded with the parties providing treatment. This requires the insured person to be registered in accordance with Article 17 of the implementing Regulation and allows only for the calculation of sums based on average costs in accordance with Article 94 of that Regulation.

## ARTICLE 2

### *Amendments to Regulation (EEC) No 574/72*

1 Amendment of the first paragraph of Article 2

The proposed amendment is designed to clarify the fact that electronic messages are equivalent to paper documents if they are standardised. Moreover, emphasis is placed on the principle whereby the use of telematic services for the operational exchange of data is subject to an agreement between the competent authorities of the sending and the receiving Member State.

2 Amendment of Article 93

Article 93 contains the financial provisions applying to the refund of sickness and maternity insurance benefits. Following the entry into force of Regulations (EC) Nos 3095/95 and 3096/95, reference should be made to Articles 22a and 22b and to the proposed new Article 22c.

### 3 Insertion of a new Title VIa and amendment of Article 117

This new Title is concerned wholly with electronic data processing. Article 117 is amended with a view to ensuring that the Administrative Commission on Social Security for Migrant Workers encourages the use of telematic services for exchanging information between social security institutions in the Member States.

### 4 Insertion of new Articles 117a to 117c

The first paragraph of the new Article 117a stipulates that the Member States are responsible for extending the use of telematic services among their own social security institutions. They are, however, obliged to take certain initiatives to develop the use of such services. It is also stated that the European Commission will lend its support to activities of common interest. This means that the Commission is unable either to support or to finance any development or purchase which a national institution finds to be necessary, nor can it bear any of the costs incurred by Member States when the system becomes operational. The term "*activities of common interest*" refers essentially to the adoption of common architecture rules and inter-operability tests which are not linked to a specific system in a given Member State.

The second paragraph of this Article states that the Administrative Commission on Social Security for Migrant Workers will adopt the common architecture rules for the telematic services. This provision ensures that the various initiatives will be coordinated at Community level, that the different national systems can be linked up and that the same standards are used.

Article 117b emphasises 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. This applies from the development phase onwards and, more particularly, as soon as the telematic services are used for the operational exchange of data.

The second paragraph points out that the Administrative Commission will lay down provisions for managing the common part of the telematic services. This means that certain mechanisms established by the Administrative Commission will preserve and enhance the common architecture rules once the telematic services are up and running.

A *Technical Commission on data processing*, to be set up under Article 117c as a replacement for the existing TESS working party, will give the Administrative Commission opinions on any matter relating to data processing.

### 5 Amendment of Annex 1

Annex 1 refers to the competent authorities.

a) Amendment to the heading "A. BELGIUM"

The proposed changes result from the rationalisation of ministerial departments of the Federal Belgian State.

b) Amendment to the heading "D. SPAIN"

The alteration of the name of the competent Spanish authority takes account of the merging of the two ministries concerned in Spain.

c) Amendment to the heading "F. GREECE"

The proposed amendment comes about through a change in Greek legislation, whereby responsibility for social security has been transferred to the Ministry of Labour and Social Security, while the Ministry of Health and Welfare remains the competent authority for health care.

d) Amendment to the heading "J. NETHERLANDS"

This amendment takes account of a change to the organisation of ministerial departments in the Netherlands.

e) Amendment to the heading "L. PORTUGAL"

The proposed amendment to points 1 and 3 reflects the changes made within the Portuguese administration.

6 Amendment of Annex 2

Annex 2 refers to the competent institutions of each Member State.

a) Amendment to the heading "B. DENMARK"

The proposed amendments in respect of points 1, 2, 4, 5 and 7 stem from the administrative reorganisation carried out in Denmark.

b) Amendment to the heading "C. GERMANY"

The proposed amendment in respect of point 1 is along the same lines as that described above for Annex VI to Regulation (EEC) No 1408/71. Moreover, the current text does not yet make provision for the names of the competent institutions in dealings between Germany and the new Member States: Austria, Finland and Sweden. This heading should therefore be duly supplemented.

c) Amendment to the heading "L. PORTUGAL"

The proposed amendments relating to points I, II and III are along the same lines as those described above for Annex 1.



7 Amendment of Annex 3

Annex 3 refers to institutions of the place of residence and institutions of the place of stay.

a) Amendment to the heading "B. DENMARK"

The proposed amendments relating to points I and II are along the same lines as those described above for Annex 2.

b) Amendment to the heading "C. GERMANY"

The proposed amendments in respect of point 3 are along the same lines as those described above for Annex 2.

c) Amendment to the heading "L. PORTUGAL"

The proposed amendments in respect of points I, II and III are along the same lines as those described above for Annex 1.

8 Amendment of Annex 4

Annex 4 refers to liaison bodies.

a) Amendment to the heading "A. BELGIUM"

The proposed amendment in respect of point 4 (b) is along the same lines as that described above for Annex 1.

b) Amendment to the heading "B. DENMARK"

The proposed amendment in respect of point 7 is along the same lines as that described above for Annex 2.

c) Amendment to the heading "C. GERMANY"

The proposed amendments in respect of point 3 are along the same lines as those described above for Annex 2.

d) Amendment to the heading "L. PORTUGAL"

The proposed amendment is along the same lines as that described above for Annex 1.

9 Amendment of Annex 5

Annex 5 refers to the implementing provisions of bilateral conventions which remain in force. A number of amendments are to be noted in respect of this Annex.

Two new headings should be inserted under points 58 and 59, to do with dealings between France and two new Member States, Finland and Sweden. These should have been introduced at the time of the technical adaptations, in line with Decision No 7/94 of the EEA Joint Committee<sup>4</sup>. This amendment necessarily entails the renumbering of the subsequent points.

Moreover, Finland has concluded agreements with Belgium, Austria and the United Kingdom on arrangements for the reimbursement of medical expenses; Denmark has also concluded two agreements with France on this matter; finally, France and Luxembourg have, through an exchange of letters, concluded an agreement to determine the specific arrangements for settlement of reciprocal claims under Articles 93, 95 and 96 of Regulation (EEC) No 574/72.

#### 10 Amendment of Annex 6

Annex 6 has to do with the procedure for the payment of benefits chosen by the institutions responsible for payment in each Member State.

##### Amendment to the heading "C. GERMANY"

At present, there is still no mention of the channels of payment from German institutions to the new Member States (Austria, Finland and Sweden); for this reason, reference should be made to the methods of payment chosen by Germany vis-à-vis those countries.

#### 11 Amendment of Annex 8

Annex 8 deals with the granting of family benefits.

The purpose of this amendment is to include in the text references to dealings between, on the one hand, Germany and Portugal and, on the other hand, between Ireland and Finland, under subparagraph (a) of part A to this Annex. The initial reference was inadvertently deleted at the time of the technical adaptation in conjunction with the most recent enlargement of the European Community.

#### 12 Amendment of Annex 10

Annex 10 lists the institutions and bodies designated by the competent authorities.

##### a) Amendment to the heading "A. BELGIUM"

The two amendments proposed in respect of point 4 are along the same lines as those described above in respect of Annex 1.

##### b) Amendment to the heading "B. DENMARK"

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<sup>4</sup> OJ No L 160 of 28 June 1994, p. 63.

The proposed amendment to point 4 is along the same lines as that described above in respect of Annex 2.

c) Amendment to the heading "C. GERMANY"

The proposed amendment to point 4 is along the same lines as that described above in respect of Annex VI to Regulation (EEC) No 1408/71.

d) Amendment to the heading "D. SPAIN"

The proposed change results from the new allocation of responsibilities under the relevant Spanish legislation.

e) Amendment to the heading "F. GREECE"

The fact that nearly all the Greek bodies are referred to under this heading is due to the decentralisation of responsibilities and reflects the desire to monitor more effectively the application of Community provisions in this field.

f) Amendment to the heading "L. PORTUGAL"

The proposed amendments in respect of points I, II and III are along the same lines as those described above in respect of Annex 1.

g) Amendment to the heading "N. SWEDEN"

The purpose of the suggested change to point 6 (a) is to include the designated body in the event of an agreement being made for work to be performed in a Member State other than Sweden.

**III JUSTIFICATION FOR THE PROPOSAL FOR A REGULATION WITH REGARD TO THE PRINCIPLE OF SUBSIDIARITY**

This proposal for a Council Regulation conforms to the principle of subsidiarity as regards the two underlying criteria, namely necessity and proportionality, as specified in Article 3b of the European Community Treaty.

On the one hand, Article 51 requires the Council to adopt such measures in the field of social security as are necessary to provide freedom of movement for workers within the Community. The coordination of national social security schemes therefore falls exclusively within the competence of the Community. On the other hand, a binding legislative instrument, in the form of a regulation, is clearly proportionate to the objective pursued, i.e. ensuring effective freedom of movement. This is why the Council has chosen such an instrument as being the most appropriate means of achieving this objective.

**IV APPLICATION IN THE COUNTRIES OF THE EUROPEAN ECONOMIC AREA**

The free movement of persons is a fundamental objective and principle of the Agreement on the European Economic Area (EEA), which entered into force on 1 January 1994<sup>5</sup>. In Chapter 1 of Part III, which is concerned with the free movement of persons, services and capital, Articles 28, 29 and 30 are devoted to the free movement of workers and self-employed persons. More particularly, Article 29 reiterates the principles laid down in Article 51 of the EC Treaty, concerning 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.

<sup>5</sup> OJ No L 1 of 3 January 1994, as amended by Decision of the EEA Joint Committee No 7/94 of 21 March 1994 (OJ No L 160, 28.6.1994).

Proposal for a

COUNCIL REGULATION (EC)

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

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 51 and 235 thereof,

Having regard to the proposal from the Commission<sup>1</sup>, submitted following consultation of the Administrative Commission on Social Security for Migrant Workers,

Having regard to the opinion of the European Parliament<sup>2</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>3</sup>,

Whereas it is necessary to make certain amendments to Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community<sup>4</sup>, and to Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their

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OJ No L 149, 5.7.1971, p. 2. Regulation as last amended by Regulation (EC) No 3096/95 (OJ No L 335, 30.12.1995, p. 10).

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families moving within the Community<sup>5</sup>; whereas some of these amendments are linked to changes made by the Member States to their social security legislation, while others are of a technical nature and are intended to make the said Regulations more complete;

Whereas, for reasons of clarity, it is advisable to adapt the last sentence of Article 1 (f) (i) as regards the meaning of the term "member of the family";

Whereas, with regard to persons covered by Regulation (EEC) No 1408/71, members of the family and survivors of civil servants and persons treated as such should be explicitly included;

Whereas it appears necessary to ensure that persons who stay in a Member State other than the competent State in order to study or undergo vocational training, and the members of their family accompanying them, are covered by the provisions of Article 22 (1) (a) of Regulation (EEC) No 1408/71 for any condition necessitating benefits;

Whereas modernisation of the existing means of exchanging information between social security institutions in the Member States will improve the service provided to insured persons moving within the Community;

Whereas the use of telematic services for exchanging data between institutions requires provisions guaranteeing that the documents exchanged by electronic means are accepted as equivalent to paper documents;

Whereas such exchanges are to be carried out in accordance with the Community provisions on the protection of individuals with regard to the processing of personal data;

Whereas it is a fundamental principle that the Member States are responsible for the development and functioning of telematic services between their own social security institutions with assistance from the European Community;

Whereas the development and use of telematic services for the exchange of information has been found to require the creation of a Technical Commission under the aegis of the Administrative Commission on Social Security for Migrant Workers, with specific responsibilities in the field of data processing;

Whereas it is necessary to amend part II of Annex I to Regulation (EEC) No 1408/71 in order to clarify the scope of the entry under the heading "E. FRANCE";

Whereas it is necessary, in the light of changes made to the relevant Spanish legislation, to amend the heading "D. SPAIN" in part I of Annex II;

Whereas it appears advisable to adapt the heading "D. SPAIN" in Annex IIa to take account of the consolidation of the relevant Spanish legislation; whereas the headings "L.

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<sup>5</sup> OJ No L 74, 27.3.1972, p. 1. Regulation as last amended by Regulation (EC) No 3096/95 (OJ No L 335, 30.12.1995, p. 10).

PORTUGAL" and "N. SWEDEN" should also be adapted, since the designation of certain benefits has been changed;

Whereas, as a result of the legislative changes in Germany and Luxembourg, the reference to the agreement between those two Member States contained in point 3, part D of Annex IV to Regulation (EEC) No 1408/71 should be deleted;

Whereas section 2 of the heading "B. DENMARK" must be adapted to take account of the special features of Danish legislation governing sickness insurance;

Whereas, following the changes made to the relevant German legislation, it is necessary to adapt the heading "C. GERMANY" in Annex VI to Regulation (EEC) No 1408/71;

Whereas account should be taken of the new provisions introduced into Spanish legislation governing the voluntary insurance of officials of international organisations resident abroad; whereas steps should be taken to make the wording of points 1 and 2 under the heading "D. SPAIN" in Annex VI to Regulation (EEC) No 1408/71 more consistent;

Whereas it is necessary also to expand upon the heading "F. GREECE" in Annex VI to Regulation (EEC) No 1408/71 so as to ensure that serving or retired civil servants, persons treated as such and members of their families may receive sickness and/or maternity benefits in kind in the event of immediate need during a stay in the territory of another Member State or when travelling there to receive care appropriate to their state of health with the prior authorisation of the competent Greek institution;

Whereas, having regard to the specific nature of the system for financing sickness benefits in the Netherlands, provision should be made for specific rules in respect of the reimbursement of benefits provided by that Member State on the basis of Article 22c of Regulation (EEC) No 1408/71;

Whereas it has proved necessary to supplement Article 93 of Regulation (EEC) No 574/72 in the light of the changes introduced by Regulations (EC) No 3095/95 and No 3096/95 and the new Article 22c;

Whereas, following the administrative reorganisation in Belgium, Denmark, Germany, Spain, Greece, the Netherlands and Portugal, it is necessary to adapt accordingly the headings "A. BELGIUM" in Annexes 1, 4 and 10; "B. DENMARK" in Annexes 2, 3, 4 and 10; "C. GERMANY" in Annexes 2, 3, 4, 6 and 10; "D. SPAIN" in Annexes 1 and 10; "F. GREECE" in Annexes 1 and 10; "J. NETHERLANDS" in Annex 1; "L. PORTUGAL" in Annexes 1, 2, 3, 4 and 10; and "N. SWEDEN" in Annex 10 to Regulation (EEC) No 574/72;

Whereas the references "58. FRANCE-FINLAND" and "59. FRANCE-SWEDEN" are to be incorporated and the headings "12. BELGIUM-FINLAND", "17. DENMARK-FRANCE", "54. FRANCE-LUXEMBOURG", "95. AUSTRIA-FINLAND" and "102. FINLAND-UNITEDKINGDOM" in Annex 5 to Regulation (EEC) No 574/72 are to be adapted;

Whereas Annex 8 to Regulation (EEC) No 574/72 should be duly supplemented;

Whereas, with a view to achieving the objective of freedom of movement for workers in the field of social security, the rules coordinating national social security schemes rightly need to be amended by a binding Community legal instrument which is directly applicable in every Member State;

Whereas this is in accordance with the provisions of the third paragraph of Article 3b of the Treaty,

HAS ADOPTED THIS REGULATION:

### Article 1

Regulation (EEC) No 1408/71 shall be amended as follows:

1 The last sentence of Article 1 (f) (i) shall be replaced by the following text:

*"Where the legislation of a Member State does not enable members of the family to be distinguished from the other persons to whom it applies, the term "member of the family" shall have the meaning given to it in Annex I".*

2 The third paragraph of Article 2 shall be replaced by the following text:

*"3. This Regulation shall apply to civil servants and to persons who, in accordance with the legislation applicable, are treated as such, where they are or have been subject to the legislation of a Member State to which this Regulation applies, as well as to the members of their families and their survivors."*

3 The following Article 22c shall be inserted after Article 22b:

#### *"Article 22c*

*Studies in a Member State other than the competent State – Stay in the State where the studies are pursued*

*A person, as referred to in Article 22 (1) and (3) and in Article 22a, who stays in a Member State other than the competent State to study there or receive vocational training leading to a qualification officially recognised by the authorities of a Member State, and the members of his family accompanying him during his stay, shall be covered by the provisions of Article 22 (1) (a) for any condition necessitating benefits during the stay in the territory of the Member State where such person is studying or in training."*

4 The current text of Article 81 (d) shall be replaced by the following:

*"(d) to foster and develop cooperation between Member States by modernising procedures for exchange of information, in particular by adapting the*



*information flow between institutions for the purpose of telematic exchange, taking account of the development of data processing in each Member State. The main aim of such modernisation shall be to expedite the award of benefits. "*

5 A new paragraph shall be inserted after Article 85 (2), as follows:

*"3. An electronic message sent by an institution in conformity with the provisions of this Regulation and the implementing Regulation may not be rejected by any authority or institution of another Member State on the grounds that it was received by electronic means, once the receiving institution has declared its ability to receive electronic messages. Reproduction and recording of such messages shall be presumed to be a correct and accurate reproduction of the original document or recording of the information it relates to, unless there is proof to the contrary.*

*An electronic message shall be considered valid if the computer system on which the message is recorded contains the safeguards necessary in order to avoid any alteration, disclosure or access to the recording. It shall at any time be possible to reproduce the information recorded in a directly legible form. When an electronic message is transferred from one social security institution to another, appropriate security measures shall be taken in accordance with the relevant Community provisions. "*

6 In part II of Annex I, the heading "E. FRANCE" shall be replaced by the following text:

*"E. FRANCE*

*For the purpose of determining entitlement to family allowances or family benefits, the term "member of the family" means any person mentioned in Article L 512-3 of the Social Security Code. "*

7 In part I of Annex II, point 1 of the heading "D. SPAIN" shall be replaced by the following:

*"1. Self-employed persons as referred to in Article 10 (2) (c) of the Consolidated Text of the General Law on Social Security (Royal Legislative Decree 1/1994 of 20 June 1994) and in Article 3 of Decree No 2530/1970 of 20 August 1970 regulating the special scheme for self-employed persons who join a professional association and decide to become members of the mutual insurance society set up by the said association instead of joining the special social security scheme for self-employed persons. "*

8 Annex IIa shall be amended as follows:

a) Subparagraph (c) under the heading "D. SPAIN" shall be replaced by the following text:

"(c) *Non-contributory invalidity and retirement pensions and dependent child benefits as provided for in Article 38 (1) (c) and (d) of the Consolidated Text of the General Law on Social Security, approved by Royal Legislative Decree No 1/1994 of 20 June 1994.*"

- b) The text of subparagraph (h) under the heading "L. PORTUGAL" shall be amended as follows:

"(h) *Attendance allowance for persons receiving invalidity, old-age or survivors' pensions under a non-contributory scheme (Decree-Law No 160/80 of 27 May 1980 and Implementing Order No 1066/94 of 5 December 1994).*"

- c) Under the heading "N. SWEDEN", the reference in subparagraph (a) shall be replaced by the following:

"(a) *Housing supplements for persons receiving a pension (Law 1994:308).*"

- 9 In Annex IV, part D, point 3, the reference to the agreement of 20 July 1978 between the Government of the Grand Duchy of Luxembourg and the Government of the Federal Republic of Germany shall be deleted.

- 10 Annex VI shall be amended as follows:

- a) In the heading "B. DENMARK", point 2 shall be replaced by the following text:

"2. *Persons who, pursuant to Chapter 1, Title III of the Regulation, are entitled to benefits in kind during a period of stay or residence in Denmark shall be entitled to such benefits on the same terms as those laid down by Danish legislation for persons who, under the law on public health insurance (lov om offentlig sygesikring), belong to class 1. However, persons who take up residence in Denmark and join the Danish health insurance scheme may, in the same way as insured Danish nationals, opt to belong to class 2.*"

- b) In the heading "C. GERMANY", point 3 shall be replaced by the following text:

"3. *If application of the Regulation or later regulations on social security places an exceptional burden on certain sickness insurance institutions, this shall be compensated for in full or in part. The German sickness insurance liaison body - foreign countries (Krankenversicherung - Ausland), Bonn, shall take decisions regarding such compensation by common agreement with the other central federations of sickness funds. The resources needed to implement the compensation shall be divided among all the sickness insurance institutions in proportion to the average number*

*of members over the previous year, with the exception of retired members."*

c) In the heading "E. SPAIN", points 1 and 2 shall be reworded as follows:

- "1. The condition either of carrying on the activity of an employed or of a self-employed person, or the condition of having previously been compulsorily insured against the same contingency under a scheme organised for the benefit of employed or self-employed persons of the same Member State, laid down in Article 1 (a) (iv) of the Regulation, will not be required of persons who, in accordance with the provisions of Royal Decree No 317/1985 of 6 February 1985, are affiliated voluntarily to the general social security scheme in their capacity as an official or employee-serving an intergovernmental international organisation.*
- 2. In accordance with the principle of equal treatment, the benefits provided for in Royal Decree No 2805/79 of 7 December 1979 on voluntary affiliation to the general social security scheme shall be extended to the nationals of the other Member States, refugees and stateless persons residing in Community territory who, by taking up employment with an international body, cease to be compulsorily affiliated to the Spanish social security system."*

d) In the heading "F. GREECE", the following point shall be added:

- "7. Serving or retired civil servants, persons treated as such and members of their families, covered by a special health-care scheme, may receive sickness and maternity benefits in kind in the event of immediate need during a stay in the territory of another Member State or when travelling there to receive care appropriate to their state of health with the prior authorisation of the competent Greek institution, in accordance with the procedures laid down in Article 22 (1) (a) and (c) and paragraph 3, and in Article 31 (a) of Regulation (EEC) No 1408/71, under the same conditions as employed and self-employed persons covered by Greek social security legislation (statutory schemes)."*

e) In the heading "J. NETHERLANDS", subparagraph (b) of point 1 shall be worded as follows:

- "(b) Article 17 of the implementing Regulation shall apply by analogy to persons referred to in Article 22c of the Regulation who are studying or undergoing vocational training in the Netherlands, as well as to members of their family accompanying them during that period.*

*Notwithstanding Article 93 of the implementing Regulation, Article 94 of this Regulation shall apply by analogy to benefits provided to the persons referred to in the previous paragraph."*

## **Article 2**

Regulation (EEC) No 574/72 shall be amended as follows:

1 Article 2 (1) shall be replaced by the following text:

*"1. Models of certificates, certified statements, declarations, claims and other documents necessary for the application of the Regulation and of the implementing Regulation shall be drawn up by the Administrative Commission.*

*Two Member States or their competent authorities may, by mutual agreement and having received the opinion of the Administrative Commission, adopt simplified models for use between them.*

*The certificates, certified statements, declarations, claims and other documents may be transferred between institutions either in paper form or by means of telematic services as standardised electronic messages in accordance with the provisions of Title VIa. Exchange of information by means of telematic services is subject to an agreement between the competent authorities of the sending and the receiving Member State."*

2 Article 93 (1) shall be replaced by the following text:

*"1. The actual amount of benefits in kind provided under Article 19 (1) and (2) of the Regulation to employed and self-employed persons and to members of their families residing in the territory of the same Member State, and benefits in kind provided under Articles 21 (2), 22 to 22c, 25 (1), (3) and (4), 26, 29 (1) or 31 of the Regulation, shall be refunded by the competent institution to the institution which provided the said benefits as shown in the accounts of that institution."*

3 After Article 116, a new Title shall be inserted as follows:

*"TITLE VIa  
PROVISIONS GOVERNING ELECTRONIC DATA PROCESSING"*

4 The current text of Article 117 shall be replaced by the following:

*"Article 117  
Data processing*

1. *The Administrative Commission shall, on the basis of studies and proposals of the Technical Commission referred to in Article 117c of the implementing Regulation, adapt to the new data processing techniques the models of certificates, certified statements, declarations, claims and other documents, as well as the routing channels and the data transmission procedures necessary in applying the Regulation and the implementing Regulation.*
2. *The Administrative Commission shall take the measures necessary to ensure the general application of these adapted models, routing channels and procedures, taking account of the development of the new data processing techniques in each Member State."*

5 The following Articles shall be inserted after Article 117: —

*"Article 117a*

*Telematic services*

1. *The Member States shall gradually further the use of telematic services for the exchange between institutions of the data required for the application of the Regulation and the implementing Regulation.*

*The European Commission shall lend its support to activities of common interest as soon as the Member States have established the telematic services.*

2. *The Administrative Commission shall, on the basis of proposals from the Technical Commission referred to in Article 117c of the implementing Regulation, adopt the common architecture rules for the telematic services, in particular on security and the use of standards.*

*Article 117b*

*Management of the telematic services*

1. *Each Member State shall be responsible for managing its own part of the telematic services in accordance with the Community provisions on the protection of individuals with regard to the processing of personal data.*
2. *The Administrative Commission shall lay down provisions for the management of the common part of the telematic services.*

*Article 117c*

### *Technical Commission on data processing*

1. *The Administrative Commission shall set up a Technical Commission, which shall deliver reports and a reasoned opinion before decisions are taken pursuant to Articles 117, 117a and 117b. The methods of operation and the composition of the Technical Commission shall be determined by the Administrative Commission.*
2. *The Technical Commission shall:*
  - (a) *gather together the relevant technical documents and undertake the studies and work required for the purposes of the present Title;*
  - (b) *submit to the Administrative Commission the reports and reasoned opinions referred to in paragraph 1;*
  - (c) *carry out all other tasks and studies on matters referred to it by the Administrative Commission."*

6 Annex 1 shall be amended as follows:

- a) The heading "A. BELGIUM" shall be replaced by the following text:

#### *"A. BELGIUM*

1. *Ministre des affaires sociales, Bruxelles - Minister van Sociale Zaken, Brussel (Minister for Social Affairs, Brussels).*
2. *Ministre de l'agriculture et des petites et moyennes entreprises - Minister van Landbouw en de Kleine en Middelgrote Ondernemingen, Brussel (Minister for Agriculture and SMEs, Brussels)."*

- b) The following shall be inserted in place of the existing heading "D. SPAIN":

#### *"D. SPAIN*

*Ministro de Trabajo y Asuntos Sociales (Minister for Labour and Social Affairs), Madrid".*

- c) Points 1 and 2 of the heading "F. GREECE" shall be replaced by the following:

*"1. Minister for Labour and Social Security, Athens"*

*2. Minister for Health and Welfare, Athens".*

d) Point 2 of the heading "J. NETHERLANDS" shall be replaced by the following:

"2. *Minister van Volksgezondheid, Welzijn en Sport (Minister for Public Health, Welfare and Sport), Rijswijk*".

e) Points 1 and 3 of the heading "L. PORTUGAL" shall be replaced by the following:

"1. *Ministro da Solidaridade e Segurança Social (Minister for Solidarity and Social Security), Lisboa*.

(...)

3. *Secretário Regional da Saúde e Segurança Social da Região Autónoma dos Açores (Regional Secretary for Health and Social Security of the Autonomous Region of the Azores), Angra do Heroísmo*."

7 Annex 2 shall be amended as follows:

a) In the heading "B. DENMARK":

i) Point 1 shall be replaced by the following text:

"1. *Sickness and maternity*

a) *Benefits in kind:*

*The competent amtskommune (district administration). In the commune of København: Magistraten (the communal administration); in the commune of Frederiksberg: the municipal administration. Hospital treatment in these two communes: Hovedstadens Sygehusfælleskab (Hospital Association of the Capital).*

b) *Cash benefits:*

*The local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)".*

ii) Point 2 (b) shall be worded as follows:

"b) *Rehabilitation benefits:*

*The local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)".*

iii) Point 4 (b) shall be replaced as follows:

"b) *Daily allowances:*

*The local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)".*

iv) Point 5 shall be replaced by the following text:

"5. *Death grants:*

*The local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)".*

v) Point 7 shall be replaced by the following text:

"7. *Family benefits (family allowances):*

*The local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)".*

b) In the heading "C. GERMANY":

i) Under point 1 (a), the words "*the competent Allgemeine Ortskrankenkasse (Local General Sickness Fund) of the place of residence of the person concerned*" shall be replaced by "*The sickness fund chosen by the person concerned in the place of residence*".

ii) Under point 1 (b), the words "*Allgemeine Ortskrankenkasse Bonn (Local General Sickness Fund, Bonn), Bonn*" shall be replaced by "*The sickness fund in the Bonn area chosen by the person concerned*".

iii) Under point 1 (c), third subparagraph, sections (i) and (ii) shall be deleted. The words "*Allgemeine Ortskrankenkasse Bonn (Local General Sickness Fund Bonn), Bonn*" and "*the sickness insurance institution with which the claimant or pensioner is insured*" shall be replaced by "*the sickness insurance fund chosen by the person concerned in the place of residence. If an Allgemeine Ortskrankenkasse (Local General Sickness Fund) would be competent accordingly, the person concerned comes under the AOK-Rheinland, Regionaldirektion Bonn (Local General Sickness Fund - Rhineland, Regional Directorate Bonn).*"

iv) Under point 2 (a) (i), the fifth indent shall be replaced by the following text:



- "– *if the person concerned is resident in Denmark, Finland or Sweden or is a Danish, Finnish or Swedish national resident in the territory of a non-member country:*

*Landesversicherungsanstalt Schleswig-Holstein (Regional Insurance Office of Schleswig-Holstein), Lübeck".*

- v) Under point 2 (a) (i), a new indent shall be inserted as follows:

- "– *if the person concerned is resident in Austria or is an Austrian national resident in the territory of a non-member country:*

*Landesversicherungsanstalt Oberbayern (Regional Insurance Office of Upper Bavaria), München".*

- vi) Under point 2 (b), the fifth indent shall be replaced by the following text:

- "– *if the last contribution under the legislation of another Member State was paid into a Danish, Finnish or Swedish pension insurance institution:*

*Landesversicherungsanstalt Schleswig-Holstein (Regional Insurance Office of Schleswig-Holstein), Lübeck".*

- vii) An additional indent shall be inserted under point 2 (b), as follows:

- "– *if the last contribution under the legislation of another Member State was paid into an Austrian pension insurance institution:*

*Landesversicherungsanstalt Oberbayern (Regional Insurance Office of Upper Bavaria), München".*

- c) Under points I.3, II.3 and III.3 of the heading "L. PORTUGAL", the entry in the right-hand column is to be replaced by the following:

*"Centro Nacional de Protecção contra os Riscos Profissionais (National Centre for Protection Against Occupational Risks)".*

8 Annex 3 shall be amended as follows:

- a) In the heading "B. DENMARK":

- i) Point I (a) (ii) shall be replaced by the following text:

- "– *(ii) for the purposes of applying Articles 18 and 25 of the implementing Regulation:*

*the local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)".*

- ii) Point I (d) (ii) shall be replaced by the following text:

*"(ii) for the purposes of applying Article 61 of the implementing Regulation:*

*the local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)".*

- iii) Point II (a) shall be replaced by the following text:

*"(i) for the purposes of applying Articles 19a, 20, 21 and 31 of the implementing Regulation:*

*the competent amtskommune (district administration). In the commune of København: Magistraten (the communal administration); in the commune of Frederiksberg: the communal administration. Hospital treatment in these two communes: Hovedstadens Sygehusfælleskab (Hospital Association of the Capital).*

*(ii) for the purposes of applying Article 24 of the implementing Regulation:*

*the local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)".*

- (iv) Point II (b) (ii) shall be replaced by the following text:

*"(ii) for the purposes of applying Article 64 of the implementing Regulation:*

*the local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)".*

- b) In the heading "C. GERMANY":

- i) Point 1 shall be replaced by the following text:

*"In all cases: the sickness fund chosen by the person concerned in the place of residence or stay".*

- ii) Point 3 (a) (vi) shall be replaced by the following text and a new point shall be added after point (ix):

*"(vi) dealings with Denmark, Finland and Sweden:*

*Landesversicherungsanstalt Schleswig-Holstein (Regional Insurance Office of Schleswig-Holstein), Lübeck".*

(...)

*(x) dealings with Austria:*

*Landesversicherungsanstalt Oberbayern (Regional Insurance Office of Upper Bavaria), München".*

- c) Under points I.3, II.3 and III.3 of the heading "L. PORTUGAL", the entry in the right-hand column shall be replaced by the following:

*"Centro Nacional de Protecção contra os Riscos Profissionais (National Centre for Protection against Occupational Risks)".*

9 Annex 4 shall be amended as follows:

- a) Under point 4 (b) of the heading "A. BELGIUM", the entry in the right-hand column shall be replaced by the following

*"Ministère des affaires sociales, de la santé publique et de l'environnement (Ministry of Social Affairs, Public Health and the Environment), Bruxelles".*

- b) Under point 7 of the heading "B. DENMARK", in the right-hand column, the term *"Socialministeriet (Ministry of Social Affairs)"* shall be replaced by *"Direktoratet for Social Sikring og Bistand (Directorate for Social Security and Assistance)"*.

- c) In the heading "C. GERMANY":

- i) under point 1, the words *"AOK-Bundesverband (National Federation of Local Sickness Funds), Bonn-Bad Godesberg"* shall be replaced by *"Deutsche Verbindungsstelle Krankenversicherung-Ausland (German Sickness Insurance Liaison Body – Foreign Countries), Bonn"*.

- ii) under point 3 (b) (ii), the existing text shall be replaced by the following and a new point (x) shall be added:

*"ii) dealings with Denmark, Finland and Sweden:*

*Landesversicherungsanstalt Schleswig-Holstein (Regional Insurance Office of Schleswig-Holstein), Lübeck".*

(...)

x) *dealings with Austria:*

*Landesversicherungsanstalt Oberbayern (Regional Insurance Office of Upper Bavaria), München".*

d) In the heading "L. PORTUGAL", the entry in the right-hand column is to be replaced by the following:

*"Departamento de Relações Internacionais de Segurança Social (Department of International Relations for Social Security), Lisboa".*

10 Annex 5 shall be amended as follows:

a) In the heading "12. BELGIUM-FINLAND", the words "does not apply" shall be replaced by the following text:

*"The exchange of letters of 18 August and 15 September 1994 regarding Articles 36 (3) and 63 (3) of Regulation (EEC) No 1408/71 (reimbursement or waiving of reimbursement of the cost of benefits in kind) and Article 105 (2) of Regulation (EEC) No 574/72 (waiving of reimbursement of the cost of administrative checks and medical examinations)".*

b) The heading "17. DENMARK-FRANCE" shall be replaced by the following text:

*"17. DENMARK-FRANCE*

*The Arrangement of 29 June 1979 and the additional Arrangement of 2 June 1993 concerning the partial waiving of reimbursement pursuant to Article 36 (3) and Article 63 (3) of the Regulation and the reciprocal waiving of reimbursement pursuant to Article 105 (2) of the implementing Regulation (partial waiving of reimbursement of the cost of benefits in kind in respect of sickness, maternity, accidents at work and occupational diseases, and waiving of reimbursement of the cost of administrative checks and medical examinations)".*

c) In the heading "54. FRANCE-LUXEMBOURG", the following point (e) shall be added:

*"(e) The exchange of letters of 17 July and 20 September 1995 concerning the terms for settling reciprocal claims under Articles 93, 95 and 96 of the implementing Regulation".*

- d) Two new headings shall be inserted:
- "58. *FRANCE-FINLAND*  
*Does not apply*
59. *FRANCE-SWEDEN*  
*None*".
- e) In the heading "95. AUSTRIA-FINLAND", the current text shall become point (a) and the following point (b) shall be added:
- "(b) *The Agreement of 23 June 1994 concerning Articles 36 (3) and 63 (3) of Regulation (EEC) No 1408/71 (reimbursement or waiving of reimbursement of the cost of benefits in kind) and Article 105 (2) of Regulation (EEC) No 574/72 (waiving of reimbursement of the cost of administrative checks and medical examinations)*".
- f) In the heading "102. FINLAND-UNITED KINGDOM", the word "none" shall be replaced by the following text:
- "The exchange of letters of 1 and 20 June 1995 concerning Articles 36 (3) and 63 (3) of Regulation (EEC) No 1408/71 (reimbursement or waiving of reimbursement of the cost of benefits in kind) and Article 105 (2) of Regulation (EEC) No 574/72 (waiving of reimbursement of the cost of administrative checks and medical examinations)"*.

11 Annex 6 shall be amended as follows:

In the heading "C. GERMANY":

- i) Points 1 (a) and 2 (a) shall be replaced by the following text:
- "(a) *dealings with Belgium, Denmark, Greece, Spain, France, Ireland, Italy, Luxembourg, Portugal, the United Kingdom, Austria, Finland and Sweden: direct payment*".
- ii) The text of point 4 shall read as follows:
- "4. *Accident insurance:*
- a) *dealings with Spain, Greece, Italy, the Netherlands and Portugal: payment through the liaison bodies of the competent State and the State of residence (joint application of Articles 53 to 58 of the implementing Regulation and of the provisions set out in Annex 5);*
- b) *dealings with Belgium, France and Austria: payment through the liaison body of the competent State;*

- c) *dealings with Denmark, Finland, Ireland, Luxembourg, the United Kingdom and Sweden: direct payment, unless otherwise provided for*".

12 The following two entries are to be inserted in section (a) of part A to Annex 8:

- a) the entry "*Germany and Portugal*" is to be inserted after the entry reading "*Germany and Austria*";
- b) the entry "*Ireland and Finland*" is to be inserted after the entry reading "*Ireland and Austria*".

13 Annex 10 shall be amended as follows:

- a) Under point 4 of the heading "A. BELGIUM", the two indented entries in the right-hand column are to be replaced respectively by the following:

- *Ministère des affaires sociales, de la santé publique et de l'environnement; administration de la sécurité sociale, service des relations internationales, Bruxelles*" (Ministry of Social Affairs, Public Health and the Environment; social security administration, international relations department, Brussels).

- *Ministère des classes moyennes et de l'agriculture; administration du statut social des indépendants, Bruxelles*" (Ministry for Small Firms and Traders and for Agriculture; social insurance administration for the self-employed), Brussels".

- b) In the heading "B. DENMARK", point 4 shall be replaced by the following text:

"4. *For the purposes of applying Articles 38 (1), 70 (1) and 82 (2) of the implementing Regulation:*

*The local authority of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus: Magistraten (the communal administration)*".

- c) Under points 3, 8 and 9 of the heading "C. GERMANY", the words "*AOK-Bundesverband (National Federation of Local Sickness Funds), Bonn 2*" shall be replaced by "*Deutsche Verbindungsstelle Krankenversicherung-Ausland (German Sickness Insurance Liaison Body - Foreign Countries), Bonn*". The text of point 4 shall be replaced by the following:

"4. *For the purposes of applying Article 13 (2), (3) and (4) and Article 14 of the implementing Regulation:*

*The sickness fund in the Bonn area chosen by the person concerned".*

d) Point 1 of the heading "D. SPAIN" shall be replaced by the following text:

*"1. For the purposes of applying Article 17 of the Regulation in individual cases and Article 6 (1) (with the exception of the special agreement between seafarers and the Instituto social de la Marina [Institute for the Welfare of Seamen]), Article 11 (1), Article 11a, Article 12a, Article 13 (2) and (3), Article 14 (1), (2) and (3), and Article 109 of the implementing Regulation:*

*Tesoreria General de la Seguridad Social (Social Security General Fund)".*

e) The heading "F. GREECE" shall be replaced by the following text:

*"1. For the purposes of applying Article 6 (1) of the implementing Regulation:*

*Ιδρυμα Κοινωνικών Ασφαλίσεων (ΙΚΑ), Αθήνα  
(Social Insurance Institute, IKA, Athens)*

*2. For the purposes of applying:*

*a) Article 14 (1), Article 14b (1) and the agreements under Article 17 of the Regulation, in conjunction with Article 11 of the implementing Regulation,*

*b) Article 14 (2) (b) and the agreements under Article 17 of the Regulation, in conjunction with Article 12a of the implementing Regulation:*

*i) in general:*

*Ιδρυμα Κοινωνικών Ασφαλίσεων (ΙΚΑ), Αθήνα  
(Social Insurance Institute, IKA, Athens)*

*ii) for mariners:*

*Ναυτικό Απομαχικό Ταμείο (ΝΑΤ), Πειραιάς  
(Mariners' Retirement Fund, NAT, Piraeus)*

*3. For the purposes of applying:*

*a) Article 14a (1), Article 14b (2) and the agreements under Article 17 of the Regulation, in conjunction with Article 11a of the implementing Regulation,*

b) *Article 14a (2), Article 14c and the agreements under Article 17 of the Regulation, in conjunction with Article 12a of the implementing Regulation,*

c) *Article 13 (2) and (3) and Article 14 (1) and (2) of the implementing Regulation:*

i) *for employed persons:*

*Ιδρυμα Κοινωνικών Ασφαλίσεων (ΙΚΑ), Αθήνα  
(Social Insurance Institute, IKA, Athens)*

ii) *for self-employed persons:*

*(Their particular insurance body),*

*more specifically:*

- *owners of means of transport for public use:*

*Ταμείο Συντάξεων Αυτοκινητιστών (ΤΣΑ), Αθήνα  
(Drivers' Pension Fund, TSA, Athens)*

- *Craftsmen and small traders:*

*Ταμείο Επαγγελματιών και Βιοτεχνών Ελλάδας  
(ΤΕΒΕ), Αθήνα  
(Insurance Fund for Craftsmen and Small Traders,  
TEVE, Athens)*

- *traders:*

*Ταμείο Ασφάλισης Εμπόρων (ΤΑΕ), Αθήνα  
(Traders' Insurance Fund, TAE, Athens)*

- *tourist and shipping agents:*

*Ταμείο Ασφάλισης Ναυτικών Πρακτόρων και  
Υπαλλήλων (ΤΑΝΠΥ), Πειραιάς  
(Insurance Fund for Shipping Agents and  
Employees, TANPY, Piraeus)*

- *solicitors, lawyers and notaries:*

*Ταμείο Νομικών, Αθήνα  
(Jurists' Fund, Athens)*

- *doctors, dentists, veterinarians and pharmacists:*



Ταμείο Σύνταξης και Αυτασφάλισης  
Υγειονομικών (ΤΣΑΥ), Αθήνα  
(*Medical Personnel's Insurance and Pension Fund,  
TSAY, Athens*)

- *engineers and architects:*

Ταμείο Σύνταξης Μηχανικών και Εργοληπτών  
Δημοσίων Έργων (ΤΣΜΕΔΕ), Αθήνα  
(*Pension Fund for Engineers and Public Works  
Contractors, TSMEDE, Athens*)

- *staff of daily newspapers in Athens and  
Thessaloniki:*

Ταμείο Σύνταξης Προσωπικού Εφημερίδων  
Αθήνας - Θεσσαλονίκης (ΤΣΠΕΑΘ), Αθήνα  
(*Pension Fund for Press Employees in Athens and  
Thessaloniki, TSPEATH, Athens*)

- *proprietors of provincial daily newspapers and  
periodicals as well as journalists:*

Ταμείο Ασφάλισης Ιδιοκτητών, Συντακτών και  
Υπαλλήλων Τύπου (ΤΑΙΣΥΤ), Αθήνα  
(*Insurance Fund for Press Proprietors, Editors and  
Employees, TAISYT, Athens*)

- *hoteliers:*

Ταμείο Πρόνοιας Ξενοδόχων, Αθήνα  
(*Hoteliers' Provident Fund, Athens*)

- *news vendors:*

Ταμείο Συντάξεων Εφημεριδοπωλών, Αθήνα -  
Θεσσαλονίκη  
(*News Vendors' Pension Fund, Athens-Thessaloniki*)

iii) *for mariners:*

Ναυτικό Απομαχικό Ταμείο (ΝΑΤ), Πειραιάς  
(*Mariners' Retirement Fund, NAT, Piraeus*)

4. *For the purposes of applying Article 14d (3) of the Regulation:*

a) *in general:*

Ιδρυμα Κοινωνικών Ασφαλίσεων (ΙΚΑ), Αθήνα

*(Social Insurance Institute, IKA, Athens)*

b) *for mariners:*

*Ναυτικό Απομαχικό Ταμείο (NAT), Πειραιάς  
(Mariners' Retirement Fund, NAT, Piraeus)*

5. *For the purposes of applying Article 80 (2), Article 82 (2) and Article 85 (2) of the implementing Regulation:*

*Οργανισμός Απασχόλησης Εργατικού Δυναμικού (ΟΑΕΔ),  
Γλυφάδα  
(Labour Employment Organisation, OAED, Glyfada)*

6. *For the purposes of applying Article 81 of the implementing Regulation:*

*Ιδρυμα Κοινωνικών Ασφαλίσεων (ΙΚΑ), Αθήνα  
(Social Insurance Institute, IKA, Athens)*

7. *For the purposes of applying Article 102 (2) of the implementing Regulation:*

a) *family allowances, unemployment benefits:*

*Οργανισμός Απασχόλησης Εργατικού Δυναμικού (ΟΑΕΔ),  
Γλυφάδα  
(Labour Employment Organisation, OAED, Glyfada)*

b) *benefits for mariners:*

*Οίκος Ναύτου, Πειραιάς  
(Seamen's Home, Piraeus)*

c) *other benefits:*

*Ιδρυμα Κοινωνικών Ασφαλίσεων (ΙΚΑ), Αθήνα  
(Social Insurance Institute, IKA, Athens)*

8. *For the purposes of applying Article 110 of the implementing Regulation:*

a) *family allowances, unemployment benefits:*

*Οργανισμός Απασχόλησης Εργατικού Δυναμικού (ΟΑΕΔ),  
Γλυφάδα  
(Labour Employment Organisation, OAED, Glyfada)*

b) *benefits for mariners:*

Ναυτικό Απομαχικό Ταμείο (NAT), Πειραιάς  
(*Mariners' Retirement Fund, NAT, Piraeus*)

c) *other benefits:*

Ιδρυμα Κοινωνικών Ασφαλίσεων (ΙΚΑ), Αθήνα  
(*Social Insurance Institute, IKA, Athens*)

9. *For the purposes of applying Article 113 (2) of the implementing Regulation:*

a) *benefits for mariners:*

Ναυτικό Απομαχικό Ταμείο (NAT), Πειραιάς  
(*Mariners' Retirement Fund, NAT, Piraeus*)

b) *other benefits:*

Ιδρυμα Κοινωνικών Ασφαλίσεων (ΙΚΑ), Αθήνα  
(*Social Insurance Institute, IKA, Athens*)".

f) Under points I.1, 4, 5 and 11 of sections I, II and III of the heading "L. PORTUGAL", the entry in the right-hand column shall be replaced by the following:

*"Departamento de Relações Internacionais de Segurança Social  
(Department of International Relations for Social Security),  
Lisboa"*.

g) In the heading "N. SWEDEN", point 6 (a) shall be replaced by the following text:

*"(a) The social insurance office at the place where the work is or will be performed and, where the work will be performed in another Member State, the social insurance office where the person is insured when the agreement is made, and"*.

### ARTICLE 3

This Regulation shall enter into force on the first day of the month following its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

## The President







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