

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 132 final.

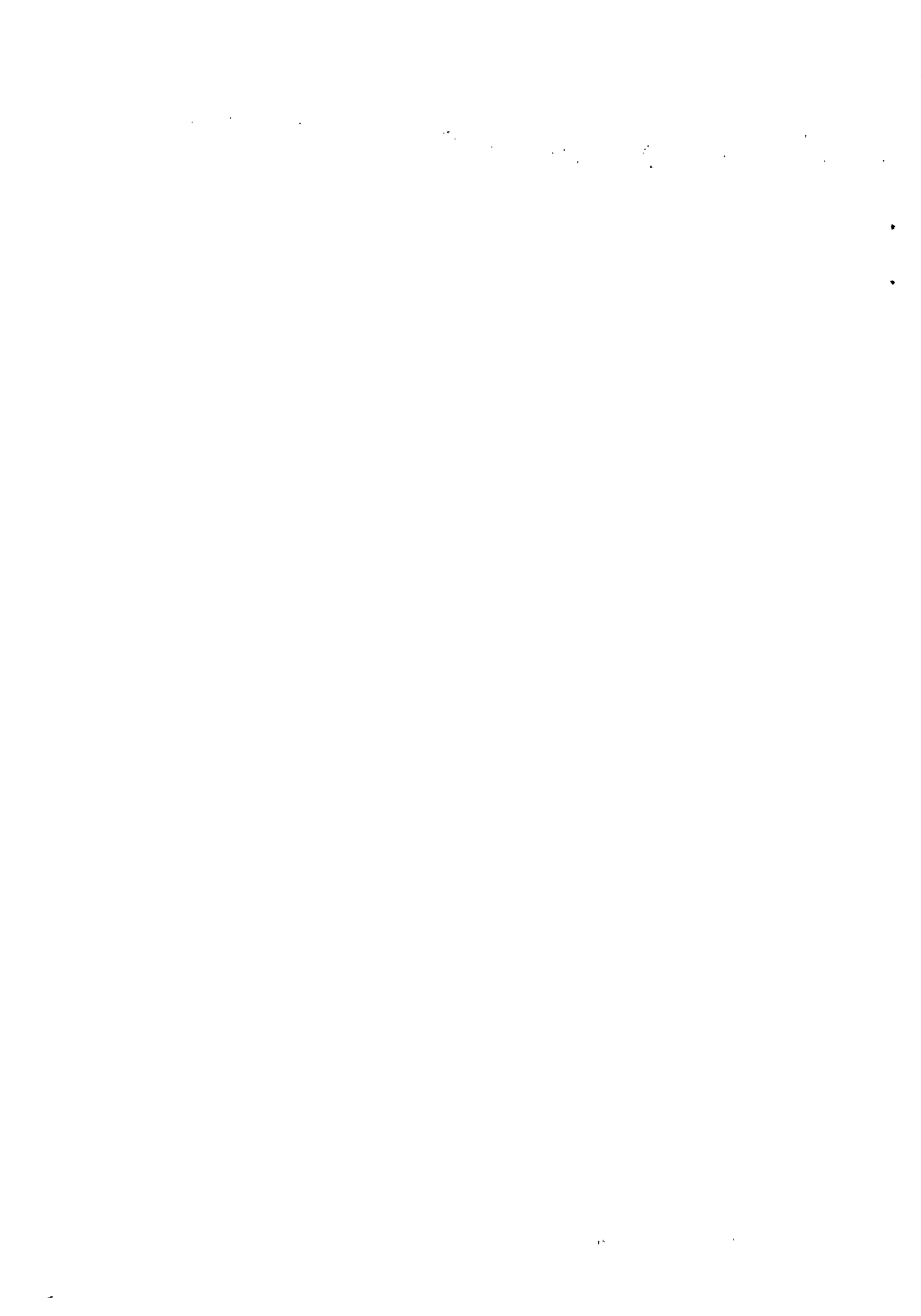
Brussels, 2 April 1975

Proposal for a

REGULATION (EEC) OF THE COUNCIL

amending Regulations (EEC) Nos 1408/71 and 574/72 and
relating to the standardization of the system of paying
family benefits to workers the members of whose families
reside in a Member State other than the country of employment

(submitted to the Council by the Commission)



Regulation (EEC) No . . . of the Council

of

amending Regulations (EEC) Nos 1408/71 and 574/72 and relating to the standardization of the system of paying family benefits to workers the members of whose families reside in a Member State other than the country of employment

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 2, 7 and 51 thereof;

Having regard to Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community¹, as last amended by Regulation (EEC) No 1392/74², and in particular Articles 95 and 97 thereof;

Having regard to Council Regulation (EEC) No 574/72 of 21 March 1972³ fixing the procedure for implementing the abovementioned Regulation (EEC) No 1408/71, as last amended by Regulation (EEC) No 2639/74⁴, and in particular Article 121 thereof;

Having regard to the proposal from the Commission adopted after consultation with the Administrative Commission on Social Security for Migrant Workers;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas under Article 98 of Regulation (EEC) No 1408/71 the Council shall reexamine the whole problem of payment of family benefits to members of the family of the worker who are not residing in the territory of the Member State in which the latter is employed, in order to reach a uniform solution for all Member States;

¹OJ No L 149, 5 July 1971, p. 2.

²OJ No L 152, 8 June 1974.

³OJ No L 74, 27 March 1972, p. 1.

⁴OJ No L 213, 19 October 1974.

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Whereas under the terms of Articles 73 and 74 of the abovementioned Regulation (EEC) No 1408/71 workers employed in a Member State other than France or receiving unemployment benefits under the legislation of one of these Member States shall receive the family allowances provided for by the legislation of the country of employment or of the country responsible for the payment of unemployment benefits, for the members of their families who reside in another Member State;

Whereas this solution ensures equality of treatment for all workers subject to the same legislation;

Whereas derogation from the rule that the worker and his dependants should receive the benefits provided for by the legislation to which he is subject should be allowed only by way of exception, namely where the provision of these benefits would meet with considerable administrative obstacles, as is the case for sickness and maternity insurance benefits in kind or benefits in kind granted under insurance against accidents at work and occupational diseases, in the case of residence or stay in a Member State other than the one in which the competent institution is situated;

Whereas the solution applied in respect of family benefits by eight Member States safeguards the coherence between the tax concessions granted to families by the country of employment and family benefits;

Whereas, taking account of the link that exists between the levels of the various social security benefits of one and the same Member State, this solution affords a more homogeneous social protection to workers;

Whereas this solution should therefore also be applied to workers who are subject to French legislation; whereas there are thus grounds for amending Regulations (EEC) Nos 1408/71 and 574/72 and the Annexes thereto accordingly;

HAS ADOPTED THIS REGULATION:

Article 1

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

1. The heading of Chapter 7 of Title III shall be amended as follows:

"Family benefits for employed and unemployed persons".

2. In Article 73,

(a) Paragraphs 1 and 2 shall be amended as follows:

A worker subject to the legislation of a Member State shall be entitled to the family benefits provided for by the legislation of the first Member State for members of his family residing in the territory of another Member State, as though they were residing in the territory of the first State, subject to the provisions of Annex V.";

(b) Paragraph 3 shall be deleted.

3. The text of Article 74 shall be amended as follows:

"An unemployed person drawing unemployment benefits under the legislation of a Member State shall be entitled to the family benefits provided for by the legislation of the first Member State for members of his family residing in the territory of another Member State as though they were residing in the territory of the first State, subject to the provisions of Annex V."

4. In Article 75,

(a) The title and text of paragraph 1 subparagraph (a) shall be amended as follows:

"Article 75

Provision of benefits

1. Family benefits shall be provided, in the cases referred to in Article 73, by the competent institution of the State to whose legislation the worker is subject and, in the case referred to in Article 74, by the competent institution of the State under whose legislation the unemployed worker is receiving unemployment benefits. They shall be provided in accordance with the provisions administered by such institutions, whether the natural or legal person to whom such benefits are payable is residing or staying in the territory of the competent State or in that of another Member State;"

(b) subparagraphs (b) and (c) shall become paragraphs 2 and 3;

(c) Paragraph 2 shall be deleted.

5. The title and text of Article 76 shall be amended as follows:

"Article 76

Rules of priority in cases of overlapping entitlement to family benefits in pursuance of Articles 73 and 74 by reason of the pursuit of a professional or trade activity in the country of residence of the members of the family.

Entitlement to family benefits under Articles 73 and 74 shall be suspended if, by reason of the pursuit of a professional or trade activity, family benefits are also payable under the legislation of the Member State in whose territory the members of the family are residing."

6. Article 90 shall be deleted.

7. Article 94(9) shall be deleted.

8. Article 98 shall be deleted.

9. In Annex I, point G (Luxembourg) shall be amended as follows:

"G - Luxembourg

- (a) Prenatal allowances
- (b) Childbirth allowances".

10. In Annex II, part A, point "19. Germany - Luxembourg" shall be amended as follows:

"Articles 4, 5, 6 and 7 of the Treaty of 11 July 1959 (settlement of the dispute between Germany and Luxembourg)".

11. In Annex V, point D (France):

(a) paragraph 4 shall be amended as follows:

"4. Workers who are subject to French legislation pursuant to Article 14(1)(a) shall be entitled to the following family benefits for members of his family who accompany him to the territory of a Member State to which he has been posted:

- (a) prenatal allowances provided for in Article L 516 of the Social Security Code;
- (b) the family allowances provided for in Articles L 524 and L 531 of the Social Security Code;
- (c) the compensatory allowance for scheduled taxes provided for in Article L 532 of the Social Security Code.

However, this benefit can only be paid if the wage or salary received during the period of the posting is subject to tax on income in France;

- (d) the single wage or salary allowance provided for in Article L 533 of the Social Security Code.

(b) the following paragraph 5 shall be added:

"5. Notwithstanding Articles 73 and 74 of the Regulation, the housing allowance referred to in Article 510(5) of the Social Security Code, the housing allowance financed by the Fonds national d'aide au logement (national fund for housing assistance) and the removal of grants set up by Article 16(h) of the law of 22 August 1946 are awarded only to applicants who reside in French territory".

Article 2

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

1. In Article 10,

(a) the following shall be entered as paragraph 2 after paragraph 1:

"2. Paragraph 1(a), first sentence, and (b), first sentence, are without prejudice to the right of any Member State to suspend benefits due under their own legislation up to the amount of the benefits due pursuant to either Articles 73 or 74 or to Articles 77 or 78 of the Regulation.

(b) Paragraph 2 shall become paragraph 3;

(c) Paragraph 3 shall be deleted.

2. The heading of Chapter 7 of Title IV shall be amended as follows:

"Family benefits".

3. In Article 86:

(a) the heading preceding the Article shall be amended as follows:

"Implementation of Article 73 and Article 75(1) and (2) of the Regulation";

(b) the heading in the Article shall be deleted;

(c) Paragraph 4 shall be amended as follows:

"The competent authorities of two or more Member States may agree on special procedures for the payment of family benefits, in particular with a view to facilitating the implementation of Article 75(1) and (2) of the Regulation. Such agreements shall be communicated to the Administrative Commission".

4. Article 87 shall be deleted.

5. In Article 88

(a) the heading preceding the Article shall be amended as follows:

"Implementation of Article 74 of the Regulation";

(b) the heading in the Article shall be deleted.

6. Article 89 shall be deleted.

7. Article 98 shall be deleted.

8. Article 101(1) shall be amended as follows:

"1. The Administrative Commission shall implement Articles 36, 63 and 70 of the Regulation by drawing up a statement of claims for each calendar year."

9. Article 102(2) shall be amended as follows:

"2. The refunds provided for in Articles 36, 63 and 70 of the Regulation shall be made for all the competent institutions of a Member State to the creditor institutions of another Member State through bodies designated by the competent authorities of the Member States. The bodies through which refunds are made shall advise the Administrative Commission of the amounts refunded within the time limits and according to the procedures laid down by that Commission."

10. Article 104 (2) shall be amended as follows:

"2. Provisions which are similar to those referred to in paragraph 1 and which, for dealings between two or more Member States, will apply after the entry into force of the Regulation, shall be entered in Annex 5 of the Implementing Regulation. The same shall apply to provisions made under Article 97(2) of the Implementing Regulation."

11. Article 119 shall be deleted.

12. In Annex 2, point D - France, paragraph 3 shall be deleted.

13. In Annex 10

(a) in point A - Belgium, paragraph 4 (d) shall be deleted;

(b) in point B - Denmark,

(i) Section I(4)(a) shall be amended as follows:

"(a) refunds in pursuance of Articles 36 and 63 of the Regulation: Sikringsstyrelsen (National Social Security Office), København";

(ii) Section II(4), second subparagraph shall be amended as follows:

"Refunds in pursuance of Articles 36
and 63 of the Regulation: Sikringsstyrelsen (National
Social Security Office), København";

(c) in point D - France, paragraph 7 shall be deleted.

(d) in point E - Ireland:

(i) paragraph 1 shall be amended as follows:

"1. For the purposes of applying Article 6(1),
Article 11(1), Article 13(2) and (3) Article
14(1)(2) and (3), Article 38(1), Article 70
(1), Article 85(2) and Article 91(2) of the
Implementing Regulation: Department of Social Welfare,
Dublin"

(ii) paragraph 3, subparagraph (b) shall be
amended as follows:

"(b) For the purposes of applying Article 70
of the Regulation and Article 102(2)
of the Implementing Regulation: Department of Social Welfare,
Dublin"

(e) in point F - Italy

(i) paragraph 4 shall be deleted;

(ii) paragraph 5, 6 and 7 shall become paragraphs 4, 5 and 6;

(iii) paragraph 5(c) shall be amended as follows:

"(c) Refunds under Article 70 of the
Regulation: Istituto nazionale della previdenza
sociale (National Institute of
Social Welfare), Roma";

(f) in point G - Luxembourg:

(i) paragraph 4 shall be amended as follows:

"4. For the purposes of applying Articles 80(2)
81 and 82(2) of the Implementing Regulation: Office national du travail
(National Labour Office),
Luxembourg";

(ii) paragraph 7, subparagraph (d) shall be deleted;

(g) in point H - Netherlands, paragraph 4, subparagraph (c) shall be deleted.

Article 3

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

Article 1(10) shall, however, apply as from 1 January 1975.

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

Done at,

For the Council

The President

ANNEX II

EXPLANATORY MEMORANDUM

I. General

INTRODUCTION

The payment of family benefits to members of the family who reside in a Member State other than the country of employment is settled in Articles 73 and 74 of Council Regulation (EEC) No 1408/71, adopted on 14 June 1971 following a general revision of Regulation No 3 on social security for migrant workers. These Articles provide that:

1. Workers employed in a Member State other than France and unemployed persons who are receiving unemployment benefits under the legislation of that State are entitled to the family benefits provided for under that legislation for members of their families who are residing in another State.
2. Workers employed in France and unemployed persons who are receiving unemployment benefits under French legislation are entitled, for members of their families who are residing in another Member State, to the family allowances provided for by the legislation of that State.

The family benefits referred to in Article 73(1) and 74(1) do not, however, include:

1. The special birth allowances excluded from the scope of the Regulation in pursuance of Article 1(u)(1) and listed in Annex I⁽¹⁾.
2. The housing allowances⁽²⁾ and, in the case of Luxembourg⁽³⁾, family benefits which would be introduced after 1 October 1972 for demographic reasons, pursuant to Article 90.

Moreover, family allowances for the children of pensioners and supplementary of special family allowances for orphans are, in chapter 8 of this Regulation, dealt with in a special scheme which also applies to pension increases for these pensioners and to orphans' pensions.

The system implemented when Regulation No 3 was being revised was adopted only provisionally. Article 98 of Regulation (EEC) No 1408/71 provides that

-
- (1) Childbirth allowance in Belgium and Luxembourg, and prenatal and maternity allowances in France.
 - (2) Only in France is this allowance granted in the framework of legislation on family allowances.
 - (3) Prenatal allowances.

"Before 1 January 1973⁽¹⁾ the Council shall, on a proposal from the Commission, re-examine the whole problem of payment of family benefits to members of families who are not residing in the territory of the competent State, in order to reach a uniform solution for all Member States."

It should be noted that this provision does not refer to the special childbirth allowances which were excluded from the scope of application of the Regulation because of their demographic purpose, a feature which is still topical, or to the allowances for the dependent children of pensioners and for orphans, which are already dealt with in a standardized scheme. The proposal from the Commission is thus restricted to standardizing the scheme provided for in Articles 73 and 74 of Regulation (EEC) No 1408/71.

A. OUTLINE OF THE PROBLEM

The right to family benefits is subject

- (a) in each Member State with the exception of the Netherlands and, in certain cases, Germany, to residence by the members of the family in the territory of that Member State;
- (b) to the condition, laid down by Belgium, France, Italy and the Netherlands⁽²⁾, that the father or mother should exercise a professional or trade activity.

This means that in the absence of coordinating rules members of the family who reside in the territory of a Member State other than the country where the worker is employed cannot, except in the cases listed in (a) above, receive family benefits from the country of employment.

Moreover, if these members of the family reside in the territory of a Member State where the right to benefits is subject to the exercise of a professional or trade activity, they do not receive any benefits from the country of residence either.

In the context of an international or Community coordinating instrument there are two problems in particular:

1. On which legislation should the award of family benefits be based?
2. Which country should defray the cost of benefits provided?

⁽¹⁾ This deadline could not be met owing to the belated entry into force of Regulation No 1408/71 (on 1 October 1972), and the work as a result of the accession of the new Member States had to be confined to technical adjustments to secondary legislation.

⁽²⁾ For the first two children.

B. POSSIBLE SOLUTIONS

In international law, these problems have been solved in different ways, as a result of which the members of the family receive:

1. Either benefits provided by the country of employment, as if they were resident in that country, or
2. Benefits provided by the country of residence, as if the worker were employed there.

These solutions very frequently involve very varied restrictions as regards both the level of the benefits and the question as to who is responsible for payment.

In Community legislation, as has already been stated above, Regulation (EEC) No 1408/71 applies one or the other of these two solutions, depending on the Member State where the worker is employed.

The discussions in the Administrative Commission on Social Security for Migrant Workers have shown that standardizing the present system is restricted to choosing either one or the other of these solutions for all workers irrespective of the country of employment.

C. ANALYSIS OF THE SOLUTIONS

1. In principle

The payment of family benefits provided for by the legislation of the country where the members of the family reside respects the relationship between the level and the range of family benefits in a country and the cost of family expenses incurred by the worker, in particular educating and maintaining the children in the country. This solution also ensures equality of treatment for all families residing in a country.

On the other hand, the following arguments could be put forward to support the idea that the benefits to be paid should be those of the country of employment:

- this solution ensures that all workers employed in a country are treated in the same way; it is also the only one to comply with Article 48 of the EEC Treaty, which provides for the "abolition of any discrimination between workers" employed in the Member States;

- it provides the worker with more homogeneous social security cover, as in the other branches the worker receives the benefits provided for by the legislation of the country of employment⁽¹⁾;
- it also ensures that the links in the legislation of a Member State between tax provisions for families and the level and scope of family benefits are respected;
- the worker receives benefits which correspond to the contributions he has paid.

2. In practice

An examination of the legislations of the Member States and of migratory movements between Member States has shown that:

- (a) as regards the country of origin of persons benefiting under Community provisions:

According to information available (shown in Annex A), the total number of members of the family who receive family benefits in pursuance of Articles 73 and 74 of Regulation (EEC) No 1408/71 is 143 397. Of these, 90 282 reside in Italy and 12 192 are dependent on workers employed in France.

- (b) as regards legislations:

- the level of family allowances is higher, often by far, in Member States which import labour (see Annex B). Only the United Kingdom, where the level of family allowances is approximately the same as in Ireland, is an exception to this rule;
- several Member States (Belgium, Denmark, Luxembourg and especially France) provide specialized family benefits in addition to family allowances in the narrow sense (see Annex C). Again, these are countries which import labour.

From these findings one may draw the following conclusions on the effects of standardizing the system of paying family benefits:

- (a) payment by all Member States of family benefits of the country of residence:

⁽¹⁾ It should be noted that the share of the gross national product spent on social security is not broken down according to the various branches in the same proportions by all the Member States. Some States spend more on pensions than on family allowances and vice versa.

- would not involve any change in the position of workers employed in France, except that in addition to family allowances, they would receive family benefits which may be provided by the country of residence;
- would be advantageous for workers the members of whose families reside in Belgium, Germany, France and Luxembourg and who are themselves employed in other Member States;
- would mean a considerable reduction in the level of benefits for the majority of persons concerned, i.e. members of the family residing in Italy, because instead of receiving the benefits of the country of employment, as is at present the case, they would receive the lower benefits provided for under Italian legislation. This would almost bring us back to the situation before the general revision of Regulation No 3.

(b) on the other hand, payment of family benefits by the country of employment:

- would not involve any change in the position of workers employed in the Member States other than France;
- would be quite advantageous for some workers employed in France and the members of whose families reside in another Member State, as family benefits in France are higher and cover a wider range.

CONCLUSIONS

The Commission considers that if the rights of migrant workers are to be determined by the same principles in whichever Member State they are employed, such a uniformization may not result in a reduction of the rights most of the persons concerned are at present entitled to. The only solution which would be in accordance both with the aim of standardizing the Community rules and with the maintenance of the benefits acquired under these provisions would be the payment by all Member States of family benefits provided for under their legislations to workers who are subject to those legislations and to members of their families residing in other Member States.

This legislation would, however, still enable Member States whose legislations subject the right to benefits to the condition that the members of the family reside in the territory of the State rather than on the exercise of a professional or trade activity by the parents to pay a supplement equal to the difference between the amount of the benefits due under the legislation of the State where the persons concerned reside and the amount of the benefits due under the legislation of the country of employment.

Finally, in view of the very special nature of the housing allowances provided under French legislation and the considerable technical problems of providing it in the other Member States, it would be appropriate to except these benefits from the principle of exporting family benefits.

II. Analysis of the proposal for a Regulation

Article 1, paragraphs 1 - 3

Articles 73 and 74 of Regulation No 1408/71 henceforward establish the right to the family benefits of the country of employment for all workers and unemployed persons the members of whose families reside in another Member State. This right includes all family benefits with the exception of the housing allowance (see paragraph 11(b) below).

Article 73(2) and Article 74(2) which provide for a different scheme for workers and unemployed persons subject to French legislation have thus been deleted.

In view of the deletion of Article 74(2) it would be appropriate to transfer paragraph 3, which also refers to the application of French legislation only, to Annex V, D, FRANCE, paragraph 4 (see Article 1(11)(a) of the draft regulation).

Article 1(4)(a) and (b), and (5)

In Articles 75(1) and 76 of Regulation No 1408/71 the references to Articles 73 and 74 are adjusted to take account of the amendments to these Articles.

Article 1(4)(c)

The deletion of Articles 73(2) and 74(2) makes superfluous Article 75(2), which laid down rules on providing family allowances for members of the families of workers and unemployed persons subject to French legislation and on reimbursement.

Article 1(6)

In view of the fact that:

- (a) on the one hand housing allowances are not considered to be family benefits except under French legislation and that Annex V, D. FRANCE shall henceforward lay down the conditions under which they are to be awarded, and
- (b) on the other hand the only family benefits for demographic reasons introduced in Luxembourg since the entry into force of Regulation No 1408/71 are prenatal allowances, it appears preferable to list them in Annex 1,

Article 90 becomes superfluous.

Article 1(7)

The purpose of Article 94(9) was the retention of the rights of workers subject to French legislation at the date Regulation No 1408/71 entered into force, if the persons concerned received more favourable benefits as a result of bilateral agreements concluded between France and other Member States.

As the new provisions of Article 73 can only improve the position of these workers, Article 94(9) has become superfluous.

Article 1(8)

For the record, Article 98 of Regulation No 1408/71 provides the basis for this proposal.

Article 1(9)

The prenatal allowances introduced in Luxembourg by the law of 17 April 1974 are included among the special childbirth allowances excluded from the scope of application of Regulation No 1408/71 in pursuance of Article 1(u)(i) of that Regulation. For that reason these allowances are to be listed in Annex 1 to that Regulation.

Article 1(10)

Following the amendments to German legislation by the law of 5 August 1974, which entered into force on 1 January 1975, the Luxembourg Government considers that Article 11(2)(b) of the convention of 14 July 1960 has become superfluous. This Article shall be deleted as from 1 January 1975.

Article 1(11)(a)

See notes on Article 1(1) above.

Article 1(11)(b)

The new paragraph 5 to be inserted in Annex V, D - France is an exception to the principle that family benefits are to be exported from the competent country. This exception applies to the housing allowances provided under French legislation. On the one hand these benefits have a particular objective, as they are applied as part of a housing policy; on the other hand conditions as regards the quality and cost of housing under which they are awarded are closely related to housing conditions in France and may therefore apply to the situation in other Member States. Moreover, applying them in another Member State could give rise to considerable administrative problems.

Article 2(1)

Article 10(1) of Regulation No 574/72 is intended to prevent the overlap of family benefits which would be payable in a Member State on the basis of residence of the members of the family with benefits obtained because the worker was employed in another Member State. This provision gives priority to the right acquired as a result of working in another Member State and therefore involves suspending the right to family benefits from the country of residence.

As proposed, the new paragraph 2 intends to confer on Member States under whose legislation the right to benefits is acquired only on the basis of residence an opportunity to grant members of the family who reside in their territory a supplement benefit equal to the difference between the benefits due under their legislations and the benefits provided by the legislation of the country of employment of the worker, where the former is lower.

The deletion of Articles 73(2) and 74(2) of Regulation No 1408/71 makes the present paragraph 3 of Article 10 superfluous.

Article 2(2), (3), (4), (5) and (6)

The detailed rules for implementing Articles 73(2) and 74(2) as laid down in Articles 87 and 89 have become superfluous.

The other provisions and headings of chapter 7 of title IV shall be amended where necessary.

Article 2(7), (8), (9) and (10)

Article 98, which lays down the detailed rules for reimbursing family allowances paid to members of the families of workers or unemployed persons subject to French legislation in pursuance of Articles 73(2) and 74(2) of Regulation No 1408/71 has become superfluous.

The other provisions of title V shall be amended where necessary.

Article 2(11)

The detailed rules for implementing Article 94(9) of Regulation No 1408/71 have become superfluous as that provision has been deleted.

Article 2(12) and (13)

In Annexes 2 and 10 to Regulation No 574/72 references to provisions of Regulations Nos 1408/71 and 574/72 deleted by this proposal shall also be deleted.

Article 3

After this proposal has been adopted by the Council, a minimum period of six months will be required to draft, print and publish in the six Community languages the new forms required by the implementation of the new provisions of Regulations Nos 1408/71 and 574/72.

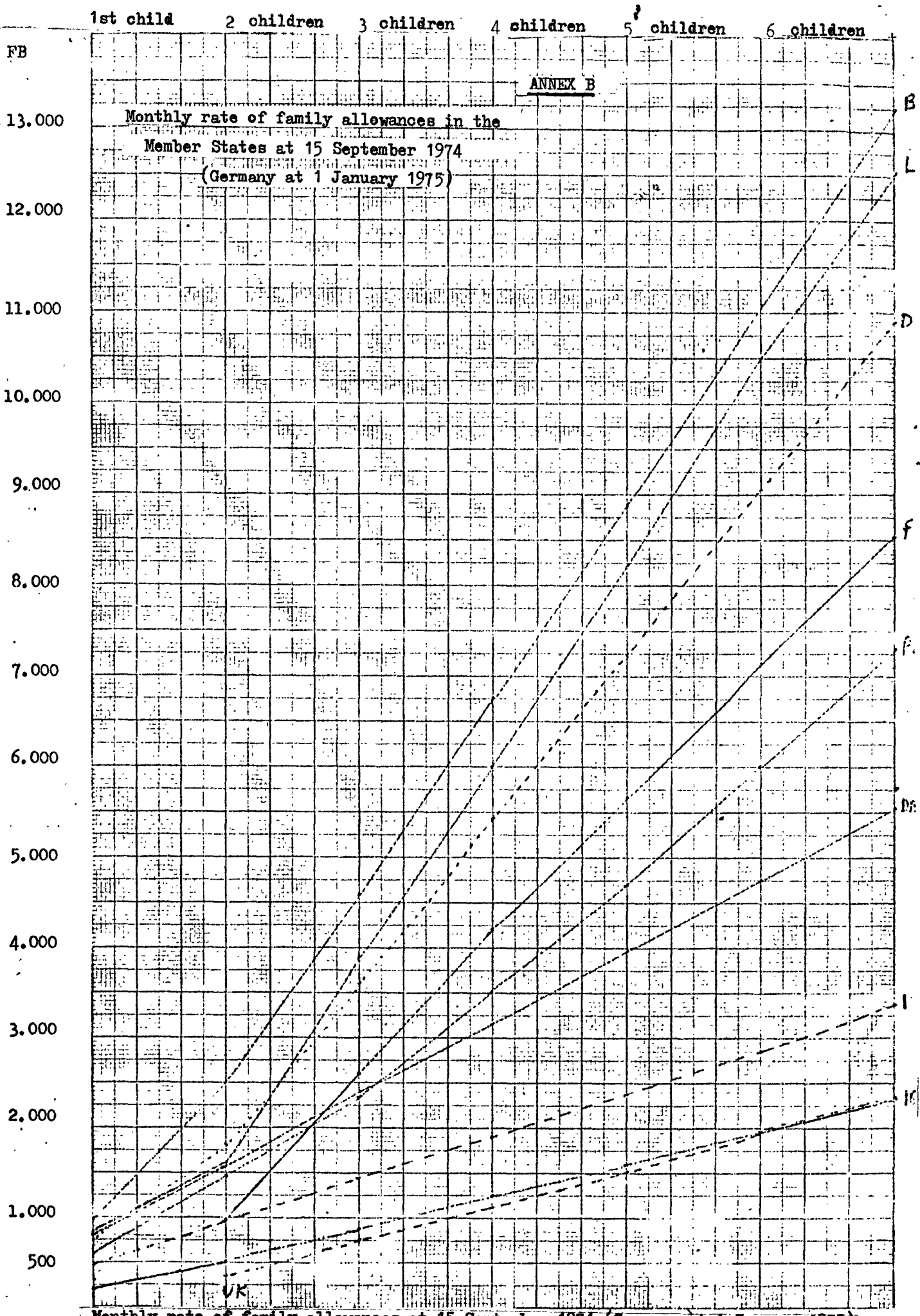
ANNEX A

MEMBERS OF THE FAMILY WHO RESIDE OUTSIDE THE COUNTRY OF
EMPLOYMENT AND WHO RECEIVE BENEFITS IN PURSUANCE OF
REGULATION NO 1408/71

| Country of employment | B | DK | D | F | IRL | I | L | N | UK | Total |
|--------------------------|--------|----|--------|--------|-----|---|-------|--------|-----------|---------|
| Country of residence | | | | | | | | | | |
| B | | | 245 | 8 980 | | | 4 996 | 11 599 | | 25 820 |
| DK | | | 3 | | | | | 2 | | 3 |
| D | 89 | | | 1 100 | | | 1 805 | 615 | 14 | 3 623 |
| F | 1 798 | | 1 460 | | | | 2 230 | 163 | 5 | 5 653 |
| IRL | | | 12 | | | | | 11 | (1) 2 587 | 2 610 |
| I | 6 105 | | 80 915 | 2 000 | | | 941 | 276 | 59 | 90 296 |
| L | 27 | | 10 | 70 | | | | 1 | | 108 |
| N | 5 544 | | 9 471 | 42 | | | 7 | | 8 | 15 072 |
| UK | 25 | | 11 | | | | | 164 | | 200 |
| | | | | | | | | | | 143 388 |
| 1972 | 13 588 | | | | | | | | | |
| TOTAL 1973 | 14 602 | 50 | 92 125 | 12 192 | 41 | | 9 979 | 12 831 | (2) 2 673 | 144 593 |

(1) It appears that a certain number of Irish workers employed in the United Kingdom do not apply for benefits. The members of their families who reside in Ireland continue to receive Irish family allowances.

(2) To these should be added the 46 943 children of British troops stationed in another Member State. They receive British family allowances.



Monthly rate of family allowances at 15 September 1974 (Germany at 1 January 1975)

Family allowances and family benefits within the meaning of Article 1(u) of Regulation No 1408/71

| | B | D | Dk | F | Irl | I | L | -N | UK |
|---|---|---|----|------------------|-----|---|---|------------------|----|
| Family allowances | x | o | o | x | o | x | o | x ⁽¹⁾ | o |
| Allowances for disabled or handicapped children | x | | | x ⁽²⁾ | | | x | | |
| Allowances for children who are maintained by a single parent | | | o | x ⁽²⁾ | | | | | |
| Single wage or salary allowance | | | | <u>x</u> | | | | | |
| Housing allowance | | | | <u>x</u> | | | | | |
| Family holiday allowance | x | | | | | | | | |
| Child-minding allowance | | | | <u>x</u> | | | | | |
| Beginning of the school-year allowance | x | | | <u>x</u> | | | | | |

(1) For the first two children; from the third child onwards, based only on residence.

(2) For single mothers, residence is sufficient.

- Notes:
- Orphans' allowances dealt with in other provisions of the Regulation and special childbirth allowances outside the scope of the Regulation have not been included in this table.
 - x = award of allowance is subject to the exercise of a professional or trade activity.
o = award of allowance is subject **only to a condition of residence.**
x = award of allowance is subject to:
 - the exercise of a professional or trade activity.
 - a means test.