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Report

drawn up on behalf of the Committee on Social Affairs and Employment

on the proposal from the Commission of the European Communities to the Council (Doc. 347/73) for a regulation amending Regulation (EEC) No. 1408/71 and Regulation (EEC) No. 574/72 on the application of social security schemes to employed persons and their families moving within the Community and on the supplement to this proposal

Rapporteur: Mr F. PISONI

PE 36.108/fin.

By letter of 29.1.1974, the President of the Council of the European Communities consulted the European Parliament on the proposal from the Commission of the European Communities to the Council for a regulation amending regulation (EEC) No. 1408/71 and regulation (EEC) No. 574/72 on the application of social security schemes to employed persons and their families moving within the Community, and on the supplement to this proposal.

At its sitting of 11 February 1974, the European Parliament referred this proposal to the Committee on Social Affairs and Employment as the committee responsible.

At its meeting of 19 and 20 February 1974, the Committee on Social Affairs and Employment appointed Mr Pisoni rapporteur. It discussed the proposal at its meeting of 8 March 1974 and unanimously approved the motion for a resolution and the explanatory statement.

The following were present: Mr Bertrand, Chairman; Mr Pisoni, rapporteur; Sir Arthur Douglas Dodds-Parker, Lady Elles, Mr Frehsee, Mr Girardin, Mr van der Gun, Mr Härzschel, Mr Marras, Mr Mursch, Sir John Peel, Mr Vermeylen, Mr Yeats.

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The Committee on Social Affairs and Employment hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a regulation amending regulation (EEC) No. 1408/71 and regulation (EEC) No. 574/72 on the application of social security schemes to employed persons and their families moving within the Community, and on the supplement to this proposal

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (COM (73) 2174 final),
- having been consulted by the Council (Doc. 347/73 and Doc. 347/73/Suppl.),
- having regard to the report of the Committee on Social Affairs and Employment (Doc. 405/73),

1. Approves the Commission's proposal;
2. Nevertheless invites the Commission to incorporate into a single complete text all the Community provisions in force in the sector of social security for migrant workers, from the basic regulation No. 1408/71 up to the latest provisions introduced;
3. Instructs its President to forward this resolution and the report of its committee to the Council and the Commission of the European Communities.

EXPLANATORY STATEMENT

1. This proposal for a regulation is of a purely technical nature and thus presents no problems from the social point of view. It is designed to adjust the two regulations referred to in the title which came into force on 1 October 1972 and which are applicable from 1 April 1973 in the three new Member States, in the light of the changes that these national legislations have undergone in the meantime. In addition some defects in the provisions, e.g. printing or translating errors, have come to light during this first period of application.
2. The amendments included in the proposal have been drawn up after consultation of the Administrative Committee for the Social Security of Migrant Workers and with the collaboration of the competent national social security bodies. The Committee on Social Affairs will confine itself to taking note of the amendments and to inviting the European Parliament merely to approve them as quickly as possible so that they can come into force from the dates laid down in Article 3.
3. However, the committee will take this opportunity of raising a general problem concerning the various texts which regulate the social security systems to be applied to migrant workers and their families at the Community level. In fact, on proposals from the Commission, the Council has already approved various regulations which amend or correct the basic regulation No. 1408/71 and the implementing regulation No. 504/72. For example regulation No. 878/73 was adopted on 26 March 1973 amending regulation No. 574/72, and on 19 December 1972 regulation No. 2864/72 was issued amending regulation No. 1408/71. For its part, the Administrative Committee mentioned above has at different times published the procedures necessary for the practical implementation of the rules contained in the various regulations, in addition to various decisions.

All this, added to the interpretative rulings of the Court of Justice, makes it very difficult for anyone who has to consult or apply the Community regulations in the course of his work to sort out this mass of provisions which have undergone many amendments and corrections.
4. The Committee on Social Affairs therefore invites the Commission of the Communities to publish a single and complete text of all the regulations and rules currently in force, as well as the implementing provisions adopted in the various Member States.

Without this text it will become increasingly difficult to make sense of the regulations and to know which rules are in fact in force, since there will always be the danger that they may in the meantime have been superseded by more recent ones.