

AC 205/18
Main conclusions of the 356th meeting of the Administrative Commission
SECRETARIAT – 22.05.2019

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**ADMINISTRATIVE COMMISSION
FOR THE COORDINATION OF SOCIAL SECURITY SYSTEMS**

**Main conclusions of the
356th meeting of the Administrative Commission**

10-11 October 2018 *

A. Agenda

The agenda was approved.

B. Approval of Minutes

The minutes of the 5th meeting of the International Dimension of Social Security Coordination of 5 October 2017, 352nd meeting of the Administrative Commission on 18-19 October 2017, the Working Party of the Administrative Commission on 20 March 2018 and the Working Party of the Administrative Commission on 26 June 2018 have been approved.

C. Communications and Questions

a) Presidency

The Presidency provided information on the latest state of play of the proposal for the revision of Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009, the proposal concerning the European Labour Authority the proposal for a Council Recommendation on access to social protection for workers and the self-employed.

b) Secretariat/Commission

The delegations were informed about recent developments regarding Decision No E6, the changes to the part "notes" of the Portable Document U1 following the changes in national legislations and the discussion to interpretation of Decision No H3. The delegations were reminded that it remained that the analysis of any issues on cross-border cooperation in the field of fraud and error and reporting back to the Administrative Commission remained at disposal of the members of the Steering Committee of the European Platform to combat cross-border social security fraud and error. The delegations were also reminded that year 2018 marks the 50th anniversary of the founding regulations on freedom of movement for

workers and the 60th anniversary of the EU rules on the coordination of social security systems.

I. Approval/notice without discussion

The Administrative Commission approved without discussion the following items: Nominations for membership to the Ad-Hoc Groups established for the definition of data to be exchanged electronically, Average costs 2016, Statistical report on export of family benefits, Statistical report on cross-border old-age, survivors' and invalidity pensions, subject to incorporation of corrections sent by Ireland, Portugal, Norway and corrections to be sent by the United Kingdom.

The Administrative Commission took note without discussion of the following item: National Contact Points nominated pursuant to Decision H5 of the Administrative Commission to promote cooperation between Member States to combat fraud and error within the field of social security coordination.

II. Report on the outcome of the Forum on the international dimension of social security coordination of 4 October 2018

The Administrative Commission took note of the outcome of the Forum on the international dimension of social security coordination.

III. Statistical reporting on the coordination of social security schemes

The Administrative Commission approved: Statistical report on portable document U1, Statistical report on PD U2, Statistical report on cross border healthcare. Statistical report on portable document A1.

IV. Follow up to the report of the Ad hoc Group on Family Benefits

Opinions of the delegations were collected as regards different proposals of the Secretariat for a follow up to the report.

V. Follow up to the Audit Board issues - Late replies regarding E126/S067/S068

Discussion without conclusion took place on note AC 265/18. It will continue at the 356th meeting.

VI. Follow up to the discussion on prevention of fraud and abuse in the use of Portable Documents

The Administrative Commission approved the new Recommendation on prevention of fraud and abuse in the use of Portable Documents.

VII. Monthly follow-ups during export of unemployment benefits

A number of delegations agreed to improve the content of the SED in the framework of the Ad Hoc Group on unemployment benefits.

VIII. Submissions to and decisions of the Conciliation Board - Follow up to the Opinion of the Conciliation Board on the issue of applicable legislation to employees working on board a vessel at sea submitted upon request of the French and Spanish delegations (case CB – 1/17)

As reported by the delegations concerned, the work on implementing the Opinion was ongoing

IX. Determination of the applicable legislation in the situations linked to the territory of third (non EU) countries

The Administrative Commission agreed with the interpretations as presented by the Polish delegation.

X. Follow up to discussion on fines imposed by Member States when a PD A1 is not presented in case of an inspection

Further clarifications on their national legislation were provided by the concerned delegations.

On the language regime, the delegations were informed by the Secretariat that the requirement that all evidence was submitted in a particular language went contrary to Article 76(7) of Regulation (EC) No 883/2004.

The delegations should try to find a solution to make the procedure easier, and were invited to engage into bilateral discussions to address common issues.

XI. EESSI

a) EESSI governance and progress update

The Administrative Commission welcomed the updates about the progress of the EESSI project and the national implementation based on monitoring dashboards submitted by countries and the work of the Technical Commission and Executive Board. The Administrative Commission encouraged all national stakeholders to continue their efforts in order to ensure a timely national EESSI implementation.

b) EESSI Roadmap

The Administrative Commission approved the EESSI Roadmap.

The Administrative Commission underlined the importance of analysing the issues raised around the handling of large SEDs in EESSI. Work will continue in the framework of the Technical Commission and reported back to the Administrative Commission.

c) Change management

The Administrative Commission approved the Change Management Procedure as recommended by the Technical Commission in its 80th meeting.

The Administrative Commission took note of the outcomes of the 1st Change Advisory Board meeting.

d) Release management

The Administrative Commission approved the Release Management Procedure as recommended by the Technical Commission in its 80th meeting.

The Administrative Commission took note of the approach regarding the Release Calendar and the overall calendar for the 2018 Release.

e) Institution Repository

The Administrative Commission approved the approach regarding EC Website Publication Process for PAI and CAI with the main activities and milestones for populating of Institution Repository by the countries with a view to publish PAI and CAI on the EC EUROPA site in March 2019, as recommended by the Technical Commission in its 80th meeting.

f) Unemployment Benefits proposal for informal annex to UB_BUC_01

The Administrative Commission took note of the approach proposed by the Unemployment Benefits Ad Hoc group regarding the creation of an informal annex to process UB_BUC_01. Delegations were invited to submit written comments on the proposal of the Ad Hoc group.

g) Accessibility compliance of RINA

The Administrative Commission acknowledged the note regarding accessibility compliance of RINA. Interested delegations were invited to submit written comments.

XII. Miscellaneous amendments

The Administrative Commission agreed to the amendments requests in relation to Annex 1 of Regulation (EC) No 987/2009 and Annexes II and IX of Regulation (EC) No 883/2004.

XIII. Changes in Member States legislation

The Administrative Commission took note of the changes reported.

XIV. Draft agendas of the meetings of the Administrative Commission in the second half of 2018

The calendar of the meetings for 2019 and the draft agenda for the 357th meeting of the Administrative Commission were presented.

XV. Other Business