

AC 200/19
Main conclusions of the 360th meeting of the Administrative Commission
SECRETARIAT – 28.04.2020.

Orig. EN

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

**Main conclusions of the
360th meeting of the Administrative Commission**

23-24 October 2019

A. Agenda

The agenda was approved.

B. Approval of Minutes

The minutes of the Working Party of the Administrative Commission on 18 December 2018, the minutes of the 357th meeting of the Administrative Commission on 19-20 December 2018, the minutes of the Working Party of the Administrative Commission on 5 March 2019 have been approved

C. Communications and Questions

a) Presidency

The Presidency provided information on state of play of the revision of Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 and information concerning the European Labour Authority.

b) Secretariat/Commission

The Secretariat informed the delegations of: recent staff changes in EMPL/D2; Article 9 Declarations procedure for 2018; state of play of the Decision no F3 and Decision no E7; results of the written procedure to approve the Change Requests (CR); the main conclusions of the CJEU judgment in case C-473/18 GP as well as on the informal annex to UB_BUC_01.

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; Institution Repository identification parameters related to personal coverage; Nomination for the Chair and the Deputy Chair of the 6th Conciliation Board; Nomination for membership of Steering Committee of the Fraud and Error Platform.

II. Report on the outcome of the Forum on the international dimension of social security coordination of 9 October 2019

The Administrative Commission took note of the outcome of the Working Party of the Administrative Commission of 9 October 2019.

III. Planned medical treatment for mass casualty disasters

After discussion on planned medical treatment for mass casualty disasters, its prior authorisation and target group the interested delegations were invited to send notes, based on which the Secretariat will reflect on how to move forward.

IV. Interpretation of Article 1, (i), 3, Regulation (EC) No 883/2004

The Administrative Commission favoured the interpretation of the Article 1, (i), 3, Regulation (EC) No 883/2004, that the article continues to apply even if the family member no longer lives in the same household but remains in the same country.

V. Bone-Marrow transplants - amendment to Recommendation S1

This item was postponed for the next meeting.

VI. Follow up to discussion on application of Article 15 of Regulation (EC) No 883/2004 and Article 17 of Regulation (EC) 987/2009

The delegations took note of the European Commission's position on the statutory rules on the right of unemployment provided to EU servants.

VII. Statistical reporting on the coordination of social security schemes

The Administrative Commission approved: the statistical report on PD U1; the statistical report on PD U2; the statistical report on cross-border healthcare; the statistical report on PD A1; the statistical report on family benefits; the statistical report on cross-border old-age, survivors' and invalidity pensions.

VIII. EESSI

The Administrative Commission welcomed the updates about the progress of the EESSI project and the national implementation and updates on the work of the Technical Commission and the Executive Board.

The Administrative Commission took note of the results and proposals on the EESSI governance and supported the general enhancements of the governance model which have already started to increase cooperation and transparency.

The Administrative Commission approved: the calendar for deployment of the EESSI Release 2019 as recommended by the Technical Commission in its 84th meeting; the updates in the

EESSI Release Management Plan; the change requests (CRs) as per recommendations following the 7th meeting of the Change Advisory Board and as recommended by the Technical Commission in its 84th meeting; the common Service Catalogue template and country-to-country Service Level Agreement.

IX. Follow up to the discussion on the Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer ("ICT-Directive")

After discussion about the order of primacy of the rules and interpretation on bilateral agreements the delegations were asked to send forward their notes and additional questions for possible further discussions.

X. Interpretation of Decision No A2 of 12 June 2009 – point 3 (c) regarding the interruption period for employed persons between two postings

After discussion about the notion of the interruption period for employed persons between two postings the delegations were asked to submit their written remarks, observations and questions.

XI. Submissions to and decisions of the Conciliation Board - Follow up to the case CB – 3/15 concerning lorry drivers engaged in international haulage in the EU

The case CB – 3/15 concerning lorry drivers engaged in international haulage in the EU was closed.

XII. Preventing abuse of social security: home visits in other Member States

The positions on the topic of possibility of home visits in other Member States were diverse.

XIII. Changes in Member States legislation

The Administrative Commission has taken note of the changes of the Polish, the Dutch and the United Kingdom's legislation. The Secretariat notified the United Kingdom delegation that further correspondence would be sent to clarify how it intended to ensure compatibility with Article 7 of Regulation (EC) No 883/2004.

XIV. Miscellaneous amendments – Council and European Parliament Regulation

The Administrative Commission has taken note of the information on proceedings as regards changes to the Annex X.

XV. Draft agendas of the meetings of the Administrative Commission in the second half of 2019

The delegations have taken note of the agenda for the next meeting and the calendar of the meetings for 2020.