



Posting of workers

Report on A1 Portable Documents
issued in 2021

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Glossary

Basic Regulation: Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems.

Implementing Regulation: Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems.

Competent Member State: The Member State in which the institution with which the person concerned is insured or from which the person is entitled to benefits is situated.

EU-28: Belgium (BE), Bulgaria (BG), the Czech Republic (CZ), Denmark (DK), Germany (DE), Estonia (EE), Ireland (IE), Greece (EL), Spain (ES), France (FR), Croatia (HR), Italy (IT), Cyprus (CY), Latvia (LV), Lithuania (LT), Luxembourg (LU), Hungary (HU), Malta (MT), the Netherlands (NL), Austria (AT), Poland (PL), Portugal (PT), Romania (RO), Slovenia (SI), Slovakia (SK), Finland (FI), Sweden (SE), and the United Kingdom (UK).

EU-27: Belgium (BE), Bulgaria (BG), the Czech Republic (CZ), Denmark (DK), Germany (DE), Estonia (EE), Ireland (IE), Greece (EL), Spain (ES), France (FR), Croatia (HR), Italy (IT), Cyprus (CY), Latvia (LV), Lithuania (LT), Luxembourg (LU), Hungary (HU), Malta (MT), the Netherlands (NL), Austria (AT), Poland (PL), Portugal (PT), Romania (RO), Slovenia (SI), Slovakia (SK), Finland (FI), and Sweden (SE).

EU-15: Belgium (BE), Denmark (DK), Germany (DE), Ireland (IE), Greece (EL), Spain (ES), France (FR), Italy (IT), Luxembourg (LU), the Netherlands (NL), Austria (AT), Portugal (PT), Finland (FI), Sweden (SE), and the United Kingdom (UK).

EU-14: Belgium (BE), Denmark (DK), Germany (DE), Ireland (IE), Greece (EL), Spain (ES), France (FR), Italy (IT), Luxembourg (LU), the Netherlands (NL), Austria (AT), Portugal (PT), Finland (FI), and Sweden (SE).

EU-13: Bulgaria (BG), the Czech Republic (CZ), Estonia (EE), Croatia (HR), Cyprus (CY), Latvia (LV), Lithuania (LT), Hungary (HU), Malta (MT), Poland (PL), Romania (RO), Slovenia (SI), and Slovakia (SK).

EFTA countries: Iceland (IS), Liechtenstein (LI), Norway (NO), and Switzerland (CH).

Persons covered by Article 12 of the Basic Regulation: Article 12 relates to employed persons who are employed by an employer which normally carries out its activities in a Member State and who are posted by that employer to another Member State to perform work on its behalf, and persons who normally pursue an activity as a self-employed person in a Member State who go to pursue a similar activity in another Member State.

Persons covered by Article 13 of the Basic Regulation: These persons pursue an activity as an employed/self-employed person in two or more Member States.

Portable Document (PD) A1: This certificate proves that the social security legislation of the issuing Member State applies and confirms that this person has no obligations to pay contributions in another Member State.

Summary of main findings

The main principle of the EU rules on social security coordination¹ is that persons are subject to the legislation of a single Member State² only. If the person works, the legislation of the Member State where the economic activity is carried out applies (*lex loci laboris*). In some very specific situations, other criteria apply. Such situations include, *inter alia*, 1) employed persons who are employed by an employer which normally carries out its activities in a Member State and who are posted by that employer to another Member State to perform work on its behalf (Article 12(1) of the Basic Regulation), 2) persons who normally pursue an activity as a self-employed person in a Member State who go to pursue a similar activity in another Member State (Article 12(2) of the Basic Regulation); and 3) persons who pursue an activity as an employed/self-employed person in two or more Member States (Article 13 of the Basic Regulation).³ Under Article 12 of the Basic Regulation, the social security legislation of the Member State where the employer normally carries out its activities / where the self-employed activity is normally pursued continues to apply for up to 24 months. Under Article 13 of the Basic Regulation, special rules for persons who are normally employed, self-employed, or both employed and self-employed in two or more Member States are laid down to ensure that the social security legislation of only one Member State is applicable.

In the situations discussed above, a so-called ‘Portable Document A1 (PD A1)’ is issued.⁴ This certificate proves that the social security legislation of the issuing Member State applies and confirms that the person concerned has no obligations to pay social security contributions in another Member State. The current legal framework provides that the employer or the person concerned must inform the competent institution about their planned transnational activities, whenever possible before these activities take place. Subsequently, after verification of several conditions, a PD A1 is provided by the competent institution.⁵ In practice, authorities are not always informed about these transnational activities. Consequently, there might be a discrepancy between the number of PDs A1 issued and the actual number of persons being sent abroad. However, it is likely that this difference has narrowed in recent years. Indeed, some Member States have laid down sanctions in their national legislation for not having a PD A1 and/or carry out far more inspections on having a PD A1. In addition, the communication of competent authorities concerning the application for a PD A1 when making a ‘business trip’ to another EU/EFTA country may also have a direct impact.

The aftermath of the COVID-19 pandemic

The COVID-19 pandemic and the restrictions on freedom of movement imposed by Member States to stem the spread of the virus had an enormous impact on labour mobility in the

¹ Regulation (EC) No 883/2004 of 29 April 2004 on the coordination of social security systems (also referred to as Basic Regulation) and Regulation (EC) No 987/2009 of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (also referred to as Implementing Regulation).

² The term “Member State” is used in this report to indicate the 27 countries belonging to the European Union (EU) in reference year 2021, the European Economic Area (EEA), Switzerland, and the United Kingdom (UK).

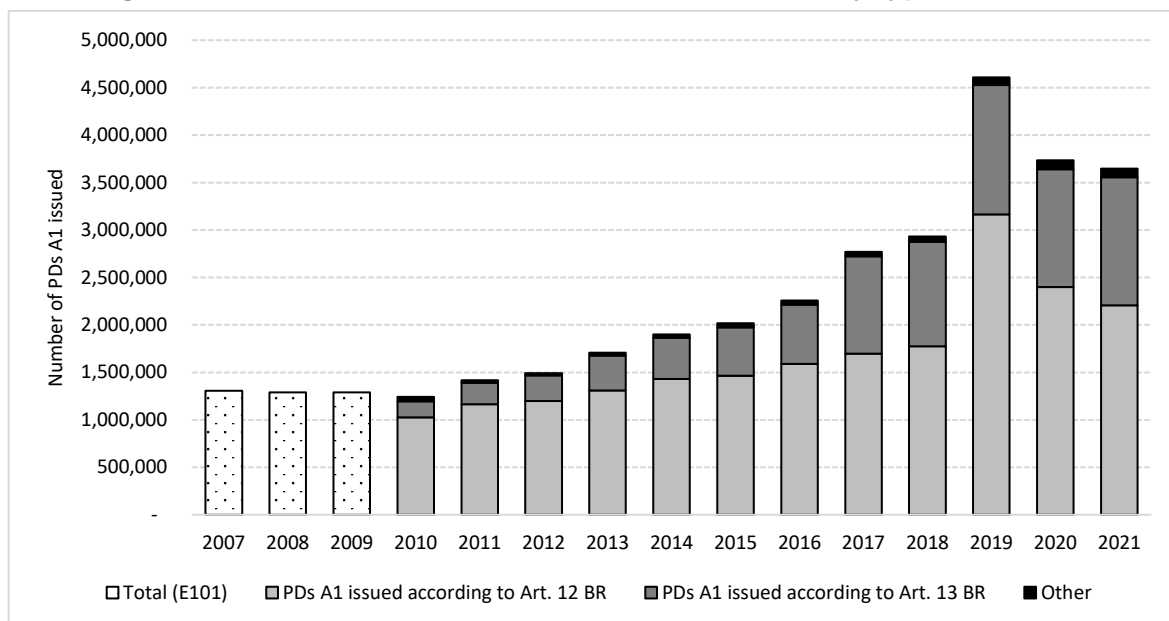
³ See EC (2013), *Practical guide on the applicable legislation in the European Union (EU), the European Economic Area (EEA) and in Switzerland*.

⁴ For instance, in cases subject to Article 13 of the Basic Regulation, the person concerned must inform the relevant institution in the Member State of residence, which will launch the procedure for determining the applicable legislation. Once the competent Member State has been identified, it will issue a PD A1.

⁵ Under the CJEU case-law (see e.g., Case C-202/97, FTS, paragraph 51 EU:C:2000:75) the competent authority needs to carry out a proper assessment of the facts relevant to the application of the rules for determining the applicable social security legislation and, consequently, to guarantee the correctness of the information contained in the PD A1.

EU/EFTA (including the UK).⁶ This was also clearly the case for intra-EU posting. In 2020, the overall number of PDs A1 issued decreased by almost 900 000 PDs A1 or almost one fifth compared to 2019. Even in 2021, the hampering effects of the COVID-19 pandemic were still visible in the PD A1 data. Indeed, the total number of PDs A1 issued in 2021 decreased by 2.4 % or some 89 300 PDs A1 compared to 2020 (*Figure 1*). However, as can be seen, it only concerns a drop in the number of PDs A1 issued according to Article 12 (mainly due to a sharp decline in Germany), as those PDs A1 issued under Article 13 have increased again after a decrease from 2019 to 2020. Even though there was still a decline in the total number of PDs A1, it can be noted that the level of PDs A1 is still above the level of 2018, meaning that the growing trend over the past decade is likely to continue.

Figure 1 - Evolution of the number of PDs A1 issued, by type, 2007-2021

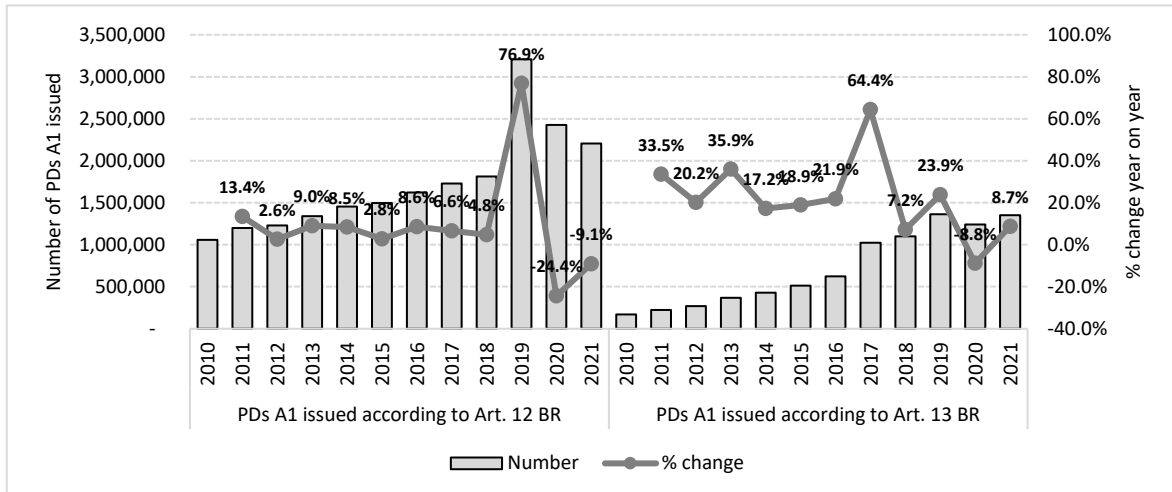


Source: Administrative data PD A1 Questionnaire 2022 and previous years

In total, 3.6 million PDs A1 were issued in 2021 by the competent institutions in the EU/EFTA countries and the United Kingdom. The majority of these PDs A1 are still issued under Article 12, namely some 2.2 million or 61 % of all PDs A1 issued. Nevertheless, the share of PDs A1 issued under Article 13 has been on the rise in the last years. Its share went from 14 % in 2010 to 37 % in 2021. Finally, around 90 900 PDs A1 were issued to other categories (2.5 %).

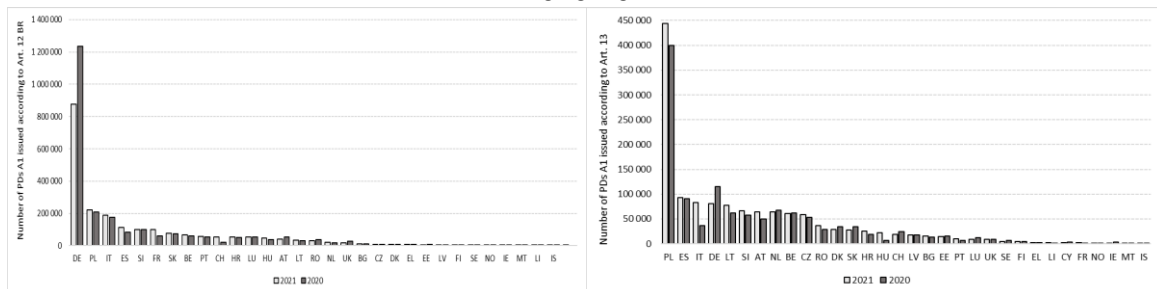
While the number of PDs A1 under Article 12 decreased drastically in 2020 and decreased even further in 2021, PDs A1 under Article 13 only saw a small decrease in 2020 due to the COVID-19 pandemic and increased again in 2021 (*Figure 2*). From 2020 to 2021 the number of PDs A1 issued under Article 12 decreased by 9.1 %, while those under Article 13 increased by 8.7 % (*Figure 2*). This can be explained by the type of activities mostly covered by the different Articles. Most PDs A1 under Article 13 are issued for activities in road freight transport. During the COVID-19 pandemic, this proved to be one of the most essential sectors. Whereas several sectors came to a complete standstill, road freight transport has been a sector that had continued activities. This might be a possible explanation for the smaller decrease in the number of PDs A1 issued under Article 13 in 2020 and the quick recovery again in 2021. Moreover, 2019 was possibly an outlier in terms of the number of PDs A1 issued under Article 12, mainly in Germany.

⁶ Hassan, E., Fries-Tersch, E., Jones, M. and Siöland, L. (2022), *Annual Report on Intra-EU Labour Mobility 2021*, Network Statistics FMSSFE, on behalf of the European Commission - DG EMPL. See chapter 3 on 'COVID-19 and intra-EU labour mobility'.

Figure 2 - Number of PDs A1 issued and percentage change, by type, 2010-2021

Source: Administrative data PD A1 Questionnaire 2022 and previous years

In 2021, the two main issuing Member States of a PD A1 were Germany (997 000 PDs A1 issued) and Poland (677 000 PDs A1 issued). These two Member States issued 47 % of the total number of PDs A1. However, both Member States have a completely different profile. Germany mainly issued PDs A1 according to Article 12, representing 40 % of the total number of PDs A1 issued by the application of this provision (*Figure 3*). This is in contrast to Poland, which is the main issuing Member State of PDs A1 issued to persons covered by Article 13, issuing one third of all PDs A1 under Article 13.

Figure 3 - Number of PDs A1 issued, breakdown by type and issuing Member State, 2020-2021

Source: Administrative data PD A1 Questionnaire 2022 and 2021

Of the main issuing Member States of a PD A1 under Article 12, only Germany (-29.0 % or -358 000 PDs A1) shows a strong decline from 2020 to 2021. Other main issuing Member States, such as Poland (+7.4 %) and Spain (+39.8 %) show a positive evolution. This is also the case for PDs A1 issued under Article 13, where the main issuing Member States Poland (+11.1 %) and Spain (+2.3 %) display a growth. Once more, the number of PDs A1 issued by Germany (-29.4 %) shows a strong decrease.

PDs A1 issued under Article 12

The detailed breakdown of the information provided by the issuing Member States on the PDs A1 issued according to Article 12, if exhaustively completed, results in a similar view by receiving Member State. Most persons covered by Article 12 were sent to Germany, France, Austria, Belgium, the Netherlands, and Switzerland. A PD A1 under Article 12 is mainly issued by and to EU-14 Member States. Indeed, some seven out of ten PDs A1 under Article 12 were granted by the EU-14 and almost eight out of ten PDs A1 under Article 12 were received by the EU-14. The top three flows went from Germany to Austria (166 004 PDs A1), from Poland to Germany (125 380 PDs A1), and from Germany to France (100 591 PDs A1).

Most PDs A1 under Article 12 were granted for activities in the industry sector (61 %) of which 26 % in the construction sector. Furthermore, 38 % of PDs A1 were for activities in the services sector, and only 1 % in the agriculture sector. However, if Germany is left out of these shares, the construction sector takes up a more prominent roles, as its share then increases to 43 %. This is also visible when comparing the share of the construction sector for the EU-14 (15 %) and the EU-13 (49 %). For example, Estonia, Portugal, Romania, and Slovakia issue more than one in two PDs A1 for activities in the construction sector. Persons with a PD A1 under Article 12 from Belgium, Cyprus, Malta, Iceland, and Liechtenstein mainly provide activities in the service sector.

Under the current rules on social security coordination the period that persons are pursuing an activity covered by Article 12 is set at a maximum of 24 months. In practice, the average duration was around 106 days per PD A1 in 2021. Furthermore, one individual employed/self-employed person was sent abroad 1.7 times in 2021.

Of all the PDs A1 issued under Article 12, roughly 6 % were issued for posted self-employed persons. This share strongly differs between Member States. For instance, more than four in ten PDs A1 issued by Iceland and Slovakia were granted to self-employed persons.

In 2021, some 0.4 % of total EU employment could be related to the employment of persons covered by Article 12. Some Member States, and within these Member States some specific sectors of activity, in particular the construction sector, are confronted with a high percentage of incoming persons covered by Article 12 (for instance Belgium). Moreover, the construction sector in both Luxembourg and Slovenia is sending a high percentage of its employed construction workers abroad.

PDs A1 issued under Article 13

Some 9 out of ten of the PDs A1 issued according to Article 13 relate to persons employed in different Member States.

Furthermore, some 42 % of the PDs A1 issued according to Article 13 were provided to persons employed in road freight transport. For instance, approximately 224 000 PDs A1 were issued by Poland to persons employed in this sector. Especially a high percentage of truck drivers employed in Croatia, Latvia, Lithuania, Luxembourg, Malta, Poland, Slovakia, and Liechtenstein are active in two or more Member States.

Article 13 does not set a maximum period for employment or self-employment in two or more Member States. Consequently, the average duration persons pursue an activity in two or more Member States was some 325 days per PD A1 and even a complete year per individual person (369 days).

Finally, an equivalent of 0.4 % of EU employment could be related to the employment of persons active in two or more Member States (in FTE).

1. Introduction

The data presented in this report concerns data provided by Member States on reference year 2021^{7,8} about the number of Portable Documents A1 (PDs A1), which replaced the E101 forms⁹. For one Member State¹⁰, data from previous reference years is used, seeing that no or incomplete data were provided for reference year 2021.

Article 19 of the Implementing Regulation states that the PD A1¹¹ is provided by the competent Member State at the request of the employer or the person concerned. It establishes the presumption that the holder is affiliated to the social security system of the Member State which has issued the certificate. Consequently, it confirms that the person concerned has no obligations to pay contributions in another Member State. PDs A1 are used for various cases: pursuing activities in another Member State based on Article 12; pursuing activities in two or more Member States based on Article 13; ‘Article 16 agreements’; civil servants; mariners; flight or cabin crew members; contract staff of the EU. Regarding the granting of a PD A1, the Administrative Commission lays down the structure, content, format, and detailed arrangements for the exchange of documents,¹² and the Implementing Regulation sets out the information policy affecting the granting of a PD A1.¹³ Nonetheless, Member States still have an important margin of discretion for designing their internal PD A1 granting procedure.

The collected data provide detailed information on the size, the characteristics, and the impact of intra-EU posting according to Article 12 of the Basic Regulation and of persons who are active in two or more Member States under Article 13 of the Basic Regulation. Nonetheless, it should be acknowledged that the PD A1 data only provide an indicative picture of the actual number of postings taking place both under the Coordination Regulations and the Posting of Workers Directive¹⁴. First, differences exist in the notion of ‘posted’ used by the Basic Regulation compared to the Posting of Workers Directive, thus covering a different range of persons. Second, in some cases, a posting may take place without the institutions being informed of it. Consequently, the number of PDs A1 issued may depend on the number of inspections performed by the enforcement bodies in the host Member State, to what extent host Member States implemented sanctions in case of failure to show a PD A1 but also to what extent posting undertakings are aware of the application procedures (see Section 1.3).

⁷ The Network would like to thank all delegations of the Administrative Commission for providing these data. Moreover, we would like to thank the Commission and the Administrative Commission for remarks, comments, and exchanges on previous versions.

⁸ See *Annex III* for the content of the PD A1 Questionnaire. The questionnaire also asks whether Member States are aware of cases of fraud or error with regard to the provisions on the PD A1. An analysis of the replies can be found in the thematic report on fraud and error (Jorens *et al.* (2021), *Fraud and error in the field of EU social security coordination*, Network Statistics FMSSFE, European Commission – DG EMPL).

⁹ Since 1 May 2010, E101 forms have been replaced by PDs A1 by Regulation (EC) No 883/2004 on the coordination of social security systems. However, these new rules have been applied to nationals of Switzerland since 1 April 2012, and to nationals of Norway, Iceland, and Liechtenstein since 1 June 2012.

¹⁰ It concerns EL (data 2018). This is always mentioned in a footnote.

¹¹ See *Annex IV* for the Portable Document A1.

¹² Administrative Commission Decision No A1 of 12 June 2009.

¹³ See Articles 15 and 19 of Regulation (EC) No 987/2009.

¹⁴ Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services as amended by Directive (EU) 2018/957.

1.1. Brief overview of the legal framework

According to the social security coordination regulations, the social security legislation of the Member State in which the employee or self-employed person is working applies. Nevertheless, regarding persons covered by Article 12 of the Basic Regulation, there is an exception to this principle. This exception states that the social security legislation of the Member State where the employer normally carries out its activities continues to apply for up to 24 months. The purpose of these provisions is to avoid an administrative burden for workers, employers, and social security institutions.¹⁵ In addition, it protects posted workers by keeping their insurance record stable. Furthermore, Article 13 of the Basic Regulation lays down special rules for persons who are normally employed, self-employed, or both employed and self-employed in two or more Member States, to ensure that the social security legislation of only one Member State is applicable. Based on Article 11 (5) of the Basic Regulation, for flight or cabin crew members, the applicable legislation is determined by their 'home base'. Finally, Article 16 (1) of the Basic Regulation permits the competent authorities of two or more Member States to reach agreements dealing with exceptions to the rules governing the applicable legislation.

1.2. Content of the PD A1 report

First, a general overview of the number of PDs A1 issued is presented in *Chapter 2*. Next, the focus is on those PDs A1 issued related to persons covered by Article 12 (*Chapter 3*). This is done by providing a breakdown by classification of the sending and receiving Member State, by status, by sector of activity, and by focusing on the impact on the national labour market of the sending and receiving Member State. Furthermore, data are reported on the number of individual persons involved and the duration persons are pursuing an activity abroad, to gain better insight into the impact of persons covered by Article 12. In *Chapter 4*, more detailed figures on persons who are active in two or more Member States under Article 13 are presented. Finally, cases of fraud or error are reported in *Chapter 5*.

Almost all Member States provided detailed figures on the number of PDs A1 issued.¹⁶ Only Switzerland could not provide a breakdown by receiving Member State for the PDs A1 issued according to Article 12. Regarding the collection of more detailed figures on the PDs A1 issued according to Article 12, 21 Member States provided a breakdown by sector of economic activity. Furthermore, 20 and 19 Member States respectively were able to provide (partial) data on the number of individual employed/self-employed persons and on the duration persons are pursuing an activity covered by Article 12. Regarding the collection of more detailed figures on the PDs A1 issued to persons active in two or more Member States 15 Member States provided a breakdown by sector of economic activity, 21 Member States reported the number of individual persons active in two or more Member States and 19 Member States provided data on the duration. These response rates indicate that the image presented for some indicators is incomplete due to missing data from several Member States. This is of course not without consequence for the robustness of the overall conclusions.

As of 1 February 2020, the United Kingdom is no longer part of the European Union. This has a significant impact on the dissemination of statistics. In all thematic reports, the EU-27 aggregate (excluding the UK) is produced for 2021. Accordingly, the text of the report describing the quantitative findings focusses on the EU-27 aggregate. Data before

¹⁵ See recital 1 of Administrative Commission Decision No A2 of 12 June 2009. Moreover, recital 2 of the same decision states that “the provisions of Article 12 of Regulation (EC) No 883/2004 ... aim in particular to facilitate the freedom to provide services for the benefit of employers which post workers to Member States other than that in which they are established, as well as the freedom of workers to move to other Member States. These provisions also aim at overcoming the obstacles likely to impede freedom of movement of workers and at encouraging economic interpenetration whilst avoiding administrative complications, especially for workers and undertakings.”

¹⁶ Figures for EL apply to reference year 2018.

1 February 2020 refers to periods when the UK was a Member State, and therefore remains valid. Therefore, when discussing the evolution of the number of PDs A1, both the EU-27 aggregate and the EU-28 aggregate is reported for reference years 2019 and earlier.

There are two Agreements now governing the relations between the EU and UK in terms of social security coordination¹⁷. First, the **Withdrawal Agreement (WA)**¹⁸ entered into force on 1 February 2020 with a transitional period until 31 December 2020. It provides for *full coordination* to all those persons (including their family members/survivors) who have continuously been in a cross-border situation involving the EU and the UK since before the end of the transition period. This means that the complete social security coordination *acquis*¹⁹ applies to these persons. Furthermore, *partial coordination* applies to persons who are not covered by Art. 30 (full coordination) but have been subject to both UK/EU social security legislation before the end of the transition period. This includes among others EU rules concerning the aggregation of periods, rights and obligations deriving from such periods. The Withdrawal Agreement also protects persons in triangular situations with EFTA Member States.

The **Trade and Cooperation Agreement (TCA)**²⁰ was signed on 30 December 2020, was applied provisionally as of 1 January 2021, and entered into force on 1 May 2021. In this Agreement there is a Protocol on Social Security Coordination which covers all persons who 1) are or have been covered by the social security legislation of an EU Member State or of the UK; 2) are residing in an EU Member State or the UK; 3) are or have been in a cross-border situation between an EU Member State and the UK as from 1 January 2021. This Protocol fully coordinates all branches of social security coordination that are currently coordinated under the Basic Regulation except for family benefits, long-term care, special non-contributory cash benefits, and assisted reproduction services. Additionally, there is a partial coordination for invalidity benefits and unemployment benefits. However, this Protocol does not apply to situations involving a UK national moving between two or more Member States, without a cross-border element with the UK as such. Furthermore, it does not apply to the EFTA Member States.

This thematic report covering the posting of workers is the only one in which a distinction between both agreements could be provided. Where applicable, figures for the Withdrawal Agreement (UK WA) and the Trade and Cooperation Agreement (UK TCA) are reported separately, as well as the total for the United Kingdom (UK).

1.3. Some important methodological remarks

The statistics that become publicly available by collecting data on PD A1 are nearly the only source of comparable information at European level to estimate the number of postings/posted workers. Consequently, these data are frequently used by scholars as well as in political debates. When using and citing these data, it is of utmost importance that the limitations of these figures are clearly described.

¹⁷ European Commission, Latest developments on free movement of workers, social security coordination and posting of workers at EU level, MoveS Seminar Posting of workers: quo vadis, 17 June 2022.

¹⁸ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community 2019/C 384 I/01. See <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1580206007232&uri=CELEX%3A12019W/TXT%2802%29>

¹⁹ Basic Regulation and Implementing Regulation

²⁰ Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part. See https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2021.149.01.0010.01.ENG&toc=OJ%3AL%3A2021%3A149%3ATOC

Firstly, the reader's attention is drawn to the fact that differences exist in the notion of 'posted' used by the Basic Regulation compared to the Posting of Workers Directive (Directive 96/71/EC)²¹. Consequently, persons might be 'posted' under the Basic Regulation but not in the meaning of the Directive. For instance, self-employed persons falling under Article 12 (2) of the Basic Regulation are not covered by the Posting of Workers Directive. In addition, workers who are sent temporarily to work in another Member State, but do not provide services there, are not covered by the Posting of Workers Directive. This is the case, for example, for workers on business trips (when no service is provided), attending conferences, meetings, fairs, following training, etc. In contrast, persons might also be posted under the Posting of Workers Directive and not under the Basic Regulation. For instance, workers who pursue an activity in two or more Member States (Article 13 of the Basic Regulation) may fall under the terms and conditions of the Posting of Workers Directive. Furthermore, according to the EU rules on social security coordination, workers who at the outset will be posted for a period of longer than two years fall outside the posting provisions of the Regulation, and in such case, they need to be socially insured in the host Member State, unless a specific agreement under Article 16 of the Basic Regulation is concluded. Hence, in the absence of such agreement, they no longer need a PD A1, and these workers will not appear in the related data. In this regard, data on incoming posting undertakings and posted workers registered by national declaration tools may complement the data on postings provided by the A1 certificate. Since 2018, such data are collected at EU level.²²

Secondly, a posting undertaking which posts a worker to another Member State, or in the case of a self-employed person the person him/herself, must contact the competent institution in the sending Member State. Whenever possible this should be done in advance of the posting. This obligation is defined by Article 15 (1) of the Implementing Regulation. Nonetheless, in some cases, a posting may take place without the institutions being informed of it or the PD A1 is awarded retroactively. This creates a discrepancy between the number of PDs A1 issued according to Article 12 and the actual number of persons being sent abroad on the basis of Article 12. Nevertheless, some Member States, such as France²³ and Austria, recently seem to be much stricter in their judgment of having a PD A1 as a condition for being legally posted. They implemented sanctions in case of failure to show a PD A1 and/or are currently carrying out far more inspections on having a PD A1. As there are often high administrative sanctions if no proof can be delivered, it might be an incentive for posting undertakings to ask for a PD A1. This also applies for business trips.²⁴ Above measures may have a positive impact on the compliance with Article 15 of the Implementing Regulation. As a result, the discrepancy between the number of PDs A1 issued and the actual number of mobile persons covered by Articles 12 or 13 of the Basic Regulation is likely to have narrowed (slightly) over the past few years. From a statistical point of view this improves the data accuracy.

²¹ Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services.

²² See [De Wispelaere, F., De Smedt, L. & Pacolet, J. \(2021\), *Posting of workers - Collection of data from the prior notification tools - Reference year 2019*](#), Network Statistics FMSSFE, Brussels: European Commission.

²³ Article L 114-15-1 of the 'Code de la sécurité sociale'.

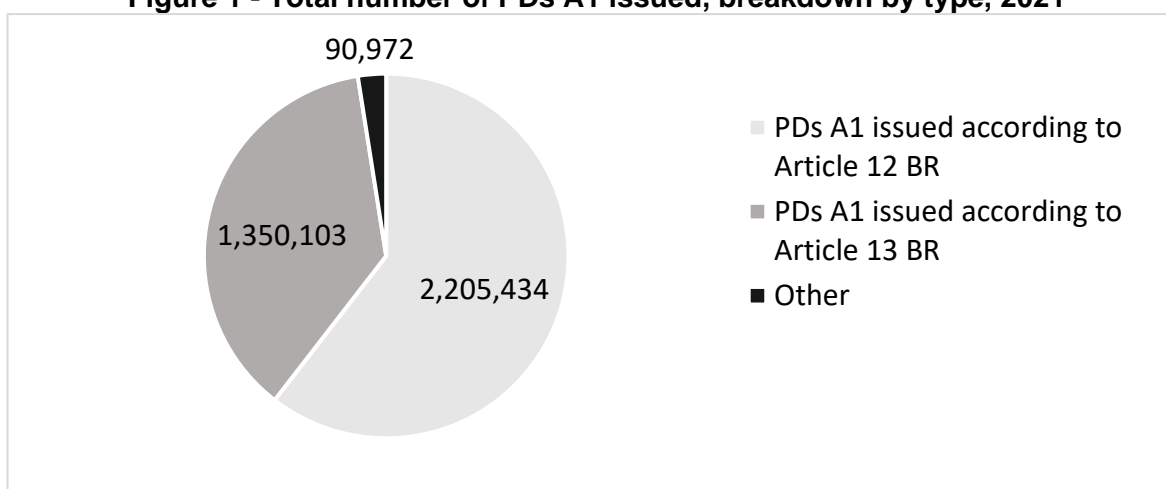
²⁴ See the [Practical Guide on Posting](#) (EC, 2019) (section 2.4. "What about 'business trips' to another Member State? Are the rules on posting applicable to any mission abroad of workers?"): "As far as the coordination of social security is concerned, Regulations (EC) No 883/2004 and 987/2009 provide that, for every cross-border work-related activity (including 'business trips') the employer, or any self-employed person concerned, is under the obligation to notify the competent (home) Member State, whenever possible in advance, and obtain a Portable Document A1. That obligation covers any economic activity, even if only of short duration. These Regulations do not provide for any exceptions for business trips either."

2. An overall picture of the number of PDs A1 issued

2.1. Number of PDs A1 issued in 2021

A total number of 3.6 million PDs A1 were issued at the request of the employer or the person concerned in 2021. The majority of these PDs A1 were applicable to persons covered by Article 12, namely 2.2 million (*Figure 1*). Another 1.35 million PDs A1 were issued to persons covered by Article 13. The remaining 90 972 PDs A1 were issued for other categories, mainly issued to civil servants (47 784 PDs A1), as well as to persons covered by an 'Article 16 Agreement' (19 131 PDs A1) and mariners (13 110 PDs A1) (see also *Table 1*).

Figure 1 - Total number of PDs A1 issued, breakdown by type, 2021



* EL: data 2018.

Source: Administrative data PD A1 Questionnaire 2022

The highest number of PDs A1 were issued by Germany, almost 1 million in 2021 (*Table 1*). The second most important Member State is Poland with over 676 000 PDs A1 issued. Together, these two Member States issued 46 % of all PDs A1 in 2021. Additionally, Italy and Spain issued more than 200 000 PDs A1 each, while Belgium, France, Lithuania, Austria, Slovenia, and Slovakia also issued over 100 000 PDs A1 each. Between 50 000 and 100 000 PDs A1 were issued by the Czech Republic, Croatia, Luxembourg, Hungary, the Netherlands, Portugal, Romania, and Switzerland. Bulgaria, Denmark, Estonia, Latvia, and the United Kingdom issued less than 50 000 PDs A1 but more than 10 000 PDs A1. Finally, Ireland, Greece (2018 data), Cyprus, Malta, Finland, Sweden, Iceland, Liechtenstein, and Norway each issued less than 10 000 PDs A1. The distinction between the EU-14 and EU-13 Member States indicates that the EU-14 issued 2.1 million PDs A1 while the EU-13 issued around 1.4 million PDs A1. A visual representation of the relative share of each Member State is provided in *Annex II*, for the total number of PDs A1 issued (*Figure A1*), PDs A1 issued under Article 12 (*Figure A2*), and PDs A1 issued under Article 13 (*Figure A3*).

The row percentages provided in *Table 2* give the opportunity to analyse the differences between the different types of PDs A1. In total 60.5 % of all PDs A1 were provided according to Article 12 while 37.0 % were provided under Article 13. The remaining 2.5 % were issued under the category 'others'. However, there are clear differences between EU-14, EU-13, and EFTA countries when analysing the distribution by type of case in which a PD A1 is granted. Whereas the EU-14 issued around three quarters of PDs A1 under Article 12, the importance of this Article is much less pronounced for EU-13 Member State (42 %). Indeed, the EU-13 Member States issued the majority of PDs A1 under Article 13 (56 %). For EFTA

Member States, PDs A1 issued under the category 'others' are relatively more important than for the other Member States (5.8 % for EFTA, 2.7 % for EU-14, 1.9 % for EU-13).

A total of 16 Member States²⁵ mainly issued PDs A1 to persons covered by Article 12. The importance of Article 12 in total is especially high in Germany (88 %), France (97 %), and Portugal (85.5 %). All other Member States²⁶, except for Malta, issued the majority of PDs A1 to persons active in two or more Member States. In this group of Member States, especially the Czech Republic (87 %) and Liechtenstein (84 %) stand out, as they issued more than eight out of ten PDs A1 to persons under Article 13. The second most important issuing Member State Poland granted around two thirds of PDs A1 by applying Article 13. Only Malta issued 82 % of PDs A1 for other situations, particularly mariners (76.2 %). Finally, it might be interesting to point out that in general in the United Kingdom Article 12 is more pronounced (61 %), but there is a difference between the Trade and Cooperation Agreement (TCA) (77 % under Article 12) and the Withdrawal Agreement (WA) (45.5 %), as for the latter a high share is also issued under Article 13 (43 %).

Even though the majority of PDs A1 are provided by competent administrations through the application of Article 12 and 13 of the Basic Regulation, other types are possible as well. For example, Germany and Poland issued a relatively high number of PDs A1 for civil servants, namely 31 161 and 8 232 respectively. Malta issued over 5 300 PDs A1 for mariners, while Denmark and Germany each issued over 1 200 PDs A1 for flight or cabin crew members.

In its meeting of October 2017, the Administrative Commission adopted some amendments to the content of the A1 certificate. It was agreed to extend the scope of the PD A1 to situations where an employed or self-employed person carries out his/her activities in only one Member State. In 2021, 5 043 PDs A1 were provided by the competent authorities because of this situation, of which around half by Germany. This is a serious increase compared to 2020 (1 970 PDs A1), mainly because data for Germany were not included concerning this type of PD A1 in reference year 2020.

Finally, in a Communication concerning the exercise of the free movement of workers during the COVID-19 pandemic the Commission underlined that in cases where the social security legislation applicable to the frontier workers is to be changed, the worker may request an exception stipulated in Article 16 of the Basic Regulation.²⁷ In 2021, some 19 100 PDs A1 were issued under Article 16. This is an increase compared to 2020 (18 400 PDs A1) and 2019 (18 995 PDs A1). The majority of PDs A1 under Article 16 were issued by Germany (3 404 PDs A1) and Spain (2 136). Especially in Cyprus and Switzerland, the relative increase of number of PDs A1 issued under Article 16 (% change compared to 2020) is significant. In Spain, Croatia, and Luxembourg, the absolute change is significant as well, as the number of PDs A1 issued under Article 16 grew by over 450 forms.

²⁵ BE, DE, IE, EL (data 2018), ES, FR, HR, IT, LU, HU, PT, SI, SK, IS, CH, and UK.

²⁶ BG, CZ, DK, EE, CY, LV, LT, NL, AT, PL, RO, FI, SE, NO, and LI.

²⁷ [European Commission](#) (2020), *Communication from the Commission Guidelines concerning the exercise of the free movement of workers during COVID-19 outbreak* (2020/C 102 I/03) – see point 8.

Table 1 - Total number of PDs A1 issued by the competent Member States, breakdown by type, 2021

Sending MS	Employed, active under Article 12(1)	Self-employed, active under Article 12(2)	<i>Sum persons active under Article 12</i>	Employed, working in two or more States	Self-employed, working in two or more States	Working as an employed person and as a self-employed person in different States	Working as a civil servant in one State and as an employed/self-employed person in one or more other States	<i>Sum active in two or more States</i>	Civil servant	Contract staff	Mariner	Flight or cabin crew member	Exception (Art. 16)	Working as an employed / self-employed person in only one Member State	<i>Sum others</i>	<i>Total</i>
EU-27	2 013 334	118 004	2 131 338	1 189 989	105 230	14 228	8 506	1 317 953	45 063	1 732	12 799	3 928	16 275	4 138	83 935	3 533 226
EU-14	1 473 087	60 957	1 534 044	468 821	25 537	7 350	8 118	509 826	34 046	1 731	3 508	3 219	11 704	3 083	57 291	2 101 161
EU-13	540 247	57 047	597 294	721 168	79 693	6 878	388	808 127	11 017	1	9 291	709	4 571	1 055	26 644	1 432 065
EFTA	54 559	2 054	56 613	21 288	816	769	387	23 260	2 239	0	29	175	1 761	753	4 957	84 830
Total	2 081 087	124 347	2 205 434	1 217 915	107 495	15 786	8 907	1 350 103	47 784	1 732	13 110	4 172	19 131	5 043	90 972	3 646 509
BE	61 219	4 785	66 004	53 600	6 230	725	495	61 050	364	<5	31	119	626	98	1 239	128 293
BG	10 833	78	10 911	14 707	117	210	0	15 034	227	0	109	<5	54	34	425	26 370
CZ	6 518	1 423	7 941	43 634	11 958	3 480	40	59 112	590	0	0	23	247	364	1 224	68 277
DK	6 509	135	6 644	28 728	359	134	60	29 281	102	0	109	1 296	526	98	2 131	38 056
DE	850 642	25 167	875 809	72 805	4 998	2 442	924	81 169	31 161	1 377	99	1 583	3 404	2 429	40 053	997 031
EE	5 869	21	5 890	14 878	34	27	<5	14 940	142	0	21	0	<5	12	176	21 006
IE	604	220	824	548	169	29	<5	747	18	0	0	24	98	0	140	1 711
EL*	6 504	79	6 583	2 043	515	83	6	2 647	21	0	0	0	0	0	21	9 251
ES	107 156	7 317	114 473	91 445	1 901	43	<5	93 390	337	0	1 148	45	2 136	0	3 666	211 529
FR	97 428	1 661	99 089	254	1 360	294	<5	1 910	37	<5	424	0	624	0	1 089	102 088
HR	54 475	88	54 563	24 509	427	224	18	25 178	165	0	1 802	49	1 980	<5	3 999	83 740
IT	175 592	14 361	189 953	78 142	3 707	819	219	82 887	664	0	12	<5	1 258	14	1 949	274 789
CY	71	8	79	2 288	20	15	0	2 323	19	0	368	0	255	250	892	3 294
LV	4 287	<5	4 290	17 319	183	109	0	17 611	86	0	993	0	866	9	1 954	23 855
LT	32 568	239	32 807	77 093	41	38	0	77 172	7	0	642	0	13	0	662	110 641
LU	53 965	358	54 323	7 879	303	1 183	13	9 378	<5	0	8	70	1 956	0	2 036	65 737
HU	46 054	437	46 491	21 003	229	619	<5	21 853	393	0	0	0	105	7	505	68 849
MT	485	49	534	693	13	24	0	730	13	0	5 305	333	2	48	5 701	6 965
NL	14 784	2 001	16 785	58 484	4 812	519	63	63 878	0	349	837	40	0	0	1 226	81 889
AT	36 696	4 399	41 095	57 468	642	891	5 722	64 723	386	0	0	9	520	33	948	106 766
PL	210 307	12 986	223 293	384 113	59 203	428	271	444 015	8 232	<5	47	299	855	97	9 531	676 839
PT	57 299	144	57 443	9 409	161	0	0	9 570	0	0	0	<5	159	0	160	67 173
RO	31 178	30	31 208	36 409	11	0	0	36 420	228	0	0	0	35	0	263	67 891
SI	98 471	2 353	100 824	62 752	2 513	845	49	66 159	889	0	<5	<5	21	227	1 143	168 126
SK	39 131	39 332	78 463	21 770	4 944	859	7	27 580	26	0	0	<5	137	4	169	106 212
FI	3 375	249	3 624	3 960	251	31	43	4 285	534	0	344	16	286	143	1 323	9 232
SE	1 314	81	1 395	4 056	129	157	569	4 911	420	0	496	15	111	268	1 310	7 616
IS	64	44	108	18	10	8	7	43	36	0	<5	12	<5	10	65	216
LI	426	26	452	2 058	129	385	35	2 607	9	0	0	0	36	0	45	3 104
NO	944	60	1 004	1 094	106	318	78	1 596	362	0	26	0	270	89	747	3 347
CH	53 125	1 924	55 049	18 118	571	58	267	19 014	1 832	0	0	163	1 451	654	4 100	78 163
UK TCA	7 936	3 131	11 067	2 070	673	142	0	2 885	337	0	26	7	n.a.	15	397	14 349
UK WA	5 258	1 158	6 416	4 568	776	647	14	6 005	145	0	256	62	1 083	137	1 683	14 104
UK	13 194	4 289	17 483	6 638	1 449	789	14	8 890	482	0	282	69	1 095	152	2 080	28 453

* EL: data 2018.

Source: Administrative data PD A1 Questionnaire 2022

Table 2 - Total number of PDs A1 issued by the competent Member States, row percentage breakdown by type, 2021

Sending MS	Employed, active under Article 12(1)	Self-employed, active under Article 12(2)	Sum persons active under Article 12	Employed, working in two or more States	Self-employed, working in two or more States	Working as an employed person and as a self-employed person in different States	Working as a civil servant in one State and as an employed/ self-employed person in one or more other States	Sum active in two or more States	Civil servant	Contract staff	Mariner	Flight or cabin crew member	Exception (Art. 16)	Working as an employed / self-employed person in only one Member State	Sum others	Total
EU-27	57.0 %	3.3 %	60.3 %	33.7 %	3.0 %	0.4 %	0.2 %	37.3 %	1.3 %	0.0 %	0.4 %	0.1 %	0.5 %	0.1 %	2.4 %	100 %
EU-14	70.1 %	2.9 %	73.0 %	22.3 %	1.2 %	0.3 %	0.4 %	24.3 %	1.6 %	0.1 %	0.2 %	0.2 %	0.6 %	0.1 %	2.7 %	100 %
EU-13	37.7 %	4.0 %	41.7 %	50.4 %	5.6 %	0.5 %	0.0 %	56.4 %	0.8 %	0.0 %	0.6 %	0.0 %	0.3 %	0.1 %	1.9 %	100 %
EFTA	64.3 %	2.4 %	66.7 %	25.1 %	1.0 %	0.9 %	0.5 %	27.4 %	2.6 %	0.0 %	0.0 %	0.2 %	2.1 %	0.9 %	5.8 %	100 %
Total	57.1 %	3.4 %	60.5 %	33.4 %	2.9 %	0.4 %	0.2 %	37.0 %	1.3 %	0.0 %	0.4 %	0.1 %	0.5 %	0.1 %	2.5 %	100 %
BE	47.7 %	3.7 %	51.4 %	41.8 %	4.9 %	0.6 %	0.4 %	47.6 %	0.3 %	0.0 %	0.0 %	0.1 %	0.5 %	0.1 %	1.0 %	100 %
BG	41.1 %	0.3 %	41.4 %	55.8 %	0.4 %	0.8 %	0.0 %	57.0 %	0.9 %	0.0 %	0.4 %	0.0 %	0.2 %	0.1 %	1.6 %	100 %
CZ	9.5 %	2.1 %	11.6 %	63.9 %	17.5 %	5.1 %	0.1 %	86.6 %	0.9 %	0.0 %	0.0 %	0.0 %	0.4 %	0.5 %	1.8 %	100 %
DK	17.1 %	0.4 %	17.5 %	75.5 %	0.9 %	0.4 %	0.2 %	76.9 %	0.3 %	0.0 %	0.3 %	3.4 %	1.4 %	0.3 %	5.6 %	100 %
DE	85.3 %	2.5 %	87.8 %	7.3 %	0.5 %	0.2 %	0.1 %	8.1 %	3.1 %	0.1 %	0.0 %	0.2 %	0.3 %	0.2 %	4.0 %	100 %
EE	27.9 %	0.1 %	28.0 %	70.8 %	0.2 %	0.1 %	0.0 %	71.1 %	0.7 %	0.0 %	0.1 %	0.0 %	0.0 %	0.1 %	0.8 %	100 %
IE	35.3 %	12.9 %	48.2 %	32.0 %	9.9 %	1.7 %	0.1 %	43.7 %	1.1 %	0.0 %	0.0 %	1.4 %	5.7 %	0.0 %	8.2 %	100 %
EL*	70.3 %	0.9 %	71.2 %	22.1 %	5.6 %	0.9 %	0.1 %	28.6 %	0.2 %	0.0 %	0.0 %	0.0 %	0.0 %	0.0 %	0.2 %	100 %
ES	50.7 %	3.5 %	54.1 %	43.2 %	0.9 %	0.0 %	0.0 %	44.1 %	0.2 %	0.0 %	0.5 %	0.0 %	1.0 %	0.0 %	1.7 %	100 %
FR	95.4 %	1.6 %	97.1 %	0.2 %	1.3 %	0.3 %	0.0 %	1.9 %	0.0 %	0.0 %	0.4 %	0.0 %	0.6 %	0.0 %	1.1 %	100 %
HR	65.1 %	0.1 %	65.2 %	29.3 %	0.5 %	0.3 %	0.0 %	30.1 %	0.2 %	0.0 %	2.2 %	0.1 %	2.4 %	0.0 %	4.8 %	100 %
IT	63.9 %	5.9 %	69.1 %	28.4 %	1.3 %	0.3 %	0.1 %	30.2 %	0.2 %	0.0 %	0.0 %	0.0 %	0.5 %	0.0 %	0.7 %	100 %
CY	2.2 %	0.2 %	2.4 %	69.5 %	0.6 %	0.5 %	0.0 %	70.5 %	0.6 %	0.0 %	11.2 %	0.0 %	7.7 %	7.6 %	27.1 %	100 %
LV	18.0 %	0.0 %	18.0 %	72.6 %	0.8 %	0.5 %	0.0 %	73.8 %	0.4 %	0.0 %	4.2 %	0.0 %	3.6 %	0.0 %	8.2 %	100 %
LT	29.4 %	0.2 %	29.7 %	69.7 %	0.0 %	0.0 %	0.0 %	69.7 %	0.0 %	0.0 %	0.6 %	0.0 %	0.0 %	0.0 %	0.6 %	100 %
LU	82.1 %	0.5 %	82.6 %	12.0 %	0.5 %	1.8 %	0.0 %	14.3 %	0.0 %	0.0 %	0.0 %	0.1 %	3.0 %	0.0 %	3.1 %	100 %
HU	66.9 %	0.6 %	67.5 %	30.5 %	0.3 %	0.9 %	0.0 %	31.7 %	0.6 %	0.0 %	0.0 %	0.0 %	0.2 %	0.0 %	0.7 %	100 %
MT	7.0 %	0.7 %	7.7 %	9.9 %	0.2 %	0.3 %	0.0 %	10.5 %	0.2 %	0.0 %	76.2 %	4.8 %	0.0 %	0.7 %	81.9 %	100 %
NL	18.1 %	2.4 %	20.5 %	71.4 %	5.9 %	0.6 %	0.1 %	78.0 %	0.0 %	0.4 %	1.0 %	0.0 %	0.0 %	0.0 %	1.5 %	100 %
AT	34.4 %	4.1 %	38.5 %	53.8 %	0.6 %	0.8 %	5.4 %	60.6 %	0.4 %	0.0 %	0.0 %	0.0 %	0.5 %	0.0 %	0.9 %	100 %
PL	31.1 %	1.9 %	33.0 %	56.8 %	8.7 %	0.1 %	0.0 %	65.6 %	1.2 %	0.0 %	0.0 %	0.0 %	0.1 %	0.0 %	1.4 %	100 %
PT	85.3 %	0.2 %	85.5 %	14.0 %	0.2 %	0.0 %	0.0 %	14.2 %	0.0 %	0.0 %	0.0 %	0.0 %	0.2 %	0.0 %	0.2 %	100 %
RO	45.9 %	0.0 %	46.0 %	53.6 %	0.0 %	0.0 %	0.0 %	53.6 %	0.3 %	0.0 %	0.0 %	0.0 %	0.1 %	0.0 %	0.4 %	100 %
SI	58.6 %	1.4 %	60.0 %	37.3 %	1.5 %	0.5 %	0.0 %	39.4 %	0.5 %	0.0 %	0.0 %	0.0 %	0.0 %	0.1 %	0.7 %	100 %
SK	36.8 %	37.0 %	73.9 %	20.5 %	4.7 %	0.8 %	0.0 %	26.0 %	0.0 %	0.0 %	0.0 %	0.0 %	0.1 %	0.0 %	0.2 %	100 %
FI	36.6 %	2.7 %	39.3 %	42.9 %	2.7 %	0.3 %	0.5 %	46.4 %	5.8 %	0.0 %	3.7 %	0.2 %	3.1 %	1.5 %	14.3 %	100 %
SE	17.3 %	1.1 %	18.3 %	53.2 %	1.7 %	2.1 %	7.5 %	64.5 %	5.5 %	0.0 %	6.5 %	0.2 %	1.5 %	3.5 %	17.2 %	100 %
IS	29.6 %	20.4 %	50.0 %	8.3 %	4.6 %	3.7 %	3.2 %	19.9 %	16.7 %	0.0 %	1.4 %	5.6 %	1.9 %	4.6 %	30.1 %	100 %
LI	13.7 %	0.8 %	14.6 %	66.3 %	4.2 %	12.4 %	1.1 %	84.0 %	0.3 %	0.0 %	0.0 %	0.0 %	1.2 %	0.0 %	1.4 %	100 %
NO	28.2 %	1.8 %	30.0 %	32.7 %	3.2 %	9.5 %	2.3 %	47.7 %	10.8 %	0.0 %	0.8 %	0.0 %	8.1 %	2.7 %	22.3 %	100 %
CH	68.0 %	2.5 %	70.4 %	23.2 %	0.7 %	0.1 %	0.3 %	24.3 %	2.3 %	0.0 %	0.0 %	0.2 %	1.9 %	0.8 %	5.2 %	100 %
UK TCA	55.3 %	21.8 %	77.1 %	14.4 %	4.7 %	1.0 %	0.0 %	20.1 %	2.3 %	0.0 %	0.2 %	0.0 %	n.a.	0.1 %	2.8 %	100 %
UK WA	37.3 %	8.2 %	45.5 %	32.4 %	5.5 %	4.6 %	0.1 %	42.6 %	1.0 %	0.0 %	1.8 %	0.4 %	7.7 %	1.0 %	11.9 %	100 %
UK	46.4 %	15.1 %	61.4 %	23.3 %	5.1 %	2.8 %	0.0 %	31.2 %	1.7 %	0.0 %	1.0 %	0.2 %	3.8 %	0.5 %	7.3 %	100 %

* EL: data 2018.

Source: Administrative data PD A1 Questionnaire 2022

Table 3 demonstrates that the share of Member States may differ strongly according to the type of case which the PD A1 is granted for. For instance, around one third of the PDs A1 provided to persons covered by Article 13 are issued by Poland. However, Poland's share in total is much lower regarding A1 certificates issued to persons covered by Article 12 (some 10 %). This contrasts with Germany, the main issuing Member State of PDs A1 issued to persons falling under Article 12. Almost 40 % of the PDs A1 granted to persons covered by Article 12 are issued by Germany. This Member State shows a much lower share in the total number of PDs A1 issued to persons covered by Article 13, namely only 6 %. Another striking finding is that while the share of Slovakia in total is limited (3 %), it amounts to almost one third of the total number of PDs A1 issued to posted self-employed persons according to Article 12(2).

In total, 58 % of PDs A1 in 2021 were issued by the EU-14 (mainly by Germany) while the EU-13 issued 39 %. However, when only focussing on PDs A1 issued under Article 13, the EU-13 issued most PDs A1 (60 %) (mainly by Poland) as opposed to the EU-14 (38 %).

Table 3 - Total number of PDs A1 issued by the competent Member States, by type, share in column total, 2021

Sending MS	Employed, active under Article 12	Self-employed, active under Article 12	Sum persons active under Article 12	Active in two or more States under Article 13	Others	Total
EU-27	96.7 %	94.9 %	96.6 %	97.6 %	92.3 %	96.9 %
EU-14	70.8 %	49.0 %	69.6 %	37.8 %	63.0 %	57.6 %
EU-13	26.0 %	45.9 %	27.1 %	59.9 %	29.3 %	39.3 %
EFTA	2.6 %	1.7 %	2.6 %	1.7 %	5.4 %	2.3 %
Total	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
BE	2.9 %	3.8 %	3.0 %	4.5 %	1.4 %	3.5 %
BG	0.5 %	0.1 %	0.5 %	1.1 %	0.5 %	0.7 %
CZ	0.3 %	1.1 %	0.4 %	4.4 %	1.3 %	1.9 %
DK	0.3 %	0.1 %	0.3 %	2.2 %	2.3 %	1.0 %
DE	40.9 %	20.2 %	39.7 %	6.0 %	44.0 %	27.3 %
EE	0.3 %	0.0 %	0.3 %	1.1 %	0.2 %	0.6 %
IE	0.0 %	0.2 %	0.0 %	0.1 %	0.2 %	0.0 %
EL	0.3 %	0.1 %	0.3 %	0.2 %	0.0 %	0.3 %
ES	5.1 %	5.9 %	5.2 %	6.9 %	4.0 %	5.8 %
FR	4.7 %	1.3 %	4.5 %	0.1 %	1.2 %	2.8 %
HR	2.6 %	0.1 %	2.5 %	1.9 %	4.4 %	2.3 %
IT	8.4 %	11.5 %	8.6 %	6.1 %	2.1 %	7.5 %
CY	0.0 %	0.0 %	0.0 %	0.2 %	1.0 %	0.1 %
LV	0.2 %	0.0 %	0.2 %	1.3 %	2.1 %	0.7 %
LT	1.6 %	0.2 %	1.5 %	5.7 %	0.7 %	3.0 %
LU	2.6 %	0.3 %	2.5 %	0.7 %	2.2 %	1.8 %
HU	2.2 %	0.4 %	2.1 %	1.6 %	0.6 %	1.9 %
MT	0.0 %	0.0 %	0.0 %	0.1 %	6.3 %	0.2 %
NL	0.7 %	1.6 %	0.8 %	4.7 %	1.3 %	2.2 %
AT	1.8 %	3.5 %	1.9 %	4.8 %	1.0 %	2.9 %
PL	10.1 %	10.4 %	10.1 %	32.9 %	10.5 %	18.6 %
PT	2.8 %	0.1 %	2.6 %	0.7 %	0.2 %	1.8 %
RO	1.5 %	0.0 %	1.4 %	2.7 %	0.3 %	1.9 %
SI	4.7 %	1.9 %	4.6 %	4.9 %	1.3 %	4.6 %
SK	1.9 %	31.6 %	3.6 %	2.0 %	0.2 %	2.9 %
FI	0.2 %	0.2 %	0.2 %	0.3 %	1.5 %	0.3 %
SE	0.1 %	0.1 %	0.1 %	0.4 %	1.4 %	0.2 %
IS	0.0 %	0.0 %	0.0 %	0.0 %	0.1 %	0.0 %
LI	0.0 %	0.0 %	0.0 %	0.2 %	0.0 %	0.1 %
NO	0.0 %	0.0 %	0.0 %	0.1 %	0.8 %	0.1 %
CH	2.6 %	1.5 %	2.5 %	1.4 %	4.5 %	2.1 %
UK TCA	0.4 %	2.5 %	0.5 %	0.2 %	0.4 %	0.4 %
UK WA	0.3 %	0.9 %	0.3 %	0.4 %	1.9 %	0.4 %
UK	0.6 %	3.4 %	0.8 %	0.7 %	2.3 %	0.8 %

* EL: data 2018.

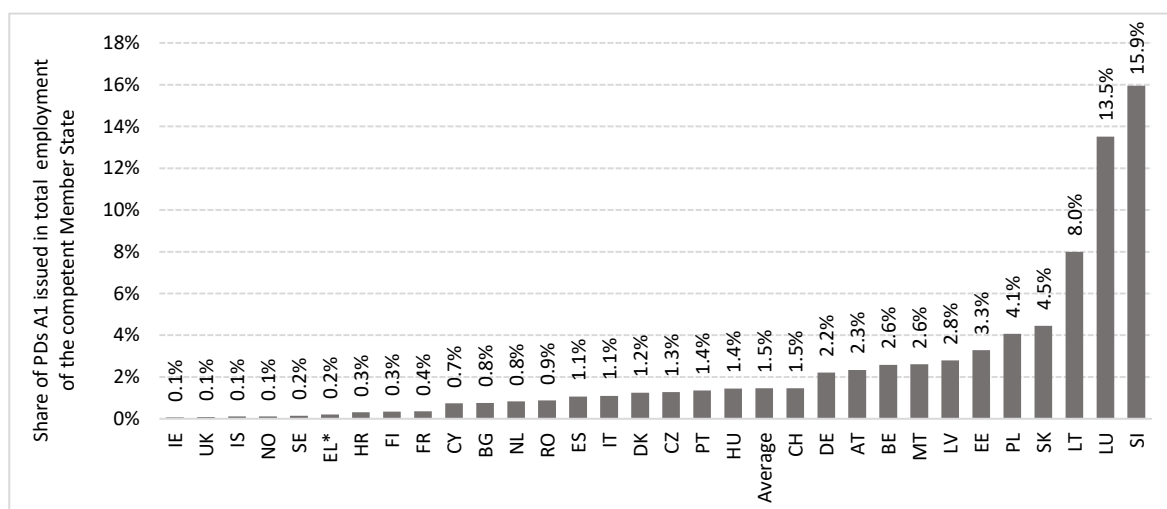
Source: Administrative data PD A1 Questionnaire 2022

2.2. Share in total EU employment

The total number of PDs A1 issued can be compared to the total number of employed persons in the issuing Member State. Although this gives a first idea of the relative volume, it is certainly not the best indicator to measure the impact on national labour markets, as in that case the number of forms issued are compared to the number of employed/self-employed persons. It is better to compare the total number of employed/self-employed persons with the number of individual persons involved, as several PDs A1 could be issued to the same person during the reference year. Such data are collected for both persons covered by Article 12 and persons covered by Article 13.

In 2021, a PD A1 was issued to an equivalent of 1.5 % of the employed population (*Figure 2*). Especially Luxembourg and Slovenia stand out with shares of 13.5 % and 15.9 % of the population respectively. Both Member States, together with Lithuania (8.0%), Slovakia (4.5%) and Poland (4.1%) are the main sending Member States in relative terms. The main sending Member State in absolute terms, Germany, issued a PD A1 to 2.2 % of its workforce in 2021. Nevertheless, as already indicated, these figures should be considered as an overestimation of the real impact on national labour markets. In a later stage, they will be corrected based on the number of individual persons involved and the number of persons in full-time equivalents.

Figure 2 - Share of PDs A1 in national employment of the sending Member State, 2021



* EL: data 2018.

Source: Administrative data PD A1 Questionnaire 2022 and Eurostat [\[nama_10_a10_e\]](#)

2.3. Comparison with previous years

The decline of number of PDs A1 issued which started in 2020 continued in 2021. The overall number of PDs A1 issued decreased by around 116 000 or about 3 % compared to 2020 (*Table 4*). This ongoing reduction can still be the effect of the COVID-19 pandemic, which was at its peak in 2020, but still continued in 2021. Eleven Member States knew a decline in the number of PDs A1 issued with Ireland (-72 %) in particular standing out. The remaining 20 reporting Member States saw a growth in the number of PDs A1 issued in 2021 compared to 2020. Switzerland, (+73 %), France (+66 %), Liechtenstein (+60 %), and Hungary (+55 %) in particular knew a significant increase. Out of the top issuing Member States, Poland and Slovenia already issued more PDs A1 in 2021 than 'pre-COVID' (reference year 2019), while in Spain the number has increased, but has not yet reached the level of pre-COVID PDs A1 issued. In Germany, the number of PDs A1 issued decreased even further from 2020 to 2021, namely from 1.4 million to 997 000 or a decrease of 29 %.

Even though the total number of issued PDs A1 continued to fall in 2021 compared to 2020, these numbers are still higher than all reference years before 2019. Indeed, reference year 2019 was an exceptional year in terms of the number of PDs A1 issued.²⁸ For instance, the level of the number of PDs A1 issued in 2021 increased by some 622 000 PDs A1 or 21 % compared to 2018.

Table 4 - PDs A1 issued by the competent Member States, 2012-2021

Sending MS	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Change 2021 vs 2020	
											Numbers	%
EU-27	1 481 263	1 680 543	1 862 102	1 978 146	2 212 363	2 717 078	2 884 994	4 512 401	3 675 687	3 533 226	-142 461	-3.9 %
EU-28	1 524 363	1 721 592	1 895 194	2 022 478	2 261 573	2 766 574	2 934 219	4 570 675				
EU-14	839 011	935 821	998 841	1 035 468	1 132 760	1 392 689	1 600 478	3 108 956	2 372 793	2 101 161	-271 632	-11.4 %
EU-13	642 252	744 722	863 261	942 678	1 079 603	1 324 389	1 324 389	1 403 445	1 302 894	1 432 062	129 171	9.9 %
EFTA	760	19 902	24 792	26 714	29 603	36 705	36 705	79 067	49 777	84 830	35 053	70.4 %
Total	1 525 123	1 741 494	1 919 986	2 049 192	2 291 176	2 803 279	2 968 487	4 649 742	3 762 860	3 646 509	-116 351	-3.1 %
BE	59 832	83 582	79 771	86 218	104 307	134 398	137 022	150 677	123 839	128 293	4 454	3.6 %
BG	11 896	14 185	14 203	15 839	19 595	36 220	26 315	30 153	25 773	26 370	597	2.3 %
CZ	24 162	30 912	31 675	37 174	47 578	67 933	63 693	80 973	61 206	68 277	7 071	11.6 %
DK	19 592	25 220	20 409	30 031	29 595	37 848	47 453	53 269	43 589	38 056	-5 533	-12.7 %
DE	243 125	254 469	255 724	240 862	260 068	399 745	475 704	1 798 596	1 397 383	997 031	-400 352	-28.7 %
EE	18 606	15 927	15 054	15 363	17 953	18 977	19 862	23 060	22 206	21 006	-1 200	-5.4 %
IE	7 799	7 396	7 654	7 899	7 339	7 745	7 464	6 820	6 094	1 711	-4 383	-71.9 %
EL*	1 889	2 131	3 608	4 789	6 924	7 204	9 251	9 251	9 251	9 251		
ES	76 960	101 705	111 557	125 711	147 424	191 148	248 532	252 270	176 353	211 529	35 176	19.9 %
FR	140 805	130 435	125 203	139 040	135 974	111 659	119 516	126 485	61 677	102 088	40 411	65.5 %
HR		10 227	27 556	38 998	42 602	60 026	65 949	67 359	71 331	83 740	12 409	17.4 %
IT	52 237	59 114	74 431	91 740	114 515	152 528	169 774	215 628	215 628	274 789	59 161	27.4 %
CY	2 282	2 192	1 955	3 091	3 552	4 040	4 040	4 040	4 040	3 294	-746	-18.5 %
LV	5 402	7 425	6 656	7 738	10 830	20 689	20 199	23 271	23 758	23 855	97	0.4 %
LT	14 041	17 342	19 208	25 254	30 723	70 180	78 384	95 074	93 726	110 641	16 915	18.0 %
LU	44 256	32 472	62 141	62 947	68 725	73 875	79 831	92 350	67 818	65 737	-2 081	-3.1 %
HU	65 182	68 489	68 234	63 663	65 185	82 881	64 217	71 095	44 310	68 849	24 539	55.4 %
MT	327	322	324	228	504	1 388	2 655	4 082	6 998	6 965	-33	-0.5 %
NL	84 202	95 719	116 060	95 017	98 687	103 738	100 660	104 652	86 809	81 889	-4 920	-5.7 %
AT	40 038	42 171	48 815	64 373	75 132	68 956	110 687	197 627	104 796	106 766	1 970	1.9 %
PL	341 100	385 422	428 405	463 174	513 972	573 358	605 785	648 032	617 772	676 839	59 067	9.6 %
PT	55 901	82 851	75 577	64 970	64 459	85 074	74 109	77 389	60 832	67 173	6 341	10.4 %
RO	44 459	51 939	57 194	46 871	50 855	84 743	71 207	82 443	66 659	67 891	1 232	1.8 %
SI	65 871	83 898	103 303	126 902	164 226	190 976	127 059	146 157	156 871	168 126	11 255	7.2 %
SK	48 924	56 442	89 494	98 383	112 028	112 978	135 151	127 706	108 244	106 212	-2 032	-1.9 %
FI	6 223	6 892	6 940	9 369	8 155	8 061	9 882	10 328	8 628	9 232	604	7.0 %
SE	6 152	11 664	10 951	12 502	11 456	10 710	10 593	13 614	10 096	7 616	-2 480	-24.6 %
IS	306	277	245	283	239	293	245	288	214	216	2	0.9 %
LI	454	548	646	1 239	1 343	1 024	1 024	1 928	1 936	3 104	1 168	60.3 %
NO	n.a.	n.a.	3 252	3 887	4 134	4 097	4 357	4 614	2 553	3 347	794	31.1 %
CH	n.a.	19 077	20 649	21 305	23 887	31 291	28 642	72 237	45 074	78 163	33 089	73.4 %
UK	43 100	41 049	33 092	44 332	49 210	49 496	49 225	58 274	37 402	28 453	-8 943	-23.9 %

* EL: data 2018.

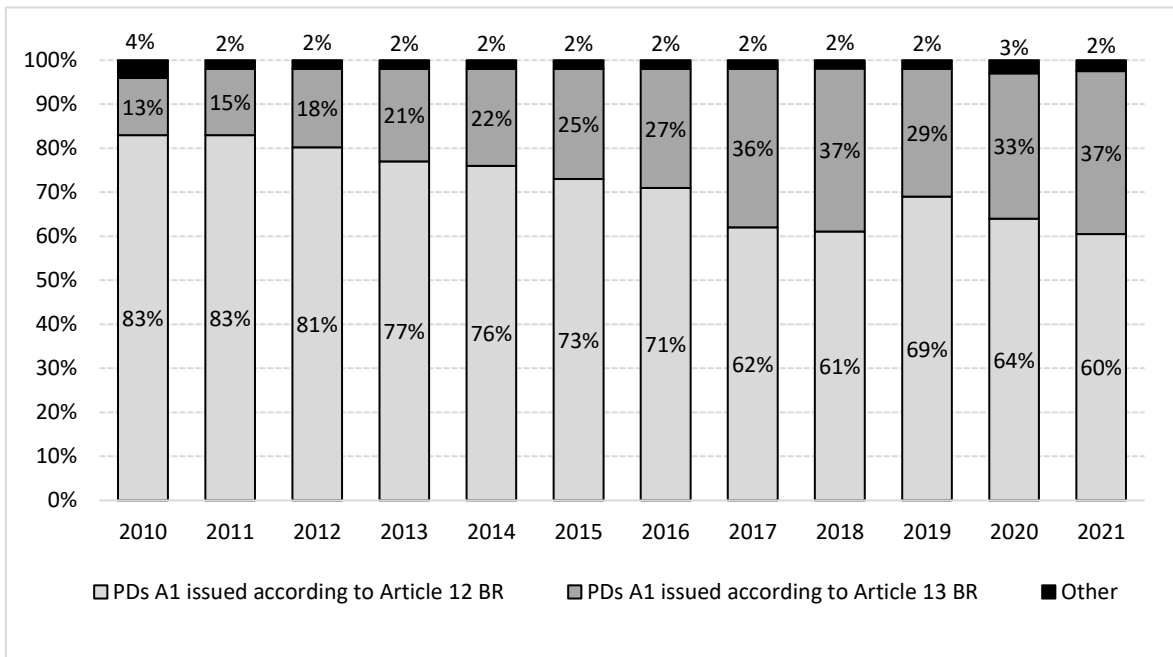
Source: Administrative data PD A1 Questionnaire 2022 and previous years

The increasing importance of PDs A1 issued under Article 13 for activities in two or more Member States is visualised in *Figure 3*. In the last decade, the share of PDs A1 issued under Article 13 in the total number of PDs A1 issued increased from 13 % in 2010 to 37 % in 2018, or a growth of 24 percentage points. While this increase ended in 2019 (mainly due to the strong growth in the number of PDs A1 issued by Germany under Article 12), the relative importance of PDs A1 issued under Article 13 is now 'back on track' with 37 % in 2021. This is an increase of 4 percentage points compared to 2020.

It should be noted that the distribution in *Figure 3* is based on the number of PDs A1 issued and not on the number of individual persons involved and the number of persons in full-time equivalents. One should keep in mind that under the current rules on social security coordination the period is set at a maximum of 24 months according to Article 12 of the Basic Regulation, while no maximum period for the employment or self-employment in two or more Member States has been determined by Article 13. Therefore, it can be expected that the number of persons pursuing activities in two or more Member States is at a similar or even at a higher level than the number of persons covered by Article 12.

²⁸ There was a growth rate of some 57 % compared to 2018.

Figure 3 - Percentage in total number of PDs A1 issued, 2010-2021



Source: Administrative data PD A1 Questionnaire 2022 and previous years

3. Persons covered by Article 12

In this chapter, data on the PDs A1 issued according to Article 12 are analysed. By comparing the data for 2021 with those of previous years, the evolution of the number of PDs A1 under Article 12 is analysed, for instance to determine whether there is still an impact of the COVID-19 pandemic to be noticed. The characteristics are described by making a breakdown by classification of the sending and receiving Member State, by status (employed or self-employed), and by sector of activity. Furthermore, data on the number of individual persons involved and the duration persons are active under Article 12 is reported, to gain a better understanding of the impact of this group of persons on national labour markets. As already pointed out, due to differences in the scope of posting between the Posting of Workers Directive and the Basic Regulation, this may not fully reflect the characteristics and the scale of posting under the Posting of Workers Directive in the EU.

3.1. General

In total in 2021, 2.2 million PDs A1 were issued for persons covered by Article 12. The majority of these PDs A1 were granted by EU-14 Member States (1.5 million), and around 592 000 by EU-13 Member States. The remaining PDs A1 were issued by EFTA countries (57 000) and the United Kingdom (17 500). The main sending Member State is clearly Germany with around 875 000 PDs A1, or 39.8 % of all PDs A1 issued under Article 12 (see also *Table A1* in *Annex I*). Additionally, Poland issued 223 000 PDs A1 under Article 12, or 10.2 % of the total number of PDs A1 issued under Article 12.

The detailed breakdown of the information provided by the Member States as a sending country, if exhaustively completed, results in a similar view by receiving Member State. However, Switzerland did not provide such breakdown and some Member States were not able to assign all PDs A1 issued under Article 12 to a particular host country, as in total 59 574 PDs A1 fall in the category 'unknown', of which 55 049 issued by Switzerland. Despite these limitations, the main host countries can be determined. The main receiving Member States were Germany (19.5 % of all PDs A1 received under Article 12), France (14.0 %), and Austria (10.0 %), as well as Belgium (7.9 %), the Netherlands (7.0 %), and Switzerland (6.9 %) to a lesser extent (*Table 5* and *Table A2* in *Annex I*).

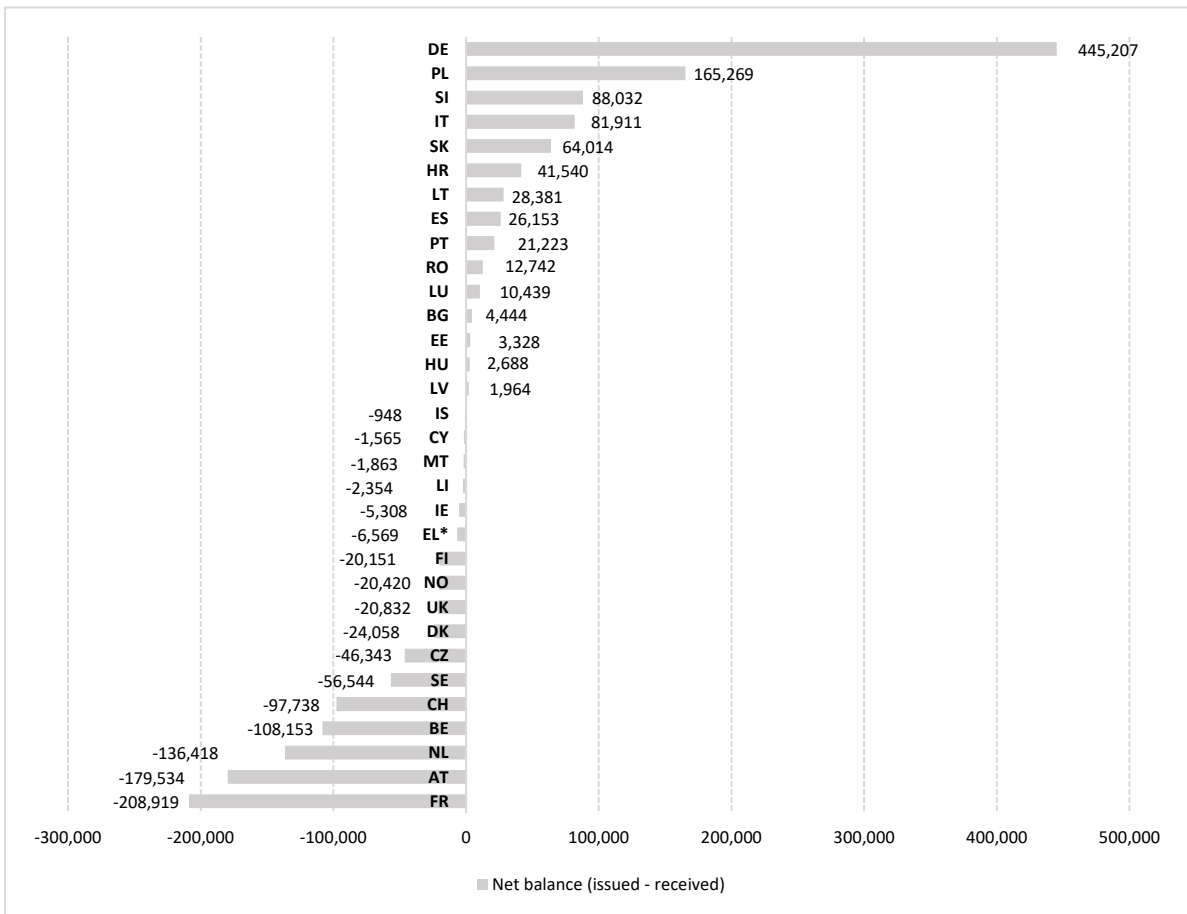
In absolute terms, the top 3 flows go from Germany to Austria (166 004 PDs A1 under Article 12), from Poland to Germany (125 380), and from Germany to France (100 591) (*Table 5*). Furthermore, more than 80 000 PDs A1 each under Article 12 were issued by Germany for activities in Switzerland and the Netherlands. A flowchart combining the top 10 issuing Member States and top 10 receiving Member States of PDs A1 under Article 12 is provided in *Figure A4* in *Annex II*. Furthermore, a visual geographic representation of the top 10 flows of PDs A1 issued under Article 12 is provided in *Figure A5* in *Annex II*.

Some Member States grant more than half of the PDs A1 for postings to one specific Member State. More than half of the persons with a PD A1 from Croatia, Hungary, Austria, Poland, Slovenia, and Slovakia are sent to Germany (*Table A2* in *Annex I*). Furthermore, 57 % of persons with a PD A1 from Cyprus are sent to work in Greece, and 50 % of persons with a PD A1 from the Netherlands are sent to work in Belgium.

Figure 4 gives an overview of the net balance per reporting Member State by showing the number of PDs A1 issued **minus** the number of PDs A1 received. Fifteen Member States are 'net senders' (i.e., more PDs A1 issued than received), in particular Germany, Poland, Slovenia, Italy, and Slovakia. The other 17 Member States are 'net recipients' (i.e., more PDs A1 received than issued), in particular France, Austria, the Netherlands, and Belgium.

Until 2018, Germany was a net receiving Member State. This has completely changed due to the enormous growth in PDs A1 issued according to Article 12 in 2019. As a result, Germany is now the main sending Member State while until 2015, it was the main receiving Member State.

Figure 4 - Net balance between the number of PDs A1 issued and received according to Article 12 of the Basic Regulation, 2021



* EL: data 2018.

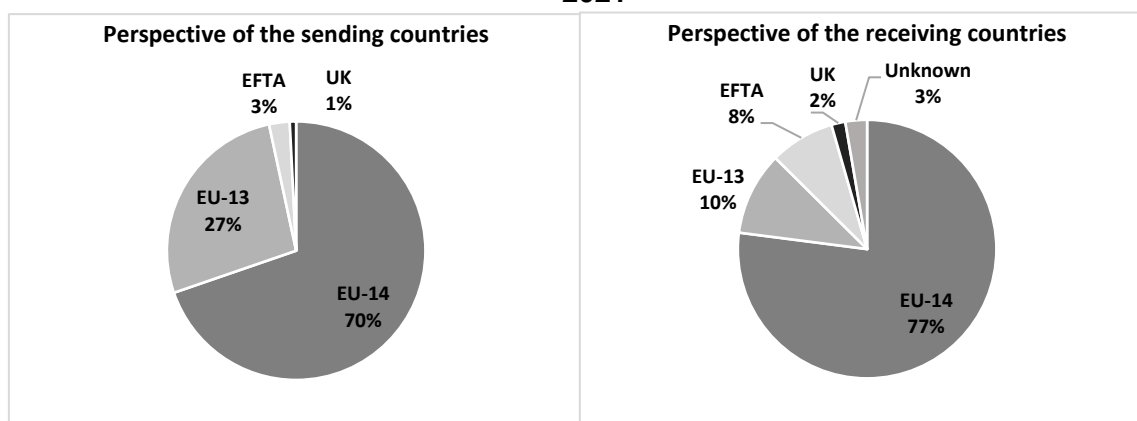
** The receiving Member State is not known for 59 574 PDs A1 (of which 55 049 are issued by CH).

Source: Administrative data PD A1 Questionnaire 2022

3.2. Mainly issued by and to EU-14 Member States

Some seven out of ten PDs A1 issued according to Article 12 were granted by EU-14 Member States and 27 % by EU-13 Member States (Figure 5 – at the left-hand side). Furthermore, EU-14 Member States (Figure 5 – at the right-hand side) received some 77 % of the PDs A1 issued according to Article 12.

Figure 5 - PDs A1 issued according to Article 12 of the Basic Regulation, breakdown by classification of the sending or the receiving Member State, total, 2021



Source: Administrative data PD A1 Questionnaire 2022

3.3. Comparison with previous years

Tables 6 and 7 illustrate the evolution between 2010 and 2021 of the number of PDs A1 issued and received according to Article 12. These data make it possible to describe the trend over the past decade. From 2020 to 2021, the total number of PDs A1 issued under Article 12 fell by 221 545 certificates or 9.1 % (Table 6). Although this is a less severe drop than from 2019 to 2020 (-24.2 %) it could indicate that the effects of the COVID-19 pandemic have not yet entirely disappeared. Nevertheless, the decrease is only noticed in the EU-14 (-15.4 %) (mainly due to the sharp decrease in Germany), as in the EU-13 (+5.7 %) and EFTA (+167.8 %, mainly due to Switzerland), an increase could be noted.

The most impressive growths are noted in Switzerland (+184.6 %), Malta (+81.0 %), and France (+64.4 %). On the contrary, strong decreases are noted in Ireland (-69.1 %), the United Kingdom (-35.3%), and the main issuing Member State Germany (-29.0 % or minus 358 400 PDs A1).

Data on the number of PDs A1 issued according to Article 12 show an upward trend from 2010 to 2019. It can be assumed that the evolution of the number strongly depends on economic growth and in particular the evolution of cross-border trade in services. After all, trade in services may require the physical presence of workers crossing borders. Nonetheless, the relationship between the number of PDs A1 issued according to Article 12 and macro-economic variables such as the export of services might not be so strong. Other factors may have a stronger influence on the increase in the number of PDs A1 issued according to Article 12. For example, some Member States have laid down sanctions in their national legislation for not having a PD A1 and/or carry out far more inspections on having a PD A1. The communication of competent authorities concerning the application for a PD A1 when making a 'business trip' to another Member State can also have a direct impact on its evolution. Consequently, estimates of the actual volume of 'postings' under Article 12 are probably somewhat more reliable today than they were a decade ago. Nevertheless, it may still be an underestimate of the true scale.²⁹

²⁹ 'Tourism statistics' from Eurostat provide another estimate of the number of persons crossing borders in the context of trade in services (based on the number of 'trips' for business or professional purposes - <https://ec.europa.eu/eurostat/web/tourism/data/database>).

Table 6 - PDs A1 according to Article 12 of the Basic Regulation issued by sending Member State, 2010-2021

Sending MS	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Change 2021-2020	
													Number	%
EU-27	1 023 896	1 162 056	1 197 285	1 300 598	1 416 864	1 452 627	1 578 130	1 682 304	1 759 461	3 135 123	2 378 832	2 131 338	-247 494	-10.4 %
EU-28	1 056 005	1 197 424	1 230 433	1 330 533	1 440 365	1 484 335	1 611 777	1 716 084	1 796 651	3 177 941				
EU-14	634 659	680 493	676 578	719 113	777 195	800 906	869 837	976 557	1 133 885	2 485 358	1 813 724	1 534 044	-279 680	-15.4 %
EU-13	389 237	481 563	520 707	581 485	639 669	651 721	708 293	702 659	625 576	649 765	565 108	597 294	32 186	5.7 %
EFTA	2 309	2 603	459	10 734	14 332	10 972	11 918	17 566	17 478	30 294	21 137	56 613	35 476	167.8 %
Total	1 058 314	1 200 027	1 230 892	1 341 267	1 454 697	1 495 307	1 623 695	1 733 650	1 814 129	3 208 235	2 426 979	2 205 434	-221 545	-9.1 %
BE	49 862	55 931	56 103	58 522	58 611	63 467	69 836	76 719	76 596	85 870	60 803	66 004	5 201	8.6 %
BG	5 734	7 429	11 091	12 861	13 275	14 811	15 656	14 781	13 731	14 792	11 863	10 911	-952	-8.0 %
CZ	15 829	16 102	15 358	13 155	10 380	10 799	11 145	11 806	10 255	10 644	6 242	7 941	1 699	27.2 %
DK	9 262	11 491	6 176	5 320	3 869	7 288	6 508	8 250	9 181	10 211	6 141	6 644	503	8.2 %
DE	201 436	226 850	221 650	227 008	232 776	218 006	231 766	332 091	409 340	1 678 407	1 234 203	875 809	-358 394	-29.0 %
EE	13 580	15 322	14 889	11 689	7 147	5 415	6 327	6 305	6 915	7 200	6 254	5 890	-364	-5.8 %
IE	1 935	3 106	3 512	3 457	3 261	3 616	3 303	3 222	3 687	3 383	2 669	824	-1 845	-69.1 %
EL*	642	888	1 661	1 688	2 325	2 908	3 941	4 253	6 583	6 583	6 583	6 583		
ES	44 087	48 479	48 132	63 519	76 286	86 943	100 469	110 868	123 670	136 096	81 862	114 473	32 611	39.8 %
FR	133 896	144 256	130 247	123 580	119 727	130 468	132 012	109 168	117 739	122 552	60 279	99 089	38 810	64.4 %
HR				8 716	24 060	33 381	36 142	41 253	48 613	46 299	50 056	54 563	4 507	9.0 %
IT	35 430	35 611	48 369	55 509	69 279	83 277	106 395	129 732	148 863	175 908	175 908	189 953	14 045	8.0 %
CY	81	38	35	66		96	169	81	81	81	81	79	-2	-2.5 %
LV	3 424	4 287	2 846	3 237	1 655	1 801	2 446	1 629	812	2 629	4 282	4 290	8	0.2 %
LT	6 462	9 515	11 306	14 105	16 683	21 430	25 371	26 548	30 801	32 005	31 100	32 807	1 707	5.5 %
LU	55 852	39 385	39 758	28 481	50 345	50 440	55 364	58 686	64 301	75 131	54 090	54 323	233	0.4 %
HU	40 640	57 848	63 742	66 415	65 655	59 711	61 365	62 873	54 326	57 454	37 043	46 491	9 448	25.5 %
MT	442	318	327	322	145	88	110	145	252	305	295	534	239	81.0 %
NL	15 190	25 986	24 199	25 429	37 775	27 141	28 394	22 305	26 597	25 074	18 502	16 785	-1 717	-9.3 %
AT	25 957	28 806	35 671	36 959	41 114	55 320	62 526	50 303	88 117	98 965	53 602	41 095	-12 507	-23.3 %
PL	221 126	227 930	246 214	262 714	266 745	251 107	259 999	235 836	238 525	246 849	207 964	223 293	15 329	7.4 %
PT	58 923	54 043	54 580	81 687	74 735	64 020	62 005	64 320	51 905	58 887	53 798	57 443	3 645	6.8 %
RO	29 730	59 363	44 318	51 739	57 194	46 871	48 710	46 733	41 950	44 864	37 559	31 208	-6 351	-16.9 %
SI	23 944	42 485	65 727	83 659	102 920	126 153	150 922	163 876	85 999	95 339	98 340	100 824	2 484	2.5 %
SK	28 245	40 926	44 854	52 807	73 810	80 058	89 931	90 793	93 316	91 304	74 029	78 463	4 434	6.0 %
FI	2 187	2 668	3 181	3 332	2 786	3 725	3 707	3 541	4 293	4 428	3 334	3 624	290	8.7 %
SE		2 993	3 339	4 622	4 306	4 287	3 611	3 099	3 013	3 863	1 950	1 395	-555	-28.5 %
IS	376	377	293	269	140	179	126	162	151	197	122	108	-14	-11.5 %
LI	61	63	166	119	89	65	65	32	32	229	367	452	85	23.2 %
NO	1 872	2 163	n.a.	n.a.	3 252	n.a.	n.a.	2 100	1 479	1 940	1 304	1 004	-300	-23.0 %
CH			n.a.	10 346	10 851	10 728	11 727	15 272	15 816	27 928	19 344	55 049	35 705	184.6 %
UK	32 109	35 368	33 148	29 935	23 501	31 708	33 647	33 780	37 190	42 818	27 010	17 483	-9 527	-35.3 %

* EL: data 2018.

Source: Administrative data PD A1 Questionnaire 2022 and previous years

The total number of PDs A1 received has dropped by 10.8 % (Table 7). The numbers of issued and received PDs A1 are slightly diverging as the sum of the breakdown by Member State sometimes does not correspond to the total reported, or the totals reported under different questions are diverging.

The most noticeable decrease of PDs A1 received under Article 12 is the Netherlands by 236 799 or -60.7 %. This is not surprising, as in the previous report of reference year 2020, it was noticed that there was a sharp increase for the Netherlands (+77.9 %) as result of the high number of PDs A1 issued by Germany to provide activities in the Netherlands, compared to 2019. In addition, the United Kingdom (-38.5 %) and Ireland (-25.0 %) noted down a drop in PDs A1 received. On the contrary, Hungary (+30.1 %), Portugal (+24.2 %), and Iceland (+21.1 %) show an increase in the number of PDs A1 as receiving Member States.

From 2010 to 2021, six Member States have almost consistently been the main receiving Member States, being Germany, France, Austria, Belgium, the Netherlands, and Switzerland.

Over the past decade, the number of PDs A1 received has doubled or even tripled in several Member States. It is mainly Liechtenstein, Hungary, Poland, Slovenia, Austria, the Czech Republic, and Denmark which have experienced a strong growth in the number of persons received with a PD A1 from 2010 to 2021 (minimum growth of 220 %).

Table 7 - PDs A1 issued according to Article 12 of the Basic Regulation, by receiving Member State, 2010-2021

Receiving MS	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Change 2021-2020	
													Number	%
EU-27	952 145	1 077 135	1 068 846	1 153 158	1 235 467	1 269 951	1 379 339	1 481 663	1 550 740	2 773 734	2 129 020	1 923 086	-205 934	-9.7 %
EU-28	1 056 005	1 197 424	1 230 433	1 330 533	1 440 365	1 484 335	1 611 777	1 716 084	1 796 651	3 177 941				
EU-14	880 962	1 001 589	990 508	1 074 897	1 154 693	1 180 849	1 278 775	1 365 030	1 410 109	2 369 924	1 900 347	1 694 054	-206 293	-10.9 %
EU-13	71 183	75 546	78 338	78 261	80 774	89 102	100 564	116 633	140 631	403 810	228 673	229 032	359	0.2 %
EFTA	71 848	94 423	81 973	98 201	109 497	124 070	130 354	131 025	142 179	291 578	205 802	178 020	-27 782	-13.5 %
Total	1 058 314	1 208 805	1 191 185	1 294 881	1 395 857	1 448 365	1 566 919	1 672 275	1 753 751	3 197 822	2 397 193	2 139 446	-257 747	-10.8 %
BE	90 540	125 107	125 264	134 340	159 749	156 556	178 319	167 335	156 695	218 230	168 880	174 157	5 277	3.1 %
BG	4 483	4 006	3 896	3 805	3 267	3 325	3 867	3 508	4 665	13 840	6 015	6 467	452	7.5 %
CZ	15 892	17 144	17 808	18 603	17 165	19 144	22 743	24 227	30 557	101 502	60 485	54 284	-6 201	-10.3 %
DK	9 608	11 002	11 044	10 763	10 869	13 352	15 698	15 592	20 337	46 282	35 210	31 096	-4 114	-11.7 %
DE	250 054	311 361	335 862	373 666	414 220	418 908	440 065	427 175	428 935	505 737	410 908	429 749	18 841	4.6 %
EE	1 235	1 904	2 325	2 998	2 951	2 315	3 733	3 025	3 175	5 023	2 728	2 562	-166	-6.1 %
IE	5 014	6 084	4 674	5 556	3 973	4 039	5 760	6 171	7 816	17 158	8 178	6 132	-2 046	-25.0 %
EL	10 656	7 763	6 795	4 820	4 692	5 683	6 383	8 109	11 214	17 437	11 381	13 152	1 771	15.6 %
ES	63 304	47 640	46 075	46 507	44 825	47 369	52 353	60 488	63 939	177 082	82 296	88 320	6 024	7.3 %
FR	160 532	161 954	156 490	182 219	190 848	184 695	203 019	241 363	262 126	450 220	307 679	308 008	329	0.1 %
HR			1 753	4 560	7 139	9 835	12 791	9 844	20 821	11 734	13 023		1 289	11.0 %
IT	60 460	64 223	48 663	47 445	52 481	59 095	61 321	64 669	73 927	173 727	90 860	107 791	16 931	18.6 %
CY	1 702	1 042	1 106	956	944	716	972	1 256	1 666	2 677	1 931	1 644	-287	-14.9 %
LV	1 851	1 788	1 516	1 235	1 504	1 431	1 080	1 356	2 200	5 178	2 634	2 202	-432	-16.4 %
LT	1 850	2 248	3 497	2 274	1 930	2 404	2 018	2 261	3 035	10 103	4 657	4 403	-254	-5.5 %
LU	27 730	24 295	19 741	20 503	21 763	21 749	26 591	32 664	36 479	52 863	47 456	43 884	-3 572	-7.5 %
HU	8 457	9 924	9 900	8 887	8 955	8 743	11 312	12 924	17 090	56 902	29 463	38 329	8 866	30.1 %
MT	1 308	1 449	1 052	952	1 062	1 453	2 318	2 513	2 636	5 001	2 631	2 397	-234	-8.9 %
NL	91 560	105 885	99 416	100 423	87 817	89 411	90 873	111 522	126 342	219 276	390 002	153 203	-236 799	-60.7 %
AT	59 642	76 335	76 445	88 596	101 015	108 627	120 150	141 046	119 907	320 480	232 003	220 629	-11 374	-4.9 %
PL	12 877	16 013	16 033	14 387	14 521	17 897	17 818	20 620	26 714	93 630	58 963	58 024	-939	-1.6 %
PT	12 193	13 345	11 422	10 696	12 833	15 374	18 109	22 639	28 964	50 453	29 157	36 220	7 063	24.2 %
RO	9 445	10 476	11 224	10 894	9 717	10 709	10 028	12 036	15 883	38 774	17 983	18 466	483	2.7 %
SI	3 391	2 676	3 340	4 507	6 550	5 685	5 146	6 357	9 173	17 205	11 319	12 782	1 463	12.9 %
SK	8 692	6 876	6 641	7 010	7 648	8 141	9 694	13 759	13 993	33 154	18 130	14 449	-3 681	-20.3 %
FI	20 205	22 183	22 522	19 917	16 589	18 618	21 014	22 252	19 579	35 529	24 885	23 774	-1 111	-4.5 %
SE	19 464	24 412	26 095	29 446	33 019	37 373	39 120	44 005	53 849	85 450	61 452	57 939	-3 513	-5.7 %
IS	543	559	385	392	338	608	1 373	1 739	982	2 136	872	1056	184	21.1 %
LI	572	763	510	925	417	803	842	715	818	4 311	2 748	2 780	32	1.2 %
NO	18 771	30 523	16 170	18 778	21 250	24 958	23 844	22 882	26 570	38 170	25 040	21 397	-3 643	-14.5 %
CH	51 962	62 578	64 908	78 106	87 492	97 701	104 295	105 689	113 809	246 961	177 142	152 787	-24 355	-13.7 %
UK	34 321	37 247	40 366	43 522	50 893	54 344	57 226	59 587	60 832	132 510	62 371	38 340	-24 031	-38.5 %

Source: Administrative data PD A1 Questionnaire 2022 and previous years

3.4. Breakdown by type: employed or self-employed persons

Data on the number of posted employed workers versus posted self-employed persons temporarily working in another Member State are reported below. As mentioned earlier, self-employed persons do not fall under the scope of the Posting of Workers Directive.

On average 5.6 % of the persons covered by Article 12 were self-employed in 2021 (Table 8), this is a slight increase compared to 2020 (4.5 %). However, there are some strong differences between the sending Member States. Especially Slovakia (50.1 %), Iceland (40.7 %), and Ireland (26.7 %) granted a high percentage of PDs A1 under Article 12 to self-employed persons. Additionally, more than one in ten PDs A1 issued under Article 12 by the United Kingdom, the Czech Republic, the Netherlands, Austria, and Cyprus are for posted self-employed persons. For Slovakia in particular, the share of self-employed in total increased by 15 percentage points between 2014 (35 %) and 2021 (50 %).

From a receiving perspective, especially Lithuania (34.7 %), Switzerland (11.3 %), and Germany (8.5 %) received a relatively high share of posted self-employed persons.

Table 8 - Number of PDs A1 according to Article 12 of the Basic Regulation issued to employed and self-employed persons, 2021

	Issued				Received			
	Employed		Self-employed		Employed		Self-employed	
	Number	% Row	Number	% Row	Number	% Row	Number	% Row
BE	61 219	92.8 %	4 785	7.2 %	165 296	95.4 %	7 981	4.6 %
BG	10 833	99.3 %	78	0.7 %	6 291	98.1 %	122	1.9 %
CZ	6 518	82.1 %	1 423	17.9 %	52 598	97.1 %	1 585	2.9 %
DK	6 509	98.0 %	135	2.0 %	30 061	97.5 %	774	2.5 %
DE	850 642	97.1 %	25 167	2.9 %	391 479	91.5 %	36 189	8.5 %
EE	5 869	99.6 %	21	0.4 %	2 436	96.0 %	102	4.0 %
IE	604	73.3 %	220	26.7 %	5 714	97.6 %	142	2.4 %
EL*	6 504	98.8 %	79	1.2 %	11 868	96.3 %	457	3.7 %
ES	107 156	93.6 %	7 317	6.4 %	83 445	97.1 %	2 465	2.9 %
FR	97 428	98.3 %	1 661	1.7 %	291 743	95.8 %	12 722	4.2 %
HR	54 475	99.8 %	88	0.2 %	12 328	95.5 %	585	4.5 %
IT	175 592	92.4 %	14 361	7.6 %	101 349	95.6 %	4 648	4.4 %
CY	71	89.9 %	8	10.1 %	1 423	96.6 %	50	3.4 %
LV	4 287	99.9 %	<5	0.1 %	2 163	98.9 %	24	1.1 %
LT	32 568	99.3 %	239	0.7 %	4 531	65.3 %	2 406	34.7 %
LU	53 965	99.3 %	358	0.7 %	42 167	96.3 %	1 622	3.7 %
HU	46 054	99.1 %	437	0.9 %	36 979	97.2 %	1 063	2.8 %
MT	485	90.8 %	49	9.2 %	2 329	97.6 %	58	2.4 %
NL	14 784	88.1 %	2 001	11.9 %	145 962	96.3 %	5 639	3.7 %
AT	36 696	89.3 %	4 399	10.7 %	209 980	95.3 %	10 366	4.7 %
PL	210 307	94.2 %	12 986	5.8 %	56 742	98.4 %	918	1.6 %
PT	57 299	99.7 %	144	0.3 %	34 756	96.5 %	1 243	3.5 %
RO	31 178	99.9 %	30	0.1 %	17 921	97.6 %	437	2.4 %
SI	98 471	97.7 %	2 353	2.3 %	12 454	97.5 %	315	2.5 %
SK	39 131	49.9 %	39 332	50.1 %	14 168	98.1 %	268	1.9 %
FI	3 375	93.1 %	249	6.9 %	22 751	97.1 %	679	2.9 %
SE	1 314	94.2 %	81	5.8 %	53 585	93.6 %	3 673	6.4 %
IS	64	59.3 %	44	40.7 %	993	94.5 %	58	5.5 %
LI	426	94.2 %	26	5.8 %	2 683	96.5 %	97	3.5 %
NO	944	94.0 %	60	6.0 %	20 462	98.7 %	273	1.3 %
CH	53 125	96.5 %	1 924	3.5 %	135 392	88.7 %	17 212	11.3 %
UK	13 194	75.5 %	4 289	24.5 %	37 188	97.0 %	1 152	3.0 %
Total	2 081 087	94.4 %	124 347	5.6 %				

* EL: data 2018.

Source: Administrative data PD A1 Questionnaire 2022

3.5. Breakdown by sector of economic activity

Only 21 Member States³⁰ could provide a detailed overview on the sector of economic activity. Nevertheless, the main sending Member States Germany and Poland were able to provide this information, which makes the breakdown representative.

Table A3 in Annex I presents a distribution by sector of activity of the PDs A1 issued according to Article 12. The table shows, *inter alia*, that approximately 104 308 PDs A1 issued by Poland according to Article 12 concern a situation in which services are provided abroad in the construction sector. More than half of these PDs A1 (53 914) are received by Germany.³¹ The other main flows in the construction sector are from Slovakia to Germany (23,148 PDs A1), from Slovenia to Germany (22,374 PDs A1), from Germany to Austria (17,097 PDs A1), from Portugal to France (12,383 PDs A1), from Poland to France (12,358 PDs A1), from Poland to Sweden (11,011 PDs A1), from Portugal to Belgium (10,886 PDs A1), from Poland to Belgium (9,501 PDs A1), and from Slovenia to Austria (9,193 PDs A1).

³⁰ Data provided by NL were not included, as they are inconsistent with corrections sent afterwards.

³¹ Based on the reported figures by sending Member State. Detailed figures describing the flow of PDs A1 between sending and receiving Member States by sector of activity are not included in this report.

The row percentages in *Table 9* show both the total with and without Germany, as before reference year 2020, data for Germany were not available, and this has a serious impact. This is especially the case for PDs A1 issued in the construction sector. While in total 'only' 25.9 % of PDs A1 under Article 12 are issued in the construction sector, when Germany is not taken into account, the share increases to 42.8 %. This implies that for Germany as an issuing Member State, the construction sector is not the most important sector. Especially EU-13 Member States issue a high share of PDs A1 in the construction sector (48.9 %) as opposed to EU-14 Member States (15.0 %). For example, Estonia (53.6 %), Portugal (60.3 %), Romania (53.9 %), and Slovakia (52.5 %) issue more than one in two PDs A1 for activities in the construction sector.

In general, the EU-13 issued most PDs A1 in the industry sector (75.5 %), while for the EU-14 it is almost equally divided between the industry (54.0 %) and services sector (45.6 %). Persons with a PD A1 from Belgium, Cyprus, Malta, Iceland, and Liechtenstein mainly provide activities in the service sector. A more detailed distribution of the service sector illustrates that temporary employment agencies employ a high percentage of persons from Belgium, Luxembourg, Portugal, and Liechtenstein falling under Article 12. A high percentage of PDs A1 are issued by Iceland for persons providing education, health and social work, arts, and other services.

Table 9 - PDs A1 issued according to Article 12 of the Basic Regulation, from a sending perspective, breakdown by sector of activity, 2021 (row %)

Sending MS	Agriculture, hunting and fishing NACE A	Industry NACE B to F		Services NACE G to T								
		Industry Total	of which Construction NACE F	Services Total	Wholesale and retail trade NACE G	Accommodation and food service activities NACE I	Transportation and storage; Information and communication NACE H and J	Freight transport by road NACE H - Group 49.4	of which Financial and insurance; Real estate; Professional, scientific and technical activities; Administrative and support service activities NACE K, L, M, and N	of which Temporary employment agency NACE N - Group 78.2	Education, health and social work, arts and other services NACE P, Q, R, and S	of which Human health and social work activities NACE Q
BE	0.8 %	37.4 %	25.3 %	61.8 %	5.1 %	0.5 %	5.4 %	0.9 %	33.7 %	20.9 %	19.3 %	0.3 %
BG												
CZ	0.8 %	70.4 %	43.4 %	28.8 %	4.6 %	0.3 %	1.7 %	0.2 %	21.9 %	0.0 %	0.0 %	0.0 %
DK												
DE	0.4 %	51.7 %	8.3 %	47.9 %	5.9 %	0.5 %	6.7 %	3.4 %	19.4 %	1.4 %	15.5 %	1.0 %
EE	2.7 %	73.8 %	53.6 %	23.5 %	1.5 %	0.3 %	1.5 %	0.3 %	14.1 %	0.7 %	6.0 %	2.6 %
IE												
EL												
ES												
FR*	0.1 %	54.6 %	12.3 %	45.3 %	4.3 %	0.6 %	6.0 %	0.7 %	18.9 %	2.6 %	15.5 %	0.2 %
HR	0.0 %	85.4 %	45.8 %	14.5 %	2.9 %	0.8 %	2.4 %	0.3 %	7.2 %	3.5 %	1.3 %	0.5 %
IT												
CY	0.0 %	21.5 %	5.1 %	78.5 %	30.4 %	6.3 %	6.3 %	0.0 %	30.4 %	0.0 %	2.5 %	0.0 %
LV	0.5 %	53.7 %	41.2 %	45.7 %	6.0 %	0.1 %	6.2 %	0.9 %	32.8 %	0.9 %	0.6 %	0.0 %
LT	0.5 %	49.9 %	39.7 %	49.6 %	0.4 %	32.2 %	2.6 %	0.9 %	13.1 %	0.0 %	1.4 %	0.0 %
LU	0.1 %	61.2 %	42.7 %	38.7 %	4.8 %	0.1 %	1.7 %	0.3 %	30.6 %	17.8 %	1.3 %	0.2 %
HU												
MT	0.4 %	15.0 %	14.4 %	84.6 %	0.0 %	6.2 %	18.0 %	0.0 %	47.4 %	0.0 %	13.1 %	0.0 %
NL												
AT*	0.3 %	49.3 %	28.5 %	13.8 %	0.8 %	0.1 %	0.2 %	0.0 %	0.4 %	0.0 %	10.8 %	0.0 %
PL	2.9 %	66.1 %	46.7 %	30.9 %	0.9 %	0.1 %	1.2 %	1.3 %	7.8 %	5.6 %	20.5 %	8.0 %
PT	0.2 %	86.0 %	60.3 %	13.8 %	1.1 %	0.1 %	0.6 %	0.1 %	11.9 %	10.3 %	0.2 %	0.0 %
RO	0.2 %	82.3 %	53.9 %	17.5 %	0.8 %	0.5 %	1.4 %	0.0 %	10.8 %	0.0 %	3.9 %	0.0 %
SI*	0.2 %	72.1 %	41.4 %	0.3 %	0.2 %	0.1 %	0.0 %	n.a.	0.0 %	n.a.	0.0 %	0.0 %
SK	1.2 %	83.4 %	52.5 %	15.4 %	0.5 %	0.0 %	2.0 %	0.0 %	0.8 %	0.0 %	12.0 %	4.3 %
FI	1.3 %	57.3 %	16.4 %	41.4 %	0.9 %	0.1 %	7.3 %	3.6 %	8.6 %	1.2 %	24.5 %	0.7 %
SE	0.8 %	52.2 %	20.1 %	47.0 %	6.2 %	0.3 %	5.0 %	0.2 %	23.5 %	2.3 %	11.9 %	0.6 %
IS	10.8 %	6.9 %	5.9 %	82.4 %	0.0 %	0.0 %	2.9 %	0.0 %	17.6 %	0.0 %	61.8 %	0.0 %
LI	0.0 %	28.0 %	3.5 %	72.0 %	0.0 %	0.0 %	0.0 %	1.2 %	72.0 %	70.8 %	0.0 %	0.0 %
NO												
CH												
UK												
Total	0.8 %	60.9 %	25.9 %	38.3 %	3.9 %	1.0 %	4.4 %	2.0 %	15.6 %	3.6 %	13.3 %	1.9 %
Total (excl. DE)	1.1 %	69.8 %	42.8 %	29.0 %	2.0 %	1.6 %	2.2 %	0.6 %	12.0 %	5.6 %	11.2 %	2.7 %
EU-14	0.4 %	54.0 %	15.0 %	45.6 %	5.3 %	0.4 %	5.9 %	2.6 %	19.9 %	3.9 %	14.2 %	0.8 %
EU-13	1.6 %	75.5 %	48.9 %	22.9 %	1.0 %	2.3 %	1.4 %	0.7 %	6.6 %	2.8 %	11.3 %	4.2 %

* FR: breakdown for 96 118 PDs A1 forms (97 % of total); AT: unknown sector for 13 707 PDs A1; SI: unknown sector for 27 665 PDs A1.

Source: Administrative data PD A1 Questionnaire 2022

By using the detailed figures reported by 21 sending Member States a fragmented picture can be presented of the activities carried out in the receiving Member States by persons falling under Article 12. It is worth noting that due to the limited number of reporting Member States, an incomplete dataset from the perspective of the receiving Member State is obtained. Nonetheless, these fragmented data present an interesting view on the distribution of persons falling under Article 12 by sector of activity in the receiving Member States.

In most Member States, incoming workers with a PD A1 under Article 12 are active in the industry and the service sector. More than one out of four workers received by Belgium, Germany, France, Croatia, Luxembourg, Finland, and Sweden are providing activities in the construction sector. In Germany the share even amounts to 55.1 %. The figures also indicate that a relatively high percentage of persons with a PD A1 under Article 12 (over 8 %) providing activities in France and the Netherlands are employed by a temporary employment agency.

Only Germany receives more than 5 % of PDs A1 in the human health sector. Poland is by far the main 'sending' Member State of health workers. This is probably the result of the high number of 'live-in carers' (persons providing long-term care services while living in a private residence with the care receiver) coming from Poland and working in Germany.

Table 10 - PDs A1 issued according to Article 12 of the Basic Regulation, from a receiving perspective, breakdown by sector of activity, 2021 (row %)

Receiving MS	Agriculture, hunting and fishing NACE A	Industry NACE B to F		Services NACE G to T								
		Industry Total	Construction NACE F	Services Total	Wholesale and retail trade NACE G	Accommodation and food service activities NACE I	Transportation and storage; Information and communication NACE H and J	Freight transport by road NACE H - Group 49.4	Financial and insurance; Real estate; Professional, scientific and technical activities; Administrative and support service activities NACE K, L, M, and N	Temporary employment agency NACE N - Group 78.2	Education, health and social work, arts and other services NACE P, Q, R, and S	Human health and social work activities NACE Q
BE	0.2 %	71.6 %	38.6 %	30.4 %	2.6 %	0.4 %	3.3 %	1.6 %	15.3 %	4.5 %	8.8 %	0.3 %
BG	0.1 %	50.8 %	7.7 %	35.7 %	4.1 %	0.5 %	5.1 %	0.6 %	12.1 %	1.0 %	13.8 %	2.9 %
CZ	0.5 %	64.9 %	12.0 %	35.1 %	4.3 %	0.1 %	3.8 %	1.4 %	13.6 %	2.5 %	13.3 %	0.6 %
DK	1.2 %	38.0 %	13.3 %	61.1 %	5.3 %	0.7 %	5.4 %	3.2 %	34.8 %	0.9 %	14.9 %	0.8 %
DE	1.5 %	88.2 %	55.1 %	28.9 %	1.4 %	2.3 %	1.8 %	1.0 %	6.6 %	3.1 %	16.6 %	7.5 %
EE	0.1 %	49.3 %	9.1 %	49.4 %	3.1 %	0.3 %	5.5 %	2.0 %	22.5 %	0.7 %	18.2 %	1.1 %
IE	0.1 %	51.9 %	11.0 %	47.9 %	3.5 %	0.5 %	4.0 %	1.0 %	27.5 %	2.7 %	12.6 %	0.9 %
EL	0.1 %	27.4 %	3.7 %	70.3 %	4.2 %	2.8 %	8.6 %	0.6 %	26.7 %	1.3 %	28.1 %	1.9 %
ES	1.1 %	52.0 %	12.5 %	46.0 %	4.9 %	0.9 %	5.2 %	1.0 %	19.1 %	1.2 %	15.9 %	0.8 %
FR	0.5 %	57.9 %	25.6 %	42.2 %	3.6 %	0.5 %	5.3 %	2.9 %	20.1 %	8.7 %	13.1 %	0.6 %
HR	0.2 %	74.2 %	44.2 %	63.7 %	5.2 %	1.4 %	8.5 %	1.2 %	25.4 %	0.9 %	15.9 %	1.2 %
IT	0.3 %	58.1 %	7.8 %	45.1 %	5.8 %	0.7 %	4.7 %	1.2 %	18.7 %	0.9 %	15.3 %	0.9 %
CY	0.2 %	24.6 %	4.0 %	73.5 %	2.4 %	4.5 %	3.2 %	0.1 %	22.9 %	0.4 %	40.6 %	2.0 %
LV	0.3 %	33.7 %	12.0 %	40.8 %	3.4 %	1.0 %	3.8 %	1.6 %	10.6 %	0.5 %	19.2 %	0.4 %
LT	0.2 %	47.5 %	14.9 %	53.0 %	3.3 %	0.2 %	3.5 %	1.1 %	30.7 %	0.4 %	15.4 %	0.3 %
LU	0.4 %	62.2 %	38.7 %	38.3 %	7.0 %	0.4 %	5.9 %	3.2 %	16.2 %	3.2 %	9.5 %	0.4 %
HU	0.3 %	68.6 %	8.5 %	31.9 %	2.4 %	0.2 %	3.5 %	0.7 %	13.9 %	0.7 %	12.1 %	0.3 %
MT	0.0 %	27.0 %	4.0 %	70.8 %	4.3 %	1.2 %	5.7 %	0.5 %	26.1 %	1.1 %	34.1 %	2.5 %
NL	2.8 %	47.6 %	19.5 %	50.9 %	4.8 %	1.2 %	6.7 %	4.6 %	26.3 %	12.6 %	12.0 %	1.1 %
AT	0.5 %	60.4 %	22.2 %	46.5 %	7.4 %	0.8 %	7.6 %	4.0 %	16.1 %	1.6 %	14.8 %	1.4 %
PL	0.3 %	43.0 %	4.4 %	27.7 %	3.9 %	0.1 %	3.5 %	0.9 %	12.1 %	0.6 %	8.1 %	0.5 %
PT	0.2 %	37.4 %	2.3 %	55.5 %	4.0 %	1.0 %	5.6 %	0.4 %	18.1 %	0.8 %	27.0 %	0.4 %
RO	0.2 %	60.4 %	4.7 %	39.6 %	3.7 %	0.0 %	3.9 %	1.0 %	17.8 %	0.9 %	14.3 %	0.3 %
SI	0.0 %	59.4 %	21.4 %	39.4 %	3.1 %	0.2 %	3.2 %	0.8 %	13.4 %	3.6 %	19.5 %	0.3 %
SK	0.4 %	64.0 %	7.8 %	36.6 %	6.9 %	0.1 %	4.6 %	1.1 %	16.0 %	0.7 %	9.0 %	0.3 %
FI	1.0 %	65.7 %	29.1 %	33.9 %	2.2 %	2.4 %	2.1 %	0.4 %	18.0 %	0.7 %	9.3 %	0.3 %
SE	0.2 %	75.0 %	44.1 %	25.9 %	1.9 %	2.5 %	2.5 %	0.9 %	9.8 %	0.8 %	9.1 %	0.2 %
IS	0.1 %	53.7 %	13.1 %	47.3 %	3.3 %	0.7 %	5.3 %	2.0 %	23.5 %	1.6 %	14.9 %	0.7 %
LI	0.0 %	33.2 %	15.8 %	49.1 %	1.6 %	0.0 %	7.1 %	0.2 %	11.9 %	1.6 %	28.5 %	1.1 %
NO	0.0 %	37.3 %	15.2 %	61.1 %	5.2 %	0.2 %	3.9 %	1.4 %	11.4 %	0.5 %	40.5 %	0.2 %
CH	0.2 %	55.2 %	23.1 %	44.4 %	1.5 %	12.3 %	6.4 %	1.1 %	14.9 %	0.5 %	9.4 %	0.4 %
UK	0.2 %	53.4 %	10.7 %	46.9 %	6.6 %	0.3 %	5.9 %	2.0 %	17.4 %	0.4 %	16.9 %	0.9 %

Source: Administrative data PD A1 Questionnaire 2022

3.6. The number of individual persons involved

As mentioned before, the number of PDs A1 issued according to Article 12 is not necessarily equal to the number of persons involved. Twenty Member States reported figures on the number of individual persons involved. The number of individual persons involved is some 59 % of the number of PDs A1 issued for these persons (*Table 11*). This means that one person falling under Article 12 is sent abroad 1.7 times per year on average.

As *Table 11* shows, the relationship between the PDs A1 and the persons involved differs markedly among the reporting Member States. In Luxembourg (25 %), Slovenia (31 %), Italy (45 %), and Belgium (47 %), the share of persons on number of PDs A1 is less than 50 %, which indicates that posted persons under Article 12 are sent abroad (at least) 2 times per year. On the contrary, in Ireland, Sweden, Iceland, and Norway, the share lies close to 100 %, indicating that the number of individual persons involved is (almost) equal to the number of PDs A1 issued by these Member States. Figures for Poland show that on average, one individual employed/self-employed person was sent abroad 1.3 times in 2021.

These kinds of figures are important to calculate the impact of posting on national employment, as they constitute a better numerator than the number of forms granted. Moreover, it is also useful to make an estimation of the total number of individual persons covered by Article 12. Based on the reported figures it is estimated that in 2021 almost 1.3 million individual persons received a PD A1 according to Article 12.³²

Table 11 - Number of individual persons who received a PD A1 according to Article 12 of the Basic Regulation, 2021

	Individual number of persons who received a PD A1 (A)	Number of PDs A1 issued (B)	A/B	B/A
BE	31 085	66 004	47 %	2.1
BG	8 026	10 911	74 %	1.4
CZ	6 259	7 941	79 %	1.3
DK	5 102	6 644	77 %	1.3
DE				
EE	4 596	5 890	78 %	1.3
IE	770	824	93 %	1.1
EL				
ES				
FR	56 987	99 089	58 %	1.7
HR	33 581	54 563	62 %	1.6
IT	85 437	189 953	45 %	2.2
CY				
LV	3 455	4 290	81 %	1.2
LT				
LU	13 658	54 323	25 %	4.0
HU				
MT				
NL				
AT				
PL	173 832	223 293	78 %	1.3
PT	35 391	57 443	62 %	1.6
RO				
SI	30 979	100 824	31 %	3.3
SK	51 499	78 463	66 %	1.5
FI	3 127	3 624	86 %	1.2
SE	1 270	1 395	91 %	1.1
IS	108	108	100 %	1.0
LI				
NO	922	1 004	92 %	1.1
CH				
UK TCA	9 459	11 067	85 %	1.2
UK WA	5 539	6 416	86 %	1.2
UK	14 998	17 483	86 %	1.2
Total reported	576 080	984 069	59 %	1.7
Estimate total individual*	1 291 074			

* Total applicable to all EU/EFTA countries and the UK. Figure obtained by applying the percentage of 59 % to all missing Member States.
Source: Administrative data PD A1 Questionnaire 2022

³² This was estimated by assuming that, for those Member States that did not provide data on the number of persons involved, on average one individual person was sent abroad 1.7 times in 2021.

3.7. The average duration

The period persons can pursue an activity under Article 12 is set at a maximum of 24 months. This does not necessarily imply that this is also the real duration. Nineteen sending Member States reported figures on the average duration for 2021. The average duration persons are active under Article 12 was 106 days in 2021 (*Table 12*).³³ This is the total weighted EU average calculated based on the replies of these 19 reporting Member States. The unweighted average amounts to 141 days.

The period differs strongly between the reporting Member States. The average duration per posting is less than 35 days in Belgium, France, and Luxembourg. On the other hand, it exceeds 250 days in Croatia³⁴ and Iceland. The average duration for Poland amounts to 175 days. Unfortunately, there are no data available for Germany.

By multiplying the average duration by the number of times a person is sent during the year, it is possible to estimate the average duration an individual person covered by Article 12 was temporarily employed or self-employed in another Member State. The fact that the average duration is 106 days, and that the person is sent 1.7 times per year implies that an individual person is abroad 181 days per year on average.

Table 12 - Average duration of the period that persons are active under Article 12, in days, from a sending perspective, 2021

	Average duration per PD A1 issued according to Art. 12 BR (A)	Number of times sent abroad during the year (B)*	Average duration per individual person involved (A*B)
BE	32	2.1	68
BG			
CZ	147	1.3	187
DK	98	1.3	128
DE			
EE	217	1.3	278
IE	211	1.1	226
EL			
ES			
FR	33	1.7	57
HR	298	1.6	484
IT	66	2.2	148
CY			
LV	196	1.2	243
LT			
LU	27	4.0	107
HU			
MT			
NL			
AT			
PL	175	1.3	225
PT	90	1.6	146
RO			
SI	76	3.3	248
SK	93	1.5	142
FI	150	1.2	174
SE	122	1.1	132
IS	261	1.0	261
LI			
NO	198	1.1	215
CH			
UK TCA	159	1.2	186
UK WA	228	1.2	264
UK	194	1.2	226
Total**	106	1.7	181

* See last column of *Table 11*.

** The total unweighted average duration per PD A1 issued according to Article 12 is 141 days.

Source: Administrative data PD A1 Questionnaire 2022

³³ It cannot be excluded that average figures are strongly influenced by the sector of activity in which the person is employed. The PD A1 Questionnaire does not contain a question that asks for more detailed figures on the average duration of the posting period by sector of activity.

³⁴ The average duration reported by Croatia was only 31 days in 2019, although it amounted to 302 days in 2020.

3.8. The impact on national labour markets

The total number of PDs A1 issued according to Article 12 can be compared to the total number of employed persons. Although this gives a first idea of the relative volume, it is certainly not the best indicator to measure the impact on national labour markets, as in that case the number of forms issued are compared to the number of employed/self-employed persons. Therefore, it is better to compare the total number of employed/self-employed persons with the number of individual persons involved, as several PDs A1 could be issued to the same person during the reference year. Even then, the impact may still be overestimated. This is because the number of individual persons with a PD A1 is measured over a full year while total employment in a Member State is measured at one or more specific moments during the year. Ideally, both variables have the same 'unit of measurement', which assumes that data on the number of persons with a PD A1 working abroad at a specific moment in the year should be collected. The objective must be to make the best possible estimate of the actual employment in a Member State at a given time, considering all forms of temporary and permanent labour mobility.

In 2021, an equivalent of 0.4 % of EU employment could be related to the employment of persons covered by Article 12 (*Table 13*). In most Member States, only a limited proportion of the working population was sent abroad based on Article 12. Only in Slovenia (3.2 %), Luxembourg (3.0 %), Slovakia (2.0 %), Croatia (2.0 %), and Poland (1.1 %), more than 1% of the employed population was sent abroad in 2021.

Table 13 - Share of persons falling under Article 12 of the Basic Regulation in national employment, by sending Member State, 2021

	Total employed persons (in ,000)**	Forms	% Of employed persons	Persons	% Of employed persons	Persons in FTE***	% Of employed persons in FTE
BE	4 795	66 004	1.4 %	31 085	0.6 %	6 559	0.2 %
BG	2 987	10 911	0.4 %	8 026	0.3 %		
CZ	5 066	7 941	0.2 %	6 259	0.1 %	3 625	0.1 %
DK	2 787	6 644	0.2 %	5 102	0.2 %	2 032	0.1 %
DE	40 154	875 809	2.2 %				
EE	616	5 890	1.0 %	4 596	0.7 %	3 962	0.7 %
IE	2 289	824	0.0 %	770	0.0 %	540	0.0 %
EL*	3 823	6 583	0.2 %				
ES	19 493	114 473	0.6 %				
FR	27 274	99 089	0.4 %	56 987	0.2 %	10 155	0.0 %
HR	1 649	54 563	3.3 %	33 581	2.0 %	33 581	2.1 %
IT	21 849	189 953	0.9 %	85 437	0.4 %	39 174	0.2 %
CY	417	79	0.0 %				
LV	822	4 290	0.5 %	3 455	0.4 %	2 605	0.3 %
LT	1 310	32 807	2.5 %				
LU	459	54 323	11.8 %	13 658	3.0 %	4 533	1.1 %
HU	4 535	46 491	1.0 %				
MT	262	534	0.2 %				
NL	8 975	19 711	0.2 %				
AT	4 232	41 095	1.0 %				
PL	16 237	223 293	1.4 %	173 832	1.1 %	121 355	0.8 %
PT	4 623	57 443	1.2 %	35 391	0.8 %	16 096	0.4 %
RO	7 668	31 208	0.4 %				
SI	954	100 824	10.6 %	30 979	3.2 %	23 836	2.6 %
SK	2 522	78 463	3.1 %	51 499	2.0 %	22 707	0.9 %
FI	2 470	3 624	0.1 %	3 127	0.1 %	1 690	0.1 %
SE	4 853	1 395	0.0 %	1 270	0.0 %	529	0.0 %
IS	186	108	0.1 %	108	0.1 %	88	0.1 %
LI							
NO	2 657	1 004	0.0 %	922	0.0 %	617	0.0 %
CH	4 505	55 049	1.2 %				
UK	31 382	17 483	0.1 %	14 998	0.0 %	10 506	0.0 %
Total****	231 848	2 205 434	1.0 %		0.4 %		0.3 %

* EL: data 2018.

** The total number of employed persons (in ,000) is retrieved from Eurostat [lfsa_egan2]. It concerns the total number of employed persons between 15 and 64 years old. LU: incl. frontier workers.

*** In order to estimate the number of persons in FTEs, the average duration was converted to working days by multiplying it by 5/7. Thereafter, this period was divided by 230 days, the number of working days generally considered in one calendar year, taking into account holidays etc. Afterwards, this was multiplied by the number of PDs A1 issued.

**** Average calculated for the reporting Member States. The EU averages are therefore not perfectly comparable.

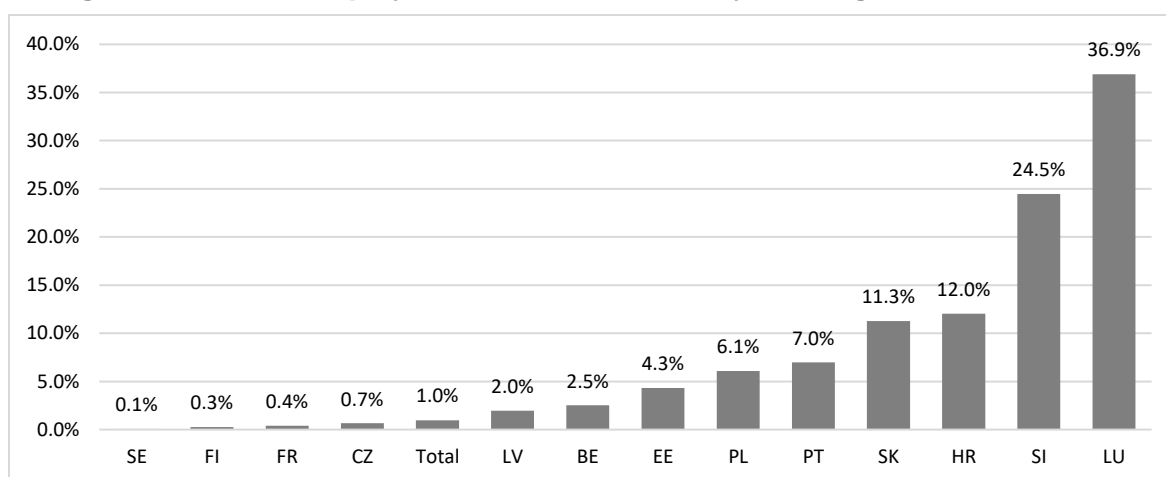
Source: Administrative data PD A1 Questionnaire 2022 and Eurostat [lfsa_egan2]

By using the additional data on the duration this group of persons is active in another Member State, the relative weight of such activities on the labour market in terms of full-time equivalents (FTEs)³⁵ is estimated. Such data are only available for 19 Member States. In 2021, an equivalent of 0.3 % of employment in FTEs could be related to persons covered by Article 12 (weighted average) (*Table 13*). This low percentage is caused by the fact that persons covered by Article 12 stay abroad only for a short period (see *section 3.7*). For instance, the share of persons covered by Article 12 in the Luxembourg workforce falls sharply when the impact is expressed in FTEs (from 3.0 % to 1.1 %). The same observation applies to the results for Slovakia for instance.

Based on the data by sector of activity a more detailed analysis is made of the share of persons with a PD A1 issued according to Article 12 in national employment by sector of activity. The findings for the construction sector, one of the most popular sectors for such activities, are shown in *Figure 6* for 13 reporting Member States from a sending perspective. The reported figures are calculated based on the reported number of persons involved and not on the number of PDs A1 issued.

Mainly the Luxembourg (37 %) and Slovenian (25 %) construction sectors, and to a lesser extent the Croatian (12 %) and Slovakian (11 %) construction sectors sent a high percentage of persons abroad in 2021. Furthermore, some 6 % of the workers employed in the Polish construction sector provided services abroad.

Figure 6 - Estimated share of individual persons falling under Article 12 of the Basic Regulation in total employment in construction, by sending Member State, 2021



Source: Administrative data PD A1 Questionnaire 2022 and Eurostat [\[lfsa_egan2\]](#) data 2021

From the perspective of the receiving Member State, the impact of persons covered by Article 12 on national labour markets could be estimated as well, based on the number of PDs A1 issued according to Article 12 received and the breakdown by sector of activity. However, there are some important caveats. Firstly, the estimate would be based on the number of forms received and not on the number of individual employed/self-employed persons involved. This implies an overestimation of the share of persons covered by Article 12. Secondly, only the impact of activities according to Article 12 on receiving Member States would be described. No such data exist for persons active in two or more Member States according to Article 13. Finally, the distribution by sector of activity is not available for all reporting Member States. Therefore, data on incoming posting undertakings and posted workers registered by national declaration tools are preferable to calculate the impact on the receiving Member States.

³⁵ "A full-time equivalent is a unit to measure employed persons in a way that makes them comparable although they may work a different number of hours per week. For example, a part-time worker employed for 20 hours a week where full-time work consists of 40 hours, is counted as 0.5 FTE" (source: Eurostat).

4. Persons covered by Article 13

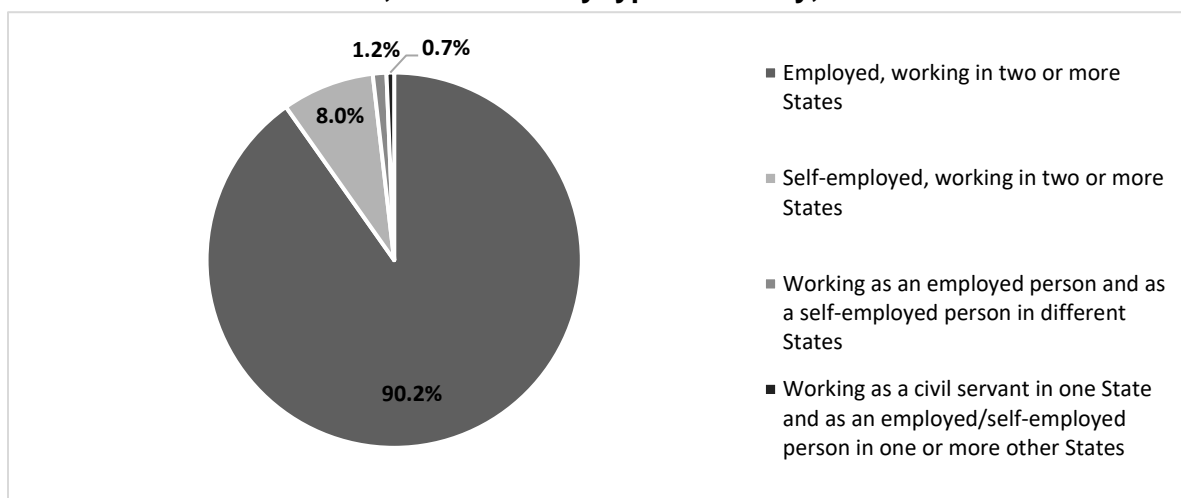
In this chapter, detailed figures on persons who are active in two or more Member States (i.e., persons covered by Article 13) are reported. Recently, the need emerged for a more detailed profile of persons active in two or more Member States, as the number of PDs A1 issued to this group of persons has strongly increased over the past few years (see for instance *Figure 3* in *Chapter 2*). Moreover, in some cases persons covered by Article 13 might also be posted under the conditions of the Posting of Workers Directive. It should be recalled that no information is produced concerning the place of cross-border activities under Article 13, hence no data is available regarding the receiving Member States.

4.1. Breakdown by type of activity

In total, 1.35 million PDs A1 were issued to persons covered by Article 13 in 2021. Almost one third of these PDs A1 were issued by Poland (444 015 PDs A1) (*Table 14*). None of the other Member States issued more than 95 000 PDs A1 for persons pursuing activities in two or more Member States. Spain, Italy, Germany, and Lithuania issued more than 70 000 PDs A1 under Article 13 each.

The type of activity of the persons to whom a PD A1 under Article 13 is issued, can be looked at in more detail. *Figure 7* indicates that nine in ten PDs A1 were for employed persons working in two or more Member States. Furthermore, 8.0 % of certificates were for self-employed persons working in two or more Member State. Only a minority of PDs A1 under Article 13 were issued for those working as an employed person and a self-employed person in different Member States (1.2 %). Finally, 0.7 % of forms were issued to persons who were active as a civil servant in one Member State and as an employed or self-employed person in one or more other Member States.

Figure 7 - Total number of PDs A1 issued for persons active in two or more Member States, breakdown by type of activity, 2021



Source: Administrative data PD A1 Questionnaire 2022

Almost all Member States issued the majority of PDs A1 for persons active in two or more Member States to employed persons working in two or more Member States. The only exception is France, which issued 71.2 % of forms to self-employed persons active in two or more Member States (*Table 14*). Furthermore, the Czech Republic, Ireland, Iceland, and the United Kingdom (under the TCA) issued over one fifth of PDs A1 under Article 13 for self-employed persons. Member States which issued a relatively high share to those working as an employed and self-employed person in different Member States (over 15 %) are France, Iceland, and Norway. Finally, only Sweden and Iceland issued more than 10 %

of forms under Article 13 to persons working as a civil servant in one Member State and as an employed/self-employed person in one or more other Member States.

Table 14 - Total number of PDs A1 issued for persons active in two or more Member States by the sending Member State, breakdown by type of activity, 2021

	Employed, working in two or more States		Self-employed, working in two or more States		Working as an employed person and as a self-employed person in different States		Working as a civil servant in one State and as an employed/self-employed person in one or more other States		Total active in two or more States	
	Number	Row %	Number	Row %	Number	Row %	Number	Row %	Number	Row %
BE	53 600	87.8 %	6 230	10.2 %	725	1.2 %	495	0.8 %	61 050	100 %
BG	14 707	97.8 %	117	0.8 %	210	1.4 %	0	0.0 %	15 034	100 %
CZ	43 634	73.8 %	11 958	20.2 %	3 480	5.9 %	40	0.1 %	59 112	100 %
DK	28 728	98.1 %	359	1.2 %	134	0.5 %	60	0.2 %	29 281	100 %
DE	72 805	89.7 %	4 998	6.2 %	2 442	3.0 %	924	1.1 %	81 169	100 %
EE	14 878	99.6 %	34	0.2 %	27	0.2 %	<5	0.0 %	14 940	100 %
IE	548	73.4 %	169	22.6 %	29	3.9 %	<5	0.1 %	747	100 %
EL*	2 043	77.2 %	515	19.5 %	83	3.1 %	6	0.2 %	2 647	100 %
ES	91 445	97.9 %	1 901	2.0 %	43	0.0 %	<5	0.0 %	93 390	100 %
FR	254	13.3 %	1 360	71.2 %	294	15.4 %	<5	0.1 %	1 910	100 %
HR	24 509	97.3 %	427	1.7 %	224	0.9 %	18	0.1 %	25 178	100 %
IT	78 142	94.3 %	3 707	4.5 %	819	1.0 %	219	0.3 %	82 887	100 %
CY	2 288	98.5 %	20	0.9 %	15	0.6 %	0	0.0 %	2 323	100 %
LV	17 319	98.3 %	183	1.0 %	109	0.6 %	0	0.0 %	17 611	100 %
LT	77 093	99.9 %	41	0.1 %	38	0.0 %	0	0.0 %	77 172	100 %
LU	7 879	84.0 %	303	3.2 %	1 183	12.6 %	13	0.1 %	9 378	100 %
HU	21 003	96.1 %	229	1.0 %	619	2.8 %	<5	0.0 %	21 853	100 %
MT	693	94.9 %	13	1.8 %	24	3.3 %	0	0.0 %	730	100 %
NL	58 484	91.6 %	4 812	7.5 %	519	0.8 %	63	0.1 %	63 878	100 %
AT	57 468	88.8 %	642	1.0 %	891	1.4 %	5 722	8.8 %	64 723	100 %
PL	384 113	86.5 %	59 203	13.3 %	428	0.1 %	271	0.1 %	444 015	100 %
PT	9 409	98.3 %	161	1.7 %	0	0.0 %	0	0.0 %	9 570	100 %
RO	36 409	100.0 %	11	0.0 %	0	0.0 %	0	0.0 %	36 420	100 %
SI	62 752	94.9 %	2 513	3.8 %	845	1.3 %	49	0.1 %	66 159	100 %
SK	21 770	78.9 %	4 944	17.9 %	859	3.1 %	7	0.0 %	27 580	100 %
FI	3 960	92.4 %	251	5.9 %	31	0.7 %	43	1.0 %	4 285	100 %
SE	4 056	82.6 %	129	2.6 %	157	3.2 %	569	11.6 %	4 911	100 %
IS	18	41.9 %	10	23.3 %	8	18.6 %	7	16.3 %	43	100 %
LI	2 058	78.9 %	129	4.9 %	385	14.8 %	35	1.3 %	2 607	100 %
NO	1 094	68.5 %	106	6.6 %	318	19.9 %	78	4.9 %	1 596	100 %
CH	18 118	95.3 %	571	3.0 %	58	0.3 %	267	1.4 %	19 014	100 %
UK TCA	2 070	71.8 %	673	23.3 %	142	4.9 %	0	0.0 %	2 885	100 %
UK WA	4 568	76.1 %	776	12.9 %	647	10.8 %	14	0.2 %	6 005	100 %
UK	6 638	74.7 %	1 449	16.3 %	789	8.9 %	14	0.2 %	8 890	100 %
Total	1 217 915	90.2 %	107 495	8.0 %	15 786	1.2 %	8 907	0.7 %	1 350 103	100 %

* EL: data 2018.

Source: Administrative data PD A1 Questionnaire 2022

4.2. Comparison with previous years

The total number of PDs A1 issued under Article 13 increased by 8.7 % in 2021 compared to 2020 (*Table 15*). This is mainly due to the increase for EU-13 Member States (+13.4 %), as in the EU-14 (+3.3 %) the increase was less impressive, and in the EFTA Member States (-13.5 %), the number of certificates issued decreased compared to 2020. It can be seen that the total number of PDs A1 covered by Article 13 is almost at the same level as before the COVID-19 pandemic (1.36 million in 2019 compared to 1.35 million in 2021), and the total number is higher than all the years before 2019. It is remarkable to see that while the number of PDs A1 issued under Article 12 still decreased from 2020 to 2021 (-9.1 %, see *Table 6* in *section 3.3*), the number of PDs A1 covered by Article 13 has been on the rise again.

The main issuing Member State of PDs A1 under Article 13, Poland, has once again seen an increase of forms issued of around 44 200 certificates or 11.1 %. This means that the

number has continuously been on the rise from 2010 to 2021, even during the COVID-19 pandemic. Other remarkable growers are France (+331.2 %) and Hungary (+224.6 %), as the number of certificates more than tripled compared to 2020. On the contrary, the number of PDs A1 issued for persons active in two or more Member States decreased in Ireland (-75.6 %), Cyprus (-39.9 %), and Germany (-29.4 %). Especially for Germany this is a remarkable evolution, as from 2019 to 2020 it still showed a positive growth rate of 28.1 %.

As explained in the report for reference year 2020, the growth in PDs A1 under Article 13 during the COVID-19 pandemic is not surprising. Most PDs A1 under Article 13 are issued for activities in road freight transport, which has proven to be one of the most essential sectors, especially during the pandemic. Whereas several sectors came to a complete standstill, this has been a sector that has had continued activities.

Table 15 - Total number of PDs A1 issued for persons active in two or more Member States by the sending Member States, 2010-2021

Sending MS	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Change 2021 vs 2020	
													Numbers	%
EU-27	163 548	218 531	261 531	349 873	414 161	490 890	597 759	994 404	1 074 063	1 300 341	1 206 049	1 317 953	111 904	9.3 %
EU-28	168 107	224 585	269 774	359 116	421 488	501 279	611 237	1 008 242	1 084 618	1 314 085				
EU-14	108 538	124 660	143 062	194 818	201 108	213 127	241 716	395 772	441 776	573 872	493 546	509 826	16 280	3.3 %
EU-13	55 010	93 871	118 469	155 055	213 053	277 763	356 043	598 632	632 287	726 469	712 503	808 127	95 624	13.4 %
EFTA	172	140	291	8 017	8 908	10 510	12 541	17 135	14 417	47 375	26 891	23 260	-3 631	-13.5 %
Total	168 279	224 725	270 065	367 133	430 396	511 789	623 778	1 025 377	1 099 035	1 361 460	1 241 521	1 350 103	108 582	8.7 %
BE	18 208	19 857	2 320	23 714	20 146	21 181	33 414	57 273	59 451	62 863	61 792	61 050	-742	-1.2 %
BG	n.a.	n.a.	577	1 093	833	737	3 593	21 106	12 283	15 044	13 521	15 034	1 513	11.2 %
CZ	4 099	4 770	8 520	17 435	20 859	25 442	35 672	55 700	52 723	69 465	53 723	59 112	5 389	10.0 %
DK	5 027	5 336	11 043	17 744	15 999	21 924	22 288	27 688	34 496	39 932	34 492	29 281	-5 211	-15.1 %
DE	16 799	21 631	15 229	21 651	16 445	16 962	22 778	62 877	60 785	89 747	114 997	81 169	-33 828	-29.4 %
EE	2 297	3 159	3 511	4 048	7 654	9 672	11 411	12 456	12 713	15 592	15 821	14 940	-881	-5.6 %
IE	556	1 036	4 061	3 822	4 177	3 875	3 694	4 180	3 435	3 210	3 060	747	-2 313	-75.6 %
EL*	0	7	228	443	1 273	1 854	2 932	2 926	2 647	2 647	2 647	2 647		
ES	13 718	17 776	26 633	36 152	33 496	36 957	44 340	77 663	121 713	112 839	91 325	93 390	2 065	2.3 %
FR	897	5 540	9 367	5 792	4 451	7 667	3 259	916	359	2 866	443	1 910	1 467	331.2 %
HR	n.a.	n.a.	n.a.	662	927	1 516	2 581	14 023	13 451	17 137	18 366	25 178	6 812	37.1 %
IT	1 619	1 813	2 112	2 041	2 932	5 755	5 458	20 359	18 401	37 132	37 132	82 887	45 755	123.2 %
CY	515	1 497	2 244	2 113	1 830	2 795	3 263	3 868	3 868	3 868	3 868	2 323	-1 545	-39.9 %
LV	273	523	1 657	3 095	3 001	3 877	6 602	17 289	17 681	18 671	17 814	17 611	-203	-1.1 %
LT	2 061	1 457	2 141	2 611	2 012	3 288	4 738	43 099	46 825	62 764	62 163	77 172	15 009	24.1 %
LU	4 987	4 206	4 323	3 802	11 376	11 773	12 629	14 238	14 345	15 581	12 284	9 378	-2 906	-23.7 %
HU	<5	66	1 339	1 920	1 930	3 470	3 498	19 540	9 751	13 187	6 732	21 853	15 121	224.6 %
MT	<5	<5	0	0	115	77	219	827	1 202	1 130	790	730	-60	-7.6 %
NL	44 822	44 788	58 569	68 554	75 236	65 359	68 377	79 823	73 095	78 414	67 304	63 878	-3 426	-5.1 %
AT	n.a.	n.a.	3 606	4 258	6 392	8 137	11 624	17 810	20 973	97 516	50 164	64 723	14 559	29.0 %
PL	44 018	81 770	94 877	118 599	156 452	207 947	248 214	324 999	351 439	387 402	399 738	444 015	44 277	11.1 %
PT	24	31	981	878	257	347	892	20 070	21 452	18 136	6 851	9 570	2 719	39.7 %
RO	n.a.	n.a.	73	109	1 171	646	1 428	37 470	29 129	37 214	28 309	36 420	8 111	28.7 %
SI	429	66	127	208	210	406	13 132	26 559	39 788	49 099	57 773	66 159	8 386	14.5 %
SK	1 311	561	3 403	3 162	16 059	17 890	21 692	21 696	41 434	35 896	33 885	27 580	-6 305	-18.6 %
FI	1 881	1 911	1 953	2 181	2 532	3 928	3 230	3 314	4 109	4 651	4 120	4 285	165	4.0 %
SE	n.a.	728	2 637	3 786	6 396	7 408	6 801	6 635	6 515	8 338	6 935	4 911	-2 024	-29.2 %
IS	34	15	6	8	102	69	70	95	51	37	38	43	5	13.2 %
LI	138	125	285	423	548	1 174	1 278	976	976	1 656	1 525	2 607	1 082	71.0 %
NO	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	1 829	2 279	2 150	840	1 596	756	90.0 %
CH	n.a.	n.a.	n.a.	7 586	8 258	9 267	11 193	14 235	11 111	43 532	24 488	19 014	-5 474	-22.4 %
UK	4 559	6 054	8 243	9 243	7 327	10 389	13 478	13 838	10 555	13 744	8 581	8 890	309	3.6 %

* EL: data 2018.

Source: Administrative data PD A1 Questionnaire 2022 and previous years

4.3. Breakdown by sector of economic activity

Detailed information has been collected on the sector of activity of those persons who are covered by Article 13. Nevertheless, only 16 Member States were able to provide this information, so general conclusions cannot be drawn. Absolute numbers are presented in *Annex I – Table A5*, which shows a distribution by economic sector of the PDs A1 granted by the sending Member States to persons covered by Article 13. The table shows, *inter alia*, that some 224 000 PDs A1 are provided by Poland to persons employed in the freight transport sector by road.

The percentage distribution by economic activity is shown in *Table 16*. More than two thirds of the PDs A1 under Article 13 are granted to persons in the services sector, more specifically 42.2 % of forms go to persons active in road freight transport. Especially in Croatia, Latvia, Lithuania, Luxembourg, Malta, Poland, Slovakia, and Liechtenstein, more than one third of forms are issued for activities in road freight transport. In Lithuania, Malta, Poland, and Slovakia, the share even exceeds 50 %. Poland makes up the lion's share in absolute terms (224 329 out of 321 493 PDs A1, see *Table A5 in Annex I*) – in line with the importance of international road freight transport in the country's economy.

The reader will have noticed that the distribution by sector of activity strongly differs from the one for persons covered by Article 12. For instance, 'only' 19 % of the forms issued to persons covered by Article 13 are applicable to the construction sector.

Table 16 - Total number of PDs A1 issued for persons active in two or more Member States, breakdown by economic activity, from a sending perspective, 2021 (row %)

Sending MS	Agriculture, hunting and fishing NACE A	Industry NACE B to F		Services NACE G to T								
		Industry Total	Construction NACE F	Services Total	Wholesale and retail trade NACE G	Accommodation and food service activities NACE I	Transportation and storage; Information and communication NACE H and J	Freight transport by road NACE H - Group 49.4	Financial and insurance; Real estate; Professional, scientific and technical activities; Administrative and support service activities NACE K, L, M, and N	Temporary employment agency NACE N - Group 78.2	Education, health and social work, arts and other services NACE P, Q, R, and S	Human health and social work activities NACE Q
BE	0.6 %	32.7 %	14.5 %	66.6 %	8.9 %	0.1 %	36.6 %	25.5 %	21.4 %	10.0 %	8.0 %	0.5 %
BG												
CZ												
DK												
DE												
EE	5.5 %	79.8 %	54.4 %	14.7 %	0.5 %	0.2 %	8.2 %	7.4 %	4.4 %	1.3 %	1.6 %	0.8 %
IE												
EL												
ES												
FR	0.0 %	40.0 %	7.3 %	60.0 %	5.7 %	3.7 %	30.2 %	26.1 %	15.5 %	2.0 %	4.9 %	2.4 %
HR	0.6 %	36.3 %	15.3 %	63.0 %	2.8 %	0.1 %	52.2 %	42.1 %	3.5 %	1.8 %	4.4 %	1.1 %
IT												
CY	0.0 %	46.1 %	6.5 %	53.9 %	0.6 %	10.2 %	40.0 %	4.4 %	2.8 %	1.5 %	0.3 %	0.0 %
LV	0.5 %	40.8 %	30.4 %	58.8 %	6.7 %	0.2 %	40.3 %	37.8 %	10.3 %	1.5 %	1.2 %	0.1 %
LT	0.6 %	18.5 %	17.7 %	80.9 %	0.0 %	6.7 %	57.4 %	57.4 %	0.3 %	0.0 %	16.5 %	0.0 %
LU	1.6 %	22.1 %	12.5 %	76.3 %	4.7 %	0.4 %	63.1 %	46.2 %	7.0 %	0.0 %	1.0 %	0.2 %
HU												
MT	0.1 %	0.0 %	0.0 %	99.9 %	0.0 %	4.8 %	1.8 %	92.3 %	1.0 %	0.0 %	0.0 %	0.0 %
NL												
AT*	0.1 %	12.8 %	3.6 %	16.1 %	2.7 %	0.1 %	3.1 %	0.0 %	0.6 %	0.0 %	9.6 %	0.0 %
PL	0.5 %	27.4 %	22.4 %	72.1 %	1.5 %	0.1 %	50.7 %	50.5 %	2.6 %	1.9 %	17.0 %	12.8 %
PT												
RO												
SI	0.2 %	61.8 %	0.5 %	38.0 %	0.1 %	0.0 %	37.9 %	n.a.	0.0 %	n.a.	0.0 %	0.0 %
SK	0.1 %	20.2 %	15.3 %	79.7 %	0.5 %	0.1 %	52.8 %	52.4 %	0.7 %	0.0 %	25.6 %	0.3 %
FI	0.3 %	64.6 %	15.7 %	35.1 %	1.4 %	0.0 %	15.0 %	13.8 %	7.8 %	0.4 %	10.9 %	1.1 %
SE	0.6 %	49.2 %	13.8 %	50.1 %	10.6 %	0.2 %	4.8 %	1.1 %	14.8 %	0.8 %	19.4 %	11.5 %
IS												
LI	0.0 %	28.0 %	2.2 %	72.0 %	0.2 %	0.8 %	56.8 %	45.5 %	10.2 %	1.0 %	4.0 %	0.0 %
NO												
CH												
UK												
Total	0.6 %	31.7 %	19.3 %	67.7 %	2.1 %	0.8 %	47.1 %	42.2 %	3.8 %	1.9 %	14.2 %	7.6 %

* AT: the sum of the three categories (Agriculture, Industry, and Services) does not amount to 100 % as 71.1 % of PDs A1 were issued in an unknown category.

Source: Administrative data PD A1 Questionnaire 2022

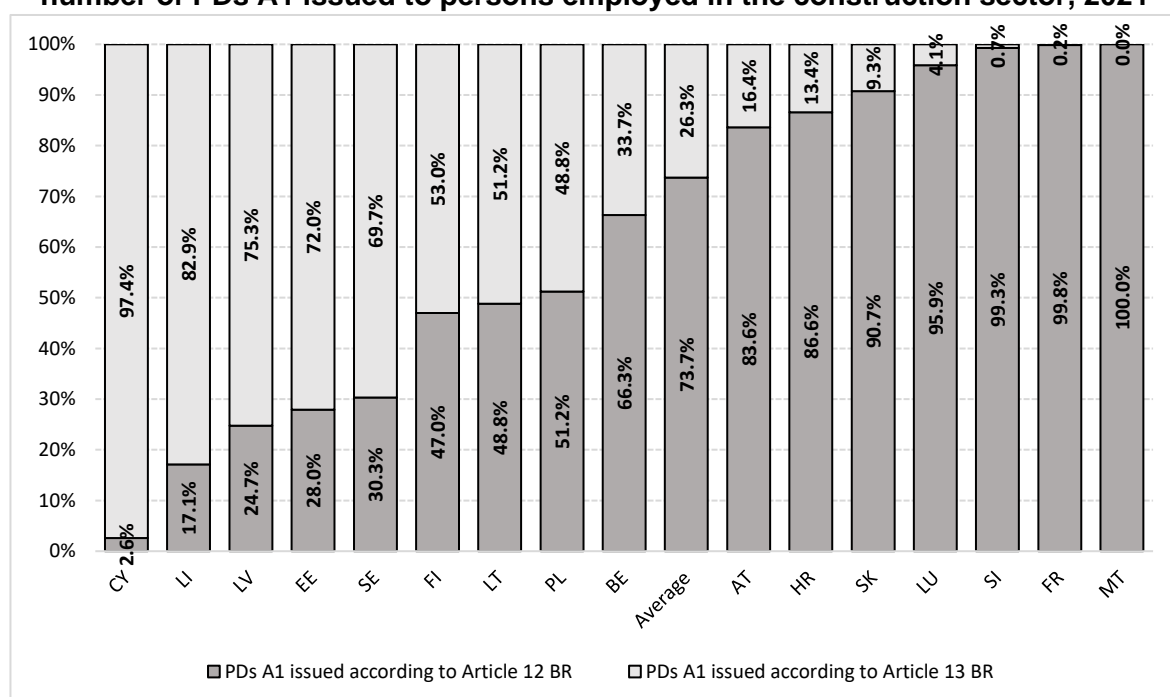
For the construction sector specifically, the distribution between PDs A1 issued under Article 12 and Article 13 is analysed for 16 Member States. *Figure 8* shows that on average 74 % of PDs A1 granted to persons employed in the construction sector are issued to persons covered by Article 12 and 26 % of PDs A1 to persons covered by Article 13.

However, in terms of individual persons and the volume of work the difference between Article 12 and Article 13 is (much) smaller.³⁶

Poland, Belgium, Austria, Croatia, Slovakia, Luxembourg, Slovenia, France, and Malta issued a higher number of PDs A1 to persons employed in the construction sector on the basis of Article 12. The opposite holds true in Cyprus, Liechtenstein, Latvia, Estonia, Sweden, Finland, and Lithuania, which issue the majority of PDs A1 in the construction sector under Article 13.

While in general, the share of Article 13 was on the increase in recent years, there now seems to be a decrease (from 24% in 2017, 28% in 2018, 32% in 2019, 35% in 2020, to 26 % in 2021). However, as the number of reporting Member States is limited, it is difficult to draw general conclusions.

Figure 8 - Share of Articles 12 and 13 of Regulation (EC) No 883/2004 in total number of PDs A1 issued to persons employed in the construction sector, 2021



Source: Administrative data PD A1 Questionnaire 2022

4.4. The number of individual persons involved

The number of PDs A1 issued according to Article 13 is not necessarily equal to the number of persons involved. Several PDs A1 could be issued to the same person during the reference year. In addition, as Article 13 sets no maximum period for the employment or self-employment in two or more Member States, a person could be active in two or more Member States for several years. Therefore, both the number of PDs A1 issued in 2021 to persons covered by Article 13 and the number of PDs A1 in circulation for this group of persons are interesting indicators. This remark also holds for Article 12.

Based on data reported by 20 Member States, the number of individual persons active in two or more Member States is some 88 % of the number of PDs A1 issued for these persons (Table 17). This means that one person received some 1.1 PDs A1 during reference year 2021. In Lithuania and the Netherlands, the number of individual persons is equal to the number of PDs A1 issued by these Member States. As the main issuing Member State of

³⁶ Such calculations are not included in this report as only a very limited number of countries reported all the requested data.

PDs A1 under Article 13, Poland issued some 444 000 certificates to around 419 600 persons covered by Article 13. Based on the reported figures it can be estimated that some 1.2 million individual persons received a PD A1 according to Article 13 in 2021.³⁷

Table 17 - Number of individual persons employed in two or more Member States, 2021

Sending MS	Individual number of persons (A)*	Number of PDs A1 issued (B)	A/B	B/A
BE	46 810	61 050	77 %	1.3
BG	13 377	15 034	89 %	1.1
CZ	51 113	59 112	86 %	1.2
DK	25 037	29 281	86 %	1.2
DE				
EE	12 001	14 940	80 %	1.2
IE	377	747	50 %	2.0
EL				
ES				
FR	1 698	1 910	89 %	1.1
HR				
IT	69 381	82 887	84 %	1.2
CY				
LV	15 783	17 611	90 %	1.1
LT	77 172	77 172	100 %	1.0
LU	8 502	9 378	91 %	1.1
HU				
MT				
NL	63 878	63 878	100 %	1.0
AT				
PL	419 615	444 015	95 %	1.1
PT				
RO				
SI	45 271	66 159	68 %	1.5
SK	25 212	27 580	91 %	1.1
FI	4 056	4 285	95 %	1.1
SE	4 643	4 911	95 %	1.1
IS	32	43	74 %	1.3
LI				
NO	1 390	1 596	87 %	1.1
CH				
UK TCA	2 732			
UK WA	5 266			
UK	7 998	8 890	90 %	1.1
Total reported	893 346	1 015 657	88 %	1.1
Estimate total individual*	1 209 662			

* Total applicable to all EFTA/EU countries and the UK. Figure obtained by applying the percentage of 88 % to all missing Member States.

Source: Administrative data PD A1 Questionnaire 2022

4.5. The average duration

As mentioned earlier, no maximum period for the employment or self-employment in two or more Member States is set by Article 13. A total of 19 Member States were able to provide figures on the average duration persons are active in two or more Member states.

The average duration of persons covered by Article 13 was 325 days per PD A1 (*Table 18*). Nonetheless, the average duration per PD A1 varies markedly among the reporting Member States from some 198 days in the Czech Republic to some 703 days in Luxembourg. By multiplying the average duration by the number of times a person has received a PD A1 (see *Table 17*) it is possible to estimate the average duration a person is active in two or more Member States. On average, an individual person is active during a complete year in two or more Member States.

³⁷ This is calculated by assuming for those Member State that did not provide data on the number of persons involved that on average one individual person was sent abroad 1.1 times.

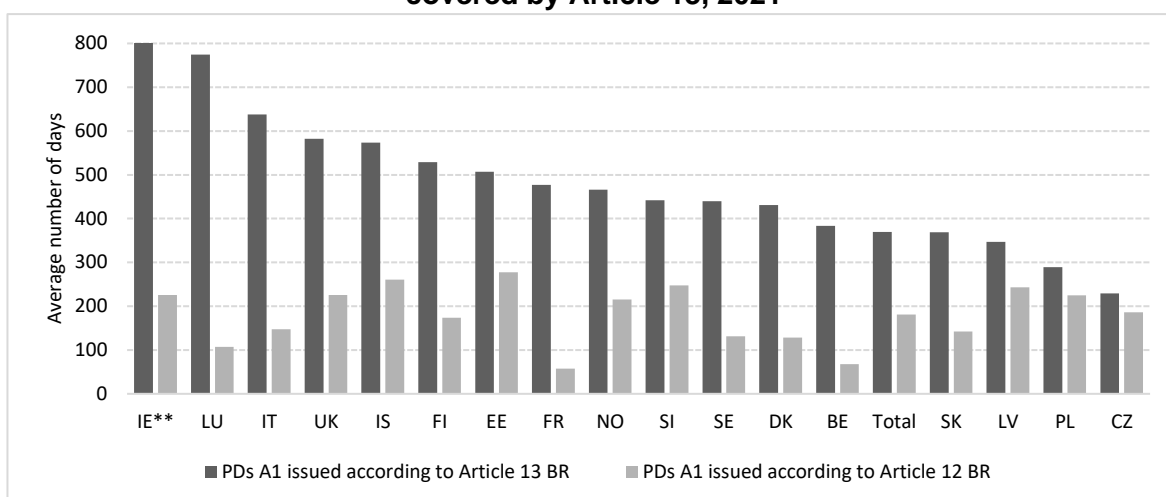
Table 18 - Average duration of employment or self-employment in two or more Member States, in days, from a sending perspective, 2021

	Average duration per form (A)	Number of forms issued per individual (B)	Average duration per individual worker (A*B)
BE	294	1.3	383
BG			
CZ	198	1.2	229
DK	369	1.2	431
DE			
EE	407	1.2	507
IE	571	2.0	1131
EL			
ES			
FR	424	1.1	477
HR	360		
IT	534	1.2	638
CY			
LV	311	1.1	347
LT			
LU	703	1.1	775
HU	601		
MT			
NL			
AT			
PL	273	1.1	289
PT			
RO			
SI	302	1.5	442
SK	337	1.1	369
FI	501	1.1	529
SE	418	1.1	440
IS	427	1.3	574
LI			
NO	406	1.1	466
CH			
UK TCA	521		
UK WA	527		
UK	524	1.1	582
Total	325	1.1	369

Source: Administrative data PD A1 Questionnaire 2022

In general, the average period (strongly) varies between persons covered by Article 12 and persons covered by Article 13 (*Figure 9*). For all reporting Member States, the average period during which persons covered by Article 12 are active in another Member State is lower than the period during which persons are active in two or more Member States.

Figure 9 - Average duration in days, persons covered by Article 12 versus persons covered by Article 13, 2021



* Figures from the last column of *Tables 12 and 18*.

** IE: the average number of days for PDs A1 issued according to Article 13 BR amounts to 1 131.

Source: Administrative data PD A1 Questionnaire 2022

4.6. The impact on national labour markets

The number of individual persons covered by Article 13 can be compared to the total number of employed persons in the sending Member States to grasp the relative importance of this activity. The impact on the receiving Member States cannot be calculated as no further breakdown of individual persons by receiving Member State was included in the PD A1 Questionnaire. By using the additional data about the duration, the relative weight of persons covered by Article 13 on the labour market of some reporting Member States in terms of full-time equivalents (FTE) can be estimated.

In 2021, an equivalent of 0.4 % of EU employment could be related to the employment of persons active in two or more Member States (*Table 19*). Only in Lithuania (5.9 %), Slovenia (4.7 %) and Poland (2.6 %), more than 2 % of the employed population is active in two or more Member States.

Moreover, the share of the work volume of persons (in FTEs) employed in two or more Member States in national employment (0.4 %) is even higher compared to the work volume of persons covered by Article 12 (0.3 %, see *Table 13* in *section 3.8*).

Table 19 - Share of persons employed in two or more Member States in national employment, from a sending perspective, 2021

Sending MS	Total employed persons (In ,000)* (A)	Forms (B)	% Of employed persons (B/(A*1 000))	Persons (C)	% Of employed persons (C/(A*1 000))	Persons in FTE** (D)	% Of employed persons in FTE** (D/A)
BE	4 795	61 050	1.3 %	46 810	1.0 %	46 810	1.0 %
BG	2 987	15 034	0.5 %	13 377	0.4 %	12 830	0.4 %
CZ	5 066	59 112	1.2 %	51 113	1.0 %	36 348	0.7 %
DK	2 787	29 281	1.1 %	25 037	0.9 %	25 037	0.9 %
DE	40 154	81 169	0.2 %				
EE	616	14 940	2.4 %	12 001	1.9 %	12 001	1.9 %
IE	2 289	747	0.0 %	377	0.0 %	377	0.0 %
EL****	3 823	2 647	0.1 %				
ES	19 493	93 390	0.5 %				
FR	27 274	1 910	0.0 %	1 698	0.0 %	2 515	0.0 %
HR	1 649	25 178	1.5 %				
IT	21 849	82 887	0.4 %	69 381	0.3 %	69 381	0.3 %
CY	417	2 323	0.6 %				
LV	822	17 611	2.1 %	15 783	1.9 %	15 783	1.9 %
LT	1 310	77 172	5.9 %	77 172	5.9 %	65 859	5.0 %
LU	459	9 378	2.0 %	8 502	1.9 %	8 502	1.9 %
HU	4 535	21 853	0.5 %				
MT	262	730	0.3 %				
NL	8 975	63 878	0.7 %	63 878	0.7 %	54 514	0.6 %
AT	4 232	64 723	1.5 %				
PL	16 237	444 015	2.7 %	419 615	2.6 %	376 448	2.3 %
PT	4 623	9 570	0.2 %				
RO	7 668	36 420	0.5 %				
SI	954	66 159	6.9 %	45 271	4.7 %	45 271	4.7 %
SK	2 522	27 580	1.1 %	25 212	1.0 %	25 212	1.0 %
FI	2 470	4 285	0.2 %	4 056	0.2 %	4 056	0.2 %
SE	4 853	4 911	0.1 %	4 643	0.1 %	6 375	0.1 %
IS	186	43	0.0 %	32	0.0 %	32	0.0 %
LI							
NO	2 657	1 596	0.1 %	1 390	0.1 %	1 390	0.1 %
CH	4 505	19 014	0.4 %				
UK	31 382	8 890	0.0 %	7 998	0.0 %	7 998	0.0 %
Total***	231 848	1 347 496	0.6 %		0.4 %		0.4 %

* The total number of employed persons (in ,000) is retrieved from Eurostat [lfsa_egan2]. It concerns the total number of employed persons between 15 and 64 years old. LU: incl. frontier workers.

** In order to estimate the number of persons in FTEs, the average duration was converted to working days by multiplying it by 5/7 (max. 230). Thereafter, this period was divided by 230 days, the number of working days generally considered in one calendar year, taking into account holidays etc. Afterwards, this was multiplied by the number of PDs A1 issued.

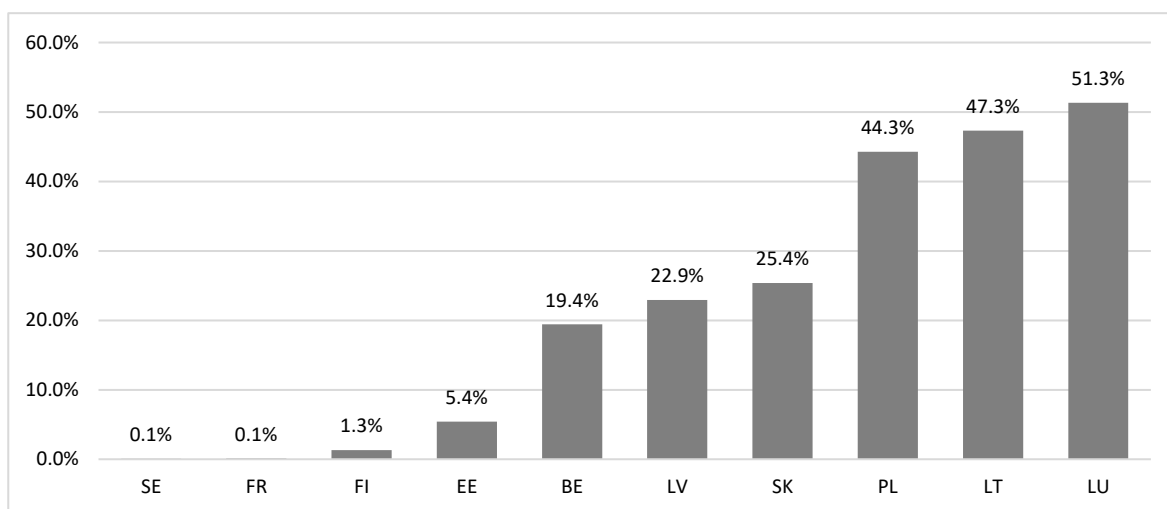
*** Average calculated for the reporting Member States. The EU averages are therefore not perfectly comparable.

****EL: data 2018.

Source: Administrative data PD A1 Questionnaire 2022 and Eurostat [lfsa_egan2]

By using the additional data about the sector of activity, a more detailed analysis is carried out of the share of persons employed in two or more Member States in total employment of the road freight transport sector (*Figure 10*). It is clear that a high percentage of truck drivers employed in Latvia, Slovakia, Poland, Lithuania, and Luxembourg are active in two or more Member States, namely more than one in five truck drivers. Furthermore, in Belgium the share amounts to almost 20 %.

Figure 10 - Estimated share of persons employed in two or more Member States in freight transport by road, 2021



Source: Administrative data PD A1 Questionnaire 2022 and Eurostat [sbs_na_1a_se_r2] data 2019 (for EE data 2018)

5. Fraud and error

Member States were asked whether they are aware of cases of fraud or error.³⁸ (Partial) data were provided by 16 Member States³⁹, of which three reported that no cases of inappropriate use were found, namely Ireland, Malta, Romania, and Iceland. The remaining 16 Member States⁴⁰ left this question blank or reported that data are not collected or identified on this issue.

Several infractions of the conditions determined by Article 12 of Regulation (EC) No 883/2004 and Article 13 of Regulation (EC) No 883/2004 have been reported by these 12 Member States:

- no direct relationship between the posted worker and the employer;
- no substantial activities in the sending Member State, the employer only makes use of posting, inappropriate statements of the domestic activity, letterbox companies etc.;
- falsification of documents (e.g. false PDs A1 or false social security data);
- incorrect information provided by the applicant;
- bogus self-employment: wrong status of the person concerned;
- circumventing the application of Article 12: false evidence that Article 13 instead of Article 12 should be applied;
- fraudulent use of Article 13(3).

Member States were asked to report the cases encountered both from the point of view of a receiving Member State (*Table 20*) and of a sending Member State (*Table 21*).

³⁸ A comprehensive analysis of the prevalence of fraud and error in the field of EU social security coordination can be found in the thematic report on fraud and error (Jorens *et al.* (2021), *Fraud and error in the field of EU social security coordination*, Network Statistics FMSSFE, European Commission – DG EMPL).

³⁹ BE, BG, CZ, DE, IE, FR, IT, LV, LT, HU, MT, NL, PL, SI, SK, and IS.

⁴⁰ DK, EE, EL, ES, HR., CY, LV, AT, PT, RO, FI, SE, LI, NO, CH, and UK

Table 20 shows the quantification of inappropriate use from the point of view of the receiving Member State. The column 'Reason' presents the more detailed explanations of fraud and error cases reported by the Member States. The column 'Other quantification' shows the additional type of quantification that was reported by Member States.

Overall, the reported number of cases of inappropriate use is at a low level in most of the receiving Member States. Only the Netherlands (2 465 cases) reported a significant number of irregular cases. The other reporting Member States (BE, CZ, IE, LV, MT, and IS) reported no or a very limited number of cases. Both France and Slovakia are aware of cases of inappropriate use but are not able to quantify the size of it. In relative terms, the cases of inappropriate use do not exceed 0.5 % for the reporting Member States with the exception of the Netherlands for which it amounts to 1.6 %.

Table 20 - Number of cases of inappropriate use of applicable legislation (PD A1), as a receiving Member State, 2021

	Cases	Other quantification	Reason	% Of PDs A1 received*
BE	180	Amount involved EUR 188 184		0.1 %
CZ	2		Falsified PD A1	0.004 %
IE	0			
FR		Amount recovered EUR 33 268 228	Fraud: * False PDs A1 * The company has no economic/structural/professional reality in a Member State but only exists to post employees on French territory * Non-compliance with the conditions of posting (art 12) and multi-activity (art 13), * Creation of pure management structures to make posted employees available to construction sites or farms, * The company is only created via a complex legal arrangement to provide French companies, on French soil, with seconded employees * A French company posts employees within the EU, provides PDs A1 but does not make any social declaration/payment of social security contributions in France	
LV	6		Falsified PD A1	0.2 %
MT	0			
NL	2 465		Fraud: * Cases of manipulation of PD A1 * False evidence that Article 13 instead of Article 12 should be applied	1.6 %
SK			Error: * Bogus self-employment * Incorrectly or insufficient completion of the PD A1 issued by the competent institution.	
IS	0			

* Based on the number of PDs A1 received according to Article 12 (see Table 5 in section 3.1).

Source: Administrative data PD A1 Questionnaire 2022

In addition to the cases of inappropriate use encountered as a receiving Member State, the questionnaire also asked about the situations of inappropriate use encountered as a sending Member State, which is shown in Table 21.

Most of the competent Member States reported no or only a limited number of cases of inappropriate use (CZ, DE, IE, FR, IT, LT, HU, MT, SI, and IS). Only the Netherlands and Poland reported over 100 cases of inappropriate use, of which the majority concerned cases of fraud for both Member States. Slovakia is aware of inappropriate use but cannot quantify it. The rather limited occurrence of inappropriate use is also evident when comparing it to the total number of PDs A1 issued by the competent Member States. For none of the reporting Member States, the share was higher than 0.3 %.

Table 21 - Number of cases of inappropriate use of applicable legislation (PD A1), as a sending Member State, 2021

	Cases	Other quantification	Reason	% Of total PDs A1 issued*
CZ	0			
DE	0			
IE	0			
FR	0			
IT	49		49 error cases * 44 cases incorrect indication of data (period of posting, data on the employer) * 5 cases incorrect indication of data (period of posting, data on the employer)	0.03 %
LT	27		Article 12 should be applied instead of Article 13	0.1 %
HU	6	63 persons	Lack of domestic activity and incorrect data provided	0.01 %
MT	0			
NL	120		Fraud	0.3 %
PL	175		*155 cases of fraud: falsified PDs A1 *20 cases of error	0.1 %
SI	6	A few million euros	Fraud: Reasonable doubt about compliance with Art. 12: substantial character of the activities, prior submission to the social security legislation of the sending state, maximum anticipated duration of 24 months	0.01 %
SK			Fraud: * Cases of falsification of documents issued by the relevant institution when issuing PD A1 * False evidence that Article 13 instead of Article 12 should be applied * "Letterbox" companies - payment of the social insurance contributions in a more convenient social security scheme * Cases of manipulation of PD A1 Error: * Improperly defined position of the person concerned - e.g., self-employment should be properly defined as an employee's activity	
IS	0			

* Based on the number of PDs A1 issued according to Article 12 (see *Table 5* in *section 3.1*).

Source: Administrative data PD A1 Questionnaire 2022

Furthermore, data are reported on the number of PDs A1 withdrawn by the receiving and sending Member States (*Table 22*). From the point of view of the receiving Member State, Member States can request for a PD A1 to be withdrawn. Most cases are reported by the Netherlands with over 2 400 PDs A1 requested to be withdrawn. Furthermore, Germany stated that in 2021, 21 dialogue and conciliation procedures were initiated in which at least 1 952 PDs A1 were contested by a total of 1 952 workers from 27 companies. The exact number of disputed A1 certificates cannot be stated, as some PDs A1 were issued for multiple workers. France reported requests for withdrawal of PDs A1 within the framework of the control of 14 companies for 579 employees concerned and 11 Member States concerned. When comparing the number of requested withdrawals to the total number of PDs A1 received, the share only exceeds 0.5 % in the Netherlands (1.6 %).

As a sending Member State, Italy and Poland withdrew the highest number of PDs A1, namely 439 and 431 respectively, while the other reporting Member States stayed under 80 PDs A1 withdrawn in 2021. Hungary reported 25 PDs A1 which were withdrawn in 8 cases due to an error in the legal basis. The Netherlands withdrew 76 PDs A1, and on top of this, 44 applications were rejected due to their investigations. Once more, the relative impact is limited, as it does not exceed 0.2 % for any of the reporting Member States.

Table 22 - Number of PDs A1 withdrawn, 2021

	As a receiving Member State		
	Number of PDs A1 requested to be withdrawn (A)	Total number of PDs A1 received under Art. 12(B)*	% Of requested PDs A1 to be withdrawn (A/B)
BE	48	175 456	0.03 %
DE	Minimum 1 952	431 801	0.5 %
FR	579 employees	303 945	0.2 %
NL	2 465	152 055	1.6 %

As a sending Member State			
	Number of PDs A1 withdrawn (A)	Total number of PDs A1 issued under Art. 12 (B)*	% Of withdrawn PDs A1 (A/B)
BG	23	10 911	0.2 %
IT	439	189 702	0.2 %
LT	27	31 784	0.1 %
HU	25	41 017	0.1 %
NL	76	44 885	0.2 %
PL	431	223 293	0.2 %

* Based on the number of PDs A1 issued and received according to Article 12 (see *Table 5* in *section 3.1*).
Source: Administrative data PD A1 Questionnaire 2022

Although the number of PDs A1 withdrawn is useful information, it is important to note that there are other interesting statistics regarding the withdrawal of PDs A1. The reality is that there are often much more requests between Member States to verify whether the conditions for delivering a PD A1 were indeed complied with compared to the number of PDs A1 that were eventually withdrawn.

To what extent foreign service providers commit violations against the applicable rules can be analysed by confronting the number of audits or investigations to the number of cases identified (*Table 23*). As a receiving Member State, Belgium performed around 3 400 audits or investigations, uncovering 180 cases of inappropriate use. The Netherlands performed 13 audits or investigations and found 2 456 cases of inappropriate use. For the sending Member State's point of view, the Netherlands and Poland were able to provide a quantification. While the Netherlands had 21 audits or investigations, uncovering 120 cases, Poland had 326 audits or investigations, which uncovered 175 cases of inappropriate use.

Table 23 - Efforts at uncovering inappropriate use of applicable legislation (PD A1), 2021

	Number of audits or investigations	Number of cases of inappropriate use identified	Methodology
As receiving MS			
BE	3 425	180	EUR 207 607 financial resources allocated, around 62 human resources allocated. NISSE: will investigate possible fraud when contacted by inspection services or by its own datamining. When PDA1 fraud is identified, NISSE will use the conciliation procedure provided for in Decision A1 of 12 June 2009. The calculations provided are based on the cases in that procedure ONSS: an investigation is conducted in several stages. It starts with an inspection at the workplace. the workplace is selected by datamining or by information the inspectors gathered on the field. The investigation continues with the extraction of data relating to workers posted by the company in the various applications which record the mandatory declarations of the employer whose main ones are LIMOSA, GOTOT in (database of PD A1), Construction site declarations, Check in at work (daily registration of presence at a construction stie). On the basis of these findings, the investigation may or may not result in a request for a reassessment of the applicable legislation by the competent institution of the sending State. If this is the case, the decision of the competent institution as to the withdrawal of the subjection at the social security system of its State then entails a declaration by the workers posted to the State of employment, i.e., Belgium. The inspection service shall draw up this declaration on the basis of the information in its possession at the time of the decision (in accordance with article 76 of the Regulation Nr 883/2004 and articles 7 and 20 of regulation Nr 987/2009). The number of cases identified and the amounts of regularisations (in terms of declared remuneration) concern the number of investigations which have been concluded at this stage. They relate mainly to findings made in previous years, given the time needed to gather the convincing findings to be transmitted to the competent institution in the sending State and the time needed for dialogue between competent institutions in accordance with the procedure laid down in Decision A1.
FR			In 2021: 36 PSI control actions that have been completed by the URSSAF for a total amount recovery of EUR 33 268 228, stable compared to 2020. The average adjustment amount for posting/multiple activity checks was EUR 924 117. For comparison, for targeted GR actions alone, this average is 233 531. This observation therefore attests to the major financial challenges of PSI. It should be noted that, since 2016, the URSSAF have carried out 281 actions of fraudulent posting/multiple activity situations for a cumulative amount of EUR 320.4 million. Methodology: the amount of fraud is the adjustment accounted for within the framework of the control: i.e., the quantification of the amount of contributions and

Posting of workers

Number of audits or investigations	Number of cases of inappropriate use identified	Methodology
NL	13	2 456
As a sending Member State		
FR		
<p>social security contributions evaded over 5 years + the current year and the application of financial sanctions</p> <p>A tool for monitoring PSI control procedures is being developed within the Urssaf network to strengthen monitoring and management</p> <p>The volume of PSI control actions should be consistent with the complexity of the procedures, the length/depth of the investigations.</p> <p>The data is reduced: it only concerns inspections closed in 2021 that resulted in a recovery. Controls started in 2021 are still in progress in 2022.</p> <p>On withdrawal requests: the control and cooperation strategy with the MS aims to solicit the SS authorities well in advance of the request for withdrawal of A1s: in fact, A1s are not issued or withdrawn very quickly. The data is therefore not significant.</p> <p>13.5 FTE human resources allocated</p>		
CCMSA (agricultural scheme): The MSA funds systematically consult the SIRDAR tool during any inspection involving the use of posted workers by the inspected company, in order to verify the existence/compliance of the A1 forms. There were 82 connections by the MSA in 2021 (compared to 59 in 2020 and 109 in 2019), for 181 forms consulted following checks. <p>Nationally, 89 actions were carried out on the theme of secondment in 2021. It appears that this type of action is mainly organized in CODAF with the support of partners. In this respect, it should be noted that nearly 90 % of the control actions scheduled for 2021 have indeed been carried out, which attests to the priority attached by the MSA and its partners to the control of these situations.</p> <p>Finally, the consolidation of the 2021 annual survey relating to checks on situations of secondment of temporary employees reveals 27 checks carried out by 8 MSA funds giving rise to the checks of 83 temporary employees. These control actions revealed 7 temporary employees with anomalies and a situation gave rise to a report to the partner control bodies about temporary employees appearing to be in anomaly.</p>		
NL	21	120
13.5 FTE human resources allocated		
PL	326	175
326 audits or investigations (number of cases conducted by ZUS branch in Siedlce (unit designated for cases where institutions of MSs request for withdrawal of PD A1s or have doubts with regard to determination of applicable legislation)) of which 115 investigations concerned the conditions for issuing PD A1s and 211 investigations regarding the authenticity of issued A1 (of which 38 cases were found to be incorrect.)		

Source: Administrative data PD A1 Questionnaire 2022

Table A2 - PDs A1 issued by the sending Member States according to Article 12 of the Basic Regulation, breakdown by receiving Member State, 2021 (column %)

		Sending Member State																																		
		BE	BG	CZ	DK	DE	EE	IE	EL*	ES	FR	HR	IT**	CY	LV	LT**	LU	HU	MT	NL	AT	PL	PT	RO	SI**	SK**	FI	SE	IS	LI	NO	CH	UK TCA	UK WA	UK	Total
Receiving MS	BE		13.1%	5.2%	2.1%	5.1%	0.7%	7.9%	3.6%	4.0%	32.7%	3.9%	3.2%	1.3%	1.1%	5.4%	44.2%	2.9%	0.7%	50.4%	0.7%	7.5%	24.6%	12.0%	7.0%	4.7%	1.5%	1.4%	13.9%	0.0%	1.6%		5.1%	5.0%	5.0%	7.9%
	BG	0.1%		0.2%	0.2%	0.5%	0.0%	0.1%	2.2%	0.4%	0.3%	0.1%	0.3%	0.0%	0.0%	0.3%	0.1%	0.3%	0.2%	0.1%	0.2%	0.1%	0.2%	0.3%	0.0%	0.1%	0.1%	0.1%	0.0%	0.0%	0.0%	0.2%	0.5%	0.3%	0.3%	
	CZ	0.3%	0.9%		0.8%	4.6%	0.1%	2.2%	0.3%	0.8%	1.1%	0.1%	0.8%	0.0%	0.1%	0.1%	0.1%	0.8%	1.1%	0.2%	2.0%	1.2%	0.3%	0.4%	0.4%	7.5%	0.4%	0.9%	0.0%	0.7%	0.0%	0.6%	0.6%	0.6%	2.5%	
	DK	0.6%	2.5%	1.1%		2.5%	1.8%	3.9%	1.1%	0.9%	0.7%	0.2%	1.0%	0.0%	0.6%	2.3%	0.1%	0.6%	3.0%	1.6%	0.1%	0.8%	0.1%	0.6%	0.1%	0.3%	2.6%	7.7%	0.9%	0.0%	9.6%	1.6%	1.3%	1.5%	1.4%	
	DE	6.5%	43.9%	38.6%	14.0%		18.7%	8.4%	38.1%	12.7%	10.9%	73.3%	12.5%	13.9%	29.3%	34.9%	13.9%	61.1%	5.4%	14.7%	57.7%	56.2%	6.2%	41.3%	62.0%	57.4%	12.0%	7.1%	12.0%	44.8%	3.8%	12.6%	10.8%	11.9%	19.5%	
	EE	0.0%	0.2%	0.3%	4.3%	0.1%		0.0%	0.0%	0.1%	0.1%	0.0%	0.1%	0.0%	4.8%	0.4%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.0%	0.2%	0.0%	0.0%	2.3%	0.1%	6.5%	0.0%	1.3%	0.1%	0.3%	0.1%	0.1%	
	IE	0.1%	0.6%	0.4%	0.2%	0.4%	0.0%		0.2%	0.5%	0.3%	0.0%	0.4%	0.0%	0.0%	0.0%	0.1%	0.0%	0.6%	0.3%	0.0%	0.1%	0.2%	0.1%	0.0%	0.1%	0.2%	0.3%	0.0%	0.0%	0.1%	0.5%	3.5%	1.6%	0.3%	
	EL	0.3%	2.5%	1.3%	1.9%	0.7%	0.0%	0.2%		0.9%	0.9%	0.1%	1.4%	57.0%	0.0%	0.0%	0.2%	0.1%	3.0%	0.9%	0.2%	0.1%	0.1%	0.1%	0.1%	1.5%	2.9%	0.0%	0.0%	0.8%	5.9%	2.8%	4.7%	0.6%		
	ES	2.5%	4.1%	3.9%	4.3%	5.0%	0.3%	5.1%	5.5%		10.4%	0.3%	6.7%	1.3%	0.5%	0.4%	0.8%	0.9%	3.0%	4.3%	1.0%	0.8%	18.5%	1.7%	0.4%	0.2%	10.0%	6.7%	15.7%	2.1%	5.7%	16.0%	9.9%	13.8%	4.0%	
	FR	39.7%	11.3%	5.2%	7.1%	11.5%	4.0%	11.2%	8.7%	34.1%		1.5%	27.4%	1.3%	2.9%	7.9%	36.3%	3.3%	22.1%	9.1%	2.4%	10.6%	38.8%	17.6%	1.9%	3.2%	8.4%	9.6%	13.0%	13.4%	6.3%	21.9%	17.6%	20.3%	14.0%	
	HR	0.1%	0.6%	0.4%	0.1%	0.6%	0.0%	0.0%	0.1%	0.3%	0.3%		1.0%	7.6%	0.0%	0.0%	0.1%	1.1%	0.4%	0.1%	1.1%	0.4%	0.0%	0.3%	3.2%	0.2%	0.3%	0.6%	0.0%	0.5%	0.4%	0.9%	0.1%	0.6%	0.6%	
	IT	1.9%	1.3%	4.3%	3.3%	7.9%	1.9%	4.9%	6.6%	8.1%	8.9%	4.5%	0.1%	3.8%	0.5%	0.4%	1.1%	1.7%	27.9%	5.0%	3.9%	1.1%	0.7%	10.0%	2.9%	0.9%	5.1%	5.5%	14.8%	7.0%	7.6%	10.8%	9.3%	10.3%	4.9%	
	CY	0.0%	0.5%	0.1%	0.3%	0.1%	0.0%	0.4%	4.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.5%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.3%	0.5%	0.0%	0.0%	0.5%	1.0%	1.0%	1.0%	0.1%	
	LV	0.0%	0.1%	0.2%	0.1%	0.2%	0.5%	0.0%	0.0%	0.1%	0.0%	0.0%	0.1%	0.0%	0.0%	0.5%	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.2%	0.3%	0.0%	1.2%	0.1%	0.1%	0.1%	0.1%	0.1%	
	LT	0.1%	0.1%	0.2%	0.8%	0.2%	0.4%	0.2%	0.0%	0.1%	0.1%	0.0%	0.1%	0.0%	19.9%	0.1%	0.1%	0.0%	0.2%	0.0%	0.1%	0.3%	0.0%	0.0%	0.0%	0.0%	0.4%	0.2%	0.9%	0.0%	0.1%	0.0%	0.3%	0.1%	0.2%	
	LU	14.2%	0.3%	0.5%	0.1%	2.6%	0.0%	0.1%	0.5%	0.3%	7.1%	0.1%	0.7%	1.3%	0.0%	0.1%	0.9%	0.6%	1.3%	0.2%	0.3%	1.3%	0.3%	0.4%	0.2%	0.4%	0.3%	0.0%	1.9%	0.1%	0.7%	0.4%	0.5%	2.0%		
	HU	0.2%	1.0%	1.3%	1.4%	3.0%	0.0%	0.2%	0.3%	0.8%	1.0%	0.4%	1.4%	0.0%	0.0%	0.0%	0.3%	3.0%	0.6%	2.3%	0.4%	0.1%	3.2%	0.6%	3.5%	0.4%	0.3%	0.0%	0.0%	0.3%	1.6%	1.6%	1.6%	1.7%		
	MT	0.0%	0.1%	0.1%	0.2%	0.1%	0.0%	0.4%	0.3%	0.1%	0.1%	0.0%	0.4%	1.3%	0.1%	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.0%	0.0%	0.1%	0.0%	0.2%	0.1%	0.1%	
	NL	28.0%	4.6%	4.5%	4.3%	9.4%	1.3%	18.0%	16.2%	3.7%	2.8%	1.8%	2.7%	3.8%	1.4%	10.4%	0.6%	7.8%	6.7%	0.0%	1.5%	7.5%	4.4%	5.1%	2.7%	5.1%	2.9%	3.0%	0.9%	4.0%	0.9%	9.2%	9.1%	9.2%	7.0%	
	AT	0.7%	2.9%	6.5%	3.1%	19.0%	0.1%	1.7%	0.9%	0.7%	1.2%	3.8%	6.8%	0.0%	0.2%	0.5%	0.3%	12.1%	1.3%	3.9%	2.2%	1.4%	1.6%	15.4%	10.0%	1.2%	3.6%	1.9%	11.5%	0.3%	1.9%	1.3%	1.7%	10.0%		
	PL	0.5%	0.9%	4.3%	5.2%	5.1%	1.0%	1.8%	1.6%	2.1%	1.9%	0.2%	2.4%	0.0%	0.1%	0.4%	0.2%	0.5%	0.9%	1.1%	1.4%	0.1%	0.5%	0.4%	0.7%	1.5%	1.4%	1.9%	0.2%	1.1%	1.3%	3.4%	2.1%	2.6%		
	PT	0.4%	0.2%	0.4%	1.2%	1.3%	0.0%	0.7%	1.7%	16.6%	2.3%	0.0%	1.0%	1.3%	0.0%	0.0%	0.3%	0.1%	0.2%	0.6%	0.2%	0.1%	0.1%	0.0%	0.1%	2.0%	0.5%	0.9%	0.2%	0.3%	0.9%	2.0%	1.3%	1.6%		
	RO	0.2%	1.5%	0.8%	0.4%	1.3%	0.0%	0.4%	2.0%	1.1%	1.2%	0.1%	1.1%	0.0%	0.3%	0.0%	0.2%	0.7%	0.0%	0.7%	0.7%	0.2%	0.1%	0.1%	0.1%	0.2%	0.4%	0.2%	0.0%	0.9%	0.5%	0.8%	0.6%	0.8%		
	SI	0.1%	0.4%	0.4%	0.0%	0.7%	0.0%	0.0%	0.1%	0.1%	0.2%	5.1%	0.7%	0.0%	0.0%	0.0%	0.0%	0.8%	0.7%	0.1%	1.9%	0.1%	0.0%	0.1%	0.0%	0.8%	0.0%	0.2%	0.0%	0.0%	0.1%	0.1%	0.1%	0.6%		
	SK	0.0%	0.5%	10.9%	0.1%	1.1%	0.0%	0.2%	0.2%	0.5%	0.5%	0.0%	0.4%	0.0%	0.0%	0.0%	0.1%	0.9%	0.4%	0.2%	0.8%	0.6%	0.0%	0.4%	0.1%	0.0%	0.1%	0.0%	1.6%	0.1%	0.1%	0.0%	0.1%	0.7%		
	FI	0.1%	0.5%	1.3%	1.4%	1.2%	48.8%	1.7%	0.3%	1.0%	0.5%	0.7%	0.5%	0.0%	8.1%	4.8%	0.1%	0.3%	0.2%	0.4%	0.8%	1.4%	0.1%	0.7%	0.3%	0.6%	18.9%	0.9%	0.2%	4.2%	2.2%	1.5%	2.0%	1.1%		
	SE	0.5%	1.1%	2.4%	8.2%	2.6%	18.7%	18.9%	1.4%	1.5%	0.9%	2.1%	0.9%	1.3%	26.9%	17.7%	0.1%	1.1%	0.7%	0.8%	1.2%	6.0%	0.8%	1.3%	0.5%	2.7%	33.7%	3.7%	1.2%	44.7%	4.3%	3.2%	3.9%	2.6%		
	IS	0.0%	0.1%	0.1%	0.3%	0.1%	0.3%	0.1%	0.2%	0.0%	0.0%	0.0%	2.2%	0.0%	0.2%	0.2%	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%	0.1%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	1.7%	
	LI	0.0%	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.8%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
	NO	0.2%	3.1%	0.8%	30.3%	0.8%	1.3%	0.1%	0.0%	1.0%	0.6%	1.0%	0.0%	0.0%	1.2%	12.7%	0.0%	0.2%	5.6%	0.0%	0.4%	0.5%	0.4%	0.6%	0.1%	0.1%	6.8%	24.5%	11.1%	0.0%	0.0%	10.3%	3.8%	0.1%		
CH	1.6%	0.7%	2.0%	1.2%	10.2%	0.1%	3.6%	1.1%	1.8%	9.8%	0.3%	1.0%	3.8%	1.1%	0.1%	0.6%	0.9%	2.6%	0.4%	6.2%	0.5%	0.5%	0.7%	0.7%	0.6%	1.7%	2.5%	0.9%	8.9%	1.3%	0.0%	3.1%	1.1%	1.0%		
UK	0.9%	0.3%	2.4%	3.2%	2.1%	0.0%	7.5%	2.4%	5.6%	3.2%	0.5%	22.8%	1.3%	0.5%	0.4%	0.3%	0.8%	7.9%	2.5%	0.6%	0.8%	1.0%	0.4%	0.5%	0.6%	3.2%	0.6%	0.0%	0.5%	7.5%				6.9%		
unkn.								0.1%				0.0%									0.0%	11.0%													2.7%	
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

* EL: data 2018.

** IT, LT, SI, and SK reported 164 PDs A1, 27 PDs A1, 38 PDs A1, and 20 PDs A1 respectively for which they were both the issuing and receiving Member State.

Source: Administrative data PD A1 Questionnaire 2022

Table A3 - PDs A1 issued by the sending Member States according to Article 12 of the Basic Regulation, from a sending perspective, breakdown by sector of activity, 2021

Sending MS	Agriculture, hunting and fishing NACE A	Industry NACE B to F		Services NACE G to T									
		of which		Services Total	of which					of which		of which	
		Industry Total	Construction NACE F		Wholesale and retail trade NACE G	Accommodation and food service activities NACE I	Transportation and storage; Information and communication NACE H and J	Freight transport by road NACE H - Group 49.4	Financial and insurance; Real estate; Professional, scientific and technical activities; Administrative and support service activities NACE K, L, M, and N	Temporary employment agency NACE N - Group 78.2	Education, health and social work, arts and other services NACE P, Q, R, and S	Human health and social work activities NACE Q	
BE	502	23 221	15 714	38 352	3 139	299	3 356	536	20 928	12 998	11 952	168	
BG													
CZ	55	5 163	3 180	2 115	337	20	127	14	1 604	0	0	0	
DK													
DE	3 500	402 762	64 813	372 909	46 208	3 766	52 329	26 812	151 050	10 847	120 796	7 979	
EE	160	4 346	3 155	1 384	89	19	87	18	830	39	355	153	
IE													
EL													
ES													
FR*	56	52 513	11 783	43 549	4 168	614	5 721	692	18 181	2 502	14 865	161	
HR	27	46 599	24 986	7 937	1 587	412	1 310	173	3 915	1 926	713	269	
IT													
CY	0	17	<5	62	24	5	5	0	24	0	<5	0	
LV	22	2 229	1 708	1 897	248	5	257	36	1 359	38	26	<5	
LT	158	16 351	13 021	16 275	116	10 549	859	287	4 291	0	457	0	
LU	32	32 830	22 889	20 756	2 589	55	903	144	16 385	9 551	711	132	
HU													
MT	<5	80	77	452	0	33	96	0	253	0	70	0	
NL													
AT*	103	18 413	10 647	5 146	294	39	67	0	136	0	4 030	0	
PL	6 556	147 672	104 308	69 065	1 993	272	2 636	3 004	17 430	12 449	45 672	17 953	
PT	92	49 409	34 635	7 942	618	30	347	46	6 853	5 903	94	9	
RO	71	25 682	16 827	5 455	252	168	426	0	3 383	0	1 226	0	
SI*	153	72 648	41 785	348	185	68	34	n.a.	27	n.a.	34	10	
SK	930	65 474	41 209	12 059	395	23	1 561	7	634	0	9 446	3 335	
FI	43	1 932	551	1 395	30	5	247	121	291	39	826	22	
SE	10	683	263	615	81	<5	66	<5	307	30	155	8	
IS	11	7	6	84	0	0	<5	0	18	0	63	0	
LI	0	97	12	249	0	0	0	<5	249	245	0	0	
NO													
CH													
UK													
Total	12 483	968 128	411 573	608 046	62 353	16 386	70 437	31 897	248 148	56 567	211 493	30 200	
<i>Total (excl. DE)</i>	8 983	565 366	346 760	235 137	16 145	12 620	18 108	5 085	97 098	45 720	90 697	22 221	

* FR: breakdown for 96 118 PDs A1 forms (97 % of total); AT: unknown sector for 13 707 PDs A1; SI: unknown sector for 27 665 PDs A1.

Source: Administrative data PD A1 Questionnaire 2022

Table A4 - PDs A1 issued according to Article 12 of the Basic Regulation, from a receiving perspective, breakdown by sector of activity, 2021

Receiving MS	Agriculture, hunting and fishing NACE A	Industry NACE B to F		Services NACE G to T								
		Industry Total	of which Construction NACE F	Services Total	Wholesale and retail trade NACE G	Accommodation and food service activities NACE I	Transportation and storage; Information and communication NACE H and J	of which Freight transport by road NACE H - Group 49.4	Financial and insurance; Real estate; Professional, scientific and technical activities; Administrative and support service activities NACE K, L, M, and N	of which Temporary employment agency NACE N - Group 78.2	Education, health and social work, arts and other services NACE P, Q, R, and S	of which Human health and social work activities NACE Q
BE	258	101 866	54 852	43 196	3 701	530	4 725	2 329	21 718	6 413	12 446	362
BG	<5	2 490	378	1 750	202	24	252	28	595	50	674	144
CZ	219	29 944	5 541	16 192	1 963	49	1 761	659	6 295	1 152	6 125	289
DK	375	11 718	4 100	18 854	1 627	222	1 665	1 003	10 752	268	4 613	241
DE	4 246	242 116	151 146	79 445	3 878	6 203	4 879	2 752	18 184	8 465	45 681	20 713
EE	<5	910	168	912	58	5	102	36	415	14	335	19
IE	<5	2 067	440	1 910	139	21	160	41	1 095	109	502	35
EL	<5	1 895	255	4 872	293	196	596	39	1 850	88	1 944	129
ES	662	32 398	7 783	28 664	3 064	574	3 216	615	11 903	724	9 944	498
FR	968	106 603	47 125	77 696	6 676	844	9 838	5 339	36 938	16 010	24 112	1 043
HR	12	4 916	2 931	4 223	344	94	566	77	1 682	58	1 056	82
IT	264	45 734	6 108	35 506	4 584	534	3 719	916	14 749	730	12 058	743
CY	<5	205	33	612	20	38	26	<5	191	<5	338	17
LV	7	830	296	1 004	84	24	93	40	261	13	472	9
LT	9	1 866	586	2 084	129	6	139	42	1 208	15	604	11
LU	165	23 331	14 496	14 371	2 616	148	2 218	1 191	6 075	1 181	3 568	155
HU	93	20 520	2 548	9 545	720	57	1 042	206	4 152	204	3 609	100
MT	0	377	55	988	60	17	79	7	364	15	475	35
NL	3 523	59 894	24 549	63 955	6 098	1 453	8 391	5 837	33 131	15 901	15 040	1 444
AT	822	100 263	36 923	77 198	12 291	1 257	12 610	6 595	26 662	2 729	24 575	2 304
PL	179	26 997	2 764	17 399	2 439	34	2 221	584	7 631	363	5 094	317
PT	22	5 203	326	7 731	556	140	783	52	2 520	115	3 752	51
RO	29	7 608	592	4 986	463	<5	496	120	2 240	111	1 797	37
SI	<5	5 878	2 116	3 897	307	16	320	79	1 322	357	1 932	30
SK	49	7 155	876	4 099	770	15	519	128	1 792	83	1 002	35
FI	187	12 674	5 605	6 540	427	465	401	80	3 467	132	1 792	56
SE	106	35 768	21 006	12 343	925	1 176	1 211	426	4 687	363	4 356	96
IS	35	12 520	3 050	11 034	769	156	1 244	458	5 472	373	3 478	172
LI	0	339	161	501	16	0	72	<5	121	16	290	11
NO	<5	908	371	1 487	126	5	96	34	277	13	986	6
CH	28	7 771	3 250	6 248	214	1 735	895	154	2 092	72	1 321	61
UK	206	55 324	11 115	48 549	6 794	345	6 102	2 028	18 062	426	17 511	955
Total	12 380	949 753	400 952	602 664	62 061	16 347	70 370	31 897	247 767	56 567	207 470	30 200

Source: Administrative data PD A1 Questionnaire 2022

Table A5 - Total number of PDs A1 issued for persons active in two or more Member States, breakdown by economic activity, from a sending perspective, 2021

Sending MS	Agriculture, hunting and fishing NACE A	Industry NACE B to F		Services NACE G to T								
		Industry Total	of which Construction NACE F	Services Total	Wholesale and retail trade NACE G	Accommodation and food service activities NACE I	Transportation and storage; Information and communication NACE H and J	of which Freight transport by road NACE H - Group 49.4	Financial and insurance; Real estate; Professional, scientific and technical activities; Administrative and support service activities NACE K, L, M, and N	of which Temporary employment agency NACE N - Group 78.2	Education, health and social work, arts and other services NACE P, Q, R, and S	of which Human health and social work activities NACE Q
BE	356	18 004	7 974	36 616	4 902	74	20 105	13 999	11 771	5 524	4 417	256
BG												
CZ												
DK												
DE												
EE	818	11 922	8 133	2 200	73	24	1 220	1 100	650	194	232	119
IE												
EL												
ES												
FR	0	98	18	147	14	9	74	64	38	5	12	6
HR	163	9 142	3 858	15 873	706	27	13 146	10 595	881	445	1 113	272
IT												
CY		1 070	150	1 251	14	237	929	101	65	35	6	
LV	78	6 978	5 197	10 065	1 153	28	6 907	6 479	1 765	252	208	9
LT	484	14 247	13 639	62 442	36	5 161	44 294	44 292	242		12 709	
LU	126	1 732	983	5 976	368	30	4 942	3 618	545	<5	75	19
HU												
MT	<5	0	0	729	0	35	13	674	7	0	0	0
NL												
AT*	32	7 517	2 086	9 428	1 583	39	1 833	0	334	0	5 637	0
PL	2 198	121 753	99 418	320 064	6 539	602	225 288	224 329	11 432	8 257	75 632	56 836
PT												
RO												
SI*	121	37 903	308	23 283	52	7	23 224	n.a.	0	n.a.	0	0
SK	21	5 579	4 207	21 980	144	22	14 549	14 463	202	<5	7 063	69
FI	11	2 560	622	1 390	55	<5	593	548	307	15	431	44
SE	28	2 149	604	2 187	462	8	209	46	645	33	845	502
IS												
LI	0	730	58	1 877	5	21	1 481	1 185	266	27	104	
NO												
CH												
UK												
Total	4 437	241 384	147 255	515 508	16 106	6 325	358 807	321 493	29 150	14 789	108 484	58 132

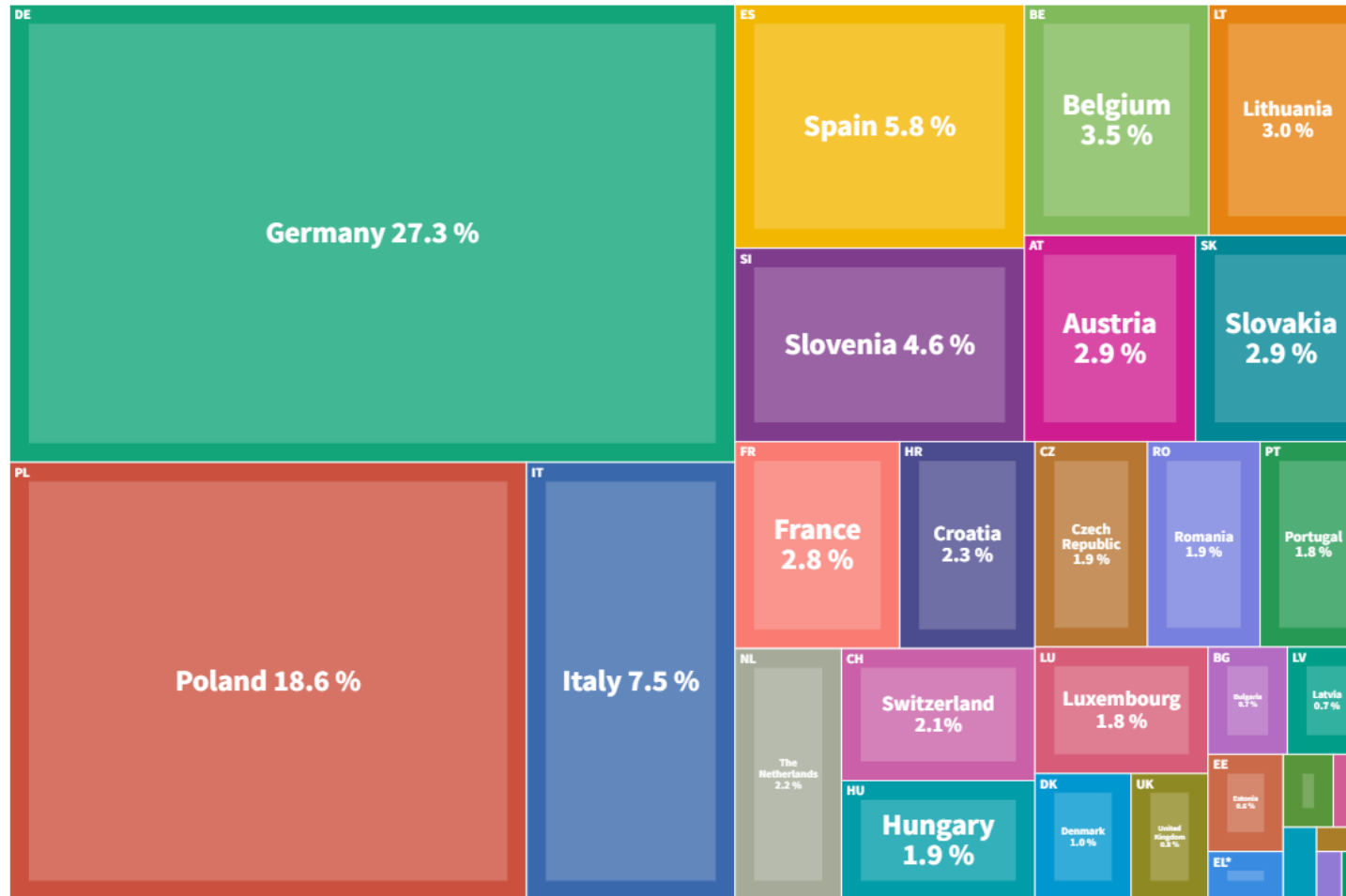
* AT: the sum of the three categories (Agriculture, Industry, and Services) (16 977) does not equal the total reported (58 649) as 41 672 of PDs A1 were issued in an unknown category.

SI reported 4 537 PDs A1 for other (unknown) sector. However, they are not included in the total, so the sum of the relative distribution in *Table 16 in section 4.3* does amount to 100 %.

Source: Administrative data PD A1 Questionnaire 2022

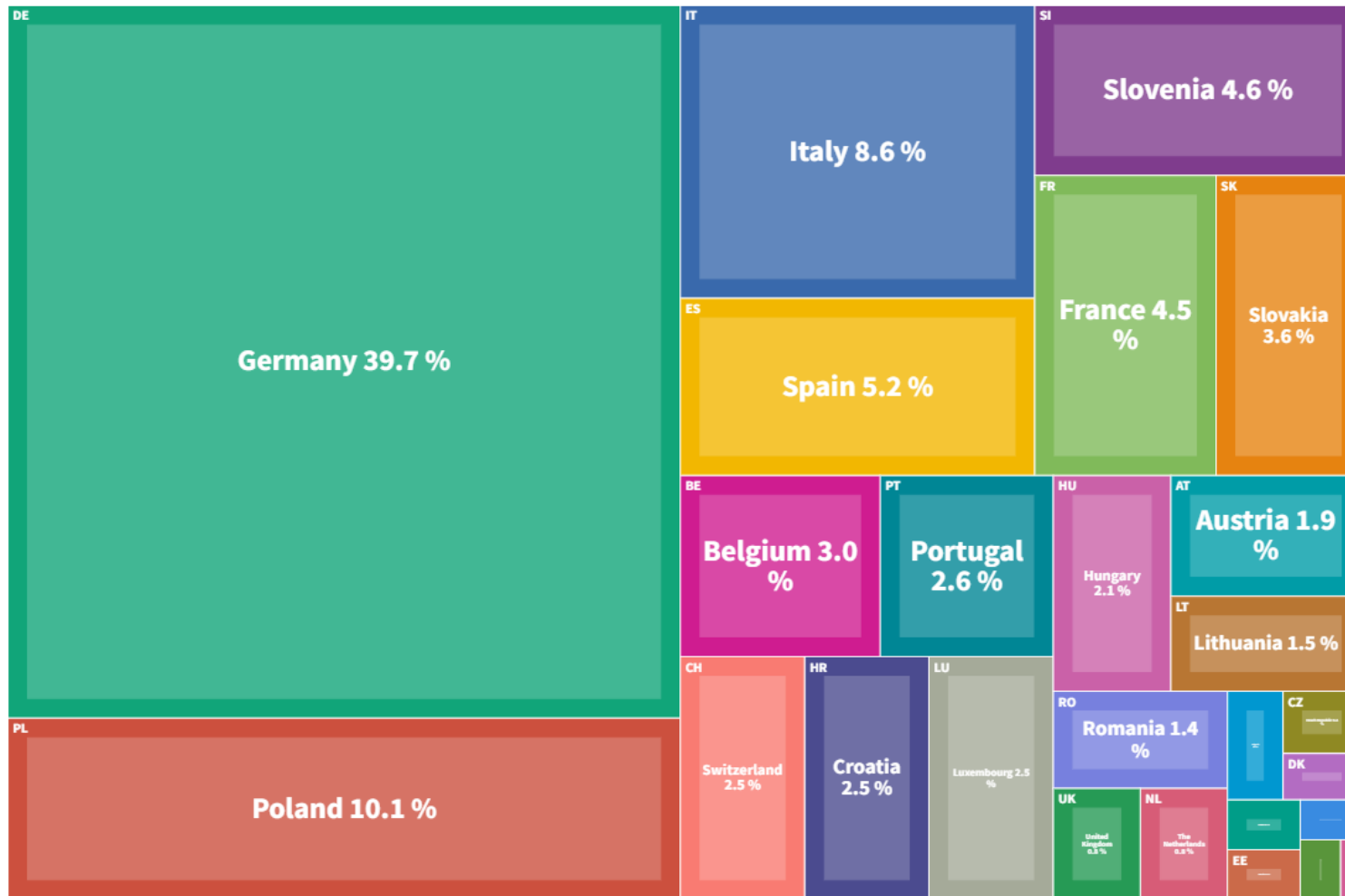
Annex II Additional visualisations

Figure A1 - Number of PDs A1 issued, relative share in total number of PDs A1 issued, 2021



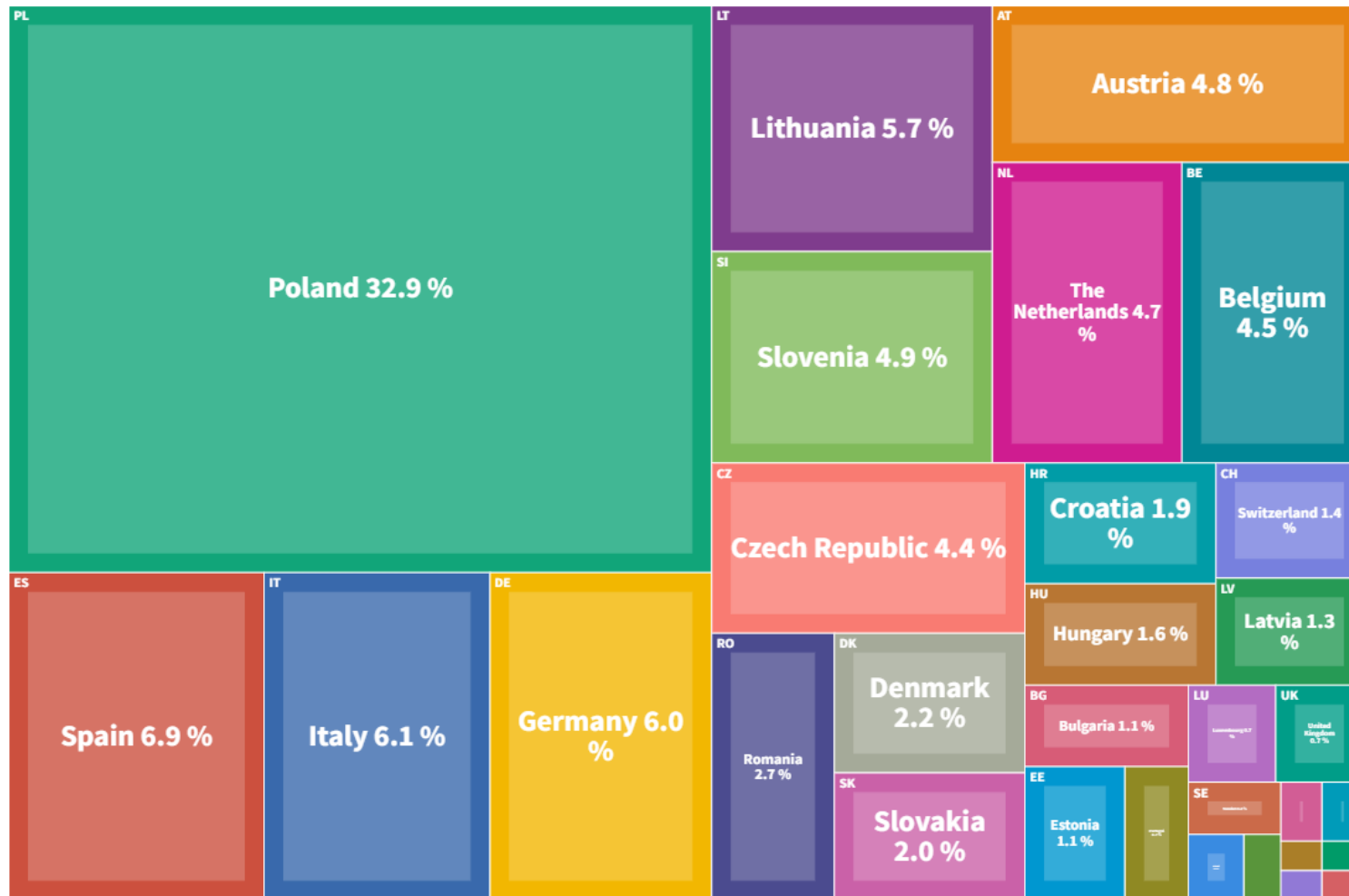
* EL : data 2018.

Figure A2 - Number of PDs A1 issued under Article 12, relative share in number of PDs A1 issued under Article 12, 2021



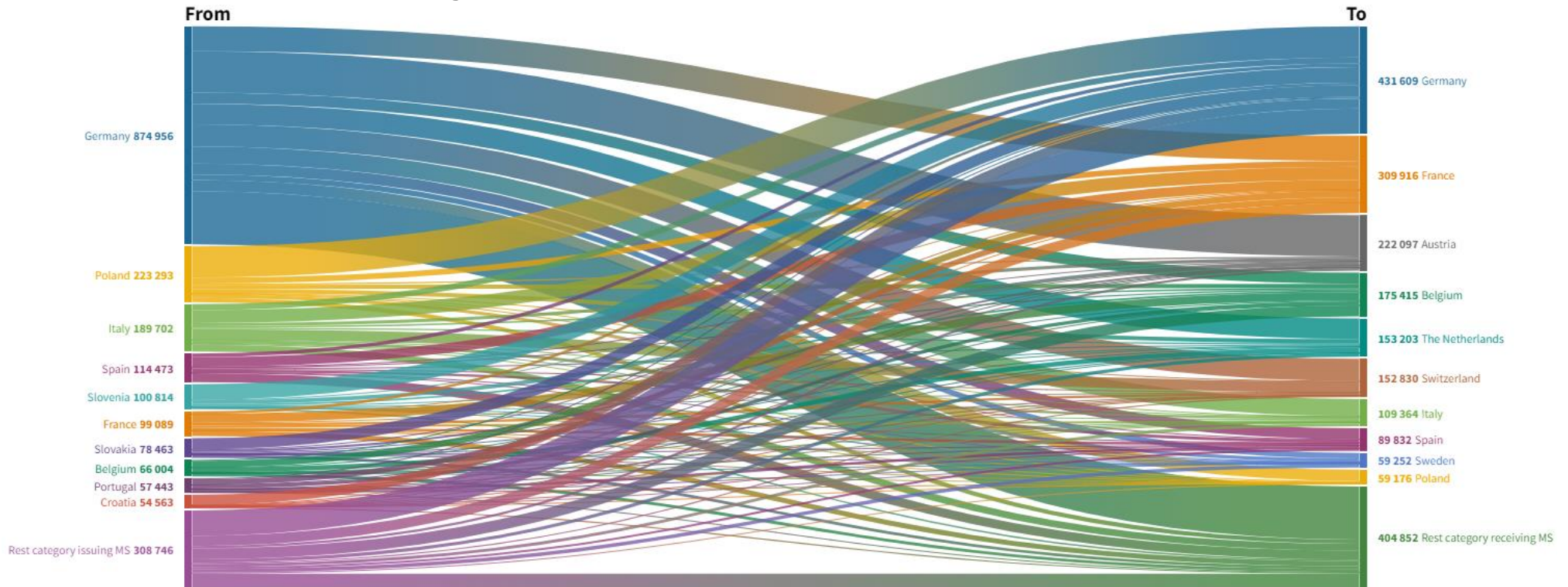
* EL: data 2018.

Figure A3 - Number of PDs A1 issued under Article 13, relative share in number of PDs A1 issued under Article 13, 2021



* EL: data 2018.

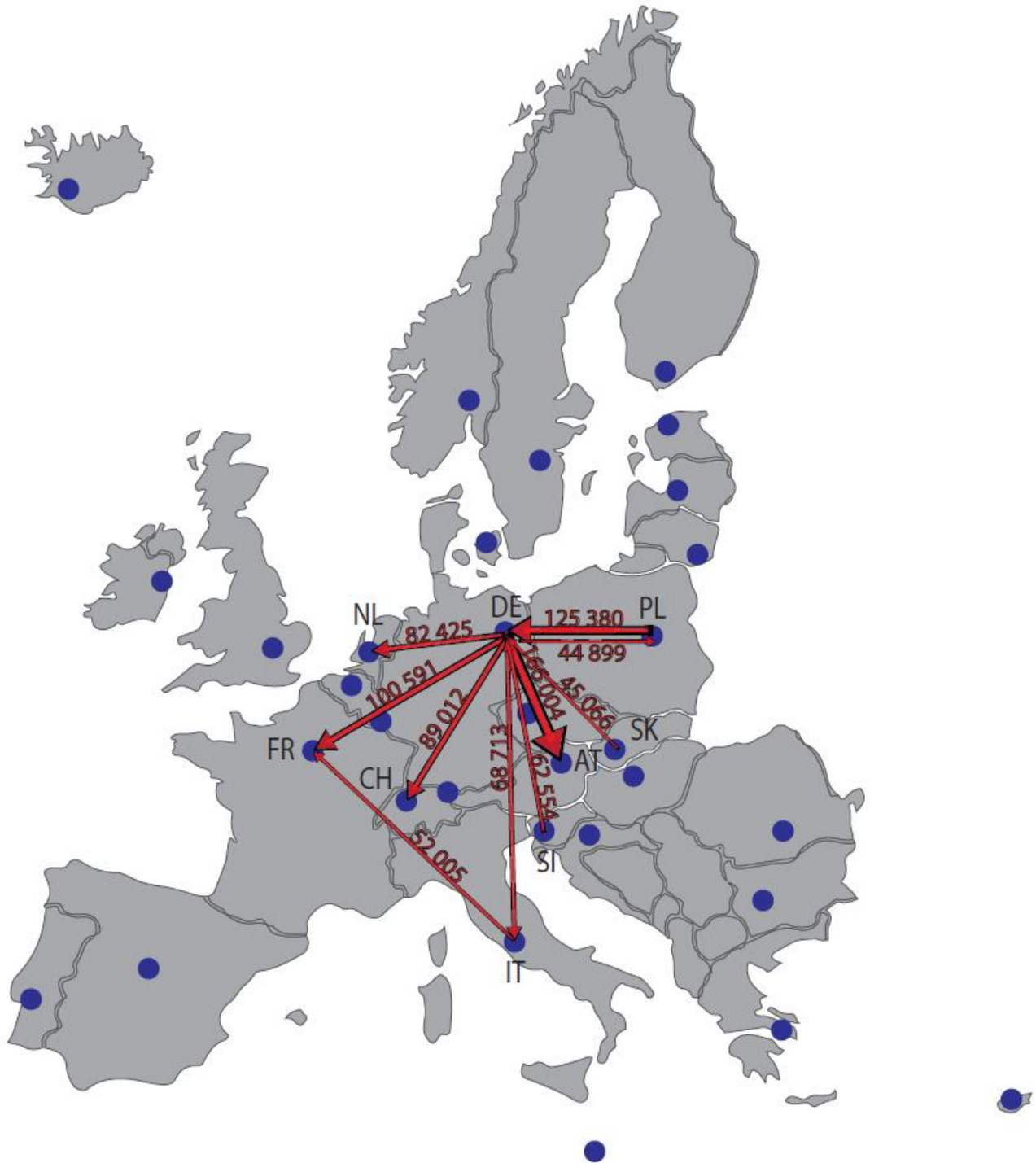
Figure A4 - Total number of PDs A1 issued under Article 12, 2021



* CH should have also been included as one of the top issuing Member States, as it issued 55 049 PDs A1 under Article 12 in 2021, placing it on the tenth place (before HR). However, a breakdown by receiving Member State could not be provided by CH. Therefore, as an issuing Member States, this Member State is excluded from this visual representation.

** On the left side the top 10 exporting Member States are shown (DE, PL, IT, ES, SI, FR, SK, BE, PT, and HR). Together, they issued 84.5 % of all PDs A1 under Article 12. On the right side the top 10 receiving Member States are shown (DE, FR, AT, BE, NL, CH, IT, ES, SE, and PL). Together they received 79.6 % of all PDs A1 issued under Article 12. The other Member States are included under 'Rest category issuing MS' and 'Rest category receiving MS' respectively. The total number of PDs A1 issued under Article 12 which are captured in this figure between the top 10 issuing and top 10 receiving Member State account for 69.6 % of all PDs A1 issued under Article 12.

Figure A5 - Top 10 flows of PDs A1 issued under Article 12, 2021



* The top 10 flows which are visualised are the following: 1) from Germany to Austria (166 004 PDs A1); 2) from Poland to Germany (125 380); 3) from Germany to France (100 591); 4) from Germany to Switzerland (89 012); 5) from Germany to the Netherlands (82 425); 6) from Germany to Italy (68 713); 7) from Slovenia to Germany (62 554); 8) from Italy to France (52 005); 9) from Slovakia to Germany (45 066); and 10) from Germany to Poland (44 899). In total these 10 flows amount to 836 649 issued PDs A1 under Article 12 out of the total of 2 199 020 PDs A1 issued under Article 12, 38.0 % of all issued PDs A1 under Article 12.

Annex III PD A1 Questionnaire

Number of PD A1 <u>issued</u> according to Regulation (EC) No 883/2004 on the coordination of social security systems	
Categories (corresponding to field 3 of PDA1 concerning the status of the holder)	Number of PD A1 <u>issued</u>
3.1 Posted employed person	
3.2 Employed, working in two or more States	
3.3 Posted self-employed person	
3.4 Self-employed, working in two or more States	
3.5 Civil servant	
3.6 Contract staff	
3.7 Mariner	
3.8 Working as an employed person and as a self-employed person in different States	
3.9 Working as a civil servant in one State and as an employed/self-employed person in one or more other States	
3.10 Flight or cabin crew member	
3.11 Exception	
3.12 Working as an employed / self-employed person in only one Member State	
Total	

Number of PD A1 issued by sector of economic activity according to <u>Art. 12</u> of Regulation (EC) No 883/2004 on the coordination of social security systems:															Number of 'unique' persons who received a PD A1 (of total)	Average duration in days of all PD A1 issued (of total)
Employed Art 12 (1) [box 3.1 of PDA1]	Self-employed Art 12 (2) [box 3.3 of PDA1]	Total	Sectors of economic activity (of total)													
			Agriculture, hunting and fishing NACE A	Industry NACE B to F		Services Total	Services NACE G to T					Human health and social work activities NACE Q				
Receiving country (single destination only)																
Belgium																
Bulgaria																
Czech Republic																
Denmark																
Germany																
Estonia																
Ireland																
Greece																
Spain																
France																
Croatia																
Italy																
Cyprus																
Latvia																
Lithuania																
Luxembourg																
Hungary																
Malta																
Netherlands																
Austria																
Poland																
Portugal																
Romania																
Slovenia																
Slovak Republic																
Finland																
Sweden																
United Kingdom																
Iceland																
Liechtenstein																
Norway																
Switzerland																
Total postings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Number of PD A1 issued by sector of economic activity according to <u>Art. 13</u> of Regulation (EC) No 883/2004 on the coordination of social security systems:															Number of 'unique' persons who received a PD A1 (of total)	Average duration in days of all PD A1 issued (of total)
Total	Agriculture, hunting and fishing NACE A	Sectors of economic activity (of total)														
		Industry Total	Construction NACE F	Services Total	Wholesale and retail trade NACE G	Accommodation and food service activities NACE I	Transportation and storage; information and communication NACE H and J	Freight transport by road NACE H - Group 49.4	Financial and insurance; Real estate; Professional, scientific and technical activities; Administrative and support service activities NACE K, L, M and N	Temporary employment agency NACE N - Group 78.2	Education, health and social work, arts and other services NACE P, Q, R and S	Human health and social work activities NACE Q				
Employed, working in two or more States (box 3.2 of PD A1)		Please leave this space empty														
Self-employed, working in two or more States (box 3.4 of PDA1)																
Working as an employed person and as a self-employed person in different States (box 3.8 of PDA1)																
Total number of PD A1 issued according to Art. 13 (boxes 3.2 + 3.4 + 3.8)	0															

Annex IV Portable Document A1

Coordination of Social
Security Systems

A1

Certificate concerning the Social Security
legislation which applies to the holder

EU Regulations 883/2004 and 987/2009 (*)

INFORMATION FOR THE HOLDER

This certificate concerns the social security legislation which applies to you and confirms that you have no obligations to pay contributions in another State.

Before you leave the State where you are insured to go to another State to work, make sure you have the documents which entitle you to receive the necessary benefits in kind (e.g. medical care, treatment in hospital, and other) in the State where you are working.

- if you are staying temporarily in the State where you are working, ask your health care institution for the European Health Insurance Card (EHIC). You must show this card to your health care provider if you need benefits in kind during your stay.
- if you are going to be living in the State where you are working, ask your health care institution for the S1 document and submit it as soon as possible to the competent health care institution of the place you are going to work (**).

Provisionally the insurance institution in the State of stay will also provide special benefits in the event of an accident at work or an occupational disease.

1. PERSONAL DETAILS OF THE HOLDER

1.1	Personal Identification Number	<input type="checkbox"/> Female	<input type="checkbox"/> Male
1.2	Surname		
1.3	Forenames		
1.4	Surname at birth (***)		
1.5	Date of birth	1.6	Nationality
1.7	Place of birth		
1.8	Address in the State of residence		
1.8.1	Street, N°	1.8.3	Post code
1.8.2	Town	1.8.4	Country code
1.9	Address in the State of stay		
1.9.1	Street, N°	1.9.3	Post code
1.9.2	Town	1.9.4	Country code

2. MEMBER STATE LEGISLATION WHICH APPLIES

2.1	Member State		
2.2	Starting date	2.3	Ending date
<input type="checkbox"/> 2.4 The certificate applies for the duration of the activity <input type="checkbox"/> 2.5 The determination is provisional <input type="checkbox"/> 2.6 Transitional rules apply as provided for by Regulation (EC) No 883/2004			

(*) Regulations (EC) No 883/2004, Articles 11 through 16 and Regulation (EC) No 987/2009, Article 19.

(**) For Spain, Sweden and Portugal, the certificate must be handed over to, respectively, the head provincial offices of social security National Institute (INSS), the social insurance institution and the social security institution of the place of residence.

(***) Information given to the institution by the holder when this is not known by the institution.

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A1



Certificate concerning the Social Security legislation which applies to the holder

3. STATUS CONFIRMATION OF YOUR POSITION

- 3.1 Posted employed person
- 3.2 Employed, working in two or more States
- 3.3 Posted self-employed person
- 3.4 Self-employed, working in two or more States
- 3.5 Civil servant
- 3.6 Contract staff
- 3.7 Mariner
- 3.8 Working as an employed person and as a self-employed person in different States
- 3.9 Working as a civil servant in one State and as an employed/self-employed person in one or more other States
- 3.10 Flight or cabin crew member
- 3.11 Exception
- 3.12 Working as an employed / self-employed person in the State referred to under 2.1

4. DETAILS OF EMPLOYER / SELF-EMPLOYMENT

- 4.1.1 Employee
- 4.1.2 Self-employed activity
- 4.2 Employer/self-employed activity code
- 4.3 Name or business name
- 4.4 Registered address
- 4.4.1 Street, N°
- 4.4.2 Country code
- 4.4.3 Town
- 4.4.4 Post code

5. DETAILS OF EMPLOYER / SELF-EMPLOYMENT WHEN AN ACTIVITY IS PURSUED

5.1 Name(s) or business name(s) and code(s) of the firm(s) or ship(s) or the home base(s) where you will be employed

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