

**Declaration by Luxembourg pursuant to Article 9 of Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems – Reference year 2021**

**I. DECLARATIONS REFERRED TO IN ARTICLE 1(L) OF REGULATION (EC) NO 883/2004 & THE DATE FROM WHICH THE REGULATION WILL APPLY**

None.

**II. LEGISLATION AND SCHEMES REFERRED TO IN ARTICLE 3 OF REGULATION (EC) NO 883/2004 & THE DATE FROM WHICH THE REGULATION WILL APPLY**

The date of application of Regulation (EC) No 883/2004 to the listed national legislation, in so far as the latter is covered by the scope of the Regulation, is 1 May 2010, except where otherwise stated. This is also the date from which the Regulation applies in this Member State.

**1. Sickness benefits**

i) Benefits in kind

Social Security Code<sup>1</sup>, Volume I – Sickness and maternity insurance

Social Security Code, Volume V – Nursing care insurance

Social Security Code, Volume VI – Common provisions

Regulations, statutes and agreements relating to these provisions.

ii) Benefits in cash

Social Security Code, Volume I – Sickness and maternity insurance

Social Security Code, Volume V – Nursing care insurance

Social Security Code, Volume VI – Common provisions

Regulations, statutes and agreements relating to these provisions.

**2. Maternity and equivalent paternity benefits**

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<sup>1</sup> The Social Security Code can be found at: [https://data.legilux.public.lu/file/eli-etat-leg-code-securite\\_sociale-20210101-fr-pdf.pdf](https://data.legilux.public.lu/file/eli-etat-leg-code-securite_sociale-20210101-fr-pdf.pdf)

i) Benefits in kind

Social Security Code, Volume I – Sickness and maternity insurance

Social Security Code, Volume VI – Common provisions

Regulations, statutes and agreements relating to these provisions.

ii) Benefits in cash

Social Security Code, Volume I – Sickness and maternity insurance

Social Security Code, Volume VI – Common provisions

Regulations, statutes and agreements relating to these provisions.

### **3. Invalidity benefits**

i) Benefits in kind

None.

ii) Benefits in cash

Social Security Code, Volume III – Pension insurance

Social Security Code, Volume VI – Common provisions

Act of 26.5.1954 regulating the pensions of State officials<sup>2</sup>, as last amended by the Act of 19.12.2014

Act of 22.12.1989 coordinating pension schemes<sup>3</sup>, as last amended by the Act of 28.7.2000

Act of 3.8.1998 establishing special pension schemes for State and municipal officials and staff of the Luxembourg National Railways<sup>4</sup>, as last amended by the Act of 17.3.2016

Act of 28.7.2000 coordinating statutory pension schemes<sup>5</sup>, as last amended by the Act of 25.3.2015

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<sup>2</sup> Luxembourg Official Gazette A No 29, 28.5.1954, p. 891. Website:

<http://legilux.public.lu/eli/etat/leg/loi/1954/05/26/n2/jo>

<sup>3</sup> Luxembourg Official Gazette A No 86, 29.12.1989. Website:

<http://legilux.public.lu/eli/etat/leg/loi/1989/12/22/n2/jo>

<sup>4</sup> Luxembourg Official Gazette A No 59, 31.3.2015, p. 1190. Website: <http://data.legilux.public.lu/file/eli-etat-leg-memorial-2015-59-fr-pdf.pdf>

<sup>5</sup> Luxembourg Official Gazette A No 70, 8.8.2000, p. 1404. Website:

<http://legilux.public.lu/eli/etat/leg/loi/2000/07/28/n2/jo>

Act of 25.3.2015 establishing a temporary special pension scheme for State and municipal officials and staff of the Luxembourg National Railways<sup>6</sup>, as last amended by the Act of 17.3.2016

Regulations, statutes and agreements relating to these provisions.

#### **4. Old-age benefits**

i) Benefits in kind

None.

ii) Benefits in cash

Social Security Code, Volume III – Pension insurance

Social Security Code, Volume VI – Common provisions

Act of 26.5.1954 regulating the pensions of State officials<sup>7</sup>, as last amended by the Act of 19.12.2014

Act of 22.12.1989 coordinating pension schemes<sup>8</sup>, as last amended by the Act of 28.7.2000

Act of 3.8.1998 establishing special pension schemes for State and municipal officials and staff of the Luxembourg National Railways<sup>9</sup>, as last amended by the Act of 17.3.2016

Act of 28.7.2000 coordinating statutory pension schemes<sup>10</sup>, as last amended by the Act of 25.3.2015

Act of 28.6.2002 creating a child-raising allowance, as last amended by the Act of 16.12.2010

Act of 25.3.2015 establishing a temporary special pension scheme for State and municipal officials and staff of the Luxembourg National Railways<sup>11</sup>, as last amended by the Act of 17.3.2016

Regulations, statutes and agreements relating to these provisions.

#### **5. Survivors' benefits**

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<sup>6</sup> Luxembourg Official Gazette A No 59, 31.3.2015. Website

<http://legilux.public.lu/eli/etat/leg/loi/2015/03/25/n5/jo>

<sup>7</sup> Luxembourg Official Gazette A No 29, 28.5.1954, p. 891. Website:

<http://legilux.public.lu/eli/etat/leg/loi/1954/05/26/n2/jo>

<sup>8</sup> Luxembourg Official Gazette A No 86, 29.12.1989. Website:

<http://legilux.public.lu/eli/etat/leg/loi/1989/12/22/n2/jo>

<sup>9</sup> Luxembourg Official Gazette A No 59, 31.3.2015, p. 1190. Website: <http://data.legilux.public.lu/file/eli-etat-leg-memorial-2015-59-fr-pdf.pdf>

<sup>10</sup> Luxembourg Official Gazette A No 70, 8.8.2000, p. 1404. Website:

<http://legilux.public.lu/eli/etat/leg/loi/2000/07/28/n2/jo>

<sup>11</sup> Luxembourg Official Gazette A No 59, 31.3.2015. Website

<http://legilux.public.lu/eli/etat/leg/loi/2015/03/25/n5/jo>

i) Benefits in kind

None.

ii) Benefits in cash

Social Security Code, Volume III – Pension insurance

Social Security Code, Volume VI – Common provisions

Act of 26.5.1954 regulating the pensions of State officials<sup>12</sup>, as last amended by the Act of 19.12.2014

Act of 22.12.1989 coordinating pension schemes<sup>13</sup>, as last amended by the Act of 28.7.2000

Act of 3.8.1998 establishing special pension schemes for State and municipal officials and staff of the Luxembourg National Railways<sup>14</sup>, as last amended by the Act of 17.3.2016

Act of 28.7.2000 coordinating statutory pension schemes<sup>15</sup>, as last amended by the Act of 25.3.2015

Act of 25.3.2015 establishing a temporary special pension scheme for State and municipal officials and staff of the Luxembourg National Railways<sup>16</sup>, as last amended by the Act of 17.3.2016

Regulations, statutes and agreements relating to these provisions.

**6. Benefits in respect of accidents at work and occupational diseases**

i) Benefits in kind

Social Security Code, Volume II – Accident insurance

Social Security Code, Volume VI – Common provisions

Regulations, statutes and agreements relating to these provisions.

ii) Benefits in cash

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<sup>12</sup> Luxembourg Official Gazette A No 29, 28.5.1954, p. 891. Website: <http://legilux.public.lu/eli/etat/leg/loi/1954/05/26/n2/jo>

<sup>13</sup> Luxembourg Official Gazette A No 86, 29.12.1989. Website: <http://legilux.public.lu/eli/etat/leg/loi/1989/12/22/n2/jo>

<sup>14</sup> Luxembourg Official Gazette A No 59, 31.3.2015, p. 1190. Website: <http://data.legilux.public.lu/file/eli-etat-leg-memorial-2015-59-fr-pdf.pdf>

<sup>15</sup> Luxembourg Official Gazette A No 70, 8.8.2000, p. 1404. Website: <http://legilux.public.lu/eli/etat/leg/loi/2000/07/28/n2/jo>

<sup>16</sup> Luxembourg Official Gazette A No 59, 31.3.2015. Website: <http://legilux.public.lu/eli/etat/leg/loi/2015/03/25/n5/jo>

Social Security Code, Volume II – Accident insurance

Social Security Code, Volume VI – Common provisions

Regulations, statutes and agreements relating to these provisions.

## **7. Death grants**

### **i) Benefits in cash**

Social Security Code, Volume I – Sickness and maternity insurance, Articles 8 and 27

Social Security Code, Volume VI – Common provisions

Regulations, statutes and agreements relating to these provisions.

## **8. Unemployment benefits**

### **i) Benefits in kind**

None.

### **ii) Benefits in cash**

Labour Code<sup>17</sup>, Volume V – Employment and unemployment – Title I – Prevention of redundancy and preservation of employment, Chapter 1 – Measures intended to prevent economic redundancies.

Labour Code, Volume V – Employment and unemployment, Title II – Full unemployment benefits

Labour Code, Volume V – Employment and unemployment, Title III – Compensatory salary allowance in the case of unemployment due to bad weather or in the case of loss/damage at the workplace due to force majeure or of highways/infrastructure works

Articles 3 to 10 of the Act of 30.6.1976 creating a fund for employment and regulating the granting of full unemployment benefits, as last amended by the Act of 14.12.2016 (minor amendments to Article 8)

Regulations, statutes and agreements relating to these provisions.

## **9. Pre-retirement benefits**

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<sup>17</sup> The Labour Code can be found at: <https://data.legilux.public.lu/file/eli-etat-leg-code-travail-20211129-fr-pdf.pdf>

i) Benefits in cash

Labour Code, Volume V – Employment and unemployment, Title VIII – Pre-retirement

Articles 3 to 10 of the Act of 30.6.1976 creating a fund for employment and regulating the granting of full unemployment benefits, as last amended by the Act of 14.12.2016 (minor amendments to Article 8)

Regulations, statutes and agreements relating to these provisions.

**10. Family benefits**

i) Benefits in kind

None.

ii) Benefits in cash

Social Security Code, Volume IV – Family benefits

Social Security Code, Volume VI – Common provisions

Regulations, statutes and agreements relating to these provisions.

**11. Special non-contributory cash benefits**

a) Special non-contributory cash benefits intended to provide a minimum level of subsistence pursuant to Article 70(2)(a)(i) of Regulation (EC) No 883/2004

i) Benefits in cash

None.

b) Special non-contributory cash benefits intended to provide specific protection for disabled persons with reference to their social environment pursuant to Article 70(2)(a)(ii) of Regulation (EC) No 883/2004

i) Benefits in cash

Act relating to Disabled Persons of 12.9.2003<sup>18</sup> (Article 1(2) and Articles 25 to 30), as last amended by the Act of 9.12.2015

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<sup>18</sup> Luxembourg Official Gazette A No 144, 28.9.2003. Website <http://legilux.public.lu/eli/etat/leg/loi/2003/09/12/n1/jo>

Regulations, statutes and agreements relating to these provisions.

**III. CONVENTIONS ENTERED INTO AS REFERRED TO IN ARTICLE 8(2) OF REGULATION (EC) NO 883/2004 & THE DATE FROM WHICH THE REGULATION WILL APPLY**

The date of application of Regulation (EC) No 883/2004 to the listed national legislation, in so far as the latter is covered by the scope of the Regulation, is **1 May 2010**, except where otherwise stated. This is also the date from which the Regulation applies in this Member State.

Convention of 7.11.2005 between the Grand Duchy of Luxembourg and the French Republic on Social Security – in force since 1.9.2008<sup>19</sup>.

Agreement in the form of an exchange of letters, dated 11.4.2011 and 17.6.2011, between the Government of the Grand Duchy of Luxembourg and the Government of the French Republic for the development of cooperation and mutual administrative assistance in the field of social security – in force since 1.11.2014.

Convention between Luxembourg and Belgium on cooperation and mutual administrative assistance in the area of social security, signed in Brussels on 5.2.2015 — in force since 1.10.2016

**IV. MINIMUM BENEFITS REFERRED TO IN ARTICLE 58 OF REGULATION (EC) NO 883/2004 & THE DATE FROM WHICH THE REGULATION WILL APPLY**

The date of application of Regulation (EC) No 883/2004 to the listed national legislation, in so far as the latter is covered by the scope of the Regulation, is **1 May 2010**, except where otherwise stated. This is also the date from which the Regulation applies in this Member State.

Article 223(1) to (3) of the Social Security Code, Volume III – Pension insurance

**V. POSSIBILITY FOR ANY CATEGORY OF SELF-EMPLOYED PERSONS TO BE COVERED BY AN UNEMPLOYMENT BENEFITS SYSTEM (ARTICLE 65A(1) OF REGULATION (EC) NO 883/2004) & LEGISLATIVE REFERENCE WHERE APPLICABLE**

The legislation of Luxembourg provides the possibility for self-employed persons to be covered by the unemployment benefits system.

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<sup>19</sup> Luxembourg Official Gazette A No 145, 16.8.2007, p. 2646. Website: <http://legilux.public.lu/eli/etat/leg/loi/2007/08/01/n10/jo>

Labour Code, Volume V – Employment and unemployment, Title II – Full unemployment benefits,  
Chapter V - Unemployment benefits for self-employed persons