COMMISSION REGULATION (EC) No 1851/2003

of 17 October 2003

amending Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community [1], as last amended by Commission Regulation (EC) No 410/2002 [2], and in particular Article 122 thereof,

Whereas:

(1) Certain Member States or their competent authorities have requested modifications of the Annexes to Regulation (EEC) No 574/72, according to the procedure set out therein.

(2) The proposed amendments derive from decisions taken by the Member States concerned or their competent authorities designating the authorities responsible for the implementation of social security legislation according to Community law.

(3) The unanimous opinion of the Administrative Commission on Social Security for Migrant Workers has been obtained,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes 1 to 4 and Annexes 6, 9 and 10 to Regulation (EEC) No 574/72 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 October 2003.

For the Commission
Anna DIAMANTOPOULOU
Member of the Commission

[1] OJ L 74, 27.3.1972, p. 1.
[2] OJ L 62, 5.3.2002, p. 17.

ANNEX

1. Annex 1 is amended as follows:

(a) Section 'B. DENMARK' is amended as follows:

(i) Point 2 is replaced by the following:

'2. Beskæftigelsesministeriet (Ministry of Employment), København.'

(ii) Point 3 is replaced by the following:

'3. Indenrigs- og Sundhedsministeriet (Ministry of Internal Affairs and Health), København.'

(b) Section 'C. GERMANY' is replaced by the following:

'Bundesministerium für Gesundheit und Soziale Sicherung (Federal Ministry of Health and Social Security), Bonn.'

(c) Section 'G. IRELAND' is replaced by the following:

'G. IRELAND

1. Minister for Social and Family Affairs, Dublin.

2. Minister for Health and Children, Dublin.'

(d) Section 'H. ITALY' is replaced by the following:

'1. Ministero del Lavoro e delle Politiche Sociali, Roma (Ministry of Labour and Social Policies, Rome).

2. Ministero della Salute, Roma (Ministry of Health, Rome).

3. Ministero della Giustizia, Roma (Ministry of Justice, Rome).

4. Ministero dell'Economia e delle Finanze, Roma (Ministry of Economic Affairs and Finance, Rome).'

(e) Section 'O. UNITED KINGDOM' is amended as follows:

(i) Point 1 is replaced by the following:

'1. Secretary of State for Work and Pensions, London.'

(ii) Point 4 is replaced by the following:

'4. Department for Social Development, Belfast;

Department of Health, Social Services and Public Safety, Belfast.'

2. Annex 2 is amended as follows:

(a) Section 'B. DENMARK' is amended as follows:

(i) Point (a) is replaced by the following:

'(a) Sickness and maternity:

(i) Benefits in kind:

1. In general:

The competent "amtskommune" (district administration). In København: Borgerrepræsentationen (municipal authority). In Frederiksberg: Kommunalbestyrelsen (local authority). For hospital treatment in København or Frederiksberg: Hovedstadens Sygehusfællesskab (Hospitals Cooperative).

2. For pension claimants and pensioners and members of their families residing in another Member State, see the provisions of Title III, Chapter 1, Sections 4 and 5 of the Regulation and Articles 28 to 30 of the implementing Regulation:

Den Sociale Sikringsstyrelse (Social Security Administration), København.

(ii) Cash benefits:

Local authority of the commune in which the beneficiary resides.'

(ii) Point (b)(ii) is replaced by the following:

'(ii) Rehabilitation benefits:

Local authority of the commune in which the beneficiary resides.'

(iii) Point (d)(ii) is replaced by the following:

'(ii) Daily allowances:

Local authority of the commune in which the beneficiary resides.'

(iv) Points (e), (f) and (g) are replaced by the following:

'(e) Death grants:

(i) Insured persons resident in Denmark:

Local authority of the commune in which the beneficiary resides. In København: Borgerrepræsentationen (municipal authority).

(ii) Beneficiaries resident in another Member State, (see Title III, Chapter 5 of the Regulation and Articles 78 and 79 of the implementing Regulation):

Indenrigs- og Sundhedsministeriet (Ministry of Internal Affairs and Health), København.

(f) Unemployment:

Arbejdsdirektoratet (Directorate of Labour) København.

(g) Family benefits (family allowances):

Local authority of the commune in which the beneficiary resides.'

(b) Section 'C. GERMANY' is amended as follows:

(i) Point 2(a)(i), seventh indent is replaced by the following:

'— if the person concerned is resident in Greece or is a Greek national resident in the territory of a non-member State:

Landesversicherungsanstalt Baden-Württemberg (Regional Insurance Office of Baden-Württemberg), Karlsruhe.'

(ii) Point 2(a)(iii) is replaced by the following:

'(iii) where a contribution was paid into the pension insurance scheme for miners:

Bundesknappschaft (Federal Insurance Fund for Miners), Bochum.'

(iii) Point 2(b)(i), seventh indent is replaced by the following:

'— if the last contribution under the legislation of another Member State was paid into a Greek pension insurance institution:

Landesversicherungsanstalt Baden-Württemberg (Regional Insurance Office of Baden-Württemberg), Karlsruhe.'

(iv) Point 2(b)(iii) is replaced by the following:

'(iii) where a contribution was paid into the pension insurance scheme for miners:

Bundesknappschaft (Federal Insurance Fund for Miners), Bochum.'

(c) Section 'G. IRELAND' is amended as follows:

(i) In point 1 the words: 'Eastern Health Board, Dublin 8' are replaced by the words: 'Eastern Regional Health Authority, Dublin 20.'

(ii) Point 2 is replaced by the following:

'2. Cash benefits

(a) Unemployment benefits:

Department of Social and Family Affairs.

(b) Old-age and death (pensions):

Department of Social and Family Affairs.

(c) Family benefits:

Department of Social and Family Affairs.

(d) Invalidity benefits and maternity benefits:

Department of Social and Family Affairs.

(e) Other cash benefits:

Department of Social and Family Affairs.'

(d) Section 'H. ITALY' is amended as follows:

(i) The following point 3B(d) is inserted:

'(d) for nurses, medical auxiliaries, children's nurses:

Cassa Nazionale di Previdenza ed Assistenza a favore degli infermieri professionali, assistenti sanitari, vigilatrici d'infanzia (IPASVI);'

(ii) Points 3B(e) to (g) are replaced by the following:

'(e) for engineers and architects:

Cassa nazionale di previdenza ed assistenza per gli ingegneri ed architetti liberi professionisti;

(f) for surveyors:

Cassa italiana di previdenza dei geometri liberi professionisti;

(g) for solicitors and barristers:

Cassa nazionale di previdenza ed assistenza forense;'

(iii) Point 3B(l) is replaced by the following:

'(l) for customs agents:

Fondo nazionale di previdenza per i lavoratori delle imprese di spedizione corrieri e delle Agenzie marittime raccomandatarie e mediatori marittimi (FASC);'

(iv) The following points 3B(m) to (q) are added:

'(m) for biologists:

Ente Nazionale di previdenza ed assistenza a favore dei biologi;

(n) for agricultural technicians and scientists;

Ente Nazionale di previdenza per gli addetti e per gli impiegati in agricoltura;

(o) for sales representatives:

Ente nazionale di assistenza per gli agenti e rappresentanti di commercio;

(p) for industrial technicians:

Ente Nazionale di previdenza dei periti industriali;

(q) for actuaries, chemists, agronomists, foresters, geologists:

Ente Nazionale di previdenza ed assistenza pluricategoriale degli agronomi e forestali, degli attuari, dei chimici e dei geologi.'

(e) Section 'J. NETHERLANDS' is amended as follows:

(i) Point 1(b) is replaced by the following:

'(b) cash benefits:

Uitvoeringsinstituut Werknemersverzekeringen, Amsterdam (Employee Insurance Administration Institution, Amsterdam).'

(ii) Point 2(a)(i) is replaced by the following:

'(i) for employed persons:

Uitvoeringsinstituut Werknemersverzekeringen, Amsterdam (Employee Insurance Administration Institution, Amsterdam).'

(iii) Point 2(a)(ii) is replaced by the following:

'(ii) for self-employed persons:

Uitvoeringsinstituut Werknemersverzekeringen, Amsterdam (Employee Insurance Administration Institution, Amsterdam).'

(iv) Point 2(b) is replaced by the following:

'(b) other cases:

for employed and self-employed persons:

Uitvoeringsinstituut Werknemersverzekeringen, Amsterdam (Employee Insurance Administration Institution, Amsterdam).'

(v) Point 4 is replaced by the following:

'4. Unemployment:

Uitvoeringsinstituut Werknemersverzekeringen, Amsterdam (Employee Insurance Administration Institution, Amsterdam).'

(vi) Point 6(b) is replaced by the following:

'(b) where the benefit is granted with effect from a date after 30 June 1967:

Uitvoeringsinstituut Werknemersverzekeringen, Amsterdam (Employee Insurance Administration Institution, Amsterdam).'

(f) Section 'O. UNITED KINGDOM' is amended as follows:

(i) Point 2 is replaced by the following:

'2. Cash benefits (except for family benefits):

— Great Britain: Department for Work and Pensions, London.

— Northern Ireland: Department for Social Development, Belfast.

— Gibraltar: Principal Secretary, Social Affairs, Gibraltar.'

(ii) The following point 3 is added:

'3. Family benefits:

— Great Britain:

Inland Revenue, Child Benefit Office, Newcastle upon Tyne

Inland Revenue, Tax Credit Office, Preston

— Northern Ireland:

Inland Revenue, Tax Credit Office, Belfast

Inland Revenue, Child Benefit Office (NI), Belfast

— Gibraltar: Principal Secretary, Social Affairs, Gibraltar.'

3. Annex 3 is amended as follows:

(a) In Section 'B. DENMARK' part I is amended as follows:

(i) Point (a) is replaced by the following:

'(a) sickness and maternity:

for the purposes of applying Articles 17, 18, 22, 25, 28, 29 and 30 of the implementing Regulation:

Local authority of the commune in which the beneficiary resides.'

(ii) Point (d)(ii) is replaced by the following:

'(ii) for the purposes of applying Article 61 of the implementing Regulation:

Local authority of the commune in which the beneficiary resides.'

(iii) Point (e) is replaced by the following:

'(e) death grants:

for the purposes of applying Article 78 of the implementing Regulation:

Indenrigs- og Sundhedsministeriet (Ministry of Internal Affairs and Health), København.'

(b) In Section 'B. DENMARK' part II is amended as follows:

(i) Point (a) is replaced by the following:

'(a) Sickness and maternity:

(i) for the purposes of applying Articles 19a, 20, 21 and 31 of the implementing Regulation:

The competent amtskommune (district administration). In København: Borgerrepræsentationen (municipal authority). In Frederiksberg: Kommunalbestyrelsen (local authority). For hospital treatment in København or Frederiksberg: Hovedstadens Sygehusfællesskab (Hospitals Cooperative)

(ii) for the purposes of applying Article 24 of the implementing Regulation:

Local authority of the commune in which the beneficiary is staying.'

(ii) Point (b)(ii) is replaced by the following:

'(ii) for the purposes of applying Article 64 of the implementing Regulation:

Local authority of the commune in which the beneficiary is staying.'