Commission Regulation (EC) No 120/2009 of 9 February 2009 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 (Text with EEA relevance)

COMMISSION REGULATION (EC) No 120/2009

of 9 February 2009

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

(Text with EEA relevance)

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)], and in particular Article 122 thereof,

Whereas:

(1) Some Member States or their competent authorities have requested amendments to the Annexes to Regulation (EEC) No 574/72.

(2) The proposed amendments derive from decisions taken by the Member States concerned or their competent authorities designating the authorities which are responsible for ensuring that social security legislation is implemented in accordance with Community law.

(3) The bilateral arrangements for the implementation of the provisions of Regulation (EEC) No 574/72 are listed in Annex 5 to that Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes 2 to 5 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 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, 9 February 2009.

For the Commission

Vladimír ŠPIDLA

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 120/2009. (See end of Document for details)*

ANNEX

Annexes 2 to 5 to Regulation (EEC) No 574/72 are amended as follows:

1. Annex 2 is amended as follows:

(a) In section 'R. NETHERLANDS', point 5 is replaced by the following:

5. Family benefits:

The General Child Benefit Act (Algemene Kinderbijslagwet) and the Regulations governing contributions towards the upkeep of physically disabled children living at home 2000 (Regeling tegemoetkoming onderhoudskosten thuiswonende gehandicapte kinderen 2000, TOG):

(a) where the person entitled to benefits resides in the Netherlands:

— the local office of the Social Insurance Institution (Districtskantoor van de Sociale Verzekeringsbank) in whose district he resides;

(b) where the person entitled to benefits resides outside the Netherlands, but his employer resides or is established in the Netherlands:

— the local office of the Social Insurance Institution (Districtskantoor van de Sociale Verzekeringsbank) in whose district the employer resides or is established;

(c) other cases:

— the Social Insurance Bank (Sociale Verzekeringsbank), Postbus 1100, 1180 BH Amstelveen.

The Childcare Act (Wet Kinderopvang) and the Child-related Budget Act (Wet op het kindgebonden budget):

— the Tax Office/Benefits Service (Belastingdienst/ Toeslagen), Utrecht.;

(b) in section 'T. POLAND', point 5 is replaced by the following:

5. Unemployment:

(a) benefits in kind:

Narodowy Fundusz Zdrowia, Warszawa (National Health Fund, Warsaw),

(b) cash benefits:

wojewódzkie urzędy pracy (voivodeship Latour offices) with territorial jurisdiction over the place of residence or stay.;

2. Annex 3 is amended as follows:

(a) In section 'R. NETHERLANDS', point 5 is replaced by the following:

5. Family benefits:

The General Child Benefit Act (Algemene Kinderbijslagwet) and the Regulations governing contributions towards the upkeep of physically

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 120/2009. (See end of Document for details)*

disabled children living at home 2000 (Regeling tegemoetkoming onderhoudskosten thuiswonende gehandicapte kinderen 2000, TOG):

— the local office of the Social Insurance Institution (Districtskantoor van de Sociale Verzekeringsbank) in whose district the family member resides;

The Childcare Act (Wet Kinderopvang) and the Child-related Budget Act (Wet op het kindgebonden budget):

— the Tax Office/Benefits Service (Belastingdienst/Toeslagen), Utrecht.;

(b) section 'T. POLAND' is amended as follows:

(i) point 2(g) is replaced by the following:

(g) for persons who have completed exclusively foreign periods of insurance:

1. Zakład Ubezpieczeń Społecznych (Social Insurance Institution - ZUS) - Branch Office in Łódź - for persons who have completed foreign periods of insurance, including periods completed lately in Spain, Portugal, Italy, Greece, Cyprus or Malta;

2. Zakład Ubezpieczeń Społecznych (Social Insurance Institution - ZUS) - Branch Office in Nowy Sącz - for persons who have completed foreign periods of insurance, including periods completed lately in Austria, the Czech Republic, Hungary, Slovakia, Slovenia or Switzerland;

3. Zakład Ubezpieczeń Społecznych (Social Insurance Institution - ZUS) - Branch Office in Opole - for persons who have completed foreign periods of insurance, including periods completed lately in Germany;

4. Zakład Ubezpieczeń Społecznych (Social Insurance Institution - ZUS) - Branch Office in Szczecin - for persons who have completed foreign periods of insurance, including periods completed lately in Denmark, Finland, Sweden, Lithuania, Latvia or Estonia;

5. Zakład Ubezpieczeń Społecznych (Social Insurance Institution - ZUS) - I Oddział w Warszawie — Centralne Biuro Obsługi Umów Międzynarodowych (I Branch In Warsaw - Central Bureau for International Agreements) - for persons who have completed foreign periods of insurance, including periods completed lately in Belgium, France, the