Commission Regulation (EC) No 77/2005 of 13 January 2005 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

COMMISSION REGULATION (EC) No 77/2005

of 13 January 2005

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)], and in particular Article 122 thereof,

Whereas:

(1) Certain Member States or their competent authorities have requested amendments to 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 which are responsible for ensuring that social security legislation is implemented in accordance with Community law.

(3) The schemes to be taken into consideration when calculating the average annual cost of benefits in kind, in accordance with Article 94 and Article 95 of Regulation (EEC) No 574/72 are listed in Annex 9.

(4) 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 5, and Annexes 7, 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 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, 13 January 2005.

For the Commission

Vladimir ŠPIDLA

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 77/2005. (See end of Document for details)*

ANNEX

1. **Annex 1 is amended as follows**

(a) Section ‘F. GREECE’ is amended as follows:

Points 1 and 2 are replaced by the following:

1. Υπουργός Απασχόλησης και Κοινωνικής Προστασίας, Αθήνα (Minister for Employment and Social Protection, Athens).

2. Υπουργός Υγείας και Κοινωνικής Αλληλεγγύης, Αθήνα (Minister for Health and Social Solidarity, Athens).

(b) Section ‘P. MALTA’ is replaced by the following:

P. MALTA

1. Ministeru ghall-Familja u Solidarjeta' Socjali (Ministry for the Family and Social Solidarity

2. Ministeru tas-Sahha, l-Anzjani u Kura fil-Kommunita' (Ministry of Health, the Elderly and Community Care).

(c) Section ‘S. POLAND’ is amended as follows:

Point 1 is replaced by the following:

1. Minister Polityki Spolecznej (Minister of Social Policy, Warszawa.

2. **Annex 2 is amended as follows**

(a) Section ‘B. CZECH REPUBLIC’ is amended as follows:

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

(ii) for members of the armed forces:
- — professional soldiers: Social Security Agency of the Ministry of Defence;
- — members of the police and fire brigade: Social Security Agency of the Ministry of Interior;
- — members of the prison service: Social Security Agency of the Ministry of Justice;
- — members of the customs administration: Social Security Agency of the Ministry of Finance.;

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

(ii) for members of the armed forces:
- — professional soldiers: Social Security Agency of the Ministry of Defence;
- — members of the police and fire brigade: Social Security Agency of the Ministry of Interior;
- — members of the prison service: Social Security Agency of the Ministry of Justice;

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 77/2005. (See end of Document for details)*

— members of the customs administration: Social Security Agency of the Ministry of Finance.;

(iii) Point 3(b)(ii) is replaced by the following:

(ii) for members of the armed forces:
— professional soldiers: Social Security Agency of the Ministry of Defence;
— members of the police and fire brigade: Social Security Agency of the Ministry of Interior;
— members of the prison service: Social Security Agency of the Ministry of Justice;
— members of the customs administration: Social Security Agency of the Ministry of Finance.;

(iv) Point 4 is replaced by the following:

4. Death Grants: State Social Support Bodies in accordance with persons residence/stay.;

(v) Point 6 is replaced by the following:

6. Family benefits: State Social Support Bodies in accordance with persons residence/stay.

(b) Section ‘D. GERMANY’ is amended as follows:

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

(i) If the last contribution was paid into the manual workers’ pension insurance scheme:
— if the person concerned is resident in the Netherlands or is a Netherlands national resident in the territory of a non-member State:
— Landesversicherungsanstalt Westfalen (Regional Insurance Office of Westphalia), Münster
— if the person concerned is resident in Belgium or Spain or is a Belgian or Spanish national resident in the territory of a non-member State:
— Landesversicherungsanstalt Rheinprovinz (Regional Insurance Office of the Rhine Province), Düsseldorf
— if the person concerned is resident in Italy or Malta or is an Italian or Maltese national resident in the territory of a non-member State:
— Landesversicherungsanstalt Schwaben (Regional Insurance Office of Swabia), Augsburg
— if the person concerned is resident in France or Luxembourg or is a French or Luxembourg national resident in the territory of a non-member State:

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 77/2005. (See end of Document for details)*

- Landesversicherungsanstalt Rheinland-Pfalz (Regional Insurance Office of the Rhineland-Palatinate), Speyer

— if the person concerned is resident in Denmark, Finland or Sweden or is a Danish, Finnish or Swedish national resident in the territory of a non-member State:

- Landesversicherungsanstalt Schleswig-Holstein (Regional Insurance Office of Schleswig-Holstein), Lübeck

— if the person concerned is resident in Estonia, Latvia or Lithuania or is an Estonian, Latvian or Lithuanian national resident in the territory of a non-member State:

- Landesversicherungsanstalt Mecklenburg-Vorpommern (Regional Insurance Office of Mecklenburg-Western Pomerania), Neubrandenburg

— if the person concerned is resident in Ireland or the United Kingdom or is an Irish or United Kingdom national resident in the territory of a non-member State:

- Landesversicherungsanstalt Freie und Hansestadt Hamburg (Regional Insurance Office of the Free and Hanseatic City of Hamburg), Hamburg

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

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

— if the person concerned is resident in Portugal or is a Portuguese national resident in the territory of a non-member State:

- Landesversicherungsanstalt Unterfranken (Regional Insurance Office of Lower Franconia), Würzburg

— if the person concerned is resident in Austria or is an Austrian national resident in the territory of a non-member State:

- Landesversicherungsanstalt Oberbayern (Regional Insurance Office of Upper Bavaria), München

— if the person concerned is resident in Poland or is a Polish national resident in the territory of a non-member State:

- Landesversicherungsanstalt Berlin (Regional Insurance Office of Berlin), Berlin

— if the person concerned is resident in Slovakia, Slovenia or the Czech Republic or is a Slovakian, Slovenian or Czech national resident in the territory of a non-member State: