



**COUNCIL OF  
THE EUROPEAN UNION**



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PRESSE 197

## **Amendments to regulations on the coordination of social security systems**

The Council adopted a regulation<sup>1</sup> amending regulations 883/2004 and 987/2009 on the coordination of social security systems following an agreement at first reading with the European Parliament.

The amendments aim to provide a satisfactory solution for wholly unemployed formerly self-employed frontier workers, who were insured in their country of activity against unemployment and who have returned to their member state of residence, where no insurance against the risk of unemployment exists.

The regulation also provides for the use of the "home base", as defined in regulation (EEC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation, as a criterion for the determination of the legislation applicable to aircrew members. The home base is a place from which the air crew member habitually carries out his or her work in performance of his or her contract.

In the application of regulations 883/2004 and 987/2009, it had become clear that these regulations did not provide a solution to the question of which country should pay unemployment benefits to those self-employed people who, despite having paid contributions, did not receive benefits in return, if they became unemployed.

It had also become obvious that obtaining no return from the contributions paid would clearly constitute an obstacle to free movement. Benefits have to be provided to the persons concerned. Otherwise they would lose out on their social rights when moving within the EU, which contradicts the principle of the free movement of workers.

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<sup>1</sup> Regulation of the European Parliament and of the Council amending regulation (EC) No 883/2004 on the coordination of social security systems and regulation (EC) No 987/2009 laying down the procedure for implementing regulation (EC) No 883/2004.

# **P R E S S**