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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft 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 (first reading) - Adoption of the legislative act = Statements

Poland has requested that the following statement be entered in the Council minutes

Poland has consistently raised significant concerns regarding the chapter on the applicable legislation. Poland's key demands, in particular those concerning the definition of an undertaking's registered office in cases where work is carried out in several Member States, have not been taken into account.

The text of the legislative act submitted for adoption contains a number of provisions that are unfavourable to businesses, employees and social security institutions. Linking an undertaking's registered office to the volume of its turnover may lead to frequent changes in the applicable legislation, particularly in highly mobile sectors, such as international transport.

Furthermore, the obligation for prior notification – without making adequate provision for emergency situations – combined with the difference in treatment of the construction sector and the absence of any clear indication of the legal framework applicable to the imposition of national measures, runs counter to the objective of simplifying legislation, improving the functioning of the single market and strengthening the European Union's competitiveness.

For the reasons set out above, Poland does not support the adoption of the legislative act.

Sweden has requested that the following statement be entered in the Council minutes

Sweden can accept the revised Regulations, agree with the Commission that the amended provisions regarding long-term care benefits do not entail any change in the scope of the Regulation and thank several Presidencies for all the work they have done to clarify this. Accordingly, the revised provisions are corresponding to the scope in Sweden's declaration on the scope of this Regulation pursuant to Article 9 of Regulation (EC) No 883/2004.
