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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1180/1999
of 7 June 1999
establishing the standard import values for determining the entry price of certain
fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4 (1) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 June 1999.

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

Done at Brussels, 7 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 7 June 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	58,9
	999	58,9
0707 00 05	052	76,7
	628	126,6
	999	101,6
0709 90 70	052	55,3
	999	55,3
0805 30 10	382	45,5
	388	46,8
	528	47,9
0808 10 20, 0808 10 50, 0808 10 90	999	46,7
	388	72,1
	400	75,2
	508	75,7
	512	75,9
	524	80,2
	528	56,7
	804	101,2
	999	76,7
	052	266,4
0809 20 95	400	220,0
	999	243,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1181/1999
of 7 June 1999
on the issue of import licences for garlic originating in China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 857/1999⁽²⁾,

Having regard to Council Regulation (EC) No 1040/1999 of 20 May 1999 concerning a protective measure applicable to imports of garlic from China⁽³⁾, and in particular Article 1(3) thereof,

Whereas pursuant to Commission Regulation (EEC) No 1859/93⁽⁴⁾, as amended by Regulation (EC) No 1662/94⁽⁵⁾, the release for free circulation in the Community of garlic imported from third countries is subject to presentation of an import licence;

Whereas Article 1(1) of Regulation (EC) No 1040/1999, restricts the issue of import licences for garlic originating in China to a maximum monthly quantity in the case of applications lodged from 1 June 1999 to 31 May 2000;

Whereas, given the criteria laid down in Article 1(2) of that Regulation and the import licences already issued, the quantity applied for on 1 June 1999 is in excess of

the maximum monthly quantity given in the Annex to that Regulation for the month of June 1999; whereas it is therefore necessary to determine to what extent import licences may be issued in response to these applications; whereas the issue of licences in response to applications lodged after 1 June 1999 and before 1 July 1999 should be refused,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for from 1 June 1999 pursuant to Article 1 of Regulation (EEC) No 1859/93 for garlic falling within CN code 0703 20 00 originating in China shall be issued for 2,70303 % of the quantity applied for, having regard to the information available to the Commission on 7 June 1999.

For the abovementioned products applications for import licences lodged after 1 June 1999 and before 1 July 1999 shall be refused.

Article 2

This Regulation shall enter into force on 8 June 1999.

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

Done at Brussels, 7 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 7.

⁽³⁾ OJ L 127, 21.5.1999, p. 10.

⁽⁴⁾ OJ L 170, 13.7.1993, p. 10.

⁽⁵⁾ OJ L 176, 9.7.1994, p. 1.

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 2/1999 OF THE ASSOCIATION COUNCIL

between the European Communities and their Member States, of the one part,
and the Slovak Republic, of the other part

of 12 May 1999

amending Protocol 4 to the Europe Agreement establishing an association
between the European Communities and their Member States, of the one part,
and the Slovak Republic, of the other part

(1999/369/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part ⁽¹⁾, signed in Brussels on 4 October 1993, and in particular Article 38 of Protocol 4 ⁽²⁾ thereof,

(1) Whereas the definition of the term 'originating products' in Protocol 4 needs to be amended to ensure the proper operation of the extended system of cumulation which permits the use of materials originating in the European Community, Poland, Hungary, the Czech Republic, the Slovak Republic, Bulgaria, Romania, Latvia, Lithuania, Estonia, Slovenia, the European Economic Area (hereinafter referred to as 'the EEA'), Iceland, Norway and Switzerland;

(2) Whereas it would seem advisable to maintain in operation until 31 December 2000 the system of flat-rate charges provided for in Article 15 of Protocol 4 in connection with the prohibition of drawback and exemption from customs duty;

(3) Whereas, in view of the particular arrangements on industrial products obtaining between the Community and Turkey, it would also be appropriate

to extend the cumulation system to such products originating in Turkey;

(4) Whereas to facilitate trade and simplify administrative tasks it is desirable to amend the wording of Articles 3, 4 and 12 of Protocol 4;

(5) Whereas, to take account of changes in processing techniques and shortages of certain raw materials, some corrections must be made to the list of working and processing requirements which non-originating materials have to fulfil to qualify for originating status,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 4 concerning the definition of the concept of 'originating products' and methods of administrative cooperation is hereby amended as follows:

1. Article 1(i) shall be replaced by:

(i) "added value" shall be taken to be the ex-works prices minus the customs value of each of the materials incorporated which originate in the other

⁽¹⁾ OJ L 359, 31.12.1994, p. 2.

⁽²⁾ Protocol 4 was replaced by Association Council Decision No 2/97 (OJ L 212, 5.8.1997, p. 1).

countries referred to in Articles 3 and 4 or, where the customs value is not known or cannot be ascertained, the first price verifiably paid for the products in the Community or the Slovak Republic.'

2. Articles 3 and 4 shall be replaced by the following:

'Article 3

Cumulation in the European Community

1. Without prejudice to the provisions of Article 2(1) products shall be considered as originating in the Community if such products are obtained there, incorporating materials originating in the Community, Bulgaria, Poland, Hungary, the Czech Republic, the Slovak Republic, Romania, Lithuania, Latvia, Estonia, Slovenia, Iceland, Norway, Switzerland (including Liechtenstein (*) or Turkey (**)) in accordance with the provisions of the Protocol on rules of origin annexed to the Agreements between the Community and each of these countries, provided that the working or processing carried out in the Community goes beyond that referred to in Article 7 of this Protocol. It shall not be necessary that such materials have undergone sufficient working or processing.

2. Where the working or processing carried out in the Community does not go beyond the operations referred to in Article 7, the product obtained shall be considered as originating in the Community only where the value added there is greater than the value of the materials used originating in any one of the other countries referred to in paragraph 1. If this is not so, the product obtained shall be considered as originating in the country which accounts for the highest value of originating materials used in the manufacture in the Community.

3. Products, originating in one of the countries referred to in paragraph 1, which do not undergo any working or processing in the Community, retain their origin if exported into one of these countries.

4. The cumulation provided for in this Article may only be applied to materials and products which have acquired originating status by an application of rules of origin identical to those given in this Protocol.

The Community shall provide the Slovak Republic, through the Commission of the European Communities, with details of the Agreements and their corresponding rules of origin, which are applied with the other countries referred to in paragraph 1. The Commission of the European Communities shall publish in the *Official Journal of the European Communities* (C series) the date on which the cumulation, provided for in this Article may be applied by those countries listed in paragraph 1 which have fulfilled the necessary requirements.

Article 4

Cumulation in the Slovak Republic

1. Without prejudice to the provision of Article 2(2), products shall be considered as originating in the Slovak Republic if such products are obtained there, incorporating materials originating in the Community, Bulgaria, Poland, Hungary, the Czech Republic, the Slovak Republic, Romania, Lithuania, Latvia, Estonia, Slovenia, Iceland, Norway, Switzerland (including Liechtenstein (*) or Turkey (**)) in accordance with the provisions of the Protocol on rules of origin annexed to the Agreements between the Slovak Republic and each of these countries, provided that the working or processing carried out in the Slovak Republic goes beyond that referred to in Article 7 of this Protocol. It shall not be necessary that such materials have undergone sufficient working or processing.

2. Where the working or processing carried out in the Slovak Republic does not go beyond the operations referred to in Article 7, the product obtained shall be considered as originating in the Slovak Republic only where the value added there is greater than the value of the materials used originating in any one of the other countries referred to in paragraph 1. If this is not so, the product obtained shall be considered as originating in the country which accounts for the highest value of originating materials used in the manufacture in the Slovak Republic.

3. Products, originating in one of the countries referred to in paragraph 1, which do not undergo any working or processing in the Slovak Republic, retain their origin if exported into one of these countries.

4. The cumulation provided for in this Article may only be applied to materials and products which have acquired originating status by an application of rules of origin identical to those given in this Protocol.

The Slovak Republic shall provide the Community, through the Commission of the European Communities, with details of the Agreements and their corresponding rules of origin, which are applied with the other countries referred to in paragraph 1. The Commission of the European Communities shall publish in the *Official Journal of the European Communities* (C series) the date on which the cumulation, provided for in this Article, may be applied by those countries listed in paragraph 1 which have fulfilled the necessary requirements.

(*) The Principality of Liechtenstein has a customs union with Switzerland, and is a Contracting Party to the Agreement on the European Economic Area.

(**) Cumulation as provided for in this Article does not apply to materials originating in Turkey which are mentioned in the list at Annex V to this Protocol.'

3. Article 12 shall be replaced by the following:

Article 12

Principle of territoriality

1. Except as provided for in Article 2(1)(c), Articles 3 and 4 and paragraph 3 of this Article, the conditions for acquiring originating status set out in Title II must continue to be fulfilled at all times in the Community or the Slovak Republic.

2. Except as provided for in Articles 3 and 4, where originating goods exported from the Community or the Slovak Republic to another country return, they must be considered as non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:

- (a) the returning goods are the same as those that were exported, and
- (b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

3. The acquisition of originating status in accordance with the conditions set out in Title II shall not be affected by working or processing done outside the Community or the Slovak Republic on materials exported from the Community or the Slovak Republic and subsequently reimported there, provided:

- (a) the said materials are wholly obtained in the Community or the Slovak Republic or have undergone working or processing beyond the insufficient operations listed in Article 7 prior to being exported, and
- (b) it can be demonstrated to the satisfaction of the customs authorities that:
 - (i) the reimported goods have been obtained by working or processing the exported materials, and
 - (ii) the total added value acquired outside the Community or the Slovak Republic by applying the provisions of this Article does not exceed 10 % of the ex-works price of the end product for which originating status is claimed.

4. For the purposes of paragraph 3, the conditions for acquiring originating status set out in Title II shall not apply to working or processing done outside the Community or the Slovak Republic. But where, in the list in Annex II, a rule setting a maximum value for all the non-originating materials incorporated is applied in determining the originating status of the end

product, the total value of the non-originating materials incorporated in the territory of the party concerned, taken together with the total added value acquired outside the Community or the Slovak Republic by applying the provisions of this Article, shall not exceed the stated percentage.

5. For the purposes of applying the provisions of paragraph 3 and 4, "total added value" shall be taken to mean all costs arising outside the Community or the Slovak Republic, including the value of the materials incorporated there.

6. The provisions of paragraphs 3 and 4 shall not apply to products which do not fulfil the conditions set out in the list in Annex II or which can be considered sufficiently worked or processed only if the general values fixed in Article 6(2) are applied.

7. The provisions of paragraphs 3 and 4 shall not apply to products coming under Chapters 50 to 63 of the Harmonised System.

8. Any working or processing of the kind covered by the provisions of this Article and done outside the Community or the Slovak Republic shall be done under the outward processing arrangements, or similar arrangements.'

4. In Articles 13, 14, 15, 17, 21, 27, 30 and 32, the phrase 'referred to in Article 4' shall be replaced by 'referred to in Articles 3 and 4'.

5. In the last paragraph of Article 15(6), the date '31 December 1998' shall be replaced by '31 December 2000'.

6. In Article 26(1), the terms 'C2/CP3' shall be replaced by 'CN22/CN23'.

7. In Annex I, Note 5.2:

- (a) between the indents

— artificial man-made filaments' and

— synthetic man-made staple fibres of polypropylene',

the following shall be inserted:

— current conducting filaments';

- (b) the fifth example ('a carpet with tufts... are met.') shall be deleted.

8. Annex II shall be amended as follows:

- (a) the following shall be inserted between the entries for HS heading Nos 2202 and 2208:

'HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher; ethyl alcohol and other spirits, denatured, of any strength	Manufacture: — using materials not classified in heading Nos 2207 or 2208'	

(b) the entry for Chapter 57 shall be replaced by:

'Chapter 57	Carpets and other textile floor coverings: — Of needleloom felt — Of other felt — Other	Manufacture from (1): — natural fibres or — chemical materials or textile pulp However: — polypropylene filament of heading No 5402 — polypropylene fibres of heading Nos 5503 or 5506 — polypropylene filament tow of heading No 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex, may be used provided their value does not exceed 40 % of the ex-works price of the product — jute fabric may be used as backing Manufacture from (1): — natural fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp Manufacture from (1): — coir or jute yarn (6), — synthetic or artificial filament yarn, — natural fibres, or — man-made staple fibres not carded or combed or otherwise processed for spinning — jute fabric may be used as backing	
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(1) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

(6) The use of jute yarn is authorised from 1 July 2000.

(c) the entry for HS heading No 7006 shall be replaced by:

7006	Glass of heading Nos 7003, 7004 or 7005, bent, edgeworked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials: — glass plate substrate coated with dielectric thin film, semiconductor grade, in accordance with SEMII standards ⁽¹⁾ — other	Manufacture from non-coated glass plate substrate of heading No 7006 Manufacture from materials of heading No 7001	
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⁽¹⁾ SEMII — Semiconductor Equipment and Materials Institute Incorporated.

(d) the rule for HS heading No 7601 shall be replaced by:

7601	Unwrought aluminium	Manufacture in which: — all the materials used are classified within a heading other than that of the product; and — the value of all the materials used does not exceed 50 % of the ex-works price of the product or Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium	
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9. The following Annex shall be added:

ANNEX V

List of products originating in Turkey to which the provisions of Articles 3 and 4 do not apply, listed in the order of HS chapters and headings

Chapter 1	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter
Chapter 2	
Chapter 3	
0401 to 0402	
ex 0403	
0404 to 0410	
0504	
0511	
Chapter 6	
0701 to 0709	

ex 0710	Vegetables, except sweetcorn of heading No 0710 40 00 (uncooked or cooked by steaming or boiling in water), frozen
ex 0711	Vegetables, except sweetcorn of heading No 0711 90 30, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
0712 to 0714	
Chapter 8	
ex Chapter 9	Coffee, tea and spices, excluding maté of heading No 0903
Chapter 10	
Chapter 11	
Chapter 12	
ex 1302	Pectic substances, pectinates and pectates
1501 to 1514	
ex 1515	Other fixed vegetable fats and oils (excluding jojoba oil and its fractions) and their fractions, whether or not refined, but not chemically modified
ex 1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared, excluding hydrogenated castor oil known as "opal-wax"
ex 1517 and ex 1518	Margarines, imitation lard and other prepared edible fats
ex 1522	Residues resulting from the treatment of fatty substances or animal or vegetable waxes, excluding degreas
Chapter 16	
1701	
ex 1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel excluding that of heading Nos 1702 11 00, 1702 30 51, 1702 30 59, 1702 50 00 and 1702 90 10
1703	
1801 and 1802	
ex 1902	Pasta, stuffed, containing more than 20 % by weight of fish, crustaceans, molluscs or other aquatic invertebrates, sausages and the like or meat and meat offal of any kind, including fats of all kinds
ex 2001	Cucumbers and gherkins, onions, mango chutney, fruit of the genus <i>Capsicum</i> other than sweet peppers or pimentos, mushrooms and olives, prepared or preserved by vinegar or acetic acid
2002 and 2003	
ex 2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading No 2006, excluding potatoes in the form of flour, meal or flakes, and sweet corn
ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No 2006, excluding potatoes in the form of flour, meal or flakes, and sweetcorn
2006 and 2007	
ex 2008	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included, excluding peanut butter, palm hearts, maize, yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, vine leaves, hop shoots and other similar edible parts of plants
2009	

ex 2106	Flavoured and coloured sugar, syrups
2204	
2206	
ex 2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher obtained from agricultural produce listed here
ex 2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol obtained from agricultural produce listed here'
2209	
Chapter 23	
2401	
4501	
5301 et 5302	

Article 2

This Decision shall enter into force on the day of its adoption.

It shall apply as from 1 January 1999.

Done at Brussels, 12 May 1999.

For the Association Council

The President

J. FISCHER

COMMISSION

ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY FOR MIGRANT WORKERS

DECISION No 171

of 9 December 1998

amending Decision No 135 of 1 July 1987 concerning the granting of benefits in kind provided for in Article 17(7) and Article 60(6) of Council Regulation (EEC) No 574/72 and the concepts of urgency within the meaning of Article 20 of Regulation (EEC) No 1408/71 and of extreme urgency within the meaning of Article 17(7) and Article 60(6) of Regulation (EEC) No 574/72

(1999/370/EC)

THE ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY FOR MIGRANT WORKERS,

Having regard to Article 81(a) of Council Regulation (EEC) No 1408/71 of 14 June 1971, under which it is made responsible for dealing with all administrative questions or matters of interpretation arising from the provisions of Regulation (EEC) No 1408/71 and subsequent Regulations,

Having regard to Article 17(7) and Article 60(6) of Regulation (EEC) No 574/72,

Having regard to Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro,

Having regard to Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro,

Having regard to Decision No 135,

Whereas the amounts referred to in Decision No 135, which are expressed in national currencies prior to the introduction of the euro, should be converted into euro;

Whereas the principal aim of Decision No 135 is to fix an identical threshold amount for all Member States, expressed in euro, which shall apply to all Member States, including those not participating in the euro,

HAS DECIDED AS FOLLOWS:

1. Paragraph 2(2) of Decision No 135 of 1 July 1987 shall be replaced by the following:

‘2.2. the expected or actual cost of that benefit exceeds the flat-rate amount of EUR 500.’

2. This Decision shall be published in the *Official Journal of the European Communities*. It shall apply from 1 January 1999.

*The Chairman of the Administrative
Commission*

Helmut SIEDL

DECISION No 172
of 9 December 1998
on the model forms necessary for the application of Council Regulations (EEC) No
1408/71 and (EEC) No 574/72 (E 101)

(1999/371/EC)

THE ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY
FOR MIGRANT WORKERS,

Having regard to Article 81(a) of Council Regulation (EEC) No 1408/71 of 14 June 1971 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⁾, under which it is the duty of the Administrative Commission to deal with all administrative questions arising from Regulation (EEC) No 1408/71 and subsequent Regulations,

Having regard to Article 2(1) of 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 ⁽²⁾, under which it is the duty of the Administrative Commission to draw up models of certificates, certified statements, declarations, applications and other documents necessary for the application of the Regulations,

Having regard to Council Regulation (EC) No 1606/98 of 29 June 1998 amending 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 and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71, with a view to extending them to cover special schemes for civil servants ⁽³⁾,

Whereas this model form should be adapted to take account of Decision No 164;

Whereas the Agreement on the European Economic Area of 2 May 1992, amended by the Protocol of 17 March 1993, Annex VI, implements Regulations (EEC) No 1408/71 and (EEC) No 574/72 within the European Economic Area;

Whereas, by Decision of the EEA Joint Committee, the model forms necessary to implement Regulations (EEC) No 1408/71 and (EEC) No 574/72 are to be adapted and used within the European Economic Area;

Whereas, for practical reasons, identical forms should be used within the Community and within the European Economic Area;

Whereas the language in which the forms should be drawn up is dealt with by Recommendation No 15 of the Administrative Commission,

HAS DECIDED AS FOLLOWS:

1. The model form E 101 reproduced in Decision No 164 of 27 November 1996 shall be replaced by the model appended hereto.
2. The competent authorities of the Member States shall make available to those involved (rightful claimants, institutions, employers, etc.) the form according to the attached model.

⁽¹⁾ OJ L 149, 5.7.1971, p. 2.

⁽²⁾ OJ L 74, 27.3.1972, p. 1.

⁽³⁾ OJ L 209, 25.7.1998, p. 1.

3. The form shall be available in the official languages of the Community and laid out in such manner that the different versions are perfectly superposable, thereby making it possible for each person or body to which a form is addressed (rightful claimant, institution, employer, etc.) to receive the form printed in their own language.
4. This Decision shall be applicable from the first day of the month following its publication in the *Official Journal of the European Communities*.

*The Chairman of the
Administrative Commission*

Helmut SIEDL



CERTIFICATE CONCERNING THE LEGISLATION APPLICABLE

Regulation (EEC) No 1408/71: Article 13.2.d; Article 14.1.a; Article 14.2.b; Article 14 a.1.(a), 2 and 4; Article 14b.1, 2 and 4; Article 14 c (a); Article 14e; Article 17

Regulation (EEC) No 574/72: Article 11.1; Article 11a.1; Article 12a.2(a), 5.(c) and 7(a); Article 12b

1.	☐ Employed person ☐ Self-employed person		
1.1.	Surname ⁽²⁾		
1.2.	Forename(s)	Previous names ⁽²⁾	
1.3.	Date of birth ⁽³⁾	Nationality	DNI ⁽⁴⁾
1.4.	Permanent address		
	Street	No	PO box
	Town	Postal code	Country
1.5.	Insurance No ⁽⁵⁾		

2.	☐ Employer ☐ Activity as a self-employed person		
2.1.	Name of employer or firm		
2.2.	Identification No ⁽⁶⁾		
2.3.	The employer is a recruitment agency		Yes ☐ No ☐
2.4.	Address		
	Telephone	Fax	E-mail
	Street	No	PO box
	Town	Postal code	Country

3. The abovementioned insured person
- 3.1. ☐ has been employed by the employer mentioned above since
- ☐ has been pursuing an activity as a self-employed person since
- in
- 3.2. ☐ is being posted or will pursue an activity as a self-employed person for a period probably lasting from to
- 3.3. ☐ to the firm(s) mentioned below ☐ on the ship mentioned below

3.4.	Name(s) of firm or ship		
3.5.	Address(es)		
	Street	No	PO box
	Town	Postal code	Country
	Street	No	PO box
	Town	Code postal	Country
3.6.	Identification No ⁽⁶⁾		

4. Who pays the wage of the employed posted person? Who pays the social security contributions of the posted employee?

4.1. The employer referred to in point 2 ☐

4.2. The firm referred to in point 3.4 ☐

4.3. Other ☐ if so, give the

Name and

Address:

Street No PO box

Town Postal code Country

5. The insured person remains subject to the legislation of the country

☐

(¹)

5.1. in accordance with Article

☐ 13.2.d

☐ 14.1.a

☐ 14.2.b

☐ 14a.1(a)

☐ 14a.2

☐ 14a.4

☐ 14b.1

☐ 14b.2

☐ 14b.4

☐ 14c(a)

☐ 14e

of Regulation (EEC) No 1408/71

5.2. ☐ from to

5.3. ☐ for the duration of the activity (see the letter from the competent authority or designated body in the country of employment which entitles the insured person to remain subject to the legislation of the sending State

of reference)

6. Competent institution whose legislation will be applicable

6.1. Name Code number (⁷)

6.2. Address

Phone Fax E-mail

Street No PO box

Town Postal code Country

6.3. Stamp

6.4. Date

.....

6.5. Signature

.....

INSTRUCTIONS

Please complete this form in block letters, writing on the dotted lines only. It consists of 4 pages, none of which may be left out even if they do not contain any relevant information.

The designated institution of the Member State to whose legislation the worker is subject should fill in the form at the request of the worker or his employer and return it to the person involved. Where the worker is posted to Belgium, the Netherlands, Finland, Sweden or Iceland, the institution should also send a copy to, in Belgium: in the case of employed persons to the 'Office national de sécurité sociale/Rijksdienst voor Sociale Zekerheid' (National Social Security Office), Brussels; in the case of self-employed persons to the 'Institut national d'assurances sociales pour travailleurs indépendants/Rijksinstituut voor de Sociale Verzekering der Selfstandigen' (National Social Insurance Institute for the Self-Employed), Brussels; in the case of seamen to the 'Caisse de secours et de prévoyance en faveur des marins/Hulp- en Voorzorgskas voor Zeevarenden' (Relief and Welfare Fund for Mariners), Antwerp; or in the case of civil servants to the 'Service des Relations internationales du Ministère des Affaires sociales/Dienst Internationale Betrekkingen van het Ministerie van Sociale Zaken' (International Relations Department, Social Affairs Ministry); in the Netherlands, to the 'Sociale Verzekeringsbank' (Social Security Bank), Amstelveen; in Finland, to the 'Eläketurvakeskus' (Central Pension Security Institute), Helsinki; in Sweden, to the 'Riksförsäkringsverket' (National Social Insurance Board), Stockholm; in Iceland, to the 'Tryggingastofnun Ríkisins' (National Social Security Institute), Reykjavik.

Information for the insured person

Before you leave the country where you are insured to go to another Member State to work, you should ask your sickness and maternity insurance institution for an E 128 form or E 106 form, as appropriate. If you or a member of your family require benefits in kind (e.g. medical treatment, medicines, hospital treatment, etc.) in the country where you are working, you should follow the instructions given on the appropriate form. If you have an E 106 form you should submit it as soon as possible to the sickness and maternity insurance institution of the place where you go in order to work. If you have an E 128 form, you should keep it until you require medical treatment. If you are not in possession of the said form, the latter institution should request it from the institution with which you are insured.

Information for employers

A Member State which receives a request for the application of the aforementioned Article 14(1), Article 14b(1) or Article 17 of Regulation (EEC) No 1408/71 shall duly inform the employer and the worker concerned of the conditions under which the posted worker may continue to be subject to its legislation.

The employer shall be informed of the possibility of checks throughout the period of posting so as to ascertain that this period has not come to an end. Such checks may relate, in particular, to the payment of contributions and the maintenance of the direct relationship. Moreover, the employer of the posted worker shall inform the competent institution of the sending State of any change that has occurred during the period of posting, in particular:

- if the posting applied for has not taken place or if the extension of the posting applied for has not taken place,
- if the posting has been interrupted, unless this interruption of the worker's activities on behalf of the undertaking in the country of employment is of a purely temporary nature,
- if the posted worker has been assigned by his employer to another undertaking in the State of employment.

In the first two cases, he/she shall return this form to the competent institution of the sending State.

Information for the institution of the place of stay

If the person involved produces the proper certificate (E 128 or E 106), the insurance institution in the country of stay will also provide him provisionally with benefits in the event of an accident at work or an occupational disease. If in such a case the institution requires certificate E 123, it should apply as soon as possible:

in **Belgium**, for employed persons and as regards an occupational disease, to the 'Fonds des maladies professionnelles/Fonds voor Beroepsziekten' (Occupational Diseases Fund), Brussels, and as regards accidents at work to the insurance company designated by the employer

in **Denmark**, to the 'Arbejdsskadestyrelsen' (National Office for Accidents at Work and Occupational Diseases), Copenhagen

in **Germany**, to the competent 'Berufsgenossenschaft' (institution for accident insurance)

in **Spain**, to the 'Dirección Provincial del Instituto Nacional de Seguridad Social' (Provincial Directorate of the National Social Security Institution)

in **Ireland**, to the Department of Health and Children, Planning Unit, Hawkins House, Dublin 2

in **Italy**, to the competent provincial office of the 'Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro' (INAIL, National Institute for Insurance against Accidents at Work)

in **Luxembourg**, to the 'Association d'assurance contre les accidents' (Accident Insurance Association)

in the **Netherlands**, to the 'Sociale Verzekeringsbank' (Social Security Bank), Amstelveen

in **Austria**, to the competent institution for accident insurance

in **Portugal**, to the 'Centro Nacional de Protecção contra os Riscos Profissionais' (National Centre for Protection against Occupational Risks), Lisbon

in **Finland**, to the 'Tapaturmavakuutuslaitosten Liitto' (Federation of Accident Insurance Institutions), Bulevardi 28, 00120 Helsinki

in **Sweden**, to the 'Försäkringskassan' (Social Insurance Office)

in **all other Member States**, to the competent sickness insurance institution

in **Iceland**, to the 'Tryggingastofnun Ríkisins' (State Social Security Institute), Reykjavik

in **Liechtenstein**, to the 'Amt für Volkswirtschaft' (Office of National Economy), Vaduz

in **Norway**, to the 'Folketrygdkontoret for Utenlandssaker' (National Office for Social Insurance Abroad), Oslo.

Where the worker is covered by the French social security scheme, the fund which is competent to recognise entitlement to benefits is his insurance fund, which may not be the one appearing on form E 101. It will be necessary, where appropriate, to request forms E 128 or E 123 from the fund of the worker's place of habitual residence.

Where a self-employed person is covered by a Finnish or Icelandic social security scheme it will always be necessary to request form E 123.

Where a worker covered by an Icelandic social security scheme suffers an accident at work or contracts an occupational disease, the employer must always duly notify the competent institution.

NOTES

- (*) EEA = Agreement on the European Economic Area, Annex VI, Social Security. For the purpose of this agreement, this form shall also apply to Iceland, Liechtenstein and Norway.
- (1) Symbol of the Member State to whose legislation the worker is subject: B = Belgium; DK = Denmark; D = Germany; GR = Greece; E = Spain; F = France; IRL = Ireland; I = Italy; L = Luxembourg; NL = the Netherlands; A = Austria; P = Portugal; FIN = Finland; S = Sweden; GB = United Kingdom; IS = Iceland; FL = Liechtenstein; N = Norway.
- (2) In the case of Spanish nationals, state both names at birth.
In the case of Portuguese nationals, state all names (forenames, surname, maiden name) in the order of civil status in which they appear on the identity card or passport.
- (3) The day and the month should be shown by two digits each and the year by four digits (for example: 1 August 1921 = 01.08.1921).
- (4) In the case of Spanish nationals, state the number appearing on the national identity card (DNI), if it exists, even if the identity card is out of date. Failing this, indicate 'None'.
- (5) For workers subject to Belgian law, indicate the national social security number (NISS).
For workers subject to Danish law, indicate the CPR-number.
For workers subject to Dutch law, indicate the SOFI-number.
- (6) Please give as much information as possible to facilitate identification of the employer or the firm of the self-employed person:
In the case of a ship, indicate its name and its registration number.
For Belgium, indicate in the case of employed persons the employer's ONSS/RSZ registration number and in the case of self-employed persons the TVA/BTW-number.
For Denmark, indicate the SE-number.
For Germany, indicate the 'Betriebsnummer des Arbeitgebers'.
For France, indicate the SIRET-number.
For Spain, indicate the 'Código de Cuenta De Cotización Del Empresario CCC' (Employer's Contribution Account Number).
For workers subject to Finnish work accident legislation, please indicate the name of the competent accident insurance institution.
For Norway, indicate the organisation number.
- (7) To be filled in where available.
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