

Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (Text with relevance for the EEA and for Switzerland)

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*Status: Point in time view as at 08/01/2013.**Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 883/2004 of the European Parliament and of the Council. (See end of Document for details)*

- Article 18 Stay in the competent Member State when residence is in another Member State – Special rules for the members of the families of frontier workers
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Article 65a Special provisions for wholly unemployed self-employed frontier workers where no unemployment benefits system covering self-employed persons exists in the Member State of residence

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*Status: Point in time view as at 08/01/2013.*

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## ANNEX I

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- I. Advances of maintenance payments
- BELGIUM
  - BULGARIA
  - DENMARK
  - GERMANY
  - ESTONIA
  - SPAIN
  - FRANCE
  - LITHUANIA
  - LUXEMBOURG
  - AUSTRIA
  - POLAND
  - PORTUGAL
  - SLOVENIA
  - SLOVAKIA
  - FINLAND
  - SWEDEN
- II. Special childbirth and adoption allowances
- BELGIUM
  - BULGARIA
  - CZECH REPUBLIC
  - ESTONIA
  - SPAIN
  - FRANCE
  - LATVIA
  - LITHUANIA
  - LUXEMBOURG
  - HUNGARY
  - POLAND
  - ROMANIA
  - SLOVENIA
  - SLOVAKIA

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## FINLAND

### ANNEX II

PROVISIONS OF CONVENTIONS WHICH REMAIN IN FORCE AND WHICH,  
WHERE APPLICABLE, ARE RESTRICTED TO THE PERSONS COVERED THEREBY

#### General comments

BELGIUM-GERMANY  
BELGIUM-LUXEMBOURG  
BULGARIA-GERMANY  
BULGARIA-AUSTRIA  
BULGARIA-SLOVENIA  
CZECH REPUBLIC-GERMANY  
CZECH REPUBLIC-CYPRUS  
CZECH REPUBLIC-LUXEMBOURG  
CZECH REPUBLIC-AUSTRIA  
CZECH REPUBLIC-SLOVAKIA  
DENMARK-FINLAND  
DENMARK-SWEDEN  
GERMANY-SPAIN  
GERMANY-FRANCE  
GERMANY-LUXEMBOURG  
GERMANY-HUNGARY  
GERMANY-NETHERLANDS  
GERMANY-AUSTRIA  
GERMANY-POLAND  
GERMANY-ROMANIA  
GERMANY-SLOVENIA  
GERMANY-SLOVAKIA  
GERMANY-UNITED KINGDOM  
IRELAND-UNITED KINGDOM  
SPAIN-PORTUGAL  
ITALY-SLOVENIA  
LUXEMBOURG-PORTUGAL  
LUXEMBOURG-SLOVAKIA  
HUNGARY-AUSTRIA  
HUNGARY-SLOVENIA  
HUNGARY-SLOVAKIA  
AUSTRIA-POLAND  
AUSTRIA-ROMANIA  
AUSTRIA-SLOVENIA  
AUSTRIA-SLOVAKIA  
FINLAND-SWEDEN

### ANNEX III

RESTRICTION OF RIGHTS TO BENEFITS IN KIND FOR  
MEMBERS OF THE FAMILY OF A FRONTIER WORKER

DENMARK

ESTONIA (this entry will be valid during the period referred...)

*Status: Point in time view as at 08/01/2013.*

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IRELAND

SPAIN (this entry will be valid during the period referred...)

ITALY (this entry will be valid during the period referred...)

LITHUANIA (this entry will be valid during the period referred...)

HUNGARY (this entry will be valid during the period referred...)

NETHERLANDS (this entry will be valid during the period referred...)

FINLAND

SWEDEN

UNITED KINGDOM

#### ANNEX IV

MORE RIGHTS FOR PENSIONERS RETURNING  
TO THE COMPETENT MEMBER STATE

BELGIUM BULGARIA CZECH REPUBLIC GERMANY  
GREECE SPAIN FRANCE CYPRUS ....

#### ANNEX V

MORE RIGHTS FOR FORMER FRONTIER WORKERS WHO RETURN TO  
THEIR PREVIOUS MEMBER STATE OF ACTIVITY AS AN EMPLOYED OR  
SELF-EMPLOYED PERSON (APPLICABLE ONLY IF THE MEMBER STATE IN  
WHICH THE COMPETENT INSTITUTION RESPONSIBLE FOR THE COSTS  
OF THE BENEFITS IN KIND PROVIDED TO THE PENSIONER IN HIS/HER  
MEMBER STATE OF RESIDENCE IS SITUATED ALSO APPEARS ON THE LIST)

BELGIUM GERMANY SPAIN FRANCE LUXEMBOURG  
AUSTRIA PORTUGAL

#### ANNEX VI

IDENTIFICATION OF TYPE A LEGISLATION WHICH  
SHOULD BE SUBJECT TO SPECIAL COORDINATION

CZECH REPUBLIC

ESTONIA

IRELAND

GREECE

LATVIA

HUNGARY

SLOVAKIA

IRLANDA

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FINLAND

SWEDEN

UNITED KINGDOM Employment and Support Allowance

- (a) Great Britain
- (b) Northern Ireland

## ANNEX VII

### CONCORDANCE BETWEEN THE LEGISLATIONS OF MEMBER STATES ON CONDITIONS RELATING TO THE DEGREE OF INVALIDITY

## ANNEX VIII

### CASES IN WHICH THE PRO RATA CALCULATION SHALL BE WAIVED OR SHALL NOT APPLY

#### Part 1:

Cases in which the pro rata calculation shall be waived pursuant to Article 52(4)

DENMARK

IRELAND

CYPRUS

LATVIA

LITHUANIA

NETHERLANDS

AUSTRIA

POLAND

PORTUGAL

SLOVAKIA

SWEDEN

UNITED KINGDOM

#### Part 2:

Cases in which Article 52(5) applies

BULGARIA

DENMARK



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ESTONIA  
FRANCE  
LATVIA  
HUNGARY  
AUSTRIA  
POLAND  
PORTUGAL  
SLOVENIA  
SLOVAKIA  
SWEDEN  
UNITED KINGDOM

#### ANNEX IX

#### BENEFITS AND AGREEMENTS WHICH ALLOW THE APPLICATION OF ARTICLE 54

- I. Benefits referred to in Article 54(2)(a) of the Regulation, the...
  - BELGIUM
  - DENMARK
  - IRELAND
  - GREECE
  - SPAIN
  - FRANCE
  - LATVIA
  - IRELAND
  - NETHERLANDS
  - FINLAND
  - SWEDEN
- II. Benefits referred to in Article 54(2)(b) of the Regulation, the...
  - GERMANY
  - SPAIN
  - ITALY
  - LATVIA
  - LITHUANIA
  - LUXEMBOURG
  - SLOVAKIA
  - FINLAND
  - SWEDEN
- III. Agreements referred to in Article 54(2)(b)(i) of the Regulation intended...

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No 883/2004 of the European Parliament and of the Council. (See end of Document for details)

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## ANNEX X

### SPECIAL NON-CONTRIBUTORY CASH BENEFITS

BELGIUM

BULGARIA

CZECH REPUBLIC

DENMARK

GERMANY

ESTONIA

IRELAND

GREECE

SPAIN

FRANCE

ITALY

CYPRUS

LATVIA

LITHUANIA

LUXEMBOURG

HUNGARY

MALTA

NETHERLANDS

AUSTRIA

POLAND

PORTUGAL

SLOVENIA

SLOVAKIA

FINLAND

SWEDEN

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## UNITED KINGDOM

### ANNEX XI

#### SPECIAL PROVISIONS FOR THE APPLICATION OF THE LEGISLATION OF THE MEMBER STATES

## BULGARIA

## CZECH REPUBLIC

## DENMARK

1. For the purpose of calculating the pension under the ‘...
2. Notwithstanding the provisions of Article 6 of this Regulation, persons...
3. The temporary benefit for unemployed persons who have been admitted...
4. Where the beneficiary of a Danish social pension is also...

## GERMANY

1. Notwithstanding Article 5(a) of this Regulation and Article 5(4) point...
2. Notwithstanding Article 5(a) of this Regulation and Article 7 of...
3. For the purpose of granting cash benefits under §47(1) of...
4. Nationals of other Member States whose place of residence or...
5. The pauschale Anrechnungszeit (fixed credit period) pursuant to Article 253...
6. In cases where the German pension legislation, in force on...
7. The German legislation on accidents at work and occupational diseases...
8. For the calculation of the theoretical amount referred to in...

## ESTONIA

## IRELAND

1. Notwithstanding Articles 21(2) and 62 of this Regulation, for the...
2. Where Article 46 of this Regulation applies, if the person...

## GREECE

1. Law No 1469/84 concerning voluntary affiliation to the pension insurance...
2. Notwithstanding Article 5(a) of this Regulation and Article 34 of...

## SPAIN

1. For the purposes of implementing Article 52(1)(b)(i) of this Regulation,...
2. Under Article 56(1)(c) of this Regulation, the calculation of the...
3. Periods completed in other Member States which must be calculated...
4. The additional amounts based on age referred to in the...

## FRANCE

1. ....
2. For persons receiving benefits in kind in France pursuant to...
3. French legislation applicable to a person engaged, or formerly engaged,...

## CYPRUS

## MALTA

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#### NETHERLANDS

1. Health care insurance
2. Application of the Algemene Ouderdomswet (AOW) (General Old Age Pensions...
3. Application of the Algemene nabestaandenwet (ANW) (General Surviving Relatives Act)...
4. Application of Dutch legislation relating to incapacity for work

#### AUSTRIA

1. For the purpose of acquiring periods in the pension insurance,...
2. For the calculation of the pro rata benefit referred to...
3. Where pursuant to Article 6 of this Regulation substitute periods...

#### FINLAND

1. For the purposes of determining entitlement and of calculating the...
2. When applying Article 52(1)(b)(i) of this Regulation for the purpose...

#### SWEDEN

1. When parental leave allowance is paid under Article 67 of...
2. For the purpose of calculating parental leave allowance in accordance...
3. The provisions of this Regulation on the aggregation of insurance...
4. For the purpose of calculating income for notional income-related sickness...
5. For the purpose of calculating notional pension assets for income-based...

#### UNITED KINGDOM

1. Where, in accordance with United Kingdom legislation, a person may...
2. For the purposes of applying Article 6 of this Regulation...
3. For the purposes of Article 7 of this Regulation, in...
4. Where Article 46 of this Regulation applies, if the person...
5. For the purpose of calculating an earnings factor in order...

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- (1) [<sup>X1</sup>OJ C 38, 12.2.1999, p. 10.]
- (2) [<sup>X1</sup>OJ C 75, 15.3.2000, p. 29.]
- (3) [<sup>X1</sup>Opinion of the European Parliament of 3 September 2003 (not yet published in the Official Journal). Council Common Position of 26 January 2004 (OJ C 79 E, 30.3.2004, p. 15) and Position of the European Parliament of 20 April 2004 (not yet published in the Official Journal). Decision of the Council of 26 April 2004.]
- (4) [<sup>X1</sup>OJ L 149, 5.7.1971, p. 2. Regulation as last amended by Regulation (EC) No 1386/2001 of the European Parliament and of the Council (OJ L 187, 10.7.2001, p. 1).]
- (5) [<sup>X1</sup>[<sup>F2</sup>OJ L 373, 31.12.1991, p. 4.]]

#### Editorial Information

- X1** Substituted by Corrigendum to Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (Official Journal of the European Union L 166 of 30 April 2004).

#### Textual Amendments

- F2** Inserted by Regulation (EU) No 465/2012 of the European Parliament and of the Council of 22 May 2012 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 (Text of relevance to the EEA and to the EU/Switzerland Agreement).

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