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

DECISION No 125

of 17 October 1985

concerning the use of the certificate concerning the applicable legislation (Form E 101) where the period of posting does not exceed three months

(86/C 141/03)

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, under which it is made responsible for dealing with all administrative matters relating to the application of the said Regulation,

Whereas Decision No 97 should be amended in the light of the provisions of Council Regulation (EEC) No 3795/81 of 8 December 1981, which entered into force on 1 July 1982;

Whereas the conditions of modern economic life make it necessary for many employees of industrial, commercial and agricultural undertakings to make frequent brief trips abroad for the benefit of the undertaking by which they are employed;

Whereas it is difficult in such cases to obtain in time, prior to their departure, a certificate concerning the applicable legislation from the designated institution of the country in which the undertaking has its registered office;

Whereas there are grounds for making the procedure for issuing the certificate concerning the applicable legislation more flexible in order to ensure that the insured person carries with him a document showing that he is staying in one of the Member States on business and that he remains covered by the legislation of the country in which the undertaking by which he is employed is situated,

HAS DECIDED AS FOLLOWS:

1. For periods of posting not exceeding three months the institution referred to in Article 11 (1) of Regulation (EEC) No 574/72 may issue to undertakings, on request, copies of Form E 101 bearing a serial number, of which it shall complete only box 5, without, however, indicating the date.
2. The undertaking shall complete two copies of the form. One of these copies shall be handed to the worker prior to his departure and the other copy shall be sent within 24 hours to the designated institution of the country in which the undertaking has its registered office.
3. This Decision, which replaces Decision No 97, shall enter into force on the first day of the month following its publication in the *Official Journal of the European Communities.*

The Chairman
of the Administrative Commission
G. SCHROEDER

DECISION No 126

of 17 October 1985

concerning the application of Articles 14 (1) (a), 14a (1) (a), 14b (1) and (2) of Regulation (EEC) No 1408/71

(86/C 141/04)

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, under which it is made responsible for dealing with all administrative matters arising from Regulation (EEC) No 1408/71 and Council Regulation (EEC) No 574/72,

Whereas Decision No 98 should be amended to take account of the provisions of Regulations (EEC) No 1390/81 and (EEC) No 3795/81, which entered into force on 1 July 1982;

Whereas Articles 11 and 11a of Regulation (EEC) No 574/72 provide that a certificate concerning the applicable legislation will be issued to the worker at his own or his employer's request in the cases referred to in Articles 14 (1) and 14b (1) and in Articles 14a (1) (a) and 14b (2) respectively of Regulation (EEC) No 1408/71;

Whereas Articles 11 and 11a of Regulation (EEC) No 574/72 do not prescribe any time limit for the issue of the certificate,

HAS DECIDED AS FOLLOWS:

1. The institution referred to in Articles 11 and 11a of Regulation (EEC) No 574/72 shall issue a certificate concerning the applicable legislation (Form E 101), even if the issue of such a certificate is requested after the commencement of the occupation pursued in the State other than the competent State by the worker referred to in Articles 14 (1) (a), 14a (1) (a), 14b (1) and (2) of Regulation (EEC) No 1408/71.

2. This Decision, which replaces Decision No 98 of 4 February 1975, shall enter into force on the first day of the month following its publication in the *Official Journal of the European Communities.*

The Chairman
of the Administrative Commission

G. SCHROEDER

DECISION No 127

of 17 October 1985

concerning the compilation of the lists provided for in Articles 94 (4) and 95 (4) of Council Regulation (EEC) No 574/72 of 21 March 1972

(86/C 141/05)

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, under which it is given responsibility for dealing with all administrative questions relating to the application of the said Regulation,

Having regard to Article 36 (2) of the aforementioned Regulation (EEC) No 1408/71,

Having regard to Articles 17 (1) to (4), 29 (1) to (3), 94 (4) and (5), 95 (4) and (5) and 102 (2) of Regulation (EEC) No 574/72,

Having regard to Decision No 90 of 24 May 1973 and Decision No 111 of 29 June 1979 concerning the compilation of the lists provided for in Articles 94 (4) and 95 (4) of Council Regulation (EEC) No 574/72 of 21 March 1972,

Whereas Decision No 90 of 24 May 1973, as amended by Decision No 111 of 29 June 1979, should be amended to take account of changes made in the layout or use of certain forms by Decision No 120 of 7 July 1982 on the model forms necessary for the application of the Regulations;

Whereas, by means of Regulations (EEC) No 1390/81 and (EEC) No 3795/81, Regulations (EEC) No 1408/71 and (EEC) No 574/72 were extended to self-employed persons and members of their families,

HAS DECIDED AS FOLLOWS:

Article 1

The lists provided for in Articles 94 (4) and 95 (4) of Regulation (EEC) No 574/72 shall be drawn up according to the following rules:

I. List provided for in Article 94 (4):

Families of employed or self-employed persons

1. For the purposes of applying paragraphs 1 to 4 of Article 17 of Regulation (EEC) No 574/72 the following procedure shall be laid down:

At the request of the employed or self-employed person the competent institution, after completing Part A of Form E 109, shall forward two copies to the person concerned, who shall pass them on to the members of his family. The latter must submit the two copies to the sickness insurance institution of the place of their residence when registering for the granting of benefits in kind.