DECISION OF THE EEA JOINT COMMITTEE

No 133/2011

of 2 December 2011

amending Annex VI (Social security) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

(1) Annex VI to the Agreement was amended by Decision of the EEA Joint Committee No 76/2011 of 1 July 2011 [1].

(2) Decision No A3 of 17 December 2009 concerning the aggregation of uninterrupted posting periods completed under the Council Regulation (EEC) No 1408/71 and Regulation (EC) No 883/2004 of the European Parliament and of the Council [2] is to be incorporated into the Agreement.

(3) Decision No E2 of 3 March 2010 concerning the establishment of a change management procedure applying to details of the bodies defined in Article 1 of Regulation (EC) No 883/2004 of the European Parliament and of the Council which are listed in the electronic directory which is an inherent part of EESSI [3] is to be incorporated into the Agreement.

(4) Decision No H3 of 15 October 2009 concerning the date to be taken into consideration for determining the rates of conversion referred to in Article 90 of Regulation (EC) No 987/2009 of the European Parliament and of the Council [4] is to be incorporated into the Agreement.

(5) Decision No H4 of 22 December 2009 concerning the composition and working methods of the Audit Board of the Administrative Commission for the Coordination of Social Security Systems [5] is to be incorporated into the Agreement.

(6) Decision No H5 of 18 March 2010 concerning cooperation on combating fraud and error within the framework of Council Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 of the European Parliament and of the Council on the coordination of social security systems [6] is to be incorporated into the Agreement.

(7) Decision No S4 of 2 October 2009 concerning refund procedures for the implementation of Articles 35 and 41 of Regulation (EC) No 883/2004 of the European Parliament and of the Council [7] is to be incorporated into the Agreement.

(8) Decision No S5 of 2 October 2009 on interpretation of the concept of 'benefits in kind' as defined in Article 1(va) of Regulation (EC) No 883/2004 of the European Parliament and of the Council in the event of sickness or maternity pursuant to Articles 17, 19, 20, 22, 24(1), 25, 26, 27(1, 3, 4 and 5), 28, 34 and 36(1 and 2) of Regulation (EC) No 883/2004 and on calculation of the amounts to be refunded pursuant to Articles 62, 63 and 64 of Regulation (EC) No 987/2009 of the European Parliament and of the Council [8] is to be incorporated into the Agreement.

(9) Decision No S6 of 22 December 2009 concerning the registration in the Member State of residence pursuant to Article 24 of Regulation (EC) No 987/2009 and the compilation of the inventories provided for in Article 64(4) of Regulation (EC) No 987/2009 [9] is to be incorporated into the Agreement.

(10) Decision No S7 of 22 December 2009 concerning the transition from Regulations (EEC) Nos 1408/71 and 574/72 to Regulations (EC) Nos 883/2004 and 987/2009 and the application of reimbursement procedures [10] is to be incorporated into the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

Annex VI to the Agreement shall be amended as follows:

(1) the following point shall be inserted after point 3.2 (Decision No A2):

'3.3. **32010 D 0608(01)**: Decision No A3 of 17 December 2009 concerning the aggregation of uninterrupted posting periods completed under the Council Regulation (EEC) No 1408/71 and Regulation (EC) No 883/2004 of the European Parliament and of the Council (OJ C 149, 8.6.2010, p. 3).';

[1] OJ L 262, 6.10.2011, p. 33.
[2] OJ C 149, 8.6.2010, p. 3.
[3] OJ C 187, 10.7.2010, p. 5.
[4] OJ C 106, 24.4.2010, p. 56.
[5] OJ C 107, 27.4.2010, p. 3.
[6] OJ C 149, 8.6.2010, p. 5.
[7] OJ C 106, 24.4.2010, p. 52.
[8] OJ C 106, 24.4.2010, p. 54.
[9] OJ C 107, 27.4.2010, p. 6.
[10] OJ C 107, 27.4.2010, p. 8.

(2) the following point shall be inserted after point 4.1 (Decision No E1):

'4.2. **32010 D 0710(01)**: Decision No E2 of 3 March 2010 concerning the establishment of a change management procedure applying to details of the bodies defined in Article 1 of Regulation (EC) No 883/2004 of the European Parliament and of the Council which are listed in the electronic directory which is an inherent part of EESSI (OJ C 187, 10.7.2010, p. 5).';

(3) the following points shall be inserted after point 6.2 (Decision No H2):

'6.3. **32010 D 0424(16)**: Decision No H3 of 15 October 2009 concerning the date to be taken into consideration for determining the rates of conversion referred to in Article 90 of Regulation (EC) No 987/2009 of the European Parliament and of the Council (OJ C 106, 24.4.2010, p. 56).

The provisions of the Decision shall, for the purposes of this Agreement, be read with the following adaptation:

In the absence of a published conversion rate with regard to the Icelandic Krona (ISK) by the European Central Bank, the rate of conversion as mentioned in Article 1 of Decision No H3 shall be understood as the daily conversion rate fixed by the Central Bank of Iceland during the reference month.

6.4. **32010 D 0427(01)**: Decision No H4 of 22 December 2009 concerning the composition and working methods of the Audit Board of the Administrative Commission for the Coordination of Social Security Systems (OJ C 107, 27.4.2010, p. 3).

6.5. **32010 D 0608(02)**: Decision No H5 of 18 March 2010 concerning cooperation on combating fraud and error within the framework of Council Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 of the European Parliament and of the Council on the coordination of social security systems (OJ C 149, 8.6.2010, p. 5).';

(4) the following points shall be inserted after point 8.3 (Decision No S3):

'8.4. **32010 D 0424(14)**: Decision No S4 of 2 October 2009 concerning refund procedures for the implementation of Articles 35 and 41 of Regulation (EC) No 883/2004 of the European Parliament and of the Council (OJ C 106, 24.4.2010, p. 52).

8.5. **32010 D 0424(15)**: Decision No S5 of 2 October 2009 on interpretation of the concept of "benefits in kind" as defined in Article 1(va) of Regulation (EC) No 883/2004 of the European Parliament and of the Council in the event of sickness or maternity pursuant to Articles 17, 19, 20, 22, 24(1), 25, 26, 27(1, 3, 4 and 5), 28, 34 and 36(1 and 2) of Regulation (EC) No 883/2004 and on calculation of the amounts to be refunded pursuant to Articles 62, 63 and 64 of Regulation (EC) No 987/2009 of the European Parliament and of the Council (OJ C 106, 24.4.2010, p. 54).

8.6. **32010 D 0427(02)**: Decision No S6 of 22 December 2009 concerning the registration in the Member State of residence pursuant to Article 24 of Regulation (EC) No 987/2009 and the compilation of the inventories provided for in Article 64(4) of Regulation (EC) No 987/2009 (OJ C 107, 27.4.2010, p. 6).

8.7. **32010 D 0427(03)**: Decision No S7 of 22 December 2009 concerning the transition from Regulations (EEC) Nos 1408/71 and 574/72 to Regulations (EC) Nos 883/2004 and 987/2009 and the application of reimbursement procedures (OJ C 107, 27.4.2010, p. 8).'.

Article 2

The texts of Decisions Nos A3, E2, H3, H4, H5, S4, S5, S6 and S7 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 3 December 2011, provided that all the notifications pursuant to Article 103(1) of the Agreement have been made to the EEA Joint Committee (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 76/2011 of 1 July 2011, whichever is the later.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 2 December 2011.

For the EEA Joint Committee
The President
Kurt JÄGER

(*) No constitutional requirements indicated.