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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. prev. doc.:	15136/23
No. Cion doc.:	15642/16 - COM(2016) 815 final
Subject:	Proposal for a 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 (Text with relevance for the EEA and Switzerland) - Presidency proposal for a compromise package

In document 16202/23 ADD1, the second paragraph on page 6 should read as follows:

“Unless otherwise provided for by Article 16 of the implementing Regulation, where a person pursues his or her activity in a Member State other than the Member State competent under Title II of the basic Regulation, the employer or, in the case of a person who does not pursue an activity as an employed person, the person concerned, shall inform the competent institution of the Member State whose legislation is applicable thereof before the start of the activity and request the attestation referred to in Article 19(2) of this Regulation. However, in cases of emergency situations, the employer or, in the case of a person who does not pursue an activity as an employed person, the person concerned, can inform the competent institution of the Member State whose legislation is applicable thereof and request the attestation referred to in Article 19(2) of this Regulation after the start of the activity, and in any case no later than three days after the start of the activity.”

The third paragraph on page 7 should read as follows:

“Where a person pursues his or her activity in a Member State other than the competent Member State, the competent institution of the Member State whose legislation is applicable should be informed thereof in advance. However, in cases of emergency situations where prior notification is not possible, the employer or, in the case of a person who does not pursue an activity as an employed person, the person concerned, should be allowed to inform the competent institution after the activity has commenced in another Member State. This information should be provided no later than three days after the activity is commenced. In this case, the competent institution will issue the attestation referred to in Article 19(2) of Regulation 987/2009 after reception of the relevant information. Differently, for business trips and activities outside the construction sector with a duration of no more than three consecutive days within a period of thirty consecutive days, there is no requirement to inform the competent institution of the Member State whose legislation is applicable pursuant to Title II of this Regulation.”