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INFORMATION MEMO

Further regulations on social security for certain categories
of migrant worker

1. On December 2, 1963 the Council of Ministers adopted, on a proposal of the Commission, two regulations on social security for frontier and seasonal workers, supplementing the regulations on the same subject adopted on April 2 and July 11, 1963 (see Information Memos P/7 and P/10).

All four regulations are to come into force on February 1, 1964, making up a social security system that affords fuller protection than that embodied in the bilateral conventions concluded between some of the Member States.

These new provisions guarantee to frontier and seasonal workers and their families the right to all the social security benefits of the country where they work and ensure that the benefits are provided in the country where they live.

For frontier workers and their families, the arrangements are as follows:

- (a) Benefits in kind (medical and other expenses) will be provided by the institution in the worker's place of residence and charged to the institution to which the worker is affiliated in his country of employment. The latter institution may also provide the frontier worker and his family with benefits in kind when they need them in the country of employment. When they are temporarily in another Community country, they may also claim from the institution in that country any benefits required because of their state of health;
- (b) Daily invalidity allowances will be paid to the frontier worker direct by the institution to which he is affiliated, and compensation for accidents occurring between his place of residence and the frontier will be paid in the same way as those occurring in the country of employment;
- (c) Unemployment benefit will be paid by the country of employment if the frontier worker is partially or accidentally unemployed and by the country of residence if he is fully unemployed;
- (d) Family allowances will be paid direct by the country of employment; in some cases, they will not be allowed to exceed the rates in force in the home country.

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When a seasonal worker falls sick or has an accident, benefits will still be paid by his country of employment if he returns to his home country for treatment; in the case of an accident at work, transport too will be paid to the place of origin. Benefits in kind for the families of seasonal workers will be provided through the institution in their place of residence, and family allowances will be paid by the country of employment up to the level of the rates obtaining in the country of residence.

As regards invalidity, old-age, life and industrial injury insurance, frontier and seasonal workers come under the provisions already laid down in Regulations Nos. 3 and 4 on social security for migrant workers: their pensions will be calculated on the basis of all contributions paid and will be payable in the country of residence.

Some 115 000 frontier workers and 100 000 seasonal workers will come under these new provisions. The biggest movements of frontier workers are from Belgium to France (45 000) and from the Netherlands to Germany (25 000) and Belgium (15 000). The biggest movements of seasonal workers are from Italy to Germany (55 000) and France (20 000) and from Belgium to France (15 000).

2. The Council also adopted a regulation amending certain provisions of the Community regulations on social security for migrant workers dealing with allowances for children of pensioners and children who have lost one or both parents. The new provisions considerably simplify the method of calculating these allowances.