

P 10(63)-E

Orig. F

Brussels, March 26, 1963

INFORMATION MEMO

The EEC Commission has submitted to the Council of Ministers a draft regulation on social security matters affecting seasonal workers and other workers<sup>(1)</sup> not residing in the country to whose social security schemes they are affiliated. The draft does not concern frontier workers, for whom a special regulation was adopted by the Council on February 21, 1963.

Regulations Nos. 3 and 4 (social security for migrant workers) do not provide all these workers with the protection to which they would be entitled if they were resident in the countries in which they are insured. The purpose of the present proposal is therefore to remove these restrictions and to adapt and amend Regulations Nos. 3 and 4 so as to ensure for all these workers and their families the right to family allowances and sickness, unemployment and industrial-accident benefits in the countries in which they are insured without any stipulation as to residence, and to ensure that the benefits are provided in their countries of residence, if necessary through the social security institutions of these countries.

As regards sickness or maternity insurance, the proposal specifies that cash benefits (daily invalidity allowances) will be paid to all workers in their countries of residence by the institution to which they are affiliated. Benefits in kind (medical care) will be supplied to them and their families by the insurance office in their place of residence, which will accord them the same benefits as to its own insured workers; this office will then apply for reimbursement to the office at which the worker is registered in the country of employment. The latter office may also provide the worker with benefits in kind if he needs them in the country of employment, and this also applies to the members of his family in certain cases, notably cases of emergency.

---

These other workers are:

- (1) (a) Workers in embassies and consulates insured in their own countries (not enjoying diplomatic status);
  - (b) Workers in enterprises divided by a frontier common to two member countries, who are insured in the country in which the enterprise has its principal place of business although they reside in the other Member State;
  - (c) Temporary workers (workers employed for a limited period in a non-seasonal activity);
  - (d) Workers residing in one country and employed and insured in another, but not qualifying as frontier workers (since they go home less than once a week, or since their place
-

Industrial-accident and occupational-disease benefits will be provided on the same lines. Ambulance costs for a seasonal worker who meets with an industrial accident may be defrayed by the institution.

With regard to unemployment, workers will be entitled to ordinary benefits in the country in which they become unemployed. On returning to their country of residence, they will continue to receive these benefits for a certain period. In addition, a seasonal worker, who is unemployed in his country of residence at the end of the season may, under certain conditions, claim unemployment benefits from this country.

Workers will claim family allowances from the country in which they are employed and these will be paid at rates not exceeding those in force in the country of residence.

The number of seasonal workers affected by these regulations is estimated at about 200 000.

The biggest movements of seasonal workers are from Italy to France (farming and building) and from Italy to Germany and Luxembourg (building and metal industries). There is also a movement of frontier workers every year from Belgium to France during the beet season.

-----