

Brussels, 6 December 1965

IP(65) 199

PRESS RELEASE

EEC Commission makes proposals on Social Security
for seamen.

The EEC Commission adopted at its session on Dec. 1 proposals for a regulation extending to seamen the social security provisions for migrant workers contained in Regulations Nos. 3 and 4. The draft regulation has been presented to the Council of Ministers.

These regulations, which took effect from 1 January 1959, guarantee workers from other Community countries the same social security rights as nationals of the host country; make it possible for entitlement to benefit to be determined by adding together the periods completed under the legislation of different States; and ensure that benefits can be received in the Community country where the beneficiary happens to be.

The principle that these provisions should also apply to seamen was ~~laid down in Regulation No 3~~; but it was ruled down that the necessary regulations should be issued later. Until now, the social security systems applicable to seamen have been co-ordinated by means of bilateral and multilateral conventions.

If the present position were to continue, seamen who are nationals of one Member State might be discouraged from joining a vessel sailing under the flag of another. The bilateral conventions applicable to seamen are, in fact, less advantageous than the regulations on social security for migrant workers, and complete co-ordination between these various bilateral conventions in the case of a seaman whose life has been spent under the flags of more than two Member States - is not achieved by the existing multilateral instruments.

The most important change as compared with Regulation No 3 concerns the method of determining which legislation is applicable. It lays down that seamen employed on board a ship should be subject to the legislation of the Member State whose flag the ship carries. In most cases this is the same as the State in which the ship is registered, which is the criterion employed in the social security conventions, but it seemed preferable to go by the flag because this definition is sometimes wider and is the one used, in the domestic law of most of the Member States concerned, to decide the social security system under which seamen come.
