

AC 205/21

Summary of the minutes of the  
368<sup>th</sup> meeting of the  
Administrative Commission

SECRETARIAT – 08.04.2022.

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**ADMINISTRATIVE COMMISSION  
FOR THE COORDINATION OF SOCIAL SECURITY SYSTEMS**

**Summary of the minutes of the  
368<sup>th</sup> meeting of the Administrative Commission**

**19-20 October 2021**

**A. Agenda**

The agenda was approved.

**B. Approval of Minutes**

The Administrative Commission approved the minutes of the Working Party of the Administrative Commission on 7 October 2020 (AC 186/20), minutes of the VIII International Forum of the Administrative Commission on 8 December 2020 (AC 251/20), minutes of the 365<sup>th</sup> meeting of the Administrative Commission on 9-10 December 2020 (AC 253/20) and minutes of the Working Party of the Administrative Commission on 3 March 2021 (AC 020/21).

**C. Communications and Questions**

The Presidency provided information on state of play of the revision of Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 and relations with the European Labour Authority. The Secretariat informed the delegations of recent staff changes. The Secretariat also informed about the publication of Decision No S11 and provided an update on the ESSPass project. The delegations were reminded that as government representatives AC Members are appointed by their governments, therefore, the information about appointments/changes should reach the Secretariat from the Permanent Representative office to the European Union. The Secretariat invited the delegations to verify the current list and contact details and to update them by the end of October.

**I. Approval/notice without discussion**

The Administrative Commission approved without discussion the following items: Nominations for membership to the Ad-Hoc Groups established for the definition of data to be exchanged electronically (AC 016/21REV3); Change Requests referring to business aspects (BUCs and SEDs) (AC 175/21); Notifications on the maximum amount under Article 70 of Regulation (EC) No 987/2009 (AC 154/21).

**II. Report on the outcome of the Working Party of the Administrative Commission 6 October 2021**

The Administrative Commission took note of the report on Working Party on 6 October 2021 relating to the bilateral agreements - IX International Forum. The delegations were informed that clarifications and corrections regarding the database on bilateral social security agreements can be submitted until the end of October.

### **III. Statistical reporting on the coordination of social security schemes**

The Administrative Commission approved the following reports subject to corrections that were sent to the Secretariat:

- statistical report on PD A1 (AC 227/21)
- statistical report on PD U1 (AC 228/21)
- statistical report on PD U2 (AC 229/21)
- statistical report on cross-border healthcare (AC 232/21)
- statistical report on family benefits (AC 231/21)
- statistical report on cross-border old-age, survivors' and invalidity pensions (AC 230/21).

### **IV. Judgement of the Court of Justice of the European Union in Case C-473/18 – Decision H3**

The Administrative Commission adopted the revised Decision H3 as presented in the note AC 146/21, excluding point 8 on currency fluctuations, including editorial adjustments if needed before publication. The Czech leading delegation and the Secretariat explained that the addition of the point (3) in the preamble to the decision about the judgment was an essential element to remind the delegations to deal with the issue of currency fluctuations their own way in accordance with this judgment, even if the new point 8 was not adopted.

### **V. Planned medical treatment for mass casualty disasters**

The Administrative Commission welcomed willingness of the Czech and Belgian delegations to prepare a draft Decision regarding the provision of health care treatment in case of mass casualty disasters, including emergency situations where patients must be transferred to a hospital in another Member State and invited the volunteering delegations to prepare a draft Decision to be shared with the Secretariat for possible assistance. Interested delegations which have not yet confirmed their interest on this topic were invited to send an email to the Secretariat to join for the drafting of the decision.

### **VI. COVID-19 pandemic: Assessment of quarantine payments under Regulation 883/04**

The Administrative Commission took note of the Czech and Finnish notes and invited the interested delegations to submit their notes in order to share their views regarding the payments linked to a preventive compulsory quarantine imposed by a Member State other than the competent Member State.

### **VII. Voluntary requests of exemption of insured persons from the Swiss Social Security benefits**

The Administrative Commission took note of the Slovenian note regarding the process of registering of the Swiss pensioners to the Slovenian healthcare scheme.

### **VIII. Electronic Version of the European Health Insurance Card: Ad – hoc group mandate**

The Administrative Commission approved the members as well as the Member States' co-rapporteur and deputy co-rapporteur as proposed in note AC 148/21REV.

## **IX. COVID 19 vaccination coverage**

The Administrative Commission took note of the joint note of the Belgian and Italian delegations (AC 240/21) that included a compilation of current national practices regarding the vaccination against Covid-19 that had been collected via the questionnaire that had been sent to all Member States. The Secretariat highlighted that the note was very helpful as it compiles and analyses the national vaccination practices. It recalled that in its opinion, the vaccination against Covid-19 is a preventive healthcare treatment and, as such, covered by EU social security coordination rules.

## **X. Applicable legislation - Illegal residency of a TCN in the MS of employment**

The Administrative Commission took note of the discussion concerning the illegal residency of a third country national in the Member State of employment as well as third country national mariners. The delegations were invited to send the notes expressing their views.

## **XI. EESSI**

### **1. Status of EESSI**

The European Commission informed that all countries should be in full production with all BUCs on 5th June 2023, which represents a 6-months delay compared to the previous forecast. The Administrative Commission took note of the good progress in the implementation status of EESSI and encouraged the participating countries to continue and accelerate their deployment of the remaining BUCs. The Administrative Commission was made aware of the issue of non-compliance with Decision E7 and of the reports provided by the concerned delegations. The Administrative Commission urged countries to comply with the six months deadline contained in this Decision E7, to avoid parallel processes (digital and paper) and ensure well-functioning of the system.

### **2. RINA Handover**

The Administrative Commission took note of the latest development in the work of the Ad Hoc Group on RINA Handover, as reported by its Co-Rapporteurs. The Administrative Commission took note of the risks highlighted by many delegations regarding the gap in the support period for RINA and about the importance to define mitigation actions. On this matter, the Administrative Commission took note of the request from 21 delegations for a prolongation of the support from the European Commission - even on limited basis. The Administrative Commission took note of the commitment of the European Commission to provide knowledge transfer but that the full support for RINA would end as announced on 31 December 2021 and would not be extended a second time.

### **3. EESSI Releases and Work Programme**

The Administrative Commission was informed about the status of RINA 2020 release deployment and about the scope of the Release 2021. The European Commission drew attention to the fact that RINA 2019 was no longer supported in production from July 2019 and that the planning for countries still using it was unclear. Regarding the proposed calendar of the Release 2021 presented by the Commission, the Czech and Swiss delegations,

supported by the Austrian, Belgian, French and Luxemburgish delegations, indicated the need for participating countries to know what the impact of CDM 4.3 for their resources could be. The Administrative Commission took note of the fact that the calendar of the Release 2021 for the CSN/AP was approved by the Technical Commission and that the calendar for Common Data Model of the Release 2021 would be resubmitted to the Technical Commission for an approval in November.

#### **4. EESSI Enhancements**

The Administrative Commission was informed about the adoption of the three strategic change requests (while one of them of a business nature was approved under point I.b). The Administrative Commission was informed about the status of the work on Business Process Improvement, in particular regarding the orchestration principles and the analysis of unused and low frequency used BUCs.

#### **5. EESSI Terms of collaboration**

The Administrative Commission was informed about the negative opinion provided by the Technical Commission in its last meeting because of the link with the RINA handover. While the Commission reminded that the Terms of Collaboration should reflect the current reality of the project, the Administrative Commission encouraged Technical Commission delegates to find a compromise in view of the next TC meeting.

### **XII. Cooperation between the Administrative Commission and the European Labour Authority**

The Administrative Commission took note of the state of play of agreement negotiations with ELA.

### **XIII. Changes in Member States legislation**

The Administrative Commission took note of the changes in the Irish (note AC 211/21), Slovenian (note AC 215/21), Slovak (note AC 234/21) and the United Kingdom (note AC 235/21) legislation.

### **XIV. Miscellaneous amendments – Council and European Parliament Regulation**

The Administrative Commission took note of the requests from the Slovak and the United Kingdom delegations.

### **XV. Draft agendas of the meetings of the Administrative Commission in the second half of 2021 and the calendar of the meetings 2022**

The Administrative Commission took note of the agendas of the meetings of the Administrative Commission in the second half of 2021 and the calendar of the meetings for 2022. The Secretariat stressed that the calendar was indicative, subject to internal booking approvals. The Secretariat noted the preference of many delegations to hold the meetings of the Administrative Commission in face-to-face meetings for a better cooperation and effective exchanges and expressed understanding and willingness for reflection on the meetings' planning for 2022 to the most appropriate and possible extent.