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DECISION No 186

of 27 June 2002

on the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E 101)

(Text with EEA relevance)

(2003/149/EC)

(OJ L 55, 1.3.2003, p. 80)

Amended by:

► **M1** Decision No 202 2006/203/EC, of 17 March 2005

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ΑΠΟΦΑΣΗ αριθ. 186

της 27ης Ιουνίου 2002

σχετικά με το υπόδειγμα εντύπου που είναι αναγκαίο για την εφαρμογή των κανονισμών του Συμβουλίου (ΕΟΚ) αριθ. 1408/71 και (ΕΟΚ) αριθ. 574/72 (Ε 101)

(Κείμενο που παρουσιάζει ενδιαφέρον για τον ΕΟΧ)

(2003/149/ΕΚ)

Η ΔΙΟΙΚΗΤΙΚΗ ΕΠΙΤΡΟΠΗ ΓΙΑ ΤΗΝ ΚΟΙΝΩΝΙΚΗ ΑΣΦΑΛΕΙΑ ΤΩΝ ΔΙΑΚΙΝΟΥΜΕΝΩΝ ΕΡΤΑΖΟΜΕΝΩΝ,

Έχοντας υπόψη:

το άρθρο 81 στοιχείο α) του κανονισμού (ΕΟΚ) αριθ. 1408/71 του Συμβουλίου, της 14ης Ιουνίου 1971, περί εφαρμογής των συστημάτων κοινωνικής ασφάλισης στους μισθωτούς, στους μη μισθωτούς και στα μέλη των οικογενειών τους που διακινούνται εντός της Κοινότητας ⁽¹⁾, σύμφωνα με το οποίο είναι επιφορτισμένη να χειρίζεται όλα τα διοικητικά θέματα που απορρέουν από τον κανονισμό (ΕΟΚ) αριθ. 1408/71 και τους μεταγενέστερους κανονισμούς,

το άρθρο 2 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 574/72 του Συμβουλίου ⁽²⁾, σύμφωνα με το οποίο η διοικητική επιτροπή καθορίζει τα υποδείγματα των πιστοποιητικών, βεβαιώσεων, δηλώσεων, αιτήσεων και άλλων εγγράφων, αναγκαίων για την εφαρμογή των κανονισμών,

την απόφαση αριθ. 172, της 9ης Δεκεμβρίου 1998, για τα υποδείγματα των εντύπων που είναι αναγκαία για την εφαρμογή των κανονισμών του Συμβουλίου (ΕΟΚ) αριθ. 1408/71 και (ΕΟΚ) αριθ. 574/72 (Ε 101) ⁽³⁾,

Εκτιμώντας τα ακόλουθα:

- (1) Είναι σκόπιμο να προσαρμοστεί το έντυπο Ε 101, ώστε να πιστοποιείται από τον αρμόδιο φορέα η νομοθεσία που εφαρμόζεται στους εργαζόμενους στις διεθνείς μεταφορές.
- (2) Η συμφωνία του Ευρωπαϊκού Οικονομικού Χώρου, της 2ας Μαΐου 1992, όπως συμπληρώθηκε από το πρωτόκολλο της 17ης Μαρτίου 1993, παράρτημα VI, εφαρμόζει τους κανονισμούς (ΕΟΚ) αριθ. 1408/71 και (ΕΟΚ) αριθ. 574/72.
- (3) Με απόφαση της μεικτής επιτροπής του ΕΟΧ, τα υποδείγματα των εντύπων που είναι αναγκαία για την εφαρμογή των κανονισμών (ΕΟΚ) αριθ. 1408/71 και (ΕΟΚ) αριθ. 574/72 θα προσαρμοστούν και θα χρησιμοποιηθούν στον Ευρωπαϊκό Οικονομικό Χώρο.
- (4) Πρέπει, για πρακτικούς λόγους, να χρησιμοποιούνται ταυτόσημα έντυπα μέσα στην Κοινότητα και στον Ευρωπαϊκό Οικονομικό Χώρο.
- (5) Η γλώσσα στην οποία συντάσσονται τα έντυπα έχει αποφασιστεί με τη σύσταση αριθ. 15 της διοικητικής επιτροπής,

ΑΠΟΦΑΣΙΖΕΙ:

1. Το υπόδειγμα του εντύπου Ε 101 που περιλαμβάνεται στην απόφαση 172 αντικαθίσταται από το συνημμένο υπόδειγμα.
2. Οι αρμόδιες αρχές των κρατών μελών θέτουν στη διάθεση των ενδιαφερόμενων (νομίμως αιτούντων, φορέων, εργοδοτών, κ.λπ.), το έντυπο σύμφωνα με το συνημμένο υπόδειγμα.
3. Το έντυπο διατίθεται στις επίσημες γλώσσες της Κοινότητας και σχεδιάζεται κατά τρόπο ώστε οι διάφορες γλωσσικές εκδόσεις να έχουν την ίδια διάταξη, ώστε να καθίσταται δυνατό σε κάθε άτομο (νόμιμο αιτούντα, φορέα, εργοδότη κ.λπ.) να λαμβάνει το έντυπο στη δική του γλώσσα.
4. Η παρούσα απόφαση είναι εφαρμοστέα από την πρώτη ημέρα του μήνα που έπεται της δημοσίευσής της στην *Επίσημη Εφημερίδα της Ευρωπαϊκής Ένωσης*.

⁽¹⁾ ΕΕ L 149 της 5.7.1971, σ. 2.

⁽²⁾ ΕΕ L 74 της 27.3.1972, σ. 1.

⁽³⁾ ΕΕ L 143 της 8.6.1999, σ. 13.

▼B

▼ **M1****E 101**

4. Who pays the wage and social security contributions of the employed posted person?

4.1 The employer referred to in point 2 ☐4.2 The firm referred to in point 3.4 ☐4.3 Other ☐ if so, give the name

..... and

Address

Street: No: PO box:

Town: Postal code: Country:

5. The insured person remains subject to the legislation of the country: ☐ (1)

5.1 in accordance with Article:

☐ 13(2)(d)☐ 14(1)(a)☐ 14(2)(a)☐ 14(2)(b)☐ 14a(1)(a)☐ 14a(2)☐ 14a(4)☐ 14b(1)☐ 14b(2)☐ 14b(4)☐ 14c(a)☐ 14e☐ 17

of Regulation (EEC) No 1408/71

5.2 ☐ from to5.3 ☐ for the duration of the activity (see the letter from the competent authority or designated body in the country of employment which entitles the insured person to remain subject to the legislation of the Sending State

of reference

6. Competent institution whose legislation is applicable

6.1 Name:

6.2 Identification number of the institution:

6.3 Address

Telephone: Fax: E-mail:

Street: No: PO Box:

Town: Postal code: Country:

6.4 Stamp

6.5 Date:

6.6 Signature:

INSTRUCTIONS

The designated institution of the Member State to whose legislation the worker is subject should fill in the form at the request of the worker or his employer and return it to the applicant. If the worker is posted to Belgium, Denmark, Germany, France, the Netherlands, Austria, Finland, Sweden, or Iceland, the institution should also send a copy to: in Belgium, in the case of employed persons to the 'Office national de sécurité sociale/Rijksdienst voor Sociale Zekerheid' (National Social Security Office), Brussels; in the case of self-employed persons to the 'Institut national d'assurances sociales pour travailleurs indépendants/ Rijksinstituut voor sociale verzekering der zelfstandigen' (National Social Insurance Institute for the Self-Employed), Brussels; in the case of seamen, to the 'Caisse de secours et de prévoyance en faveur des marins: de Hulp- en Voorzorgskas voor Zeevarenden' (Relief and Welfare Fund for Mariners), Antwerp; or, in the case of civil servants, to the 'Service des Relations internationales du S.P.F. Sécurité sociale' (International Relations Department, Social Affairs Ministry); in Denmark, to 'Den Sociale Sikringsstyrelse' (The National Social Security Agency); in Germany, to the 'Deutsche Rentenversicherung-Bund' (German Federal Pension Insurance), 97041 Würzburg; in France, to the 'Centre des liaisons européennes et internationales de sécurité sociale (Cleiss)' (Centre for European and International Liaison on Social Security), Paris; in the Netherlands, to the 'Sociale Verzekeringsbank' (Social Insurance Bank), Amstelveen; in Austria, to the 'Hauptverband der österreichischen Sozialversicherungsträger' (Main Association of Austrian Social Insurance Institutions); in Finland, to the 'Eläketurvakeskus' (Finnish centre for Pensions), Helsinki; in Sweden, to 'Försäkringskassan, Huvudkontoret' (Swedish Social Insurance Agency, Head Office), Stockholm; in Iceland, to the 'Tryggingastofnun ríkisins' (The State Social Security Institute), Reykjavik.

Information for the insured person

Before you leave the country where you are insured to go to another Member State to work, make sure you have the document which entitles you to receive the necessary benefits in kind (e.g. medical care, medication, treatment in hospital, etc.) in the country where you are working. If you are going to be living in the country in which you are working, ask your sickness insurance institution for an E 106 form and submit it as soon as possible to the competent sickness insurance institution of the place where you are going to work. If you are staying temporarily in the country in which you are going to work, ask your sickness insurance institution for the European health insurance card. You must show this card to your care provider if you need benefits in kind during your stay.

Information for employers

A Member State which receives a request for the application of the aforementioned Article 14(1), Article 14b(1) or Article 17 of Regulation (EEC) No 1408/71 shall duly inform the employer and the worker concerned of the conditions under which the posted worker may continue to be subject to its legislation.

The employer shall be informed of the possibility of checks throughout the period of posting so as to ascertain that this period has not come to an end. Such checks may relate, in particular, to the payment of contributions and the maintenance of the direct relationship. Moreover, the employer of the posted worker shall inform the competent institution of the sending State of any change that has occurred during the period of posting, in particular:

- if the posting applied for has not taken place or if the extension of the posting applied for has not taken place,
- if the posting has been interrupted, unless this interruption of the worker's activities on behalf of the undertaking in the country of employment is of a purely temporary nature,
- if the posted worker has been assigned by his employer to another undertaking in the State of employment.

In the first two cases, he/she shall return this form to the competent institution of the sending State.

Information for the institution of the place of stay

If the person involved produces the proper document (European health insurance card or form E 106), the insurance institution in the country of stay will also provide him provisionally with benefits in the event of an accident at work or an occupational disease. If in such a case the institution requires form E 123, it should apply as soon as possible:

- in **Belgium**, for employed persons and as regards an occupational disease, to the 'Fonds des maladies professionnelles/Fonds voor Beroepsziekten' (Occupational Diseases Fund), Brussels, and, as regards accidents at work, to the insurance company designated by the employer;
- in the **Czech Republic**, to the sickness insurance fund with which the person concerned is insured;
- in **Denmark**, to 'Arbejdsskadestyrelsen' (National Board of Industrial Injuries), Copenhagen;
- in **Germany**, to the competent 'Berufsgenossenschaft' (Accident Insurance Institution);
- in **Estonia**, to the 'Sotsiaalkindlustusamet' (Social Insurance Board), Tallinn;
- in **Spain**, to the 'Dirección Provincial del Instituto Nacional de Seguridad Social' (Provincial Directorate of the National Social Security Institution);
- in **Ireland**, to the Department of Health, Planning Unit, Dublin 2;
- in **Italy**, to the competent provincial office of the 'Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro' (INAIL) (National Institute for Insurance against Accidents at Work);
- in **Latvia**, to the 'Valsts sociālās apdrošināšanas aģentūra' (State Social Insurance Agency), Riga;
- in **Lithuania**, to the 'Teritorinė ligonių kasa' (Regional Sickness Insurance Fund);
- in **Luxembourg**, to the 'Association d'assurance contre les accidents' (Accident Insurance Association);
- in **Malta**, to the 'Diviżjoni tas-Saħa', Triq il-Merkanti, Valletta CMR 01;
- in the **Netherlands**, to the competent sickness insurance institution;
- in **Austria**, to the competent accident insurance institution;
- in **Poland**, to the regional branch of the 'Narodowy Fundusz Zdrowia' (National Health Fund);
- in **Portugal**, to the 'Centro Nacional de Protecção contra os Riscos Profissionais' (National Centre for Protection against Occupational Risks), Lisbon;
- in **Slovakia**, to the health insurance company of the insured person or the Social Insurance agency, Bratislava;
- in **Finland**, to the 'Tataturmavakuutuslaitosten Liitto' (Federation of Accident Insurance Institutions), Bulevardi 28, 00120 Helsinki;
- in **Sweden**, to the 'Försäkringskassan' (Local Social Insurance Office);
- in **all other Member States**, to the competent sickness insurance institution;
- in **Iceland**, to the 'Tryggingastofnun ríkisins' (The State Social Security Institute), Reykjavik;
- in **Liechtenstein**, to the 'Amt für Volkswirtschaft' (Office of National Economy), Vaduz;
- in **Norway**, to the 'Folketrygdkontoret for Utenlandssaker' (National Office for Social Insurance Abroad), Oslo;



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in **Switzerland**, for employed persons, to the employer's accident insurance institution; for self-employed persons, to the accident insurance institution of the person concerned.

Where the worker is covered by the French social security scheme, the fund which is competent to recognise entitlement to benefits is his insurance fund, which may not be the one appearing on form E 101. It will be necessary, where appropriate, to request the European health insurance card or form E 123 from the fund of the worker's place of habitual residence.

Where a self-employed person is covered by a Finnish or Icelandic social security scheme it will always be necessary to request form E 123.

Where a worker covered by an Icelandic social security scheme suffers an accident at work or contracts an occupational disease, the employer must always duly notify the competent institution.

NOTES

- (¹) Symbol of the country to which the institution completing the form belongs: BE = Belgium; CZ = Czech Republic; DK = Denmark; DE = Germany; EE = Estonia; GR = Greece; ES = Spain; FR = France; IE = Ireland; IT = Italy; CY = Cyprus; LV = Latvia; LT = Lithuania; LU = Luxembourg; HU = Hungary; MT = Malta; NL = Netherlands; AT = Austria; PL = Poland; PT = Portugal; SI = Slovenia; SK = Slovakia; FI = Finland; SE = Sweden; UK = United Kingdom; IS = Iceland; LI = Liechtenstein; NO = Norway; CH = Switzerland.
- (²) Give all surnames in the order of civil status.
- (³) Give all forenames in the order of civil status.
- (⁴) For workers subject to Spanish law, indicate the social security number. For the purpose of Maltese institutions, give the Identity Card number in case of Maltese nationals, or the Maltese Social security number in case of a non-Maltese national. In the case of persons being subject to Polish legislation, please indicate the PESEL and NIP numbers or, failing that, the series and the number of the identity card or passport. For the purpose of Slovak institutions, give the Slovak birth number if applicable.
- (⁵) Please give as much information as possible to facilitate identification of the employer or the firm of the self-employed person. In the case of a ship, indicate its name and its registration number.
Belgium: indicate, in the case of employed persons, the business number (numéro d'entreprise/ondernemingsnummer/Unternehmensnummer) and, in the case of self-employed persons, the VAT number.
Czech Republic: indicate the identification number (IČ).
Denmark: indicate the CVR number.
Germany: indicate the 'Betriebsnummer des Arbeitgebers'.
Spain: indicate the 'Código de Cuenta de Cotización del Empresario CCC' (employer's contribution account number).
France: indicate the SIRET number.
Italy: indicate the company's registration number where possible.
Luxembourg: indicate the employer's social security registration number and, for self-employed persons, the social security number (CCSS).
Hungary: indicate the employer's social security registration number or, for self-employed persons, the identification number of the private company.
Poland: indicate the NUSP number, where there is one, or the NIP and REGON numbers.
Slovakia: indicate the identification number (IČO).
Slovenia: indicate the registration number of the employer or self-employed person.
For workers subject to **Finnish** legislation on occupational accidents, please indicate the name of the competent accident insurance institution.
Norway: indicate the organisation number.