ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY FOR MIGRANT WORKERS

DECISION No 180

of 15 February 2000

on the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E 211 — E 212)

(Text with EEA relevance)

(2001/70/EC)

THE ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY FOR MIGRANT WORKERS,

Having regard to Article 81(a) of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community [1], pursuant to which it is the duty of the Administrative Commission to deal with all administrative matters arising from Regulation (EEC) No 1408/71 and subsequent Regulations,

Having regard to Article 2(1) of Council Regulation (EEC) No 574/72 [2], pursuant to which it is the duty of the Administrative Commission to draw up models of certificates, certified statements, declarations, applications and other documents necessary for the application of the Regulations,

Having regard to Decision No 158 of 27 November 1995 on the model forms necessary for the application of Regulations [3],

Whereas the entry into force of Council Regulation (EEC) No 1606/98 [4] amended Regulations (EEC) No 1408/71 and (EEC) No 574/72 with a view to extending them to cover special schemes for civil servants;

Whereas the entry into force of Council Regulation (EC) No 307/1999 [5] amended Regulations (EEC) No 1408/71 and (EEC) No 574/72 with a view to extending them to cover students;

Whereas the grounds and time-limits for appeals given in form E 212 must be adapted in order to take account of these extensions;

Whereas amendments relating to grounds and time-limits for appeal are frequently made to the different legislations;

Whereas according to Article 48(1) of Regulation (EEC) No 574/72 claimants must be informed of the grounds and time-limits allowed for appeals, the decisions taken by each of the institutions must specify the grounds and time-limits allowed for appeal provided for by the legislation concerned, and the investigating institution must notify the claimant by means of form E 211 — Summary of Decisions;

Whereas the current version of form E 212 and any possible update could not guarantee clear and full information for claimants concerning the procedures to be followed in the case of appeal;

[1] OJ L 149, 5.7.1971, p. 2.
[2] OJ L 74, 27.3.1972, p. 1.
[3] OJ L 336, 27.12.1996, p. 1.
[4] OJ L 209, 25.7.1998, p. 1.
[5] OJ L 38, 12.2.1999, p. 1.

Whereas it is therefore necessary to amend form E 211 — Summary of Decisions;

Whereas the Agreement on the European Economic Area of 2 May 1992, as adjusted by the Protocol of 17 March 1993, Annex VI, implements Regulations (EEC) No 1408/71 and (EEC) No 574/72 within the European Economic Area;

Whereas by Decision of the EEA Joint Committee the model forms necessary for the application of Regulations (EEC) No 1408/71 and (EEC) No 574/72 will be adapted and implemented within the European Economic Area;

Whereas for practical reasons identical forms should be used within the Community and within the European Economic Area;

Whereas the language in which the forms should be drawn up has been decided by Recommendation No 15 of the Administrative Commission,

HAS DECIDED AS FOLLOWS:

1. The model form E 211 printed in Decision No 158 shall be replaced by the model appended hereto.
2. The competent authorities of the Member States shall make available to the persons concerned (rightful claimants, institutions, employers, etc.) the form according to the attached model.
3. The form shall be available in the official languages of the Community and laid out in such manner that the different versions are perfectly superposable, thereby making it possible for each person or body to which a form is addressed (rightful claimant, institution, employer, etc.) to receive the form printed in their own language.
4. Form E 212 shall be withdrawn.
5. This Decision will be published in the *Official Journal of the European Communities*. It will enter into force on the first day of the month following its publication.

The President
of the Administrative Commission
Sebastião PINTO PIZARRO

EUROPEAN COMMUNITIES
Social Security Regulations
EEA *

See 'Instructions' overleaf

E 211 [ ] (1)

SUMMARY OF DECISIONS

Regulation (EEC) No 574/72, Article 48

The investigating institution should complete this form and send a copy to the claimant in his own language attaching a copy of each of the formal decisions. The investigating institution should also send a copy of an E 211 form to each of the institutions concerned, attaching a copy of its own decision and of the decisions of the other institutions concerned.

1. Claimant

1.1. Surname (2): .....

1.2. Forenames: ..... Previous names (2): ..... Place of birth (3): .....

1.3. Date of birth: ..... Sex: ..... Nationality: ..... DNI (4): .....

1.4. Address (5): .....

2. Your claim for a pension for

2.1. ☐ old age ☐ invalidity ☐ survivor

2.2. has been examined by the following institutions:

3. Institutions concerned:

	Country	Institution	File reference
3.1.	.....	.....	.....
3.2.	.....	.....	.....
3.3.	.....	.....	.....
3.4.	.....	.....	.....
3.5.	.....	.....	.....

4. These institutions have taken the following decisions (see original decisions attached)

5. Your claim has been rejected

5.1. Concerning (6): .....
Reason: .....

5.2. Concerning (6): .....
Reason: .....

6. A pension (7) has been awarded to you

	Concerning (6):	Annual amount in currency of country responsible for payment (8) (9):	Payable from (date):
6.1.	.....	.....	.....
6.2.	.....	.....	.....
6.3.	.....	.....	.....
6.4.	.....	.....	.....
6.5.	.....	.....	.....

7 If you do not agree with the decision or decisions taken, you may appeal. For this purpose you should, for each contested decision:

1. clearly state the grounds for your appeal in a letter, which you must sign.
2. if you cannot sign, you may make a cross and have the letter signed by two persons of full age, who must give their surnames, forenames and full addresses.
3. in this letter you must give the references of the notification relating to the contested decision and attach a copy of the decision.
4. the letter must be sent to the authority mentioned in the decision within the period indicated in the decision.
5. in accordance with Article 48(1) of Regulation (EEC) No 574/72, this period commences on the date of receipt of the summarised statement.

IT IS ESSENTIAL TO COMPLY WITH THE TIME PERIODS INDICATED IN EACH DECISION.

6. In accordance with Article 86 of Regulation (EEC) No 1408/71, appeals which would have been submitted within the period stipulated by the legislation of one State are admissible if they are submitted within the same period to the corresponding authority of another State.

8.	Investigating institution

8.1. Name: .....

8.2. Address ([5]): .....

.....

8.3. Stamp:

8.4 Date: .....

8.5 Signature:

.....

INSTRUCTIONS

Please complete this form in block letters, writing on the dotted lines only

NOTES

(*) EEA Agreement on the European Economic Area, Annex VI, Social Security: for the purposes of this Agreement the present form shall also apply to Iceland, Liechtenstein and Norway.

([1]) Symbol of the country to which the investigating institution belongs : B = Belgium; DK = Denmark; D = Germany; GR = Greece; E = Spain; F = France; IRL = Ireland; I = Italy; L = Luxembourg; NL = the Netherlands; A = Austria; P = Portugal; FIN = Finland; S = Sweden; GB = United Kingdom; IS = Iceland; FL = Liechtenstein; N = Norway.

([2]) In the case of Spanish nationals state both names at birth.
In the case of Portuguese nationals state all names (forenames, surname, maiden name) in the order of civil status in which they appear on the identity card or passport.

([3]) In the case of Portuguese districts state also the parish and the local authority.

([4]) In the case of Spanish nationals state the number appearing on the national identity card (DNI), if it exists, even if the card is out of date. Failing this, state 'None'.

([5]) Street, number, post code, town, country, telephone number.

([6]) Indicate country and where necessary the scheme concerned.

([7]) Or cash compensation in Liechtenstein.

([8]) Where rates of pensions are upgraded by virtue of national legislation, the amount indicated above will be changed. The new amount will not be communicated to any other institution.

([9]) It is possible that this amount is reduced by taxes and contributions payable by the pensioner.