# COMMISSION REGULATION (ECSC, EEC, Euratom) No 91/88

## of 13 January 1988

## laying down provisions for implementing article 28a (2) of the Conditions of Employment of Other Servants

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Conditions of Employment of Other Servants of the European Communities, laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68 (1), as last amended by Regulation (ECSC, EEC, Euratom) No 3580/85 (2) and in particular Article 28a thereof,

Having regard to the opinion of the Committee of experts set up by paragaraph 2 of that Article,

Whereas Article 28a of the Conditions of Employment of Other Servants of the European Communities lays down the conditions for granting an unemployment allowance to a former member of the temporary staff who is unemployed when his service with an institution of the European Communities has been terminated ;

Whereas it is for the Commission to lay down such provisions as it deems necessary for applying paragraph 2 of that Article ;

Whereas steps must be taken to ensure that former members of the temporary staff fulfil the obligations laid down by the law applied by the competent authorities in their place of residence, in the same way as if they were in receipt of unemployment benefit under that law,

HAS ADOPTED THIS REGULATION :

*Article 1*

To qualify for the unemployment allowance provided for in Article 28a of the Conditions of Employment of Other Servants of the European Communities, a former member of the temporary staff who satisfies the conditions laid down in the first paragraph of that Article shall be required to complete the following formalities :

1. he shall forward a certificate to the Community institution to which he belonged within eight days of the date of termination of his service with that institution, stating :

   (a) that he is unemployed following termination of his service ;

   (b) that he is resident or is establishing his residence in the territory of a Member State of the Communities ;

   (c) his address at his place of residence ;

2. (a) he shall reister as seeking employment with the competent employment authorities in his place of residence, as soon as possible and no later than 30 days following the termination of his service with a Community institution ;

   (b) if unemployment benefit is payable under national legislation, he shall apply for it to the appropriate authorities in his place of residence ;

3. when registering as indicated at 2 (a) above, he shall submit a certificate sent to him by the Community institution to which he belonged to the employment authorities who shall, if possible, complete it immediately, or at least complete the column certifying that the person concerned has registered as seeking employment. A specimen form is annexed to this Regulation ;

4. he shall forward the certificate forthwith to the Community institution to which he belonged ;

5. he shall comply with the obligations and checks laid down by the legislation which the competent authorities in his place of residence apply to persons seeking employment and, where applicable, to persons applying for unemployment benefit ;

6. (a) starting from the second calendar month following registration under 2 above, he shall, at the beginning of each month, present a form to the authorities with responsibility for employment, and, where applicable the unemployment authorities in his place of residence, who shall certify by this means, as soon as possible :

   — whether he is registered as seeking employment and has applied for unemployment benefit in accordance with the national legislation of his place of residence ;

   — whether he has fulfilled the obligations referred to at 5 above ;

   — whether he is entitled to unemployment benefit and, if so, the amount of this benefit and the period for which it is to be paid ;

(1) OJ No L 56, 4. 3. 1968, p. 1.
(2) OJ No L 343, 20. 12. 1985, p. 1.

(b) he shall forward the form or forms duly completed to the Community institution to which he belonged within 15 days from the date of their issue.

*Article 2*

The former member of the temporary staff shall immediately inform the institution to which he belonged of any change in his situation or that of the members of his family which have a bearing on the application of the provisions of Article 28a of the Conditions of Employment. The institution shall transmit this information to the Commission forthwith.

*Article 3*

In order for entitlement to the allowance provided for in Article 28a of the abovementioned Conditions of Employment, the former member of the temporary staff shall continue to be subject to the obligations and checks laid down for persons in receipt of benefit even if he has forfeited entitlement to national unemployment benefits under the relevant national legislation. Accordingly, the competent authorities in his place of residence shall continue to impose those obligations and carry out checks.

*Article 4*

Should the former member of the temporary staff, having completed the formalities referred to at Article 1 above in one Member State, establish his residence in another Member State during the period for which the unemployment allowance provided for in Article 28a (4) of the abovementioned Conditions of Employment is granted, he shall on each occasion register as seeking employment in his new country of residence within 30 days and complete all the other formalities listed in Article 1.

*Article 5*

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities.*

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 January 1988.

*For the Commission*

Henning CHRISTOPHERSEN

*Vice-President*

*ANNEX*

**EUROPEAN COMMUNITIES**

**FORM**
**EC — FTS (1)**

# CERTIFICATE CONCERNING THE REGISTRATION AS A PERSON SEEKING EMPLOYMENT AND CONCERNING THE RIGHT TO UNEMPLOYMENT BENEFITS OF A FORMER MEMBER OF THE TEMPORARY STAFF OF THE EUROPEAN COMMUNITIES

**(Council Regulation (ECSC, EEC, Euratom) No 2799/85, Article 33)**

**1** Institution of the European Communities to which the form is addressed

1.1 Name : .....

1.2 Address : .....

.....

**2** Information concerning the former member of the temporary staff

2.1 Surname : .....

2.2 Maiden name : .....

2.3 Fornames : .....

2.4 Date of birth : .....

2.5 Residence : .....

.....

2.6 Personnel number or file reference number : .....

## Section A — Registration and checks

3 This is to certify that the above named person :

3.1 ☐ registered as a person seeking employment on .....

with the employment services of .....

.....

3.2 ☐ was registered as seeking employment from ..... to .....

3.3 ☐ did not subject himself/herself to the obligations under national legislation from .....

to ..... because .....

.....

.....

**4** National institution issuing this certificate (Section A)

4.1 Name : .....

4.2 Address : .....

4.3 Stamp

4.4 Date : .....

4.5 Signature :

.....

(1) EC = European Communities.
FTS = Former member of the temporary staff.

**Section B — Claim for unemployment benefit**

5 This is to certify that

5.1 ☐ the person referred to in Box 2 submitted a claim for unemployment benefit on .....

5.2 ☐ the claim is currently being examined

5.3 ☐ no claim has been made

6 The person referred to in Box 2:

6.1 ☐ is not entitled to unemployment benefit because

6.2 ☐ has not registered as a person seeking employment

6.3 ☐ has not subjected himself/ herself to the obligations under national legislation

6.4 ☐ does not satisfy the conditions for payment of unemployment benefit

6.5 ☐ (other reasons; please specify) .....

.....

7 ☐ is entitled to unemployment benefit

7.1 ☐ from (date) .....

7.2 ☐ gross daily amount .....

7.3 ☐ gross weekly amount .....

7.4 ☐ gross monthly amount .....

7.5 ☐ for ..... **days**

7.6 ☐ until .....

7.7 ☐ amount of benefit paid for the month in question .....

8 Payment of unemployment benefit was

8.1 ☐ suspended from ..... to .....

8.2 ☐ withdrawn

8.3 ☐ because .....

.....

.....

9 National institution issuing this certificate (Section B)

9.1 Name .....

9.2 Address: .....

9.3 Stamp

9.4 Date: .....

9.5 Signature:

.....

## INSTRUCTIONS

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

### A. Instructions for the administrative services of the European Communities

1. The appropriate department of the institution of the European Communities for which the former member of the temporary staff worked should complete Boxes 1 and 2.

2. It should give five copies of the completed form to the former member of the temporary staff.

### B. Instructions for the national administrative services

1. When the person concerned is registered as a person seeking employment, the competent national institution should at least complete Section 3.1, Box 4 and Section 5 of this form, which the former member of the temporary staff should present to it. He should then send it thus completed to the European Communities institution shown in Box 1.

2. Next, the national institution should at monthly intervals fill in the other appropriate sections, in addition to Section 3.1, Box 4 and Section 5 referred to above.

### C. Instructions for the former member of the temporary staff

In order to receive the unemployment benefits provided for in Article 33 of Council Regulation (ECSC, EEC, Euratom) No 2799/85.

*you should,*

1. **before the 31st day** following the end of your employment as a member of the temporary staff, register as a person looking for work with the employment office of the Member State where you take up residence (or domicile).

   *Note :* These offices are shown in a list prepared and updated by the Commission which will be provided by the institution to which you belonged.

2. comply with the obligations regarding unemployment laid down by the legislation of the Member State in which you register as a person looking for work ;

3. present a copy of this form to the national employment office when you register as a person looking for work and subsequently once a month in order to have it filled in (see B above) ;

4. send the completed form to the institution shown in Box 1.