

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

**DECISION No 188
of 10 December 2002**

**on the model forms necessary for the application of Council Regulation (EEC) No 574/72 (E 210
and E 211)**

(Text with EEA relevance)

(2003/306/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 family moving within the Community ⁽¹⁾, under 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 of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 ⁽²⁾, under 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 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) ⁽³⁾,

Having regard to Decision No 184 of 10 December 2001 on the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E 201 to E 207, E 210, E 213 and E 215) ⁽⁴⁾,

Whereas:

- (1) According to Article 48(1) of Regulation (EEC) 574/72 claimants must be informed of the grounds and time-limits allowed for appeals.
- (2) 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 by means of form E 210 be notified to the investigating institution.
- (3) The investigating institution must notify the claimant by means of form E 211 — Summary of Decisions.
- (4) The current version of forms E 210 and E 211 does not contain any information concerning the procedures and time limits to be followed in case of appeal.
- (5) It is, therefore, necessary to amend forms E 210 and E 211.
- (6) The Agreement on the European Economic Area of 2 May 1992, supplemented 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.

⁽¹⁾ OJ L 149, 5.7.1971, p. 2.

⁽²⁾ OJ L 74, 27.3.1972, p. 1.

⁽³⁾ OJ L 23, 25.1.2001, p. 33.

⁽⁴⁾ OJ L 304, 6.11.2002, p. 1; Corrigendum L 315, 19.11.2002, p. 22.

- (7) 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 used within the European Economic Area.
- (8) For practical reasons, identical forms should be used within the Community and within the European Economic Area.
- (9) The language in which the forms should be issued is the subject of Recommendation No 15 of the Administrative Commission,

HAS DECIDED AS FOLLOWS:

1. The model form E 210 reproduced in Decision No 184 shall be replaced by the model appended to this Decision.
2. The model form E 211 reproduced in Decision No 180 shall be replaced by the model appended to this Decision.
3. The competent authorities of the Member States shall make available to the parties concerned (rightful claimants, institutions, employers, etc.) the forms according to the model appended to this Decision.
4. The forms 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 all addressees (rightful claimants, institutions, employers, etc.) to receive the forms printed in their own language.
5. This Decision shall enter into force on the first day of the month following its publication in the *Official Journal of the European Union*.

*The Chairman of the Administrative
Commission*

Eva PEDERSEN

NOTIFICATION OF DECISION CONCERNING A CLAIM FOR A PENSION
Application of Reg. 1408/71 and Reg. 574/72

for ☐ old age ☐ invalidity ☐ survivor

Award or rejection

Each of the institutions concerned should complete this form and send it to the investigating institution together with a copy of the formal decision. One extra copy should be added for any additional institution concerned.

1	Investigating institution to which the form is addressed
1.1	Name:
1.2	Address:
1.3	Number of insured person/reference number of file:

2	Information concerning the insured person
2.1	Surname:
2.2	Surname at birth:
2.3	Forenames:
2.4	Previous names:
2.5	Date of birth:
2.6	Identification No:

3	Information concerning the entitled person
3.1	Surname:
3.2	Surname at birth:
3.3	Forenames:
3.4	Previous names:
3.5	Date of birth:
3.6	Family relationship or other connection with the deceased insured person (box 2):

4	Address ☐ of insured person ☐ of entitled person
.....	

5	The claim is rejected
Reasons:	

6 A pension is awarded

6.1 This benefit is awarded pursuant to:

☐ Art. 46.1.a.i. of Reg. 1408/71 (national)

☐ Art. 46.1.a.ii of Reg. 1408/71 (pro rata)

☐ Art. 46.2 of Reg. 1408/71 (pro rata)

☐ Art. 51a.2 of Reg. 1408/71

6.2 For the award of the benefit, a rule against overlapping was applied from taking account of:

☐ benefit of the same kind

..... (state type of benefit)

☐ benefit of a different kind

..... (state type of benefit)

☐ other sources of income

☐ professional or trade activity/activity as a civil servant

☐ other (state the income concerned)

.....

6.3. The effect of the rule against overlapping was limited by the application of provisions of:

☐ Art. 46a.3.d of Reg. 1408/71

☐ Art. 46c of Reg. 1408/71 because one or more institutions took account of:

☐ a benefit of a different kind

☐ other sources of income

☐ professional trade or activity/activity as a civil servant

☐ other (please specify)

.....

☐ Art. 7.1 of Reg. 574/72

6.4 Number of monthly payments per year

☐ 12☐ 13☐ 14

6.5 From

6.6 Monthly amount, where appropriate, for the application of Art. 46a.3.d, Art. 46c of Reg. 1408/71, or Art. 7.1 of Reg. 574/72

6.7 Part of the amount awarded on the basis of voluntary insurance (Art. 46a.3.c of Reg. 1408/71) (to be completed only at the request of the investigating institution)

6.8 Monthly amount before deduction of taxes, etc. (Art. 46a.3.b of Reg. 1408/71), where appropriate, following application of Art. 46c of Reg. 1408/71 or of Art. 7.1 of Reg. 574/72

6.9 Monthly amount due (amount paid after deduction of taxes, etc.)

6.10 To be filled in by Swedish institutions

Monthly amount from the basic pension scheme

.....

Monthly amount from the supplementary pension scheme

.....

7 Appeals and periods allowed for appeals

Procedure to follow:

.....

.....

Time limit:

.....

.....

8 Institution concerned

8.1 Name:

8.2 Address:

.....

8.3 Number of insured person/reference number of file:

8.4 Stamp:

8.5 Date:

8.6 Signature:

.....

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:
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.	Appeals and periods allowed for appeals
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8.1.	Concerning ⁽⁶⁾ :	
	Procedure to be followed:	
		
	Time limit:	
		
8.2.	Concerning ⁽⁶⁾ :	
	Procedure to be followed:	
		
	Time limit:	.....
		
8.3.	Concerning ⁽⁶⁾ :	
	Procedure to be followed:	.....
		
	Time limit:	.....
		

9. Investigating institution

9.1. Name:		
9.2. Address ⁽⁵⁾ :		
		
9.3. Stamp:		
9.4	Date:	.....
9.5	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.
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