

Social security for Rhine boatmen

Introduction and objective of the round table

Bente Braat (CASS Secretariat)

Primary objective

- Bringing together the authorities and people involved in determining social security legislation for Rhine boatmen.
- Getting to know each other and each other's areas and working methods.





The Administrative Centre of Social Security for Rhine Boatmen

- Secretariat provided by the CCNR
- Tripartite structure
- Interpretation of the Agreements on social security for Rhine boatmen





Determining social security for Rhine boatmen

- ✓ Agreement on the determination of the legislation applicable to Rhine boatmen concluded on the basis of Article 16 paragraph 1 of Regulation (EC) No 883/2004.
- ✓ The work of Rhine boatmen is highly specific! The criteria set out in Regulation No 883/2004 are not appropriate.
- ✓ One vessel = one regulation.
- ✓ Selected Connecting criteria: **the operator of the vessel.**



Certificate of belonging to the navigation of the Rhine (AANR) and operator's certificate (CE)

- ✓ Terms and conditions of issue:
 - Regulation adopted by the CCNR in 1984 (1984-1-3)
 - Regulation implementing Regulation (EEC) No 2919/85.
- ✓ Real link between the boat and the country issuing the documents.



The problem

- ✓ Incorrect affiliation of a social security system can cause considerable problems, particularly if the error is only discovered at a late stage.
- ✓ In practice, it is not easy to detect and correct such errors, in particular because the procedures normally provided for in the case of multiple activities are not applicable as they stand.



What is the source of the problem?



- !!! Difficulty to identify of the real operator of the vessel !!!

Clarifications

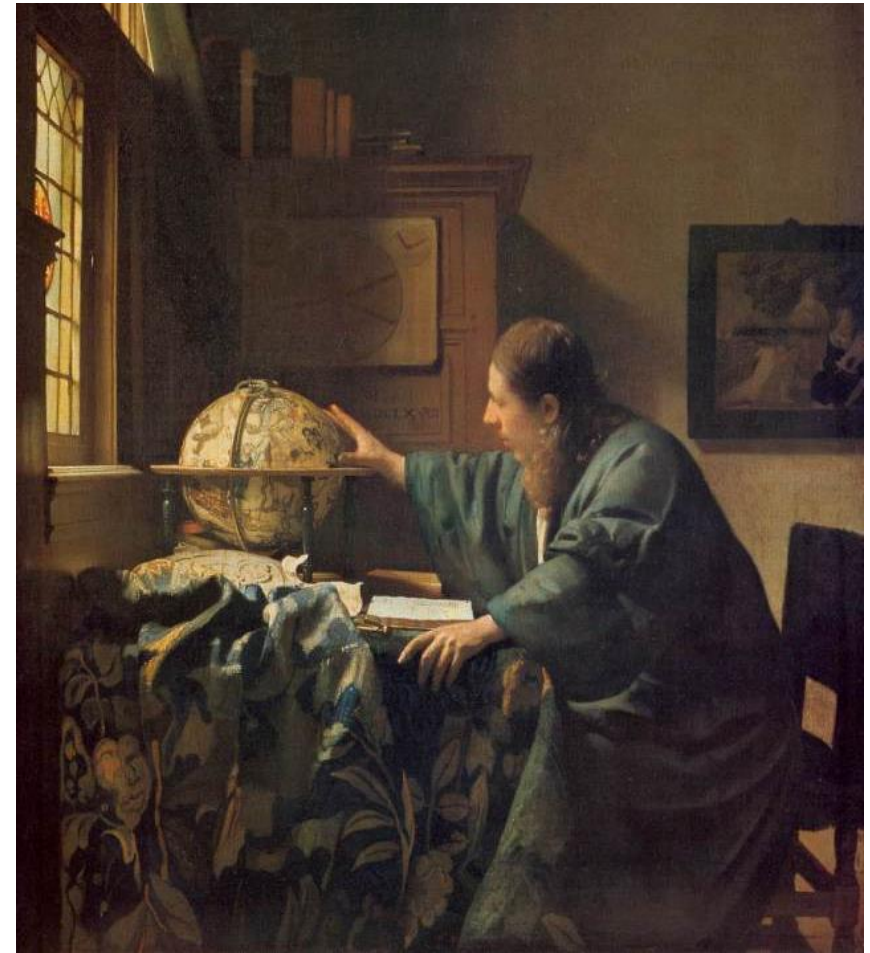
- Freedom of establishment within the EU
- No one is singled out!





How can we improve the situation?

- Step 1: avoid errors by strengthening checks
- Step 2: Improving and speeding up corrections





Step 1: Avoid errors by setting up communication flows?

AANR and/or
CE issuing authority

- ✓ Check whether it has already issued an AANR
- ✓ Who is listed as the "operator" on it?
- ✓ New operator? -> reinforce the checks !

Information to be provided:
Please note that an EC application has been submitted for a boat registered in country in N!

Communication vector?

Legal basis?



AANR and/or
CE issuing authority

FLUX A

NL

CH



Step 1: Avoid errors by setting up communication flows?

Social Security Determining Body

Information to be provided:
(in the case of a risk indicator)

Please note that you are going to receive requests for affiliation from Rhine boatmen on the basis of a derogation agreement from operator x!

Make sure that operator x is based in your country and has the power to make decisions, particularly in economic and commercial terms.

FLUX C

COUNTRY X

COUNTRY Y



Communication vector?

Legal basis?

Social Security Determining Body

Checks to be carried out (if necessary) :

Is the operator based in country Y and does it have effective control over decision-making, particularly in economic and commercial terms?



Step 1: Avoid errors by setting up communication flows?

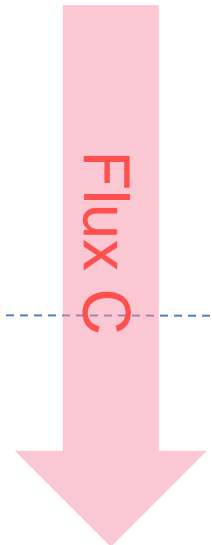
AANR
and/or CE
issuing
authority



Social Security
Determining Body

Information to be provided:

Note that an AANR has been issued for a boat whose operator is in country Y! (particularly if the operator was previously in the same country as the owner).



COUNTRY X



Communication vector: ?

COUNTRY Y

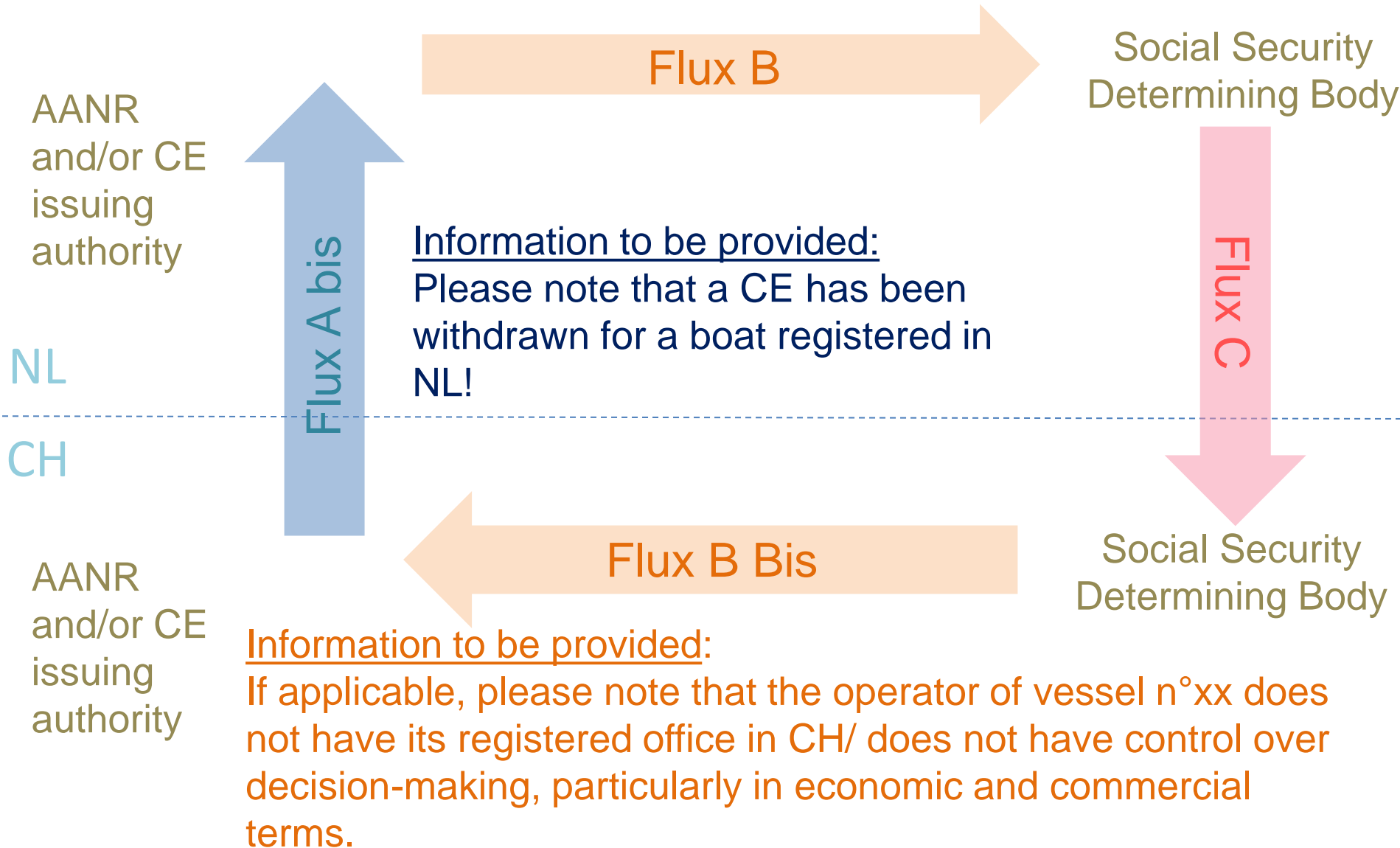


Legal basis: ?

Social Security
Determining Body



Step 2: Improving and speeding up corrections





ACKNOWLEDGEMENTS