

SOCIAL SECURITY

List provided for in Article 15 of the Framework Agreement

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INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

- recitals;
- the addressees of the EU legal acts;
- references to territories or languages of the EU;
- references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and

- references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

## CHAPTER 1

### GENERAL SOCIAL SECURITY COORDINATION

#### ACTS REFERRED TO

1. 32004 R 0883: Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ L 166, 30.4.2004, p. 1), as corrected by OJ L 200, 7.6.2004, p. 1 and OJ L 204, 4.8.2007, p. 30, as amended by:
  - 32009 R 0988: Regulation (EC) No 988/2009 of the European Parliament and of the Council of 16 September 2009 (OJ L 284, 30.10.2009, p. 43),
  - 32010 R 1244: Commission Regulation (EU) No 1244/2010 of 9 December 2010 (OJ L 338, 22.12.2010, p. 35),
  - 32012 R 0465: Regulation (EU) No 465/2012 of the European Parliament and of the Council of 22 May 2012 (OJ L 149, 8.6.2012, p. 4),
  - 32012 R 1224: Commission Regulation (EU) No 1224/2012 of 18 December 2012 (OJ L 349, 19.12.2012, p. 45),

- 32013 R 0517: Council Regulation (EU) No 517/2013 of 13 May 2013 (OJ L 158, 10.6.2013, p. 1),
- 32013 R 1372: Commission Regulation (EU) No 1372/2013 of 19 December 2013 (OJ L 346, 20.12.2013, p. 27), as amended by:
  - 32014 R 1368: Commission Regulation (EU) No 1368/2014 of 17 December 2014 (OJ L 366, 20.12.2014, p. 15), as corrected by OJ L 288, 22.10.2016.p. 58,
- 32017 R 0492: Commission Regulation (EU) 2017/492 of 21 March 2017 (OJ L 76, 22.3.2017, p. 13).

The provisions of this Regulation shall, for purposes of this Agreement, be read with the following adaptations:

- (a) The following shall be added to Annex II:

"ANDORRA-SPAIN

Article 11.4 of the bilateral Convention on social security between Spain and Andorra of 14 April 1978 (concerning the rights acquired by insured persons in receipt of a Spanish pension who reside in Andorra to retain the right to benefits in kind as if they continued to reside in Spain on the basis of 100%).

Article 46 of the bilateral Convention on social security between Spain and Andorra of 1 January 2003 (concerning the rights acquired by insured persons in receipt of a Spanish pension who reside in Andorra to retain the right to benefits in kind as if they continued to reside in Spain on the basis of 100%)."

- (b) The following shall be added to Annex III:

"ANDORRA"

- (c) The following shall be added to Annex X:

"ANDORRA"

- (a) Non-contributory supplement to invalidity pensions (Article 170a of Social Security Law 17/2008 of 3 October).
- (b) Non-contributory supplement to widow's pensions (Article 184 of Social Security Law 17/2008 of 3 October).
- (c) Solidarity allowance for disabled persons (Article 25 of Legislative Decree 30/05/2018 publishing the recast text of Law 6/2014 of 24 April on social and social health services; and Articles 9 and 10 of the Decree of 07/10/2020 approving the Regulation on Economic Benefits of Social and Socio-Health Services).
- (d) Solidarity allowance for the elderly (Article 26 of the Legislative Decree of 30/05/2018 publishing the recast text of Law 6/2014 of 24 April on social and social health services; and Articles 9 and 11 of Decree of 07/10/2020 approving the benefits regulations."

- (d) MODALITIES FOR THE PARTICIPATION OF ANDORRA IN THE ADMINISTRATIVE COMMISSION FOR THE COORDINATION OF SOCIAL SECURITY SYSTEMS AND IN THE TECHNICAL COMMISSION FOR DATA PROCESSING AND IN THE AUDIT BOARD, BOTH ATTACHED TO THE ADMINISTRATIVE COMMISSION, IN ACCORDANCE WITH ARTICLE 80 OF THE FRAMEWORK AGREEMENT:

Andorra may send a representative, present in an advisory capacity (observer), to the meetings of the Administrative Commission for the coordination of social security systems, attached to the European Commission, and to the meetings of the Technical Commission for data processing and of the Audit Board, both attached to the Administrative Commission.

- (e) Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be a period of two years from the date of entry into force of this Agreement, with the exception of provisions on Electronic Exchange of Social Security Information where this period shall be five years from the date of entry into force of this Agreement.

2. 32019 R 0500: Regulation (EU) 2019/500 of the European Parliament and of the Council of 25 March 2019 establishing contingency measures in the field of social security coordination following the withdrawal of the United Kingdom from the Union (OJ L 85I, 27.3.2019, p. 35).

The provisions of this Regulation shall, for purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in paragraph 2 of that Article shall be a period of two years after the date of entry into force of this Agreement, with exception of provisions on Electronic Exchange of Social Security Information where this period shall be five years after the date of entry into force of this Agreement.

3. 32009 R 0987: Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1), as amended by:
- 32010 R 1244: Commission Regulation (EU) No 1244/2010 of 9 December 2010 (OJ L 338, 22.12.2010, p. 35),
  - 32012 R 0465: Regulation (EU) No 465/2012 of the European Parliament and of the Council of 22 May 2012 (OJ L 149, 8.6.2012, p. 4),
  - 32012 R 1224: Commission Regulation (EU) No 1224/2012 of 18 December 2012 (OJ L 349, 19.12.2012, p. 45),
  - 32013 R 1372: Commission Regulation (EU) No 1372/2013 of 19 December 2013 (OJ L 346, 20.12.2013, p. 27),
  - 32014 R 1368: Commission Regulation (EU) No 1368/2014 of 17 December 2014 (OJ L 366, 20.12.2014, p. 15), as corrected by OJ L 288, 22.10.2016.p. 58,
  - 32017 R 0492: Commission Regulation (EU) 2017/492 of 21 March 2017 (OJ L 76, 22.3.2017, p. 13).

The provisions of this Regulation shall, for purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in paragraph 2 of that Article shall be a period of two years after the date of entry into force of this Agreement, with exception of provisions on Electronic Exchange of Social Security Information where this period shall be five years after the date of entry into force of this Agreement.

## CHAPTER 2

### SAFEGUARDING OF SUPPLEMENTARY PENSION RIGHTS

#### ACTS REFERRED TO

1. 31998 L 0049: Council Directive 98/49/EC of 29 June 1998 on safeguarding the supplementary pension rights of employed and self-employed persons moving within the Community (OJ L 209, 25.7.1998, p. 46).
2. 32014 L 0050: Directive 2014/50/EU of the European Parliament and of the Council of 16 April 2014 on minimum requirements for enhancing worker mobility between Member States by improving the acquisition and preservation of supplementary pension rights (OJ L 128, 30.4.2014, p. 1).

#### ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE DUE ACCOUNT

1. 32010 D 0424(01): Decision No A1 of 12 June 2009 concerning the establishment of a dialogue and conciliation procedure concerning the validity of documents, the determination of the applicable legislation and the provision of benefits under Council Regulation (EC) No 883/2004 of the European Parliament and of the Council (OJ C 106, 24.4.2010, p. 1).
2. 32010 D 0424(02): Decision No A2 of 12 June 2009 concerning the interpretation of Article 12 of Regulation (EC) No 883/2004 of the European Parliament and of the Council on the legislation applicable to posted workers and self-employed workers temporarily working outside the competent State (OJ C 106, 24.4.2010, p. 5).

3. 32010 D 0608(01): Decision No A3 of 17 December 2009 concerning the aggregation of uninterrupted posting periods completed under the Council Regulation (EEC) No 1408/71 and Regulation (EC) No 883/2004 of the European Parliament and of the Council (OJ C 149, 8.6.2010, p. 3).
4. 32010 D 0710(01): Decision No E2 of 3 March 2010 concerning the establishment of a change management procedure applying to details of the bodies defined in Article 1 of Regulation (EC) No 883/2004 of the European Parliament and of the Council which are listed in the electronic directory which is an inherent part of EESSI (OJ C 187, 10.7.2010, p. 5).
5. 32014 D 0520(03): Decision No E4 of 13 March 2014 concerning the transitional period as defined in Article 95 of Regulation (EC) No 987/2009 of the European Parliament and of the Council (OJ C 152, 20.5.2014, p. 21).
6. 32 017 D 0719(01): Decision E5 of 16 March 2017 concerning the practical arrangements for the transitional period for the data exchange via electronic means referred to in Article 4 of Regulation (EC) No 987/2009 of the European Parliament and of the Council (OJ C 233, 19.7.2017, p. 3).
7. 32018 D 1004 (02): Decision No E6 of 19 October 2017 concerning the determination of when an electronic message is considered legally delivered in the Electronic Exchange of Social Security Information (EESSI) system (OJ C 355, 4.10.2018, p. 5).
8. 32020 D 0306 (01): Decision No E7 of 27 June 2019 concerning practical arrangements for cooperation and data exchange until the Electronic Exchange of Social Security Information (EESSI) is fully implemented in Member States (OJ C 73, 6.3.2020, p. 5).



9. 32010 D 0424(04): Decision No F1 of 12 June 2009 concerning the interpretation of Article 68 of Regulation (EC) No 883/2004 of the European Parliament and of the Council relating to priority rules in the event of overlapping of family benefits (OJ C 106, 24.4.2010, p. 11).
10. 32016 D 0211(05): Decision No F2 of 23 June 2015 on the exchange of data between institutions for the purpose of granting family benefits (OJ C 52, 11.2.2016, p. 11).
11. 32019 D 0626(01): Decision No F3 of 19 December 2018 concerning the interpretation of Article 68 of Regulation (EC) No 883/2004 relating to the method for the calculation of the differential supplement (OJ C 215, 26.6.2019, p. 2).
12. 32010 D 0424(05): Decision No H1 of 12 June 2009 concerning the framework for the transition from Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 to Regulations (EC) No 883/2004 and (EC) No 987/2009 of the European Parliament and of the Council and the application of Decisions and Recommendations of the Administrative Commission for the coordination of social security systems (OJ C 106, 24.4.2010, p. 13).
13. 32010 D 0608(02): Decision No H5 of 18 March 2010 concerning cooperation on combating fraud and error within the framework of Council Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 of the European Parliament and of the Council on the coordination of social security systems (OJ C149, 8.6.2010, p. 5).
14. 32011 D 0212(01): Decision No H6 of 16 December 2010 concerning the application of certain principles regarding the aggregation of periods under Article 6 of Regulation (EC) No 883/2004 on the coordination of social security systems (OJ C 45, 12.2.2011, p. 5).

15. 32020 D 0807 (01): Decision No H9 of 17 June 2020 regarding the postponement of deadlines mentioned in Articles 67 and 70 of Regulation (EC) No 987/2009 of the European Parliament and of the Council as well as in Decision No S9 due to the COVID-19 Pandemic (OJ C 259, 7.8.2020, p. 9).
16. 32021 D 0316(01): Decision No H10 of 21 October 2020 concerning the methods of operation and the composition of the Technical Commission for Data Processing of the Administrative Commission for the Coordination of Social Security Systems (OJ C 89, 16.3.2021, p. 6).
17. 32021 D 0506 (01): Decision No H11 of 9 December 2020 regarding the postponement of deadlines mentioned in Articles 67 and 70 of Regulation (EC) No 987/2009 as well as in Decision No S9 due to the COVID-19 Pandemic (OJ C 170, 6.5.2021, p. 4).
18. 32022 D 0228 (01): Decision No H12 of 19 October 2021 concerning the date to be taken into consideration for determining the rates of conversion referred to in Article 90 of Regulation (EC) No 987/2009 of the European Parliament and of the Council (OJ C 93, 28.2.2022, p. 6).
19. 32022 D 0810 (01): Decision No H13 of 30 March 2022 concerning the composition and working methods of the Audit Board of the Administrative Commission for the Coordination of Social Security Systems (Text of relevance to the EEA and to the EC/Switzerland Agreement) 2022/C 305/03 (OJ C 305, 10.8.2022, p. 4).
20. 32010 D 0424(07): Decision No P1 of 12 June 2009 on the interpretation of Articles 50(4), 58 and 87(5) of Regulation (EC) No 883/2004 of the European Parliament and of the Council for the award of invalidity, old-age and survivor's benefits (OJ C 106, 24.4.2010, p. 21).

21. 32013 D 0927(01): Decision No R1 of 20 June 2013 concerning the interpretation of Article 85 of Regulation (EC) No 987/2009 (OJ C 279, 27.9.2013, p. 11).
22. 32010 D 0424(08): Decision No S1 of 12 June 2009 concerning the European Health Insurance Card (OJ C 106, 24.4.2010, p. 23).
23. 32010 D 0424(09): Decision No S2 of 12 June 2009 concerning the technical specifications of the European Health Insurance Card (OJ C 106, 24.4.2010, p. 26).

The provisions of this Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Notwithstanding point 3.3.2 of the Annex to the Decision, Andorra shall nevertheless have the possibility to insert the European stars on the European Health Insurance Cards to be issued by Andorra.

24. 32010 D 0424(10): Decision No S3 of 12 June 2009 defining the benefits covered by Articles 19(1) and 27(1) of Regulation (EC) No 883/2004 of the European Parliament and of the Council and Article 25(A)(3) of Regulation (EC) No 987/2009 of the European Parliament and of the Council (OJ C 106, 24.4.2010, p. 40).
25. 32010 D 0424(15): Decision No S5 of 2 October 2009 on interpretation of the concept of ‘benefits in kind’ as defined in Article 1(va) of Regulation (EC) No 883/2004 of the European Parliament and of the Council in the event of sickness or maternity pursuant to Articles 17, 19, 20, 22, 24(1), 25, 26, 27(1, 3, 4 and 5), 28, 34 and 36(1 and 2) of Regulation (EC) No 883/2004 and on calculation of the amounts to be refunded under Articles 62, 63 and 64 of Regulation (EC) No 987/2009 of the European Parliament and of the Council (OJ C 106, 24.4.2010, p. 54).

26. 32010 D 0427(02): Decision No S6 of 22 December 2009 concerning the registration in the Member State of residence under Article 24 of Regulation (EC) No 987/2009 and the compilation of the inventories provided for in Article 64(4) of Regulation (EC) No 987/2009 (OJ C 107, 27.4.2010, p. 6).
27. 32011 D 0906(01): Decision No S8 of 15 June 2011 concerning the granting of prostheses, major appliances and other substantial benefits in kind provided for in Article 33 of Regulation (EC) No 883/2004 on the coordination of social security systems (OJ C 262, 6.9.2011, p. 6).
28. 32014 D 0520(02): Decision No S10 of 19 December 2013 concerning the transition from Regulations (EEC) Nos 1408/71 and 574/72 to Regulations (EC) Nos 883/2004 and 987/2009 and the application of reimbursement procedures (OJ C 152, 20.5.2014, p. 16).
29. 32021 D 0618 (01): Decision No S11 of 9 December 2020 concerning refund procedures for the implementation of Articles 35 and 41 of Regulation (EC) No 883/2004 (OJ C 236, 18.6.2021, p. 4).
30. 32010 D 0424(11): Decision No U1 of 12 June 2009 concerning Article 54(3) of Regulation (EC) No 987/2009 of the European Parliament and of the Council relating to increases in unemployment benefit for dependent members of the family (OJ C 106, 24.4.2010, p. 42).
31. 32010 D 0424(12): Decision No U2 of 12 June 2009 concerning the scope of Article 65(2) of Regulation (EC) No 883/2004 of the European Parliament and of the Council on the right to unemployment benefits of wholly unemployed persons other than frontier workers who were resident in the territory of a Member State other than the competent Member State during their last period of employment or self-employment (OJ C 106, 24.4.2010, p. 43).

32. 32010 D 0424(13): Decision No U3 of 12 June 2009 concerning the scope of the concept of 'partial unemployment' applicable to the unemployed persons referred to in Article 65(1) of Regulation (EC) No 883/2004 of the European Parliament and of the Council (OJ C 106, 24.4.2010, p. 45).
33. 32012 D 0225(01): Decision No U4 of 13 December 2011 concerning the reimbursement procedures under Article 65(6) and (7) of Regulation (EC) No 883/2004 and Article 70 of Regulation (EC) No 987/2009 (OJ C 57, 25.2.2012, p. 4).

The provisions of the Decisions shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in paragraph 2 of that Article shall be a period of two years from the date of entry into force of this Agreement for the application of Decisions of Administrative Commission, with the exception of provisions on Electronic Exchange of Social Security Information (Decisions Series E) where this period shall be five years from the date of entry into force of this Agreement.

#### ACTS OF WHICH THE ASSOCIATED PARTIES SHALL TAKE NOTE

1. 32018 H 0529 (01): Recommendation No A1 of 18 October 2017 concerning the issuance of the attestation referred to in Article 19(2) of Regulation (EC) No 987/2009 of the European Parliament and of the Council (OJ C 183, 29.5.2018, p. 5).

2. 32013 H 0927 (01): Recommendation H1 of 19 June 2013 concerning the Gottardo judgment, according to which the advantages enjoyed by a State's own nationals under a bilateral convention on social security with a non-member country must also be granted to workers who are nationals of other Member States (OJ C 279, 27/09/2013, p. 13).
3. 32019 H 0429 (01): Recommendation No H2 of 10 October 2018 concerning the inclusion of authentication features to Portable Documents issued by the institution of a Member State and showing the position of a person for the purpose of the application of Regulations (EC) No 883/2004 and (EC) No 987/2009 of the European Parliament and of the Council (OJ C 147, 29.4.2019, p. 6).
4. 32012 H 0810(01): Recommendation No S1 of 15 March 2012 concerning financial aspects of cross-border living organ donations (OJ C 240, 10.8.2012, p. 3).
5. 32014 H 0218(01): Recommendation S2 of 22 October 2013 concerning the entitlement to benefits in kind for insured persons and members of their family during a stay in a third country under a bilateral convention between the competent Member State and the third country (OJ C 46, 18/02/2014, p. 8).
6. 32010 H 0424(02): Recommendation No U1 of 12 June 2009 concerning the legislation applicable to unemployed persons engaging in part-time professional or trade activity in a Member State other than the State of residence (OJ C 106, 24.4.2010, p. 49).

7. 32010 H 0424(03): Recommendation No U2 of 12 June 2009 concerning the application of Article 64(1)(a) of Regulation (EC) No 883/2004 of the European Parliament and of the Council to unemployed persons accompanying their spouses or partners pursuing a professional or trade activity in a Member State other than the competent State (OJ C 106, 24.4.2010, p. 51).

The provisions of the Recommendations shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 to this Agreement shall apply. The period referred to in paragraph 2 of that Article shall be a period of two years from the date of entry into force of this Agreement for the application of Recommendations of Administrative Commission.