

**DECISION OF THE EEA JOINT COMMITTEE
No 102/2008**

of 26 September 2008

amending Annex VI (Social security) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as "the Agreement", and in particular Article 98 thereof,

Whereas:

- (1) Annex VI to the Agreement was amended by Decision of the EEA Joint Committee No 159/2007 of 7 December 2007¹.
- (2) Regulation (EC) No 647/2005 of the European Parliament and of the Council of 13 April 2005 amending Council Regulations (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71² is to be incorporated into the Agreement.
- (3) Regulation (EC) No 629/2006 of the European Parliament and of the Council of 5 April 2006 amending Council Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71³ is to be incorporated into the Agreement.
- (4) The judgment of the European Court of Justice in case C-299/05, which annuls certain entries in Regulation (EC) No 647/2005, and the judgment of the EFTA Court in case E-5/06 are to be taken into account,

HAS DECIDED AS FOLLOWS:

Article 1

Annex VI to the Agreement shall be amended as follows:

- 1) The following indents shall be added in point 1 (Council Regulation (EEC) No 1408/71):

¹ OJ L 124, 8.5.2008, p. 24.

² OJ L 117, 4.5.2005, p. 1.

³ OJ L 114, 27.4.2006, p. 1.

- "– **32005 R 0647**: Regulation (EC) No 647/2005 of the European Parliament and of the Council of 13 April 2005 (OJ L 117, 4.5.2005, p. 1),
- **32006 R 0629**: Regulation (EC) No 629/2006 of the European Parliament and of the Council of 5 April 2006 (OJ L 114, 27.4.2006, p. 1).";

2) The text of adaptation (m) in point 1 (Council Regulation (EEC) No 1408/71) shall be replaced by the following:

"(i) Annex IIa shall be read as follows:

Point (b) under the heading "Y. FINLAND", point (c) under the heading "Z. SWEDEN" and points (d) to (f) under the heading "AA. UNITED KINGDOM" do not apply with regard to the EFTA States.

However, the effects of the inclusion of the Disability Living Allowance in point (d) under the heading "AA. UNITED KINGDOM" are maintained as regards solely the "mobility" part of that allowance.

(ii) The following shall be added to Annex IIa:

ZA. ICELAND

None.

ZB. LIECHTENSTEIN

(a) Allowances for blind persons (Law on the granting of allowances for blind persons of 17 December 1970).

(b) Maternity allowances (Law on the granting of maternity allowances of 25 November 1981).

(c) Supplementary benefits to the old age, survivors' and invalidity insurance (Law on supplementary benefits to the old age, survivors' and invalidity insurance of 10 December 1965 as revised on 12 November 1992).

ZC. NORWAY

(a) Guaranteed minimum supplementary pension to persons who are born disabled or become disabled at an early age in accordance with Articles 7-3 and 8-4 of the National Insurance Act of 17 June 1966 No 12.

(b) Special benefits in accordance with the Act of 29 April 2005 No 21 on supplementary allowance to persons with short periods of residence in Norway.";

3) The text of adaptation (n) in point 1 (Council Regulation (EEC) No 1408/71) shall be replaced by the following:

"The following shall be added to Annex III(A):

36. ICELAND – DENMARK

Article 10 of the Nordic Convention on Social Security of 15 June 1992, concerning coverage of extra travel expenses in case of sickness during stay in another Nordic country making a more expensive return travel to the country of residence necessary.

37. ICELAND – FINLAND

Article 10 of the Nordic Convention on Social Security of 15 June 1992, concerning coverage of extra travel expenses in case of sickness during stay in another Nordic country making a more expensive return travel to the country of residence necessary.

38. ICELAND – SWEDEN

Article 10 of the Nordic Convention on Social Security of 15 June 1992, concerning coverage of extra travel expenses in case of sickness during stay in another Nordic country making a more expensive return travel to the country of residence necessary.

39. ICELAND – NORWAY

Article 10 of the Nordic Convention on Social Security of 15 June 1992, concerning coverage of extra travel expenses in case of sickness during stay in another Nordic country making a more expensive return travel to the country of residence necessary.

40. NORWAY – DENMARK

Article 10 of the Nordic Convention on Social Security of 15 June 1992, concerning coverage of extra travel expenses in case of sickness during stay in another Nordic country making a more expensive return travel to the country of residence necessary.

41. NORWAY – FINLAND

Article 10 of the Nordic Convention on Social Security of 15 June 1992, concerning coverage of extra travel expenses in case of sickness during stay in another Nordic country making a more expensive return travel to the country of residence necessary.

42. NORWAY – SWEDEN

Article 10 of the Nordic Convention on Social Security of 15 June 1992, concerning coverage of extra travel expenses in case of sickness during stay in another Nordic country making a more expensive return travel to the country of residence necessary.";

- 4) The text of adaptation (o) in point 1 (Council Regulation (EEC) No 1408/71) shall be deleted;
- 5) The text of paragraph 1 under the heading "ZB. LIECHTENSTEIN" in adaptation (t) of point 1 (Council Regulation (EEC) No 1408/71) shall be deleted;
- 6) The following indents shall be added in point 2 (Council Regulation (EEC) No 574/72):
 - "– **32005 R 0647**: Regulation (EC) No 647/2005 of the European Parliament and of the Council of 13 April 2005 (OJ L 117, 4.5.2005, p. 1),
 - **32006 R 0629**: Regulation (EC) No 629/2006 of the European Parliament and of the Council of 5 April 2006 (OJ L 114, 27.4.2006, p. 1).";

- 7) The text of adaptation (n) in point 2 (Council Regulation (EEC) No 574/72) shall be deleted.

Article 2

The texts of Regulations (EC) Nos 647/2005 and 629/2006 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 27 September 2008, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee*.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 26 September 2008.

*For the EEA Joint Committee
The President*

H. S. H. Prinz Nikolaus von Liechtenstein

*The Secretaries
to the EEA Joint Committee*

Bergdis Ellertsdóttir Matthias Brinkmann

* No constitutional requirements indicated.