

RECOMMENDATION No 16**of 12 December 1984****concerning the conclusion of agreements pursuant to Article 17 of Council Regulation (EEC)
No 1408/71**

(85/C 273/03)

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

Having regard to the opinion of the Advisory Committee
on Social Security for Migrant Workers, adopted at its
15th meeting on 11 April 1984,

Whereas Article 17 of Regulation (EEC) No 1408/71
lays down that two or more Member States, the
competent authorities of those States or the bodies
designated by those authorities may, by common
agreement, provide for exceptions to the provisions of
the aforementioned Regulation concerning the determi-
nation of the legislation applicable in the interests of
certain categories of employed or self-employed persons,
or of certain such persons;

Whereas certain employed persons, by virtue of their
special knowledge and skills or because of specific
objectives set by the undertaking or organization with
which they are employed, are posted abroad to the
territory of a Member State other than the one in which
they are normally employed in the interests of, in the
name of, or on behalf of that undertaking or organ-
ization for a period of more than 12 months;

Whereas it is recommended that in the interests of these
employed persons, they should be allowed to choose
between being subject to the legislation of the Member
State of employment or remaining subject to the
legislation of the Member State where they are normally
employed for the duration of the posting abroad,

RECOMMENDS

to the competent authorities of the Member States that
they conclude, or have concluded by the bodies
designated by these competent authorities, agreements
pursuant to Article 17 of Regulation (EEC) No 1408/71
applicable to employed persons who, by virtue of their
special knowledge and skills or because of specific
objectives set by the undertaking or organization with
which they are employed are posted abroad to a Member
State other than the one in which they are normally
employed in the interests of, in the name of, or on behalf
of that undertaking or organization for a period
exceeding 12 months.

These agreements should lay down that these employed
persons remain subject to the legislation of the sending
State for the full duration of their assignment provided
that the workers concerned agree to this condition.

J. DOWNEY*Chairman
of the Administrative Commission***RECOMMENDATION No 17****of 12 December 1984****concerning the statistical data to be supplied each year for the drawing up of the reports of the
Administrative Commission**

(85/C 273/04)

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

Having regard to Article 103 of Regulation (EEC) No
574/72,

Whereas recommendation No 13 of 24 May 1973 should
be amended following the entry into force of Regu-
lations (EEC) No 1390/81 and (EEC) No 3795/81
concerning the extension of Regulations (EEC) No

1408/71 and (EEC) No 574/72 to self-employed persons
and to members of their families and whereas this
extension requires a certain adjustment of the statistics
kept by the social security institutions of the Member
States;

Whereas under the provisions of Article 13 (1) of the
Rules, adopted in pursuance of Article 80 (3) of Regu-
lation (EEC) No 1408/71, the Administrative
Commission should periodically draw up a general