

Coordination of social protection in the EU and its application in the Czech Republic and the FRG

The thesis deals with the coordination of the social security systems of the EU Member States. It refers to the new basic regulation at the level of the European Communities, which is enshrined in the EC Treaty (Lisbon Treaty) and in the Regulation of the European Parliament and of the Council No 833/2004.

The main role of this European regulation is to ensure the free movement of all workers and self-employed persons. To secure this, it is necessary to equate these persons with the native subjects. The starting point for the creation of a European social security system is Article 42 of the EC Treaty (Article 48 of the Lisbon Treaty) which defines two basic conditions of such a system. On the one hand, it must be ensured that benefits are also paid to the persons residing in other Member States. On the other hand, it must be ensured that all the periods completed by the legal systems of the individual Member States (without regard to the place of work)

Be aggregated. This provision also obliges the Council to take such measures as are necessary to meet the objectives set out.

Regulation No 1408/71 was a basic rule for this system until 30 April 2010. Since 1 May 2010, however, there has been a double regulation in the field of European social protection. Since that date, a new regulation, Regulation No. 883/2004, which entered into force six years ago, has to be applied. However, the application was hampered by the lack of implementing rules.

The work deals with the definition of personal and material scope. There are also major legal judgments of the European Court of Justice (the Lisbon Treaty, after judgments of the Court of Justice of the European Union), which strongly influence the application of the rules of the Union.