

Abstrakt v anglickém jazyce

We comprehend the coordination of social security systems as an interconnection of social security systems of Member States therefore the free movement of persons can be carried out. The aim of Coordinating Regulations is to ensure that a migrant does not lose his/her claims on social rights due to his/her enjoyment of free movement. Concerning the large extent of this topic the thesis is focusing only on old-age and survivors' pensions according to valid Regulations (EC) No 883/2004 and No 987/2009 of the European Parliament and of the Council which entered into force on 1 May 2010.

The preliminary chapter out of five at total generally presents the nature of the Coordinating Regulations. It clears up their development and aims. It further introduces other sources of coordination law and explains their relations with other sources of EU law and international law. The determination of personal and material scope of Coordinating Regulations is the indispensable part of this chapter as well.

The second chapter highlights the cardinal importance of basic principles of Coordinating Regulations – the principle of equal treatment, the principle of single applicable legislation, the principle of aggregation of periods, the principle of export of benefits and the principle of good administration. It is ensured by the application of these fundamental principles that social rights of migrant are maintained. They also help to preserve a legal certainty. Moreover they are used as an interpreting clue in case where there is ambiguous interpretation of Coordinating Regulations. As a part of this chapter there is an introduction into an electronic exchange of social security information which enormously simplified mutual communication between authorities implementing coordination of social security systems.

Third chapter provides a body of binding conflict rules which is applied on migrant so the only single legislation is applicable at a same time. The aim is an exclusion of a positive or a negative conflict of Member States law. Besides general rule *lex loci laboris* included in Regulation No 883/2004 there are special rules which are applicable in special cases or on special occupations. The chapter also briefly outlines the procedure of collection of premiums regarding a migrant worker.

The content of the fourth chapter is the coordination of old-age and survivors' pensions with respect to application of basic principles of coordination of social security systems. The most important part of this chapter is the procedure of calculation of the amount of old-age pension. The chapter also concerns legislation of supplementary pension schemes on the EU level. Moreover it introduces a coordination of pre-retirement benefits.

Last chapter focuses on development of Czech judicial decisions concerning the coordination of Czechoslovak old-age pensions which became a subject of many lawsuits and which led to conflict between the highest judicial authorities – the Constitutional Court of the Czech Republic and the Supreme Administrative Court. The chapter is concluded by consideration concerning impacts of lawsuits followed by an introduction of a future solution of this topic.