|  |  |  |  |
| --- | --- | --- | --- |
| **MINISTERS’ DEPUTIES** | CM Documents | **CM(2019)175** | 29 October 2019[[1]](#footnote-1) |

|  |
| --- |
| **1361st (Budget) meeting, 19-21 November 2019**11 Programme, Budget and Administration**11.9 Amendments to the medical and social insurance scheme –**Draft resolution amending the Regulations on the medical and social insurance scheme (Appendix XII to the Staff Regulations)**Item to be considered by the GR-PBA at its meeting on 4 November 2019** |

1. The Secretary General proposes hereafter three amendments to the medical and social insurance scheme of the Council of Europe (CEMSIS).
2. CEMSIS follows the evolution of the French Social Security system. For some years now, the French Social Security system has been undergoing a major reform. The changes concern, amongst others, dependants of affiliated persons, such as children and spouses. In particular, post-baccalaureate students no longer have dependant status under the French Social Security system and are now considered independent in terms of health insurance. To reflect these changes, Appendix XII to the Staff Regulations needs to be amended so that the staff members and pensioners’ medical cover only includes children up to the age of 18 instead of 20 as currently provided. In addition, it is also proposed to reduce the age up to which a staff member or pensioner can opt to insure their children, by means of an additional payment, from 29 to 26 years, which is the maximum age for a child to be considered as a dependant under the Staff Regulations.
3. In line with the evolution of the French Social Security system, Appendix XII to the Staff Regulations was amended in 2016 to make cover of insured persons’ spouses subject to payment. Since 2017, both staff members and pensioners have been charged for the cover of their spouses. However, due to an omission, the provisions related to the cover of spouses were only changed with regard to staff members. It is now proposed to rectify this situation by amending the relevant legal provisions concerning pensioners. Another minor alignment aims at rectifying references to staff members in the legal provisions concerning only pensioners.
4. It is further proposed to align the cessation of cover of expatriated staff members with the end date of their contract, which is already the case for non-expatriated staff.

5. In accordance with Article 6, paragraph 1, of the Regulations on staff participation (Appendix I to the Staff Regulations), the Staff Committee was consulted on the draft Resolution proposed in Appendix for adoption.

**Appendix**

**Draft Resolution CM/Res(2019)…**

**amending the** **Regulations on the medical and social insurance scheme (Appendix XII to the Staff Regulations)**

*(Adopted by the Committee of Ministers on …*

*at the … st meeting of the Ministers’ Deputies)*

The Committee of Ministers, in accordance with Article 16 of the Council of Europe Statute;

Having regard to the Regulations on the medical and social insurance scheme (Appendix XII to the Staff Regulations);

On the proposal of the Secretary General, the Staff Committee having been consulted in accordance with Article 6, paragraph 1, of the Regulations on Staff Participation (Appendix I to the Staff Regulations);

Decides:

**Article 1**

In Article 2, paragraph 2 of the Regulations on the medical and social insurance scheme (Appendix XII to the Staff Regulations), the second sentence shall be deleted.

**Article 2**

In Article 9, paragraph 2, subparagraph a. and Article 21, paragraph 1, subparagraph a. of the Regulations on the medical and social insurance scheme (Appendix XII to the Staff Regulations), the figure 20 shall be replaced by the figure 18 and the figure 29 shall be replaced by the figure 26.

**Article 3**

1. In Article 21, paragraph 1, subparagraph b. of the Regulations on the medical and social insurance scheme (Appendix XII to the Staff Regulations), the following sentence shall be inserted after the first sentence:

“In such cases, cover shall be limited to the amounts refundable under the local rules of the French Social Security Scheme in Alsace-Moselle. However, supplementary cover for health care costs may be extended to that person on payment of an additional contribution borne entirely by the affiliated person.”

2. In Article 21, paragraph 1, subparagraphs a., b., c. and d. of the Regulations on the medical and social insurance scheme (Appendix XII to the Staff Regulations), the terms “by the staff member” shall be replaced by the terms “by the affiliated person”.

**Article 4**

This resolution shall enter into force on 1 January 2020.

1. This document has been classified restricted until examination by the Committee of Ministers. [↑](#footnote-ref-1)