EESSI – CDM

Legislation Applicable

LA_BUC_01-v4.3.3

Request for Exceptions

BUC Guidelines

Employment,
Social Affairs
and Inclusion

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LA_BUC_01-V0.2	31/08/2017	Working document meant to agree with the changes and comments proposed by the Legislation Applicable Ad Hoc group and containing the changes corresponding to LA_BUC_01 BUC version 1.3.0. Version submitted for AC review.
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LA_BUC_01-v1.0	11/12/2017	AC approved version.
LA_BUC_01-v4.1.0	01/10/2018	Performed patch changes to reference the new CDM version 4.1.0.
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LA_BUC_01-v4.3.0	31/08/2021	Changes regarding version 4.3.0
LA_BUC_01-v4.3.3	14/06/2023	Changes related to EESSI-11515 - Changes in LA-documentation (Guidelines, BUC description) because of TW FA, adding steps CO.3-Bis and CP.1-Bis

1.   LA_BUC_01 – Request for Exceptions

Description: The role of LA_BUC_01 in the Legislation Applicable sector is to describe how situations involving a need to determine the proper applicable legislation in a given case are handled according to Article 16(1) of Regulation (EC) No 883/2004.

It implies a request for exception sent by a competent authority or the designated body of a Member State to one or multiple competent authorities or designated bodies from different Member States. The responding institution or institutions may accept or reject the request, or in case they do not have all the required information ask for additional information from the initiator of the request before coming to a final conclusion.

In the context of this BUC, "institutions" refers to the "competent authorities of these Member States or the bodies designated by these authorities", as stated in Article 16(1) ("Exceptions to Articles 11 to 15") of Regulation (EC) No 883/2004.

Legal base: LA_BUC_01 is based on Regulation No 883/2004 and Implementing Regulation No 987/2009. The following table specifies the SEDs used in this BUC and lists the articles that provide the legal basis for each SED:

SED	Basic Regulation No 883/2004		Implementing Regulation No 987/2009
	Title II	Article 16 (1)	Article 18
A001 Request for Exception		✓	✓
A002 - Partial or total refusal to Request for Exception		✓	✓
A005 Request for more information	✓		
A006 Reply to Request for more information	✓		
A008 Notification of Relevant Information	✓		
A011 Acceptance of Request for Exception		✓	✓

Request-reply SEDs:

REQUEST SED	REPLY SED(s)
A001 Request for Exception	A002 - Partial or total refusal to Request for Exception A011 Acceptance of Request for Exception
A005 Request for more information	A006 Reply to Request for more information

Glossary of relevant terms used in LA_BUC_01:

Term used	Description
Case Owner	In this BUC the Case Owner is a Competent Institution that is being petitioned by a self-employed person or an employee or by its employer in order to conclude an exception agreement according to article 16 of regulation 883/04.
Counterparty	In this BUC the Counterparty is a Competent Institution that is requested to agree or disagree (agree but with changed parameters) on the proposed exception.

Petitioner	In this BUC the petitioner is a person or an employer who applies for an exception under Art. 16(1) of regulation 883/2004

2.   How to start this BUC?

In order to help you understand the LA_BUC_01 we have created a set of questions that will guide you through the main scenario of the process as well as possible sub-scenarios or options available at each step along the way. Ask yourself each question and click on one of the hyperlinks that will guide you to the answer in the next step within this document or to another separate file. You will notice that in some of the steps it is allowed to use additional horizontal and administrative sub-processes. They will be listed under the step description.

2.1.	**What is my role in the social security exchange of information I have to complete?**

If you are the Competent Institution of a Member State that is being petitioned in order to conclude an exception agreement according to article 16 of regulation 883/04, your role will be defined as the **Case Owner**.

I am the Case Owner. (step CO.1)

If you are the Competent Institution that receives a 'Request for Exception' A001 SED from a Competent Institution of another Member State in order to determine the proper legislation to apply in the given case, your role will be defined as the **Counterparty**.

I am the Counterparty. (step CP.1)

2.2.	**CO.1 Who do I need to exchange information with?**

As the Case Owner, your first step in any new request for exception will be to identify the responsible Member State or Member States that you need to exchange information with. The second step is to identify the relevant institutions in these Member States that are responsible for the agreement or disagreement on the proposed exception. This activity will define the Counterparty or the Counterparties you will be working with in the exchange of information.

I need to identify the Counterparty or Counterparties. (step CO.2)
I have identified the Counterparty or Counterparties I need to contact. (step CO.3)

2.3.	**CO.2 How do I identify the correct institution(s) to exchange information with?**

In order to determine the relevant Competent Institution(s) from other Member State(s) you will need to consult the Institution Repository (IR). The IR provides an electronic record of all current and previous Competent Institutions and Liaison Bodies that have been responsible for the cross border coordination of social security information for each of the relevant Member States.

Please note that the Liaison Body should be chosen only if it is impossible to identify the correct Competent Institution in the respective Member State or if the case is handled by the Liaison Body.

To access the IR please use the following link.

I have now identified the Competent Institution(s) from the Member State(s) I need to contact. (step CO.3)

2.4.	**CO.3 How do I send a 'Request for Exception' SED A001?**

Fill out the 'Request for Exception' SED A001 by entering all the required information. Afterwards, you send the SED A001 to the identified Counterparty or Counterparties.

I sent the 'Request for Exception' SED A001 to all Counterparties. (step CO.4)

Sub-process steps available to the Case Owner at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01).
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify the Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A001 (AD_BUC_06).
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A001 (AD_BUC_10).

2.5.   CO.3-Bis How do I send a 'Request for Exception' SED A001 under the Telework Framework Agreement (further "TW FA")?

In case of a request under the **Telework Framework Agreement (further "TW FA")** *make sure that the Counterparty has signed the TW FA.*

In case of request under the TW FA, fill in SED A001 as follows:
- Section 8.1. *Articles of Basic Regulation referring to situation for which agreement on exception is proposed** fill in **"Article 13 (1) a i"** *or* **Article 13 (1) a ii"**
o Section 8.2. *Othe*r fill in **"TW FA"**

After sending A001, you have two options:
- Issue the PD A1 directly without waiting for an answer from the CP. You should wait for a period of at minimum 14 calendar days before closing the case.
OR
- You wait for the reaction of the CP.
    The Counterparty has two options how to react:
1. The CP sends SED A011 to you in case TW FA conditions are fulfilled as swiftly as possible. You close this case and issue PD A1 if this has not been issued already.
2. The CP sends SED A002 to you in case that its national evidence shows that the conditions of the TW FA are not fulfilled as swiftly as possible.
    ■ In case any other communication is required the institutions involved are advised to follow the existing LA_BUC_01 sub-processes, either by sending an A005 (Branch 2) or by sending an A008 (Branches 7 or 8).
    ■ If the LA_BUC_01 case has already been closed, institutions can either communicate via LA_BUC_03, or LA_BUC_06 (also depending on needs and circumstances).
    ■ In case TW FA conditions are not fulfilled and the case is closed but both Participants wish to conclude an Art. 16 agreement, a new case may be opened out of the TW FA scope.

If the CP does not react, you should wait for a period of at least 14 calendar days before closing the case.

I sent the 'Request for Exception' SED A001 to all Counterparties. (step CO.4)

Sub-process steps available to the Case Owner at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01).
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify the Death of a person in an ongoing case (H_BUC_07).

I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A001 (AD_BUC_06).
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A001 (AD_BUC_10).

2.6. CO.4 How do I proceed after sending the 'Request for Exception' SED?

After you sent the request(s) you wait for the Counterparties to review the 'Request of Exception' SED A001 and reply by sending an 'Acceptance of Request for Exception' SED A011 or 'Partial or total refusal to Request for Exception' SED A002.

Once you have received all SEDs A011 or SEDs A002, you generally have the necessary information to decide whether the 'Request for Exception' can be approved. I have reached a decision on the legislation applicable. (step CO.5)

In case you need to exchange additional **legislation applicable specific** information with the other parties, you may request or reply to requests for information using the sector-specific SED A005/SEDA006 request/reply SEDs. Please note that although the H_BUC_01 and its H001/H002 request/reply SEDs could also be used to exchange information, this is not recommended here. Use the sector specific SED005 instead in order to better describe the request, using the legislation applicable context and pinpointing the specific articles of legislation that need to be clarified. Use the H_BUC_01 if you need to exchange information related to other sectors of social security.

I want to request more Information from one or more Counterparties by sending a SED A005. (step CO.6)
I want to react to an incoming SED A005. (step CO.8)
You may also need to inform the Counterparties about new information in the case:
 I choose to notify the Counterparty or Counterparties of additional relevant information by sending a 'Notification of Relevant Information' SED A008. (step CO.7) However, in case you have not received all SEDs A011 or SEDs A002 yet, you inform the counterparties about relevant changes by using the Sub-process "Update information" for your SED A001.

Sub-process steps available to the Case Owner at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01).
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify the Death of a person in an ongoing case (H_BUC_07).
I want to Close the Case (AD_BUC_01).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A001 or A008 (AD_BUC_06).
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A001, A005, A006 or A008 (AD_BUC_10).

2.7. CO.5 How do I proceed after the decision on legislation applicable has been reached?

You now need to close the case using the Administrative sub-process AD_BUC_01 – Close Case. You can Reopen the closed Case by using the AD_BUC_02 (see below).

In cases where the TW FA has been applied the CO has to wait at least a minimum of 14 days (after the delivery date of the A001) before closing the case.

In case of agreement on the 'Request of Exception' and if you represent the institution of the member state whose legislation applies in this case, you may issue a Portable Document PD A1 to the citizen.

Please note that issuing the PD A1 is out of the scope of EESSI, therefore it is not a mandatory activity of this BUC. For details of issuing a PD A1 you should act in accordance with provisions in Regulations 883/2004 and 987/2009 and consult the national processes.

In cases where the TW FA has been applied the CO can choose to issue the PD A1 without having received any response from the CP.

Sub-process steps available to the Counterparty at this stage:
I want to Reopen the closed Case (AD_BUC_02)

2.8. CO.6 How do I send a 'Request for more Information' SED A005?

If you need more Information, fill out the 'Request for more Information' SED A005 and send it to one or more Counterparties from which you need information. Each Counterparty who received this A005 will need to reply by sending a 'Reply to Request for more Information 'SED A006. This SED will go to all the other parties who received the same A005 and also back to you (the Case Owner). This way all the parties requested for information will share their replies so everybody concerned is informed of each other's position. This procedure may be invoked several times if necessary.

I have received and reviewed the 'Reply to Request for more Information'. (step CO.4)

Sub-process steps available to the Case Owner at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01).
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A001, A005 or A008 (AD_BUC_06).
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A001, A005 or A006 (AD_BUC_10).

2.9. CO.7 How do I send a 'Notification of Relevant Information' SED A008?

In case you need to supply the Counterparty or Counterparties with additional relevant information fill out the 'Notification of Relevant Information' SED A008 and send it to all Counterparties. This procedure may be invoked several times if necessary. However, in case you have not received all SEDs A011 or SEDs A002 yet, you inform the counterparties about relevant changes by using the Sub-process "Update information" for your SED A001.

I have successfully sent the 'Notification of Relevant Information'. (step CO.4)

Sub-process steps available to the Case Owner at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01)
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A001, A005 or A008 (AD_BUC_06).
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).

I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A001, A005, A006 or A008 (AD_BUC_10).

2.10. CO.8 How do I respond to an incoming 'Request for more Information' SED A005?

In case a Counterparty asks you to provide additional relevant information, fill out the 'Reply to Request for more Information' SED A006 and send it back. This SED will go to all the other parties who received the same A005. This way all the parties requested for information will share their replies so everybody concerned is informed of each other's position. This procedure may be invoked several times if necessary.

I have successfully sent a SED A006. (step CO.3)

Sub-process steps available to the Case Owner at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01)
I want to Determine the Residence of a person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A001 or A006 (AD_BUC_06).
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A001, A005 or A006 (AD_BUC_10).

2.11. CP.1 What should I do if I have received a 'Request for Exception' SED A001?

If you have received a 'Request for Exception' SED A001 from the Case Owner, you need to review it. On agreement with the request you reply by sending the 'Acceptance of Request for Exception' SED A011 to the Case Owner. As a rule for using SED A011, do not fill in the additional information field (see Section 3) unless there are very specific circumstances.

On disagreement or if you only agree partially with the 'Request for Exception' you need to fill in the 'Partial or total refusal to Request for Exception' SED A002 and send it back to the Case Owner.

You (as Counterparty) as well as any another Counterparty may choose to request additional Information by sending a 'Request for more Information' SED A005 to any other parties (e.g. other Counterparties or the Case Owner). The parties receiving this A005 need to reply by filling out and sending a corresponding 'Reply to Request for more Information' SED A006. This SED will be received by you (as sender of SED A005) and all other parties who received the same A005. This way all the parties who were requested information will share their replies so everybody concerned is informed of each other's position.

I sent the 'Request for Exception' SED A001 to all Counterparties. (step CO If you do not need to invoke another of the following steps your Business Case ends here.
I have not yet sent an A002 or an A011 and I want to send a SED A011 to the Case Owner. (step CP.2)
I have not yet sent an A002 or an A011 and I want to send a SED A002 to the Case Owner. (step CP.3)
I want to request further information from the Case Owner or one or more Counterparties in order to reply to the SED A001. (step CP.4)
I want to notify the Case Owner and the other Counterparties of relevant information. (step CP.5)
I have received a SED A005 and want to respond to it. (step CP.7)
A decision on the 'Request for Exception' has been reached. (step CP.6)

Sub-process steps available to the Counterparty at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01)
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A002, A005, A006, A008 or A011 (AD_BUC_06). Please note that an invalidation of SED A011 is generally not possible and should, if used at all, be restricted to particularly exceptional circumstances.
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A005, A006 or A008 (AD_BUC_10).

2.12. CP.1-Bis What should I do if I have received a 'Request for Exception' SED A001 in case where the TW FA has been applied?

*In cases where the **TW FA** has been applied the A001 will be filled in the following way: in box 8.1 "art. 13(1)(a)" is chosen and in box 8.2 there will be the indication "TW FA".*

You have two options how to react:
1. You send SED A011 to the CO in case TW FA conditions are fulfilled as swiftly as possible. The CO closes this case and issues PD A1 if this has not been issued already.
2. You send SED A002 to the CO in case that your national evidence shows that the conditions of the TW FA are not fulfilled as swiftly as possible.
   - In case any other communication is required the institutions involved are advised to follow the existing LA_BUC_01 sub-processes, either by sending an A005 (Branch 2) or by sending an A008 (Branches 7 or 8).
   - If the LA_BUC_01 case has already been closed, institutions can either communicate via LA_BUC_03, or LA_BUC_06 (also depending on needs and circumstances).
   - In case TW FA conditions are not fulfilled and the case is closed but both Participants wish to conclude an Art. 16 agreement, a new case may be opened out of the TW FA scope.

I sent the 'Request for Exception' SED A001 to all Counterparties. (step CO If you do not need to invoke another of the following steps your Business Case ends here.
I have not yet sent an A002 or an A011 and I want to send a SED A011 to the Case Owner. (step CP.2)
I have not yet sent an A002 or an A011 and I want to send a SED A002 to the Case Owner. (step CP.3)
I want to request further information from the Case Owner or one or more Counterparties in order to reply to the SED A001. (step CP.4)
I want to notify the Case Owner and the other Counterparties of relevant information. (step CP.5)
I have received a SED A005 and want to respond to it. (step CP.7)
A decision on the 'Request for Exception' has been reached. (step CP.6)

Sub-process steps available to the Counterparty at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01)
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).

I want to Invalidate A002, A005, A006, A008 or A011 (AD_BUC_06). Please note that an invalidation of SED A011 is generally not possible and should, if used at all, be restricted to particularly exceptional circumstances.
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A005, A006 or A008 (AD_BUC_10).

2.13. CP.2 How do I send an 'Acceptance of Request for Exception' SED A011?

If you agree with the 'Request for Exception' fill out the 'Acceptance of Request for Exception' SED A011 by entering all the required information. Afterwards, you send the SED A011 to the Case Owner.

I want to inform the case owner of my acceptance. (step CP.1)

Sub-process steps available to the Counterparty at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01)
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A011 (AD_BUC_06). Please note that an invalidation of SED A011 is generally not possible and should, if used at all, be restricted to particularly exceptional circumstances.
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A011 (AD_BUC_10).

2.14. CP.3 How do I send a 'Partial or total refusal to Request for Exception' SED A002?

If you do not agree with the 'Request for Exception' or if you agree partially fill out the 'Partial or total refusal to Request for Exception' SED A002 by entering all required information. Afterwards, you send the SED A002 to the Case Owner.

I have sent the SED A002. (step CP.1)

Sub-process steps available to the Counterparty at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01)
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A002 or A011 (AD_BUC_06). Please note that an invalidation of SED A011 is generally not possible and should, if used at all, be restricted to particularly exceptional circumstances.
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A002 (AD_BUC_10).

2.15. CP.4 How do I request further information from another participant?

In order to request additional information from the Case Owner or any other Counterparty, you need to fill out the 'Request for more information' SED A005 and send it to them. As a reply to SED A005, you will then receive a 'Reply to Request for more Information' SED A006 from each

participant who received your A005. You may invoke this procedure multiple times until all necessary information has been gathered.

I have collected all necessary information to reply to the SED A001. (step CP.1)

Sub-process steps available to the Counterparty at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01)
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A002, A005 or A011 (AD_BUC_06). Please note that an invalidation of SED A011 is generally not possible and should, if used at all, be restricted to particularly exceptional circumstances.
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A005 (AD_BUC_10).

2.16. CP.5 How do I notify other Counterparties and the Case Owner of relevant information?

If you need to notify the Case Owner and other Counterparties of additional relevant information you may choose to fill out the 'Notification of Relevant Information' SED A008. You may execute this step more than once.

I have sent additional relevant information to the Case Owner and the Counterparties. (step CP.1)

Sub-process steps available to the Counterparty at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01)
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A002, A008 or A011 (AD_BUC_06). Please note that an invalidation of SED A011 is generally not possible and should, if used at all, be restricted to particularly exceptional circumstances.
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A006 or A008 (AD_BUC_10).

2.17. CP.6 How do I proceed after the decision on legislation applicable has been reached?

You will receive a notification from the Case Owner that the Business Use Case is closed. You can Reopen the closed Case by using the AD_BUC_02 (see below).

In case of agreement on the 'Request of Exception' and if you represent the institution of the Member state whose legislation applies in this case, you may issue a Portable Document PD A1 to the citizen.

Please note that issuing the PD A1 is out of the scope of EESSI, therefore it is not a mandatory activity of this BUC. For details of issuing a PD A1 you should act in accordance with provisions in Regulations 883/2004 and 987/2009 and consult the national processes.

Sub-process steps available to the Counterparty at this stage:

I want to Reopen the closed Case (AD_BUC_02)

2.18. CP.7 How do I respond to an incoming 'Request for more Information' SED A005?

If you receive a 'Request for more Information' SED A005 you need to fill out the 'Reply to Request for more Information' SED A006 by entering all the required information. Afterwards, you send the SED A006 to the participant who requested information and to all the other participants who received this SED A005 request.

I have sent the SED A006. (step CP.1)

Sub-process steps available to the Counterparty at this stage:
I want to Exchange Ad Hoc Information not covered by the main process (H_BUC_01)
I want to Determine the Residence of a Person (H_BUC_02).
I want to Exchange Personal Identification Number (H_BUC_05).
I want to Transfer a Claim, Document or Information (H_BUC_06).
I want to Notify of Death of a person in an ongoing case (H_BUC_07).
I want to Add a Participant to the case (AD_BUC_03).
I want to Forward the Case to another Competent Institution (AD_BUC_05).
I want to Invalidate A002, A006 or A011 (AD_BUC_06). Please note that an invalidation of SED A011 is generally not possible and should, if used at all, be restricted to particularly exceptional circumstances.
I want to Send a Reminder for the return of information I am expecting (AD_BUC_07).
I want to Clarify the Content of a received SED (AD_BUC_08).
I want to Update Information contained in A006 or A011 (AD_BUC_10).

3. BPMN diagram for LA_BUC_01

Click here to open the BPMN diagram(s) for LA_BUC_01.

4. Structured Electronic Documents (SEDs) used in the process

The following SED is used in LA_BUC_01:
- SED A001 – Request for Exception
- SED A002 - Partial or total refusal to Request for Exception
- SED A005 – Request for more information
- SED A006 – Reply to Request for more Information
- SED A008 – Notification of Relevant Information
- SED A011 – Acceptance of Request for Exception

5. Portable Documents

The following Portable Document is used in LA_BUC_01:
- PD A1

6. Horizontal sub-processes

The following horizontal sub-processes are used in LA_BUC_01:
- H_BUC_01_Sub-process: Adhoc Exchange of Information
- H_BUC_02_Sub-process: Determine Residence
- H_BUC_05_Sub-process: Exchange of PIN
- H_BUC_06_Sub-process: Exchange Claim
- H_BUC_07_Sub-process: Notification of Death

7. Administrative sub-processes

The following administrative sub-processes are used in LA_BUC_01:
- AD_BUC_01_Sub-process – Close Case
- AD_BUC_02_Sub-process – Reopen Case
- AD_BUC_03_Sub-process – Add Participant
- AD_BUC_05_Sub-process – Forward Case
- AD_BUC_06_Sub-process – Invalidate SED
- AD_BUC_07_Sub-process – Reminder
- AD_BUC_08_Sub-process – Clarify Content
- AD_BUC_10_Sub-process – Update SED

The following technical administrative sub-processes can be used at any point in the process:
- AD_BUC_11_Sub-process – Business Exception
- AD_BUC_12_Sub-process – Change of Participant