

SOCIAL BENEFITS FOR SEAFARERS WORKING ON SHIPS REGISTERED IN THE FRENCH INTERNATIONAL REGISTER (RIF)

Setting	Country of seafarer's residence	Seafarer's nationality	Employer location	Social benefits	Legal references
1	EU member-states (including France) EEA Switzerland	EU member-states (including France) EEA Switzerland	EU member-states (including France) EEA Switzerland different from the Country of the seafarer's residence	Social benefits of the flag state	Article L. 5631-2 of the transports code Article 11 § 4 regulation EC/883/2004 of the EP and of the Council of 29 April 2004 on the coordination of social security systems (text with relevance for the EEA and for Switzerland)
2	EU member-states (including France) EEA Switzerland	EU member-states (including France) EEA Switzerland	Same state as the seafarer's residence country	Social benefits of the country of seafarer's residence and of the employer location	Article L. 5631-2 of the transports code Article 11 § 4 regulation EC/883/2004 of the EP and of the Council of 29 April 2004 on the coordination of social security systems (text with relevance for the EEA and for Switzerland)
3	EU member-states (including France) EEA Switzerland where the seafarer is posted worker	EU member-states (including France) EEA Switzerland	Same state as the seafarer's nationality state	Social benefits of the state of the seafarer's nationality for no more than 24 months	Article L. 5631-2 of the transports code Art. 12 regulation EC/883/2004 of the EP and of the Council of 29 April 2004 on the coordination of social security systems (text with relevance for the EEA and for Switzerland)
4	EU member-states (including France) EEA Switzerland	Third country	Country different from the country of the seafarer's residence	Social benefits of the flag state	1 st art., Regulation EU/1231/2010 of the European parliament and of the Council of 24 November 2010 extending Regulation EC/883/2004 and Regulation EC/987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality
5	EU member-states (including France) EEA Switzerland	Third country	Same state as the seafarer's residence country	Social benefits of the country of seafarer's residence and of the employer location	1 st art., Regulation EU/1231/2010 of the European parliament and of the Council of 24 November 2010 extending Regulation

					EC/883/2004 and Regulation EC/987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality
6	State Party to a bilateral social security agreement with France	Irrelevant	Irrelevant	Social benefits set in the bilateral social security agreement with France	Article L. 5631-2 of the transports code Bilateral social security agreement relevant for the case
7	Third country	Irrelevant	Irrelevant	Social benefits set by the parties' choice of law	Article L. 5631-3 of the transports code Article L. 5631-4 of the transports code

Setting 1: example of a French seafarer residing in Sweden and employed by a French crew-manning agency. The social benefits are those of the flag. In this case, it is the French seafarer's social security (ENIM) since the French seafarer is embarked on a vessel registered in the RIF.

Setting 2: example of an Italian seafarer residing in Switzerland and employed by a Swiss crew-manning agency. The social benefits are those of Switzerland, since the seafarer and the employer are located in the same State covered by the European coordination of social security systems.

Setting 3: example of a Romanian seafarer residing in France while he is posted worker sent by a crew-manning agency located in Romania. The social benefits may remain the Romanian one but for a period not exceeding 24 months. After 24 months, the social benefits should be those of the flag state (in this case, the French social benefits – ENIM).

Setting 4: example of an Indian seafarer residing in Finland whose employer is located in the United-States of America. The social benefits are those of the flag. In this case, it is the French seafarer's social security (ENIM) since the Indian seafarer is embarked on a vessel registered in the RIF.

Setting 5: example of a Japanese seafarer residing in Finland whose employer is located in Finland. The social benefits are those of Finland, since the seafarer and the employer are located in the same State covered by the European coordination of social security systems.

Setting 6: example of a French seafarer residing in the Philippines and employed by a Japanese crew-manning agency. The social benefits are those provided by the bilateral social security agreement between France and the Philippines.

Setting 7: example of a French seafarer residing in Panama and employed by an Indian crew-manning agency. The social benefits are those of the parties' choice of law. It has to meet the minimum standards imposed by the article L. 5631-4 of the French transport code.

REMINDER

EEA (European Economic Area): 27 EU member states + Iceland, Liechtenstein, Norway.

Article L. 5631-4 of the transports code (about the minimum standard of the social benefits set by the parties' choice of law).

- 100 % coverage of medical, hospital and repatriation expenses in case of disease or accident during working service for the ship.
- In case of disease, basic salary compensation during 120 days.
- In case of accident, basic salary compensation until healing or medical decision concerning permanent disability.
- Payment of an indemnity in the event of death resulting from illness or accident occurring in the service of the ship to the employee's spouse and to each dependent child under the age of twenty-one, up to a maximum of three children.
- Coverage of the employee's medical and hospitalization expenses in the event of maternity and compensation of her basic salary for a period of two months.
- The payment of a life annuity or an indemnity proportional to this incapacity defined in the seafarer's employment agreement, in case of permanent incapacity resulting from a disease or an accident occurring in the service of the vessel.
- The granting of an retirement pension.

Bilateral social security agreements: 41 are in force between France and foreign states and overseas provinces.

Bilateral social security agreements signed with French overseas territories	Bilateral social security agreements signed with foreign states			Bilateral social security agreements signed with autonomous province of foreign states
<p>Nouvelle-Calédonie Polynésie française Saint-Martin Saint-Pierre-et-Miquelon</p>	<p>Algérie Andorre Argentine Bénin Bosnie-Herzégovine Brésil Cameroun Canada Cap-Vert Chili Congo</p>	<p>Corée du Sud Côte d'Ivoire États-Unis Gabon Inde Israël Japon Kosovo Macédoine du Nord Madagascar Mali Maroc</p>	<p>Mauritanie Monaco Monténégro Niger Philippines Sénégal Serbie Togo Tunisie Turquie Uruguay</p>	<p>Guernesey Jersey Québec</p>