

(if submitting the application electronically,
state the name of BO where you address the application)

number of application by APV REF 2012
(filled by Social Insurance Agency)

APPLICATION FOR DETERMINATION OF APPLICABLE LEGISLATION

of a person usually carrying out self-employed activities in two or more EU Member States

A. Data on the self-employed person (SZČO)

1. Identification data

sex: male ☐ female ☐

Title before the name	name	surname	title after the surname
date of birth		place of birth	nationality
surname at birth		birth number (in case of a foreigner state the ID number assigned by SIA)	

2. Address of residence

(place of residence is, where a person resides, where he has family, property, center of his interests;; in case the place of residence is identical with permanent residence in Slovakia, specify the address of permanent residence; if the place of residence is outside Slovakia, the Social Insurance Agency is not competent to assess and determine applicable legislation, in such case, the competent institution is the institution of Member State of residence)

street and number	city (town)	postal code
state	phone no.	e-mail
proof of residence of a foreigner in the territory of Slovakia (type, number, validity, and address of residence)		
Correspondence address (fill in only if different from address of residence)		

Delivery address for A1 form

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3. Date of commencement of self-employment in two, or more member states at the same time (if legislation was set in the past, state the end date)

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4. Date of registration for public health care as a self-employed person in Slovakia

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5. Name and seat of health insurance company in Slovakia, or other state, where you have insurance

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B. Self-employment data

(if you perform self-employed activities in more member states, fill in points 6. až 11 for each member state on separate sheets)

6. Self-employment in state

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from

 to

7. Date of suspension of self-employment

from

 to

8. Subject of self-employment

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9. Place of execution of self-employed activities

street and number	city	postal code	state

Member state of the EU

Switzerland

EEA States (Iceland, Liechtenstein, Norway)

☐ yes

☐ no

☐ yes

☐ no

☐ yes

☐ no

10. Working time

 h. / month

11. Income derived from self-employment in a Member State

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Current period:

year

 income

 €

Previous period:

year	<table border="1" style="width: 100px; height: 15px;"></table>	income	<table border="1" style="width: 100px; height: 15px;"></table>	€
year	<table border="1" style="width: 100px; height: 15px;"></table>	income	<table border="1" style="width: 100px; height: 15px;"></table>	€
year	<table border="1" style="width: 100px; height: 15px;"></table>	income	<table border="1" style="width: 100px; height: 15px;"></table>	€
year	<table border="1" style="width: 100px; height: 15px;"></table>	income	<table border="1" style="width: 100px; height: 15px;"></table>	€

1. Percentage of working time distributed in individual countries for previous period

<table border="1" style="width: 100px; height: 15px;"></table>	% of activity in	<table border="1" style="width: 200px; height: 15px;"></table>
<table border="1" style="width: 100px; height: 15px;"></table>	% of activity in (fill in the state)	<table border="1" style="width: 200px; height: 15px;"></table>
<table border="1" style="width: 100px; height: 15px;"></table>	% of activity in (fill in the state)	<table border="1" style="width: 200px; height: 15px;"></table>

% of activity in (fill in the state)

12. Percentage distribution of work time in each country over the next 12 months following the date of application

	% of activity in	Slovakia
	% of activity in(fill in state)	
	% of activity in(fill in state)	
	% of activity in(fill in state)	

13. Percentage distribution of income from self-employed activities in each country over the next 12 months following the date of application

	% from activity in	Slovakia
	% from activity in(fill in state)	
	% from activity in(fill in state)	
	% from activity in(fill in state)	

14. Permanent place of business (state)

15. Section, under which are self-employed activities in the sense of statistical classification of economic activities SK NACE Rev. 2 (see more information in the filling in instructions part)

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16. Person was issued an E 101/PD A1 in a different member state

☐ yes from to date institution

☐ no

17. Additional information (optional)

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C. Declaration of a self-employed applicant

I declare, that the information stated in this application are correct and I have not concealed anything. **I assume, the situation given in the application will last next 12 months. Any changes**, regarding my situation, which could affect this application to determine applicable legislation, I will submit in written form **within eight days** to the Social Insurance Agency.

In date

Signature and stamp of a self-employed applicant

Annexes to the application

1. Photocopy of self-employment license issued in a different EU state translated to Slovak language together with the declaration of correct translation of documents in a foreign language, except Czech,
2. Photocopy of self-employment license issued in Slovakia- other than trade license,
3. If you have a permit, or license of the European Community to pursue international good transport by road, submit a photocopy of the permit and photocopy of the decision of regional authority for road transport and infrastructure for international freight road transport,
4. PD A1 in case, it was issued by the respective institution of different Member State, see point 17. of application,
5. a photocopy of a document on residence of a foreign person in Slovakia, if issued,
6. declaration on place of residence, if your residence is in a different state than the state of your permanent residence,
7. the declaration of correct translation of documents in foreign language, **except Czech form is available at www.socpoist.sk in section Forms related to issuing a PD A1; this form is used in cases the documents are not translated by professional officials**
8. other relevant documents needed to assess correct belonging to jurisdiction applicable (state their name and number):

D Confirmation of the relevant branch of the Social Insurance Agency

Social Insurance Agency, branch verified the content of data given in the application and based on the provided documents and data recorded in the info system of Social Insurance Agency, and confirms their accuracy. At the same time it confirms, that the person holds the status of self-employed for social security purposes from to

In date

signature of authorized person
and stamp of the relevant branch
of Social Insurance Agency

Instructions for filling in the form and information on obligations:

1. Before filling in the application, read carefully the instructions and obligations for filling in. The content and form of application may not be changed. In the application, all the required information must be filled in.
2. The application is submitted to the Social Insurance Agency, via respective branch of the Social Insurance Agency.
3. **PD A1 „Confirmation of the social security legislation, regarding the holder “** is issued by the Social Insurance Agency based on the assessed application no later than 60 days and sends the PD A1 by postal service. Self-employed persons show the PD A1 in case of social

security controls. PD A1 is kept by the self-employed person even after its expiry, except cases when it is declared invalid.

4. If, by means of this application, you **indicate that you have started your activity** in the territory of two or more EU Member States **before 1 May 2010**, your membership of a Member State's social security scheme shall be determined in accordance with Title II of Council Regulation (EEC) no. 1408/71 from the start of operations in the territory of two or more EU Member States until 30 April 2010. If, in connection with the application of Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems there would be change from 1 May 2010 in the legislation established pursuant to Title II of Council Regulation (EEC) 1408/71, although your situation has not changed, it applies to you in the sense of Art. 87 para. 8 of the Regulation continue to be subject to the relevant legislation set under Title II of Council Regulation no. 1408/71. If you want to be subject to the legislation designated under the Regulation, you need to **include this fact in the additional information**. The change of the legislation will take place from the first day of the month following the receipt of the application by a branch of the Social Insurance Agency..
5. If you indicate by this application that you have begun your activity in the territory of the Swiss Confederation before 1 April 2012, the relevant legislation applies to you, as determined in accordance with Title II of Council Regulation (EEC) 1408/71. In the case of the determination of legislation under Title II of Council Regulation (EEC) 1408/71 **the E 101 form "Confirmation of Applicable Legislation" will be issued to you.**
6. If, by means of this application you indicate, that you have started your activity in the territory of the EEA (Norway, Iceland, Lichtenstein) before 1 June 2012, you are subject to the relevant legislation as determined under Title II of Council Regulation (EEC)1408/71. In the case of the determination of legislation under Title II of Council Regulation (EEC) no. 1408/71, the E 101 form will be issued to the employee "Confirmation of Applicable Legislation".
7. Persons working in the territory of two or more Member States shall notify the institution issuing PD A1 or institution of state of residence of changes, which may have influence on the determination of social security legislation.
8. **It is necessary to include the subject of self-employment and employment activities into one of the following categories within the SK NACE Rev 2** (sections: A - Agriculture, forestry and fishing; B – Mining and quarrying; C – Industrial production; D – Supply of electricity, gas, steam and cold air; E - Water supply, sewage treatment and disposal, waste management; F – Construction; G – Wholesale and retail trade, repair of motor vehicles and motorcycles; H – Transport and storage, please specify in particular 49.4, if you engage in road freight transport and haulage services; I – Accommodation and catering services; J – Information and communication; K – Financial and insurance activities; L – Real estate activities; M – Expert, scientific and technical activities; N – Administrative and support services, please indicate specifically group 78.2 in the case of agency mediating jobs for fixed period; O – Public administration and defense, compulsory social security; P – Education; Q – Health and social care; R – Arts, entertainment and relax; S – Other activities; T – Activities of households as employers, undifferentiated activities in households producing goods and services for own use; U – activities of extraterritorial organizations and associations; link for more information
https://www.financnasprava.sk/_img/pfsedit/Dokumenty_PFS/Podnikatelia/Clo_obcho_dny_tovar/EORI/StatistickaKlasifikaciaEkonomickychCinnosti.pdf“.

INFORMATION

(not part of the annexes)

Article 13 (2) (a) and 13 (2) (b) of the Regulation	<p>A person who normally pursues an activity as a self-employed person in two or more Member States is subject to:</p> <p>a) Legislation of the state of residence, if the majority of his activities is pursued in the Member State of residence, or</p> <p>b) Legislation of the Member State, where his interest lies, if he does not reside in the Member State, where he pursues the majority of his activities.</p>
the obligation of a person pursuing self-employment activities in two or more Member States	<p>A person, pursuing activities in two or more Member States, informs the respective competent institution of Member State of residence. If his/her residence is in Slovakia, he/she informs the Social Insurance Agency by application for determination of applicable legislation. He/she hands in the application in a respective branch of the Social Insurance Agency according to place of residence in Slovakia.</p>
PD A1, obligations of self-employment and compulsory and voluntary insurance	<p>If a person was stated to belong to the Slovak social security system (social insurance and health insurance), in regards of Art 13 (5) of the Regulation, for the purposes of this legislation, this person is treated, as if he/she was self-employed and employed only in Slovakia and only according to Slovak legislation will be assessed their obligation to pay social security contributions from income earned in Slovakia, as well as income earned in a different state.</p> <p>A person covered by the legislation of different member state may be voluntarily insured under Slovak law only for pension insurance.</p>
Ground to information	<ul style="list-style-type: none"> • Regulation, • Regulation of the European Parliament and Council no 987/2009 from 16. September 2009, adjusting the procedure for implementing the Regulation, as amended (Implementing Regulation), • Decision of the joint committee established by the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation of the other, on free movement of persons 1/2012 od 31 March 2012, • Decisions of the EEA Joint Committee No. 76/2011 of 1 July 2011 amending Annex VI (Social security) and Protocol 37 to the EEA Agreement, • Regulation of European Parliament and Council (EU) no 465/2012 of 22 May 2012, amending Regulation no 883/2004 and Regulation 987/2009 laying down the procedure for implementing regulation 883/2004, • practical guide