

## Request for determination of legislation applicable for an employee

### INSTRUCTION FOR COMPLETION

<b>General information</b>	When completing the request electronically, it is advisable to proceed from the beginning by individual sections. The purpose is to ensure the accessibility of the corresponding fields (so that they can be filled in) and the correct setting of the obligation to use the selected fields, depending on the applicant's situation.
	In the header, indicate the locally competent DSSA/PSSA/MSSA Brno, indicate whether the request is submitted by an employer, employee or agent, the request period from – to, the states of the activity and the situation (mandatory information).
	Local competence of the DSSA for submitting the request: - for a posting, an exception and other situation: the DSSA which provides the employee's sickness insurance; - for simultaneous activities: the DSSA of the employee's permanent or declared residence or the DSSA which provides the employee's sickness insurance.
	If the request is submitted by the employer or the employer's agent, for the corresponding entity in Section E or G, mark the option "The request is submitted by this employer or this employer's agent".
	If the request is submitted by an agent, i.e. a natural person or legal person with power of attorney for all CSSA actions, services and forms or only for selected CSSA services and forms, mark the option "Request is submitted by an agent" and fill in the data in Section Q.
	If you provide a contact e-mail address for sending notifications, the CSSA will send you notifications about the processing status of the submitted request.
	Give the date in DD.MM.YYYY format.
	By Member States for the purposes of this request are meant EU and EEA states, CH and the UK (hereinafter "Member States").
	By Contracting States here are meant states with whom the Czech Republic has concluded an international agreement on social security (hereinafter "Contracting States").
	In the event that during the request period you perform gainful activity only in the Czech Republic and you need the A1 CZ form issued, mark "other situation".
<b>A. Basic identification of a claimant</b>	Family name, Forename, Nationality and Birth Date are mandatory information.
	If you do not have a Czech birth number, enter the insured person's registration number assigned to you by the CSSA.
	Residence – refers to the period of the request and for the purposes of this request this is the usual residence (Article 1 subpara. j) under Regulation (EC) No 883/2004), in the sense of the centre of one's life interests, which need not be the same as the permanent stay. This is not a temporary or transitional residence. The place of residence given by the applicant in the request for determination of legislation applicable has an effect on the possible future provision of cash and in-kind benefits, as well as unemployment benefits.
<b>B. Contact address</b>	Provide a contact address if it is different from the residential address listed in Section A.
<b>C. Address of stay</b>	Transitional address of stay – if you reside temporarily outside the residence given in Section A.
<b>D. The claimant pursues gainful activity in the territory of these states for the period indicated in the request</b>	When being posted to temporarily perform activities in another Member State/Contracting State, the foreign state concerned is to be indicated.
	For simultaneous activities, two or more states of performance of activities are to be listed, including the Czech Republic, if this is the actual situation.
	For an exception or other situation, the states of performance of the activity, including the Czech Republic, are to be listed, if this is the actual situation.

<b>E.</b>	<b>Information about the employer in the Czech Republic</b>	<p>If you have more than one employer in the Czech Republic during the request period, fill in Section E once for each of them.</p> <p>If you carry out activities abroad for your Czech Republic-based employer during the request period, enter information about this activity in Section H. If you carry out activities for him in the Czech Republic, enter information about this activity in Section F.</p> <p>The employer is economically active in the Czech Republic – for the option "yes" to be marked, the employer must carry out genuine activities in the Czech Republic, i.e. be economically active in the Czech Republic. If necessary, an employee of the DSSA/PSSA/MSSA Brno/CSSA will further check the data by assessing contractual documents proving the economic activity of the employer in the Czech Republic (invoices, orders, contracts, etc.).</p> <p>Indicate the duration of employment from – to (indefinite period may be marked if this is the actual situation).</p> <p>Type of employment – tick one option.</p> <p>For a posting, indicate whether the employee participated in the social security system of the posting Member State for a month before the posting (in the case of a posting within EU Member States, this is obligatory information).</p>
<b>F.</b>	<b>Information about activity in the Czech Republic</b>	<p>If you have more than one work place in the Czech Republic during the request period, fill in Section F, once for each of them.</p> <p>If you are performing work activities in the Czech Republic for a foreign employer during the request period, please provide information about that employer in Section G.</p> <p>Enter the address of the work place/places in the Czech Republic relating to the request period.</p> <p>Indicate the duration of work performed in the Czech Republic from – to (indefinite period may be marked if this is the actual situation).</p> <p>The status of the applicant is mandatory.</p> <p>By civil servant is meant a state employee (an employee of central state administration bodies and their contributory organizations, if they are authorised to perform state administration - in the case of a posting also for activities abroad), a person in a service relationship and an employee of a territorial self-governing unit who performs administrative activities in under independent or delegated powers.</p> <p>If you have the status of a sailor and your vessel sails under the flag of the Czech Republic, enter the name of the vessel and the state of the flag in Section F and at the same time do not fill in Section H in respect of your activity as a sailor.</p> <p>By flight or cabin crew member is meant a member of a flight crew or cabin crew performing activities for passenger or cargo transport.</p> <p>If you have the status of flight or cabin crew member and your home base airport is in the Czech Republic, enter the name of the home base airport, the town and state where the home base airport is located in Section F and at the same time do not fill in Section H in respect of your flight crew activity.</p>
<b>G.</b>	<b>Information about the employer abroad</b>	<p>If you have more than one employer abroad during the request period, fill in Section G once for each of them.</p> <p>If you carry out activities in the Czech Republic for your foreign employer during the request period, enter information about this activity in Section F. If you carry out activities for him abroad, enter information about this activity in Section H.</p> <p>For a foreign employer, give its identification number, its tax number and CSSA variable symbol (if it is registered in the Czech system).</p> <p>For an employee posting to Contracting States, indicate whether the foreign employer is a subsidiary or branch office of the Czech employer.</p> <p>Indicate the duration of employment from – to (indefinite period may be marked if this is the actual situation).</p> <p>Type of employment – tick one option.</p>

<b>H.</b>	<b>Information about activity abroad</b>	If you perform more than one activity abroad during the request period, fill in section H, once for each of them.
		If you are performing work activities abroad for a Czech Republic-based employer during the request period, please provide information about that employer in Section E.
		Indicate the duration of work activities abroad from – to (indefinite period may be marked if this is the actual situation).
		The status of the applicant is mandatory.
		If you have the status of a sailor and your vessel sails under the flag of a state other than the Czech Republic, enter the name of the vessel and the state of the flag in Section H and at the same time do not fill in Section F in respect of your activity as a sailor.
		If you have the status of flight or cabin crew member and your home base airport is abroad, enter the name of the home base airport, the town and state where the home base airport is located in Section H and at the same time do not fill in Section F in respect of your flight crew activity.
		Enter the address of the work place/places abroad.
		If you do not have the permanent address of the place of performance of activity abroad (e.g. if you are a driver in international truck transport, a sales representative, etc.), indicate this fact and do not fill in the address in the PLACE OF WORK ABROAD block (nor the State field). List all states of activity in Section D.
		Information on replacing another posted worker is mandatory for a posting.
The applicant's activity abroad is managed for the period specified in the request – tick one of the options.		
<b>I.</b>	<b>Share of the activities</b>	The section is only mandatory for the simultaneous performance of an employee's activities in two or more Member States and in request for an exception. In the case of a request for a future period, provide a qualified estimate for the next 12 calendar months.
		If you work simultaneously in 2 to 4 Member States (including the Czech Republic) during the request period, please provide information for these states. The sum of these values will be 100 %.
		If you work simultaneously in the territory of more than 4 Member States (including the Czech Republic) during the request period, provide data for the 4 states with the largest shares. The sum of these values will be less than 100 %.
		If necessary, an employee of the DSSA/PSSA/MSSA Brno/CSSA will further check the data by assessing contractual documents for the preceding profit period (usually the preceding 12 months).
		Marginal activities are activities that are permanent but not significant in terms of time and economic return and represent less than 5 % of a worker's regular working hours and/or less than 5 % of their total remuneration/income. If the activity in one of the monitored criteria comes to less than 5 % and at the same time less than 10 % in the other, this is also a marginal activity.
<b>J.</b>	<b>Information about previous activities abroad</b>	Fill in only in the case of previous activity abroad. Fill in the data for the 2 year period preceding the period of this request. If you have more than one such activity, list only the last one here (information about other activities can be included in Section P).
<b>K.</b>	<b>Information about periods of insurance abroad</b>	Fill in if participating in insurance abroad. If you have a foreign insurance number, please fill in this number, the name of the foreign institution, the state and the sector to which the number relates. By sector is meant the social security sector, e.g. social insurance, health insurance, all, etc.
<b>L.</b>	<b>Reasons for the request for exception</b>	Fill in only in the case of a request for an exception under Article 16 of Regulation (EC) No 883/2004, Article 17 of Regulation (EEC) No 1408/71 or under international social security agreements concluded by the Czech Republic.

<b>M.</b>	<b>Request for exception under the Framework Agreement on application of Article 16(1) of Regulation (EC) No. 883/2004 in cases of habitual cross-border telework</b>	Tick if you are requesting an exception under the Framework Agreement relating to employees performing telework i.e. cross-border remote work (usually performed from home in a Member State other than that of the employer's registered office), using information technology, taking up less than 50 % of their working time. Further information at <a href="https://www.cssz.cz/web/cz/-/telework-eu">https://www.cssz.cz/web/cz/-/telework-eu</a> .
<b>N.</b>	<b>Classification of economic activities (CZ-NACE)</b>	In the case of activity in Member States, you must indicate one (main) field of activity.
<b>O.</b>	<b>Declaration of a third-country national</b>	If you are not a national of a Member State, indicate whether you have a valid residence permit in the Czech Republic, and if so, indicate the period of its validity from – to. When working, migrating persons must fulfil the conditions for legal residence in all states in which they work.
<b>P.</b>	<b>Additional information</b>	Additional information regarding the applicant's specific situation can be provided.
<b>Q.</b>	<b>Information about an agent</b>	Fill in the information if the request is being submitted by an agent, i.e. a natural person or legal person with power of attorney for all CSSA actions, services and forms or only for selected CSSA services and forms. If the agent does not have a data box, enter the address details (i.e. Street, Municipality, etc.).
<b>R.</b>	<b>Declaration of the claimant</b>	The applicant hereby confirms that the information provided in the request is true and is aware of the consequences of providing false or incomplete information.

<b>List of abbreviations used</b>	
No	Number
CSSA	Czech Social Security Administration
DD.MM.YYYY	day, month, year
EEA	European Economic Area; the states of Iceland, Liechtenstein and Norway
EEC	European Economic Community
EC	European Community
EU	European Union
MSSA Brno	Municipal Social Security Administration Brno
DSSA	District Social Security Administration
PSSA	Prague Social Security Administration
UK	Great Britain and Northern Ireland