



COUNCIL OF
THE EUROPEAN UNION



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PRESSE 186

Council strengthens social protection of self-employed workers and assisting spouses

The Council today¹ adopted a directive strengthening the social protection of self-employed workers and of "assisting spouses", thereby aiming to strengthen the principle of equal treatment between men and women who want to establish or extend a self-employed activity ([18/10](#) + [10899/10 ADD 1](#)). The adoption of the directive follows an agreement with the European Parliament at second reading.

The new directive entitles **self-employed women** and assisting female spouses of self-employed workers for the first time to **maternity benefits** and creates **autonomous social protection rights for assisting spouses** of self-employed workers.

More specifically, the text includes the following key provisions:

- self-employed women, female assisting spouses and life partners² of self-employed workers such as farmers' wives are granted a maternity allowance enabling them to interrupt their occupational activity for at least 14 weeks;

¹ The decision was taken, without debate, at a meeting of the Transport, Telecommunications and Energy Council in Luxembourg.

² Life partners must be recognised under national law in order to fall under the scope of the directive.

P R E S S

- assisting spouses and life partners of self-employed workers such as farmers' wives are entitled to autonomous social protection rights if the self-employed workers benefit from a system for social protection; under the current rules in most member states, these persons were covered by the social protection scheme of their self-employed spouse; member states may decide that this social protection is proportional to the participation in the activities of the self-employed worker and/or the level of contribution;
 - the member states may decide whether the maternity allowance for self-employed women and their assisting spouses and life partners, and the social protection for assisting spouses and life partners are granted on a mandatory or voluntary basis (i.e. on request);
 - if the duration of maternity leave for employees is modified in the EU, the Commission is invited to submit a report within six years after the entry into force of the directive and assess whether the duration of maternity benefits for self-employed workers and female assisting spouses should also be modified;
 - member states have two years in which to transpose the new directive into national law; where justified by particular difficulties they may have an additional period of two years.
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