



EESSI – CDM 4.4

H - Horizontal

H_BUC_02b - v4.4.0

**Determine Residence: disagreement with
decision**

BUC Specifications

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Connected/Embedded Files	None
Authors	European Commission, DG EMPL A4, EESSI BA
Revised by	European Commission, DG EMPL A4, EESSI BA
Approved by	European Commission, DG EMPL A4, EESSI PMO

Document history

Version	Date	Short Description of Changes
v0.1	21/04/2015	Following AHG Horizontal Meeting 07-08/04/2015, it was agreed to split the original H_BUC_02 (Determine Residence) into 3 BUC's: a: Request for information on residence b: Disagreement procedure (this document) c: Notification procedure
v0.2	05/05/2015	Adaptations following AHG Reviews received from PL and FI: - Modification of the BPMN - Adaptation of Branch 4 : removal of unnecessary steps - The Case Owner / or the CP can request information with H005 at Step 7 of Main Scenario or Branch 1. - Step 17 Main Scenario: Notification: by the party who has been agreed to be the MS of residence (H003) to confirm the result. - Added Issue #2: Should the CP also have the possibility to create the first Proposal (H003).
v0.3	18/05/2015	Adaptations following review received from SR: - The CO or the CP can send the proposal of residence - The agreed MS of residence must send the notification of residence - Branch 2 not needed. - Renaming of all Admin BUC's to Subprocess_ (Should be used in all the sectors). - The Case Owner or the counterparty may decide to add a new participant in the case. - Adaptation of BPMN
v0.4	18/08/2015	Corrections in the BPMN (Counterparty) side following the comments received from Finland.
v0.99.0	31/03/2016	Candidate for AHG Approval Inclusion of Request-Reply Table Inclusion of Attachment Allowed Table Inclusion of SED & Sub-process Versioning Information

v0.99.1	13/06/2016	Updates of the document based on feedback received from AC after the review of the document. Removed Claimant from the list of Actors H_BUC_01_subprocess should be used, if an exchange of information is required. No comments related to the process have been received during the Dry Run session.
v1.0.0	06/07/2016	AC Approved Version
v1.0.1	29/06/2017	- Updated BPMN diagram in "Section 5. Business Processes" to correspond to the described process. - Added the version of the BPMN Diagram. - Replaced the reference to the BUC on Confluence.
v1.0.2	07/12/2017	- Updated section 4.1 RUP Table Representation: branches 1 and 4 to align forward and invalidate wording to the standard wording; - Removed Section 4.4 RUP UC Diagram Representation. - Included H_BUC_04 and H_BUC_10 (as not used for this BUC) in table "Sub processes' Table + H_BUC_01 sub process is currently not used for this BUC.
v4.1.0	31/08/2018	- Section 4.4 merged 2 tables (for SED & for Subprocesses) into 1 BUC Artefact table." - Version adaptations to release 4.1.0
v4.2.0	29/05/2019	Version adaptations to release 4.2.0.
v4.3.0	31/08/2021	Version adaptations to release 4.3.0.
v4.4.0	06/12/2024	Version adaptations to release 4.4.0

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1. Introduction

1.1. Purpose

The purpose of this document is to construct an external view of, part of, the 'EESSI business system' as described in EC Regulations 883/2004 and 987/2009. The 'EESSI Business System' describes the business and expected business processes without consideration as to which part(s) may be realized by an IT System (i.e. the proposed EESSI IT System).

The external view comprises of models and descriptions of business use cases, the services of a business system offered to business actors: customers, business partners, or other business systems.

A business use case is described from an actor's perspective; it describes the interaction between an actor and the business system, meaning it describes the behaviours of the business system that the actor utilizes. The Business Use Case includes Use Case Diagrams and Business Process Models.

Use case diagrams show actors, business use cases, and their relationships. Use case diagrams do not describe procedures. Alternative scenarios also remain hidden. These diagrams give a good overview of the behaviours of the EESSI business system which will direct and govern part of the expected behaviours and functionality delivered by the EESSI IT System.

1.2. Scope

This document is limited to the external view on the horizontal sector process Determine Residence – Disagreement with decision. The different elements like use case description, actors, and business process as well as supporting UML diagrams and BPMN models pertaining to Determine Residence – Disagreement with decision.

1.3. Definitions, Acronyms and Abbreviations

Please see the EESSI Project Glossary [here](#)

1.4. References

#	Description	
R1	Basic Regulations EC (883/04)	Regulation EC No. 883/2004.pdf
R2	Implementing Regulations EC (987/09)	Regulation EC No 987/2009.pdf

1.5. Overview

Chapter 1 introduces the external view on the business system under review and lists the elements of this specification.

Chapter 2 introduces us to the Determine Residence – Disagreement procedure business process. The chapter gives a short and detailed description as well as a reference to business process' legal base.

Chapter 3 lists the actors involved in the Determine Residence – Disagreement procedure business process.

Chapter 4 describes in detail the Determine Residence – Disagreement procedure business process based on the RUP use case template, as well as the relationship to other use cases.

Chapter 5 describes the Determine Residence-Disagreement procedure business process using business process modelling notation (BPMN).

2. Description

2.1. Detailed Description

The goal of this BUC is to agree on which of the Member States should be considered as the member state of residence under Regulation (EC) No 883/2004 [R1].

This BUC will start by using H004 in order to communicate a disagreement with a decision on State of residence. Thereafter, the case owner will send an SED H005 (Request for information), to which the counterparty(ies) will reply by sending a SED H006 (Reply to request for information), in order to exchange information on some details concerning residence. Alternatively, the counterparty may also need to request some information from the Case Owner. This second step may then be potentially repeated multiple times, until both parties have enough information on the elements to determine the residence.

After this exchange of information, the case owner or CP should be able to propose which country should be considered to be the state of residence. This can be performed by the case owner sending H003, while the counterparty(ies) will be able to reply with H004 to either:

- Accept the proposal
- Reject and make a new proposal
- Reject the proposal without making a new proposal.

In the event of acceptance by the counterparty (ies), a notification can then be used by the party who has been agreed to be the MS of Residence (H003).

In the event of a rejection without any new proposal, then the parties will start a conciliation procedure (outside of the system).

In the event of a rejection which contains a new proposal, then the case owner and any other counterparties will be able to reply on that new counter-proposal by using H004 either to:

- accept the counterproposal, after which a new notification SED (H003) may be used to notify about the decision on the residence.
- or to reject it, after which the start of conciliation procedure may occur.

2.2. Legal Regulations / Policy Issues / Other Mentions.

This Business Use Case document's legal base is described in the following Regulations

- basic Regulation (EC) No 883/2004 [R1]
- implementing Regulation (EC) No 987/2009 [R2]

The following matrix specifies the SEDs that are used in this Business Use Case and documents the articles that provide the legal basis for each SED.

	implementing Regulation	Basic Regulation
	11	76
H003	✓	✓
H004	✓	✓
H005	✓	✓
H006	✓	✓

Table 1: SED – Legal base relationship matrix

3. Actors & Roles

This chapter captures details of the actors which are important to understanding the different types of system users. An actor is anyone or anything that exchanges data with the business system. An actor can be a user, external hardware, or another system.

The overarching description of each actor described in this Business Use Case can be found in the Glossary. Below you will find a short description which provides further clarity of this actor within the context of this Business Use Case.

Actor name	Description
Case Owner	The Case Owner is the Competent Institution who initiated the case with the intention to disagree with a decision on the person's residence.
Counterparty	The Counterparty (ies) is/are Competent Institutions who participate in the case initiated by the case owner in order to participate in the determination of residence.

4. Use Case

4.1. RUP Table Representation

Use Case ID:	H_BUC_02 b		
Use Case Name:	Determine Residence – Disagreement with decision		
Created By:	EESSI BA Team	Last Updated By:	EESSI BA Team
Date Created:	24/02/2014	Publication Date:	06/12/2024
Actors:	Case Owner Counterparty (ies)		
Description:	<p>This Business Use Case describes the exchange of information which is performed in order to notify a disagreement with a decision taken concerning residence.</p> <p>It is used in situations where a Member state has taken a position or decision concerning residence and another member state disagrees with this determination. This initial position or determination concerning residence might have been done in any sector.</p> <p>The following scenario of SED exchanges may occur:</p> <ul style="list-style-type: none"> - Starting with H004 SED "Reply to proposal on State of Residence/Disagreement with decision on State of Residence" - Continuing with H005 SED "Request for information on Residence" and then - Receiving the relevant answer with H006 "Reply to request for information on Residence". - Next sending a proposal with H003 ("Proposal/Notification on State of Residence") which will be answered with H004 "Reply to proposal on State of Residence/Disagreement with decision on State of Residence ". <p>This will then lead to 3 different possible outcome:</p> <ul style="list-style-type: none"> - Acceptance of the proposal - Rejecting the proposal, without making a new proposal - Rejecting the proposal, and making a new proposal. 		

Trigger:	A member state disagrees with a proposal already taken on residence by another member state.
Preconditions:	<ul style="list-style-type: none"> - A decision has already been taken on residence. - A disagreement with the decision made on residence needs to be communicated
Post conditions:	<p>In the end of this dispute scenario, either:</p> <ul style="list-style-type: none"> - the agreed country of residence sends an H003 notification or - the matter is referred to conciliation (handled out of the system)
Main Scenario:	<p>Identify Participants</p> <ol style="list-style-type: none"> 1. The Case Owner identifies the EU Member State which has taken the decision on residence about which the case owner disagrees; 2. The Case Owner identifies the EU Member State (s) that are needed in order to determine the MS of Residence in the individual situation 3. The Case Owner identifies the Competent Institution(s) (the Counterpart(y) (ies)) in each Member State. There will be one or more Counterpart(y)(ies). The Case Owner and the Counterpart(y)(ies) are herein collectively referred to as the Participants; <p>Send disagreement form and request for information form</p> <ol style="list-style-type: none"> 4. The Case Owner fills in a " Reply to proposal on State of Residence/Disagreement with decision on State of Residence " (H004) by entering all the relevant Information about the disagreement in "<u>section 6</u>"; 5. The Case Owner sends the H004, including (optionally) any attachments which could be important for the justification of the disagreement, to the MS whose decision is disagreed with; 6. The Counterparty receives and views the SED H004, and any optional attachments; 7. The Case Owner / or the Counterparty fills in a "Request for information on Residence" (H005) in order to exchange information on details concerning residence. 8. The Case Owner / or the Counterparty sends SED H005 to the Counterparty (ies). 9. Each Party receives H005 request for information; 10. Each Party creates a SED H006 ("Reply to request for information on Residence "). 11. Each Party sends the SED H006 to the Requester. 12. The Requester receives the SED H006 from the counterparty. <p>Send proposal to counterparty / Counterparty replies to accept the proposal</p> <ol style="list-style-type: none"> 13. The case owner / the counterparty fill in a proposal of residence SED H003 "Proposal/Notification on State of Residence ".

	<p>14. The case owner / the Counterparty sends the proposal of residence to the counterparty.</p> <p>15. The case owner / the counterparty fills in a reply to proposal on State of residence SED H004 and <u>accepts the proposal</u> by filling in section <u>5.1 – Option to accept the proposal</u></p> <p>16. The counterparty sends the SED H004 to the proposer.</p> <p>Sends a notification of residence</p> <p>17. The agreed Member State of Residence fills in a notification of residence SED H003 based on the accepted proposal mentioned here above.</p> <p>18. The MS of residence sends this notification SED H003 to the other party(ies)</p> <p>19. The use case ends here</p>
<p>Alternative Scenarios:</p>	<p><u>Branch 1:</u> at [step 12] of the main scenario, the Case Owner or the Counterparty wishes to request/exchange additional information on residence with the counterparty (ies)</p> <p>1. The Case Owner or Counterparty fills in a request for information on residence H005 SED by filling in specifics information on residence from <u>Section 5</u>.</p> <p>2. The Case Owner or Counterparty sends the request H005 to all Parties;</p> <p>Process request for residence information & Send Reply</p> <p>3. Each Party receives, views the H005;</p> <p>4. Each Party fills in a Reply to request of information on Residence (H006) by filling in the specific information in <u>section 4 or 5</u> of the SED;</p> <p>5. Each Party sends it to the Requester;</p> <p>6. The Requester receives all (H006) replies, views them.</p> <p>7. <u>[This Branch]</u> Ends and the Main Scenario reverts to <u>[Step 11]</u> (thus this branch may loop again)</p> <p><u>Branch 2:</u> At [step 14], the requested party decides to reject the proposal without new counter-proposal</p> <p>1. The requested party creates a reply to the proposal on the State of Residence H004 and decides to reject the proposal by using <u>section 5.1 Reject proposal and start</u> dialogue or conciliation procedure</p> <p>2. <u>[This BUC]</u> Ends: <i>Start of conciliation procedure outside of this system.</i></p> <p><u>Branch 3:</u> At [step 14], the requested party decides to reject the proposal and makes a counter-proposal. The proposer's counter-proposal will be accepted by the requested party (ies)</p> <p>1. The requested party creates a reply to the proposal H004 SED and decides to reject the proposal + make a new counter proposal by using <u>section 5.1 Reject proposal and create counter-proposal</u></p>

	<ol style="list-style-type: none"> 2. The requester receives the H004 containing the counterproposal from the requested party. 3. The Case Owner/other Party <u>agrees</u> to the counterproposal and sends the reply on H004 to the proposer by filling <u>section 5.1 accordingly</u> 4. The Proposer receives the reply on H004 and notices that the Case Owner/other Party (ies) agrees with the proposal. 5. This [Branch Ends] and Reverts to Main Scenario [Step 17] <p><u>Branch 4: At [Step 3 of Branch 4], the Case Owner/counterparty does not agree with the counterproposal</u></p> <ol style="list-style-type: none"> 1. The Case Owner/Counterparty <u>disagrees</u> and sends the reply on H004 to the Party who has made the counterproposal by filling <u>section 5.1 accordingly</u> 2. [This BUC] Ends: <i>Start of conciliation procedure outside of this system.</i> <p><u>The Following Branches Determine the use of Administrative Processes within this Business Process</u></p> <p><u>Branch 5: at any step between [step 3] and [step 17] any participant may choose to Forward the Business Process to a new Participant within their MS who assumes responsibility for handling it</u></p> <ol style="list-style-type: none"> 1. The Triggering Participant executes business use case AD_BUC_05_Subprocess Forward Case; 2. [This Branch] Ends <p><u>Branch 6: at any step between [step3] and [step 17] the Case Owner or the Counterparty may choose to Add a Counterparty to this Business Process</u></p> <ol style="list-style-type: none"> 1. The Case Owner executes business use case AD_BUC_03_Subprocess Add Participant; 2. [This Branch] Ends <p><u>Branch 7: at any step between [step 3] and [step 17] the Case Owner may choose to Remove a Counterparty from this Business Process</u></p> <ol style="list-style-type: none"> 1. The Case Owner executes business use case AD_BUC_04_Subprocess Remove Participant; 2. [This Branch] Ends <p><u>Branch 8: At any step any participant may choose to advise the other receiving participant of their H003 that it is Invalid under Art 5 of 987/09.</u></p> <ol style="list-style-type: none"> 1. The Triggering participant executes business use case AD_BUC_06_Subprocess -Invalidate_SED. 2. Optionally, the Triggering participant fills in a new H003 SED.
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	<p>3. Optionally, the Triggering participant sends the H003 SED to the receiving participant.</p> <p>4. [This Branch Ends.]</p>
	<p><i>Branch 9: At any step any SED has been sent, any participant which created that SED may choose to send an updated version of that SED</i></p> <p>1. The Triggering participant executes business use case <i>AD_BUC_010-Subprocess - Update_SED;</i></p> <p>2. [This Branch] Ends</p>
	<p><i>Branch 10: at any step between [step 4] and [step 18] the Case Owner may optionally choose to send a Reminder to another Participant for the return of information they were expecting from that participant but did not receive.</i></p> <p>1. The participant who invokes this branch executes business use case <i>AD_BUC_07- Subprocess Reminder;</i></p> <p>2. [This Branch] Ends</p>
	<p><i>Branch 11: at any step after the counterparty has sent any SED to another participant, the Counterparty may optionally choose to send a Reminder to another Participant for the return of information they were expecting from that participant but did not receive.</i></p> <p>1. The participant who invokes this branch executes business use case <i>AD_BUC_07 - Subprocess Reminder;</i></p> <p>2. [This Branch] Ends</p>
	<p><i>Branch 12: at any step after an SED has been received, the receiving Participant may optionally choose to Request another participant who previously sent them Information to provide clarification of the data that they have sent.</i></p> <p>1. The participant executes business use case <i>AD_BUC_08 - Subprocess Clarify Content;</i></p> <p>2. [This Branch] Ends</p>
Includes:	See section at part 4.4
Special Requirements:	<p>SR1: Rules about the invoking of Branches:</p> <p>[Branch 1] – May be invoked more than once;</p> <p>[Branch 2] – May be invoked only once;</p> <p>[Branch 3] – May be invoked more than once;</p> <p>[Branch 4] – May be invoked only once;</p>

	<p>When Update_SED is used (AD_BUC_010-Subprocess), the recipient of updated SED can see both version of SEDs</p> <p><u>Administrative</u></p> <p>[Branch 5] – May be invoked more than once;</p> <p>[Branch 6] – May be invoked more than once;</p> <p>[Branch 7] – May be invoked more than once;</p> <p>[Branch 8] – May be invoked more than once;</p> <p>[Branch 9] – May be invoked more than once;</p> <p>[Branch 10] – May be invoked more than once;</p> <p>[Branch 11] – May be invoked more than once;</p> <p>[Branch 12] – May be invoked more than once;</p> <p>SR2: Rules about the destination for each SED Type:</p> <p>H003 – Must be Sent to all Active Participants;</p> <p>H004 – Must be Sent to all Active Participants;</p> <p>H005 – Must be Sent to all active Participants;</p> <p>H006 – Must be Sent to Requester;</p> <p>SR3: The term "Send/Sent to All Active Participants" does not include sending it himself (i.e. to then senders institution).</p> <p>SR4: Active Participants are defined as those participants identified at [Step 2] and those participants added through the execution of [Branch 6] and not removed through the execution of [Branch 7].</p>
Assumptions:	N/A
Notes and Issues:	N/A

4.2. Request – Reply SEDs

The following table specifies and SED that have a logical pairing to one another, usually this is known as a request-reply pair.

REQUEST SED	REPLY SED(s)
H003	H004

REQUEST SED	REPLY SED(s)
H005	H006

4.3. Attachments Allowed

The following table specifies whether attachments are permitted to be included when sending a SED type.

SED	Attachments
H003	Allowed
H004	Allowed
H005	Allowed
H006	Allowed

4.4. Artefacts used

The following table specifies the artefacts that are used in this Business Use Case.

Artefact name	Artefact type
H003	SED
H004	SED
H005	SED
H006	SED
AD_BUC_03_Subprocess – Add Participant	BUC spec
AD_BUC_04_Subprocess – Remove Participant	BUC spec
AD_BUC_05_Subprocess – Forward Case	BUC spec
AD_BUC_06_Subprocess – Invalidate SED	BUC spec
AD_BUC_07_Subprocess – Reminder	BUC spec
AD_BUC_08_Subprocess – Clarify Content	BUC spec
AD_BUC_10_Subprocess – Update SED	BUC spec
AD_BUC_11_Subprocess – Business Exception	BUC spec
AD_BUC_12_Subprocess – Change of Participant	BUC spec

5. Business Processes

The following paragraphs describe the Business Use Case **Determine Residence-disagreement with decision** using BPMN. To provide clarity the process is described in detail from the Case Owner Role perspective and also a Counterparty Role perspective, and models the main exchanges of the Horizontal SEDs. (Main Scenario plus Alternatives Branches [1-5]). It does not include or describe Administrative Processes (Alternative Scenarios 06-13).

The business process models are described using BPMN 2.0.

5.1. Case Owner and Counterparty

In the event of disagreement, the BUC can start with sending of H004 with point 6 filled out to dispute a decision taken on residence in some other SED. The Case Owner would first send H004 followed by H005 to start the discussion. And after that the scenario would continue as described in the main scenario.

H_BUC_02b-BPMN Diagram

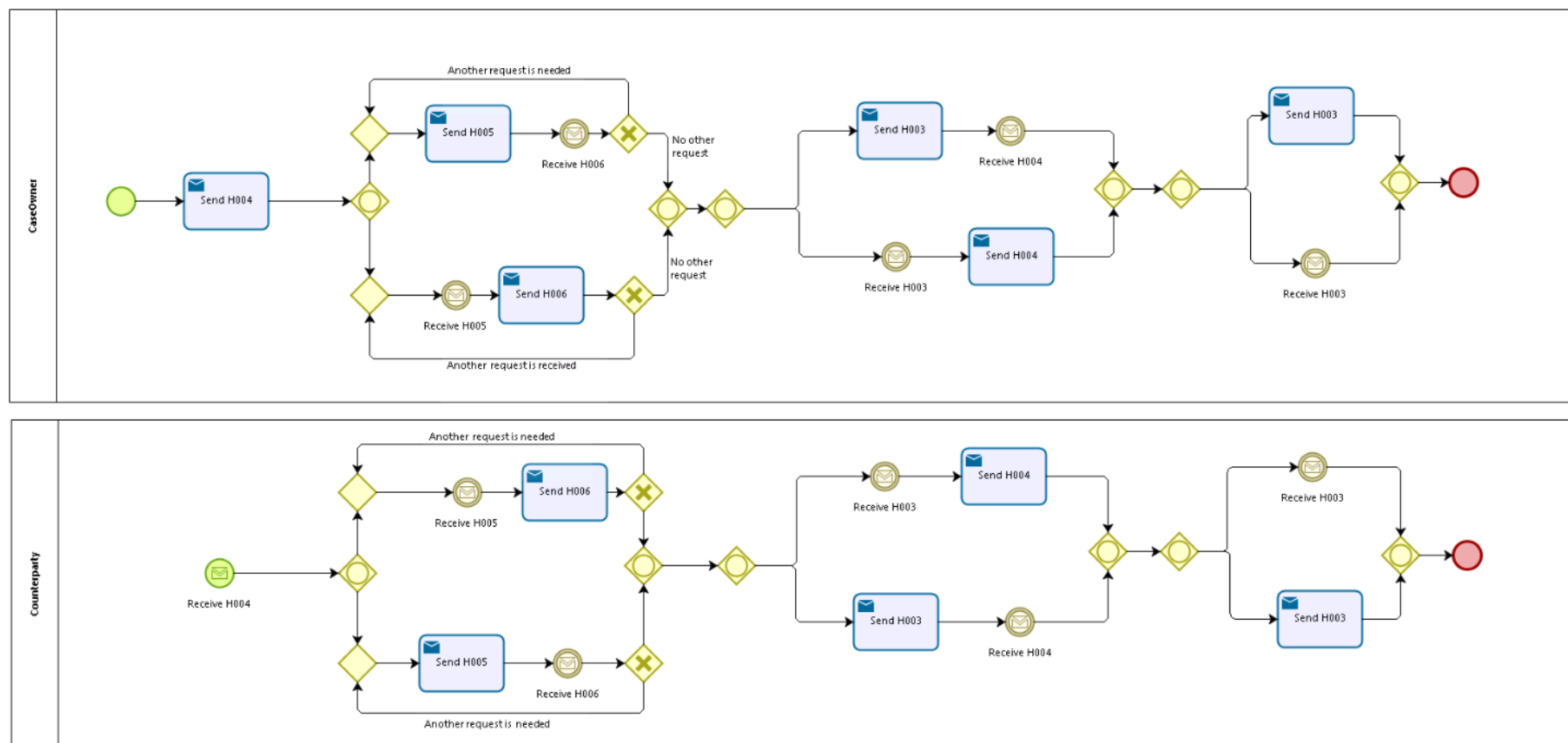


Figure: depicts the use case end-to-end, from a high level, using the BPMN 2.0.

5.2. Sub Processes

Not Applicable.

6. Appendices

6.1. Issues

The issues listed below need to be added to the issue log and discussed at the proper communication level.

#	Issue date	Description	Solution	Close date
1		<u>Step 2</u> : These might also be identified at a later stage, especially after the exchange of information on H005 and H006. Should this possibility be mentioned there, as well or is it considered a normal procedure to add participants in which case it doesn't need to be mentioned here?	The add participant should be used for that purpose after the exchange of information on H005/H006 has occurred, so it should be mentioned in the Branch 7.	
2	09/05/2015	<u>Sending of the first proposal</u> : I don't think we have restricted this so as only the case owner could make a proposal... Originally we had thought that if needed, it could also be the counterparty that makes the first proposal. However, if this proves to be too complicated, then maybe we can say that it should always be the case owner who must make the first proposal... But the possibility to ask for information with H005 must be available to all parties...		
3	09/05/2015	Is it actually possible to forward something several times? Since isn't the original participant then removed from the case when it is forwarded? Or was the idea to point out that during the BUC as a whole several different participants might forward the BUC to a new Participant ?	The point is that in the BUC as a whole, different participants might forward the case to a new Participant.	