

Bei Betrug gilt Sozialversicherung nicht

Der Europäische Gerichtshof (EuGH) erleichtert den Kampf gegen Betrug bei der Entsendung von Arbeitnehmern innerhalb der EU.



...

B Uh]cbU`Y'; Yf]W\hY`XØfZYb`X]Y`]b`Y]bYa`UbXYfYb`9I`!@JbX
Ui`g[`YghY`hYb`Gcn]U`j`Yfg]W\Yfi`b[`gVYgW\Y]b][`i`b[`Yb`Ui`»`Yf`5W\h
`UggYbž`k`Ybb`X]YgY`a`i`h`a`U`»`jW\`j`Y[`U`Yf`Ub[`h`k`i`fXYb`i`bX`X]Y
ni`gh`À`bX][`Yb`6Y\`ØfXYb`b]W\h`fUgW\`Y]bgW\`fY]hYbž`hY]`hY`XYf`9i`;<
Ua`"*":`À`bbYf`&\$%,``a`]h`

8]Y`6Y\`ØfXYb`XYf`9I`!GhUUhYb`a`ØgghYb`c`mU`ni`gUa`a`YbUfVY]hYb`
8Uni`n`À`Y`VY]`J`YfXUW\hgZ`Yb`Ui`W\`X]Y`DfØZ`b[`ž`cV
Gcn]U`j`Yfg]W\Yfi`b[`gVYgW\Y]b][`i`b[`Yb`ni`F`YW\h`Ui`g[`YghY`h
k`i`fXYb`";`YgW\Y\`Y`X]Yg`b]W\h]b`Ub[`Ya`YggYbYf`NY]hž`gY]`Y]bY
[`Yf]W\h]W\Y`DfØZ`b[`]a`5i`ZbU\`a`Y`UbX`a`Ø[`jW\`"Bi`f`a`ØgghYb
6YgW\i`X][`hY`XUVY];`Y`Y[`Yb\`Y]hYf\`U`hYbž`J`c`fk`ØfZY`XYg`6Yhfi`[`g

ni `Ybh_fÅZhYb"

⊖`Y]bYa ` _cb_fYhYb : U` ``Y» `Y]b`VY` []gWXYg`6Ui i bhYfbY\ a Yb
bUW : YghghY`i b [`XYf`Xcfh][Yb`6Y\ ÒfXYb`U`Y`5fVY]hYb`Ui Z
6Ui ghY`Yb`]b`6Y` []Yb`j`cb`Vi` `[Uf]gWXYb`Gi`Vi`bhYfbY\ a Yfb`a`]h
Vi` [Uf]gWXYb`5fVY]hYfb`Ui`gZØ\fyb" `8]YgY`k`i`fXYb`Yb`hgd`fYWXYbX
XYf`9!`9bhgYbXYfY[Y`b`b]W`h`i]b`6Y` []Yb`ž`gcbXYfb` [Øbgh][`]b
6i` [Uf]Yb`gcn]U`j`Yfg]WXYfh" `8Yf`6Yhfi [gj`YfXUW`h`_Ua` `Ui`Z`k`Y`
bUW`Y]bYf` [Yf]W`h]WXYb`DfØZ`b [`X]Y`Vi` [Uf]gWXYb`i`bhYfbY\ a Yb
]a`Y][YbYb`@UbX` [Uf`b]W`h`fY[Y`a`Å»][`h`Åh][`k`UfYb" `8]Y
VY` []gWXYb`6Y\ ÒfXYb`Zc`fXYfhYb`XYg\U`V`X]Y`Vi` [Uf]gWXYb`GhY`Yb
Ui`Z`X]Y`6YgWXY]b][i`b [Yb`ni`k`]XYffi`ZYb" `5`g`X]YgY`b]W`hg
i`bhYfbU\ a Yb`ž`Yf`_`ÅfhY`XUg`6Yfi`Z`b [g [Yf]W`h`5`bhk`YfdYb`X]Y
6YgWXY]b][i`b [Yb`k`Y [Yb`6Yhfi [g`gY`Vgh`ZØf`b]W`h][`i`bX
j`Yfi`fhY`hY`XYb`VY` []gWXYb`6Ui`i`bhYfbY\ a Yf`]b`Y]bYa
GhfUz] YfZU\fyb"

?f]h]_`Ub`Å\`b`]WXYb`DfcV`Ya`Yb`VY]`GW`UW`h\`ØZYb`_Ua` `Yfgh
_Øfn`]W`j`cb`XYf`\Y]a`]gWXYb`DfcXi`_h]cbg[Yk`Yf_gW`UZh`Dfc!;`Y.
I`bhYf`5i`gbi`hni`b [`XYf`9!`9bhgYbXYf]W`h`i]b]Y`k`YfXYb`5fVY]hYf
Ui`g`cghYi`fcdÅ]gWXYb`GhUUhYb`U`g`GW`UW`hYf`VYgW`ÅZh][`h" `8i`fW
X]Y`9bhgYbXi`b [`nU\`Yb`g]Y`X]Y`@c\`bghYi`Yf`nk`Uf`j`cf`C`fhž
Gcn]U`j`Yfg]WXYfi`b [`k`]fX`Y`XcW`]a` `Yk`Y][Yb`<`Y]a`UhghUUh
Ybhf]W`hY`h`ž`Yf`_`ÅfhY`XYf`GU`nVi`f [Yf` ;`Yk`Yf_gW`UZhggY`_fYhÅf
8Ub]Y`A`Ø\`VYf [Yf`A`]hY` `ÅbbYf" `9]bY` ,`VYfd`fØZ`b [`XYf
 [Y`Y]ghYhYb`5V [UVYb`]gh`Ui`h;`Yk`Yf_gW`UZh`b]W`h`a` Ò [`]W`i`bX
cZYbVUf`k`ØfXYb`g]W`9bhgYbXYi`bhYfbY\ a Yb`?`cghYbj`cfhY]`Y
j`YfgW`UZYb`]bXYa` `g]Y`]a` `<`Y]a` UhghUUh [Yf]b [YfY`5V [UVYb
nU\`Yb" `9g`\UVY`g]W` [YnY][`hž`XUgg`]b`^`ghYffY]W`ni`a`]bXYgh`XYf
_cffY`hY`_c`Y`_h]j`j`YfhfU [`]W`Y`A`cbUhg`c\`b [YnU\`h`k`YfXYž
,`VYfghi`bXYb`i`bX`X]j`YfgY`Ni`U [Yb`Y`XcW`b]W`h`Ui`gVYnU\`h
k`ØfXYb" `9]bY`?`cb`hfc`Y`XYf`9bhgYbXYZ]fa`Yb`]gh`XY`ZUW`c`b]W`h
a` Ò [`]W`" `i`bX`k`Ybb`XcW`Y]ba`U`A`]gggh`ÅbXY`bUW` [Yk`]YgYb
k`YfXYb`_`ØbbYbž`]gh`Yg`gW`k`Yf`X]Y`Ui`g`ÅbX]gW`Y` :`]fa`U`ni
VY`Ub [Yb` `ž`gc`?`Uf`8`cVYfž`J`cf]hYbXYf`XYg`Dfc!;`Y!
6fUbWXYbUi`ggW`i`ggYg`B`U\`fi`b [`"

8]Y`9bhgYbXYf]W`h`i]b]Y`]gh`Ui`Z`9!`9VYbY`Y]b`GhfY]h\`Ya`U`nk`]gWXYb

K Ygh! i bX`C ghYi fcdÀ]gWYb`GhUUhYb" `9]bY`FYZcfa `k]fX
j Yf\UbXY`hž]ghUVYf`bcW`b]W`h`Xi fW`" `a `C`_hcVYf`XYg`J cf`U`fYg
j Yf_0bXYhY`X]Y`9I !?ca a]gg]cb`Y]bYb`?ca dfca]ggž[Y[Yb`XYb
g]W`Dc`Ybž! b[Ufbž`@]hUi Yb`i bX`@Yh`UbX`Ui ggdfUWYb" `5i W`XUg
9I !DUf`Ua Ybh]gh`bcW`Ua `Ni [" `8Ya `bcW`b]W`h`Z]I Yb
?ca dfca]gg`ni Zc`[Y`gc``X]Y`9bhgYbXi b[`Ui Znk Ò`ZA cbUhY
VY[fYbnh`k YfXYb" `5`YfX]b[g`gc``g]Y`Ui Z`5bhfU[`XYg
I bhYfbY`a Ybg`i a `gYW`g`k Y]hYfY`A cbUhY`j Yf`Àb[YfVUf`gY]b"
I fgdf0b[`]W` \UhY`X]Y`9I !?ca a]gg]cb`Y]bY`6Y[fYbni b[`Ui Z&(A
cbUhY`j cf[YgW`U[Yb"

, VYf`X]Y`F]W`h`b]Y`ni f`9bhgYbXi b[`j cb`5fVY]hbY`a Yfb`k]fX`gY]h
[YfUi a Yf`NY]h[Yghf]hYb. BUW`XYf`i fgdf0b[`]WYb`9I !F]W`h`b]Y
j cb`%- - * `_Ubb`Y]bY`:]fa U`]fY`5b[YghY`hYb`VYZf]ghYh`ni f`5fVY]h
]b`UbXYfY`@ÀbXYf`gW]W`Yb`i bX`XUVY]`k Y]hYf`Gcn]U`UV[UVYb`k]Y
]a `<Y]a Uh`UbX`nU`Yb" `8]Y`C ghYfk Y]hYfi b[`XYf`9I ` \Uh`XUni
[YZ0\fhž`XUgg`:]fa Yb`Ui g`Dc`Yb`i bX`UbXYfYb`cghYi fcdÀ]gWYb
@ÀbXYf`X]YgY`FY[Y`i b[`]bhYbg]j `bi hmYb" `K Ygh]WY`9I !GhUUhYb
gY`Yb`XUf]b`Y]bY`K i fnY`j cb`@c`b!`i bX`Gcn]U`Xi a d]b[" `8]Y
C ghYi fcdÀYf`k c``Yb`XU[Y[Yb`a Ò[`]W`gh`k Yb][`ÀbXYfb"

6Ygi WYb`G]Y`i bg`Ui Z. Z`Y]gW`i bXW`"Uh