

---

DRAFT STATUTORY INSTRUMENTS

---

**2019 No.**

**EXITING THE EUROPEAN UNION  
SOCIAL SECURITY**

The Social Security Coordination (Council Regulation  
(EEC) No 1408/71 and Council Regulation (EC) No  
859/2003) (Amendment) (EU Exit) Regulations 2019

Made - - - - - \*\*\*

*Coming into force in accordance with regulation 1*

**THE SOCIAL SECURITY COORDINATION (COUNCIL  
REGULATION (EEC) NO 1408/71 AND COUNCIL REGULATION  
(EC) NO 859/2003) (AMENDMENT) (EU EXIT) REGULATIONS 2019**

1. Citation, commencement and interpretation
2. Amendment of Regulation (EEC) No 1408/71
3. Amendment of Regulation (EC) No 859/2003
4. Revocation in relation to Regulation (EEC) No 1408/71  
Signature

---

SCHEDULES

SCHEDULE 1 — Amendments to Title 1: General provisions

1. In Article 1— (a) before point (a) insert—
2. After Article 1 insert— Article 1A Performance of obligations dependent...
3. In Article 2 for “Member States” in each place it...
4. Omit Article 3.
5. In Article 4 for “Member State” in each place it...
6. Omit Articles 5 and 6.
7. In Article 7— (a) in paragraph 1(a) for “Member States”...
8. Omit Article 8.
9. In Article 9— (a) for “The” substitute “Any”;
10. In Article 9a— (a) for “a Member State” substitute “the...”
11. In Article 10— (a) for “one or more Member States”...
12. In Article 10a— (a) in paragraph 1—
13. In Article 11 for “a Member State” substitute “the United...”

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Social Security Coordination (Council Regulation (EEC) No 1408/71 and Council Regulation (EC) No 859/2003) (Amendment) (EU Exit) Regulations 2019 (revoked) No. 726*

14. In Article 12— (a) omit the second sentence of paragraph...

SCHEDULE 2 — Amendments to Title 2: Determination of the legislation applicable

1. Before Article 13 insert— Article A13 Purpose of this Title...
2. In Article 13— (a) for paragraph 1 substitute— The persons subject to the legislation of the United Kingdom,...
3. For Articles 14 to 14d substitute— Article 14 Special rules...
4. Omit Articles 14e and 14f.
5. For Article 15 to 17a substitute— Article 15 Rules concerning...

SCHEDULE 3 — Amendments to Title 3: Special provisions relating to the various categories of benefits

PART 1 — Amendments to Chapter 1: Sickness and maternity

1. In Article 18— (a) in paragraph 1—
2. In Article 19— (a) in the heading for “other than”...
3. In Article 21— (a) in the heading for “competent State”...
4. In Article 22— (a) in the heading—
5. In Article 23— (a) in paragraph 1—
6. In Article 25— (a) in paragraph 1—
7. In Article 25a— (a) for “The institution which” substitute “Where...”
8. In Article 27— (a) in the heading—
9. In Article 28— (a) in the heading for “one or...”
10. In Article 29— (a) in paragraph 1—
11. In Article 31— (a) in paragraph 1—
12. In Article 33(1) for “Member State” in both places it...
13. In Article 34 for “Member State” in each place it...
14. In Article 35— (a) in paragraph 1—

PART 2 — Amendments to Chapter 2: Invalidity

15. In Article 37 for “Member States” in both places it...
16. In Article 38— (a) for “a Member State” in each...
17. In Article 39— (a) in paragraph 1—
18. In Article 40— (a) in paragraph 1—
19. In Article 41— (a) in paragraph 1—
20. In Article 42— (a) for “institution or institutions which were”...
21. In Article 43— (a) in paragraph 1—
22. In Article 43a— (a) in paragraph 2—

PART 3 — Amendments to Chapter 3: Old age and death (pensions)

23. In Article 44— (a) in the heading and paragraph 1...
24. In Article 45— (a) in paragraph 1—
25. In Article 46— (a) in paragraphs 1 and 2—
26. In Article 46a— (a) in the heading for “legislations of...”
27. In Article 46b— (a) in the heading and in the...
28. In Article 46c— (a) in the heading omit “, where...”
29. In Article 47— (a) in paragraph 1(a)—
30. In Article 48— (a) in paragraph 1 for “a Member...”
31. In Article 49— (a) in the heading omit “or when...”
32. In Article 50— (a) in the heading for “Member States”...
33. In Article 51a— (a) for “a Member State” in both...

PART 4 — Amendments to Chapter 4: Accidents at work and occupational diseases

34. In Article 52— (a) in the heading for “other than...”
35. In Article 53— (a) for “A” substitute “Where the United...”
36. In Article 54— (a) in the heading for “competent State”...

37. In Article 55— (a) in the heading—
38. In Article 56— (a) omit “other than the competent State”;...
39. In Article 57— (a) for “Member States” in the heading...
40. In Article 58— (a) for “The competent institution of a...
41. In Article 59— (a) for “The competent institution of a...
42. In Article 60— (a) in paragraph 1—
43. In Article 61— (a) in paragraphs 5 and 6—
44. In Article 62— (a) for “If the legislation of the...  
PART 5 — Amendments to Chapter 5: Death grants
45. In Article 64— (a) for “The competent institution of a...
46. In Article 65— (a) in the heading for “other than”...
47. In Article 66— (a) in the heading for “a Member...  
PART 6 — Amendments to Chapter 6: Unemployment benefits
48. In Article 67— (a) for “The competent institution of a...
49. In Article 68— (a) for “The competent institution of a...
50. In the heading to Section 2 of Chapter 6 to...
51. In Article 69— (a) for “An” substitute “Where the United...
52. For Article 70 substitute— In the cases referred to in...
53. In the heading to Section 3 of Chapter 6 to...
54. In Article 71— (a) in paragraph 1 for “Member State”...
55. In Article 71a— (a) for “An” substitute “Where the United...  
PART 7 — Amendments to Chapter 7: Family benefits
56. In Article 72— (a) for “a Member State” substitute “the...  
57. In Article 72a— (a) for “territory of the same Member...  
58. In Articles 73 and 74— (a) in the heading for...  
59. In Article 75— (a) in paragraph 1—  
60. In Article 76— (a) in the heading for “the Member...  
PART 8 — Amendments to Chapter 8: Benefits for dependent children of pensioners and for orphans
61. In Article 77— (a) in paragraph 2 for “Member State”...
62. In Article 78— (a) in paragraph 2 for “Member State”...
63. In Article 79— (a) in paragraph 1—
64. In Article 79a for “that Member State” substitute “the United...

#### SCHEDULE 4 — Amendments to Title 6: Miscellaneous provisions

1. In Article 84— (a) omit paragraphs 1 and 2;
2. In Article 84a— (a) in the heading after “the institutions”...
3. In Article 85— (a) in paragraph 1—
4. In Article 86— (a) in the heading for “Member State”...
5. In Article 87— (a) in paragraph 1—
6. In Article 88— (a) in the heading for “Member State”...
7. In Article 89 for “Member States” substitute “States”.
8. In Article 91— (a) for “competent State” (including in the...  
9. In Article 92— (a) for “one Member State” substitute “a...  
10. In Article 93— (a) in paragraph 1—

#### SCHEDULE 5 — Amendments to Title 7: Transitional and final provisions

1. In Article 94— (a) for “Member State” in each place...
2. In Article 95— (a) for “Member State” in each place...
3. In Article 95a for “Member State” in each place it...
4. In Article 95b— (a) for “Member State” in each place...
5. In Articles 95c, 95d and 95e for “Member State” in...
6. Omit Articles 95f to 97.

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Social Security Coordination (Council Regulation (EEC) No 1408/71 and Council Regulation (EC) No 859/2003) (Amendment) (EU Exit) Regulations 2019 (revoked) No. 726*

7. After Article 99 omit “This Regulation shall be binding in...

SCHEDULE 6 — Amendments to the Annexes

1. In Annex 3— (a) in the heading to Annex 3...
2. In Annex 4— (a) in Part C under the heading...
3. Omit Annex 5.
4. In Annex 6— (a) in the heading of Annex 6...
5. Omit Annex 7.

Explanatory Note