

## SCHEDULES

### SCHEDULE 3

Regulation 2(c)

#### Amendments to Title 3: Implementation of the provisions of the Regulation for determining the legislation applicable

1. In Article 10b—
  - (a) for “Member State” in the first place it occurs substitute “State”;
  - (b) for the second sentence substitute “Where the legislation of the United Kingdom becomes applicable to the person, the institution designated by the competent authority in the United Kingdom shall apply to the institution designated by the competent authority of the Member State with a request to specify this date.”.
2. In Article 10c(1)—
  - (a) after “Article 13(2)(d),” insert “where the legislation of the United Kingdom is applicable,”;
  - (b) for “Member State whose legislation is applicable” substitute “United Kingdom”.
3. In Article 11 for “The institutions designated by the competent authority of the Member State whose legislation is to remain applicable” substitute “Where the legislation of the United Kingdom is to remain applicable, the institution designated by the competent authority of the United Kingdom”.
4. In Article 11a—
  - (a) in the heading for “Member State” substitute “State”;
  - (b) for “The institution designated by the competent authority of the Member State whose legislation is to remain applicable” substitute “Where the legislation of the United Kingdom is to remain applicable, the institution designated by the competent authority of the United Kingdom”.
5. Omit Article 12.
6. In Article 12a(2)—
  - (a) in the heading for “Member States” substitute “States”;
  - (b) in paragraph in 1(a)—
    - (i) for “Member States” in both places it occurs substitute “States”;
    - (ii) for “Member State” in each place it occurs substitute “State”;
  - (c) in paragraph in 1(b) —
    - (i) for “legislation of the Member State in the territory of which the person resides” substitute “person resides in the United Kingdom but the legislation of the United Kingdom”;
    - (ii) for “that Member State” substitute “the United Kingdom”;
    - (iii) after “whose legislation” insert “it considers”;

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(1) Article 10c was inserted by [Regulation No 647/2005](#).

(2) Article 12a was amended by [Regulation No 647/2005](#).

*Status: This is the original version (as it was originally made).*

- (d) in paragraph 1a—
  - (i) for “Member State in whose territory” substitute “United Kingdom as the state where”;
  - (ii) for “that Member State” substitute “the United Kingdom”;
  - (iii) for “its legislation” substitute “the legislation of the United Kingdom”;
- (e) in paragraph 2(a)—
  - (i) for “Member States” substitute “States”;
  - (ii) for “Member State in whose territory he resides” substitute “United Kingdom, which is where he resides,”;
  - (iii) for “that Member State” in the first place it occurs substitute “the United Kingdom”;
  - (iv) for “that Member State shall” substitute “the United Kingdom may, where requested,”;
  - (v) for “its legislation” substitute “the legislation of the United Kingdom”;
  - (vi) omit from “and shall send” to the end of point (a)(ii);
- (f) in paragraph 2(b)—
  - (i) for “shall” substitute “may”;
  - (ii) for “Member State whose legislation is applicable” substitute “United Kingdom”;
  - (iii) for “that legislation” substitute “the legislation of the United Kingdom”;
- (g) in paragraph 3(a)—
  - (i) for “one Member State” substitute “a Member State”;
  - (ii) for “another Member State” substitute “the United Kingdom”;
  - (iii) for “Member State in whose territory” substitute “United Kingdom as the State where”;
  - (iv) for “latter Member State shall” substitute “United Kingdom may, where requested,”;
  - (v) for “its legislation” substitute “the legislation of the United Kingdom”;
  - (vi) omit from “and shall send” to the end of point (a)(ii);
- (h) in paragraph 4(a)—
  - (i) for “member States” substitute “States”;
  - (ii) for “Member State in whose territory” substitute “United Kingdom as the State where”;
  - (iii) for “latter Member State shall” substitute “United Kingdom may, where requested,”;
  - (iv) for “its legislation” substitute “the legislation of the United Kingdom”;
  - (v) omit from “and shall send” to the end of point (a)(ii);
- (i) in paragraph 5(a)—
  - (i) for “who is normally” to “resides, is” substitute “is not”;
  - (ii) for “Member State” to “designated by” substitute “United Kingdom”;
  - (iii) for “Member State in the territory of which he resides shall forthwith” substitute “United Kingdom may”;
  - (iv) for “other Member States” substitute “Member States”;
- (j) in paragraph 5(b)—
  - (i) for “Member States” substitute “States”;

- (ii) for “shall” substitute “may”;
  - (k) in paragraph 5(c)—
    - (i) for “The institution administering the legislation that has been determined as applicable to the person concerned shall” substitute “Where the legislation of the United Kingdom has been determined as applicable to the person concerned, the institution in the United Kingdom may, where requested,”;
    - (ii) omit from “and shall send” to the end of the point;
  - (l) in paragraph 5(e) for “shall” substitute “may”;
  - (m) in paragraph 6(a)—
    - (i) for “an institution designated” to “Article 14a(2) or (3) of the Regulation” substitute “the legislation of the United Kingdom is applicable by virtue of Article 14a(2) or (3) of the Regulation and an institution designated by the competent authority of the United Kingdom”;
    - (ii) for “shall” in the first place it occurs substitute “may”;
    - (iii) for “other Member States” substitute “Member States”;
    - (iv) omit from “; where necessary” to the end of the point;
  - (n) in paragraph 6(b)—
    - (i) for “shall” substitute “may”;
    - (ii) for “Member State whose” substitute “United Kingdom if its legislation”;
  - (o) in paragraph 7(a)—
    - (i) for “Article 14c(a)” substitute “Article 14c”;
    - (ii) for “Member State in whose territory” substitute “United Kingdom as the State where”;
    - (iii) for “latter Member State shall” substitute “United Kingdom may, where requested,”;
    - (iv) omit from “and shall send” to the end of point (a)(ii);
  - (p) omit paragraph 8.
- 7.** In Article 12b(3)—
- (a) for “Articles 14e or 14f” (including in the heading) substitute “Article 14e”;
  - (b) omit the last sentence.
- 8.** In Article 13—
- (a) in paragraph 2—
    - (i) for “the Member State” substitute “the State”;
    - (ii) for “The said institution” substitute “Where the institution is in the United Kingdom, it”;
    - (iii) for “same Member State” substitute “United Kingdom”;
    - (iv) for “that Member State” substitute “the United Kingdom”;
  - (b) in paragraph 3—
    - (i) for “The institution designated by the competent authority of the Member State for whose legislation the person concerned has opted” substitute “Where the person concerned has opted for the legislation of the United Kingdom, the institution designated by the competent authority of the United Kingdom”;

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(3) Article 12b was inserted by [Regulation No 1606/98](#).

**Status:** This is the original version (as it was originally made).

- (ii) for “that Member State” substitute “the United Kingdom”;
  - (c) omit paragraph 4.
- 9.** In Article 14—
- (a) in paragraph 1—
    - (i) for “Member State” in the first place it occurs substitute “State”;
    - (ii) for “The said institution” substitute “Where that institution is an institution in the United Kingdom it”;
    - (iii) for “same Member State” substitute “United Kingdom”;
  - (b) in paragraph 2—
    - (i) for “The institution designated by the competent authority of the Member State for whose legislation the auxiliary staff member has opted” substitute “Where the auxiliary staff member has opted for the legislation of the United Kingdom, the institution designated by the competent authority of the United Kingdom”;
    - (ii) for “that Member State” substitute “the United Kingdom”;
  - (c) in paragraph 3 for “authorities of the Member States” substitute “authority of the United Kingdom”;
  - (d) in paragraph 4 for “territory of a Member State other than Germany” substitute “United Kingdom”.