

SCHEDULES

SCHEDULE 4

Amendments to Title 4: Implementation of the special provisions
of the Regulation relating to the various categories of benefits

PART 2

Amendments to Chapter 2: Sickness and maternity

2. In Article 16—
 - (a) in paragraph 1 after “shall” insert “take reasonable steps”;
 - (b) in paragraph 2—
 - (i) for the first sentence substitute “Where the employed person was last subject to the legislation of the United Kingdom, the institution in the United Kingdom shall issue this certified statement at the request of the person.”;
 - (ii) for “shall” in the second sentence substitute “may”;
 - (c) in paragraph 3—
 - (i) for “other Member State” substitute “Member State”;
 - (ii) for “competent State” substitute “United Kingdom”.
3. In Article 18—
 - (a) in the heading for “other than” substitute “where the United Kingdom is”;
 - (b) in paragraph 1 after “institution of the place of residence” in the first place it occurs insert “or, where that institution will not accept such an application, the competent institution in the United Kingdom,”;
 - (c) in paragraph 2—
 - (i) for “shall immediately” substitute “may”;
 - (ii) for “. Such certificate shall state” substitute “, stating”;
 - (iii) for “and shall be forwarded” to the end of the paragraph substitute “. If the certificate is drawn up, the person concerned shall send it to the competent institution in the United Kingdom.”;
 - (d) in paragraph 3—
 - (i) for “shall, as soon as possible” to “have him” substitute “may have the person concerned”;
 - (ii) for “shall” substitute “may”;
 - (iii) omit “within the three days following the date of the examination”;
 - (e) in paragraph 4—
 - (i) for “shall” in the first place it occurs substitute “may”;
 - (ii) for “shall forthwith” substitute “may”;

Status: This is the original version (as it was originally made).

- (f) after paragraph 4 insert—
 - “4A. Where paragraphs 1 and 2 do not apply, the person concerned shall arrange to be examined by a doctor and forward to the competent institution as soon as reasonably practicable a report from that doctor stating the probable duration of the incapacity for work.”;
 - (g) in paragraph 8 for “competent State” substitute “United Kingdom”;
 - (h) omit paragraph 9.
4. In Article 24 in the heading for “other than” substitute “where the United Kingdom is”.
5. In Article 25—
- (a) after “competent institution” in each place it occurs insert “in the United Kingdom”;
 - (b) omit “other than that wherein the said institution is situated”;
 - (c) for “shall” in the first place it occurs in paragraph 2 substitute “may”;
 - (d) omit “other than that wherein the said institutions is situated”.
6. In Article 26(1)—
- (a) in paragraph 1a—
 - (i) after “competent insurance institution” insert “in the United Kingdom”;
 - (ii) for “shall” in the third place it occurs substitute “may”;
 - (b) in paragraph 2—
 - (i) for “shall” in the first two places it occurs substitute “may”;
 - (ii) omit the final sentence;
 - (c) in paragraph 5 for “shall” substitute “may”;
 - (d) in paragraph 6 for “shall” in each place it occurs substitute “may”.
7. In Article 32—
- (a) in the heading for “a Member State other than” substitute “the United Kingdom where it is not”;
 - (b) for “country of stay or residence” substitute “United Kingdom”;
 - (c) for “territory of the Member State in which they are staying or residing” in both places it occurs substitute “United Kingdom”.
8. In Article 33—
- (a) for “another Member State” (including in the heading) substitute “a Member State”;
 - (b) for “a Member State called upon to provide benefits” substitute “the United Kingdom”.

(1) Paragraphs 1 and 3 of Article 26 were substituted, and paragraph 1a inserted, by [Regulation No 631/2004](#).