

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) (the “EU(W)A”) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2) and section 8(3)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community. This is one of the EU Regulations which makes provision for the coordination of social security. In particular they make amendments to prevent, remedy or mitigate the deficiencies in section 8(2)(a), (b), (c) and (d) and under section 8(3) of the EU(W)A in relation to cash benefits, pensions and the determination of applicable law.

It also makes amendments to Council Regulation (EC) No 859/2003 of 14 May 2003 extending the provisions of Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72 to nationals of third countries who are not already covered by those provisions solely on the ground of their nationality. This is another EU Regulation which makes provision for the coordination of social security.

An impact assessment has not been prepared for this instrument as it has no impact on businesses, charities or the public sector.