

## SCHEDULES

### 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—
    - (i) for “The competent institution of a Member State whose legislation” substitute “Where the United Kingdom is the competent State and the legislation of the United Kingdom”;
    - (ii) after “residence” in the first place it occurs insert “, the competent institution in the United Kingdom”;
    - (iii) for “other Member State” substitute “Member State”;
    - (iv) for “which it administers” substitute “of the United Kingdom”;
  - (b) in paragraph 2 for “competent State” substitute “United Kingdom”.
2. In Article 19—
  - (a) in the heading for “other than” substitute “where the United Kingdom is”;
  - (b) in paragraph 1—
    - (i) for “An” substitute “Where the United Kingdom is the competent State, an”;
    - (ii) omit “other than the competent State,”;
    - (iii) for “competent State” in the second place it occurs substitute “United Kingdom”;
    - (iv) for “State” in the third place it occurs substitute “Member State”;
  - (c) in paragraph 1(b)—
    - (i) after “competent institution” in the first place it occurs insert “of the United Kingdom”;
    - (ii) for “which it administers” substitute “of the United Kingdom”;
    - (iii) for “competent State” substituted “United Kingdom”;
  - (d) in paragraph 2—
    - (i) for “The” substitute “Where the United Kingdom is the competent State, the”;
    - (ii) omit “other than the competent State”;
    - (iii) for “the State” substitute “the Member State”.
3. In Article 21—
  - (a) in the heading for “competent State” substitute “United Kingdom”;
  - (b) in paragraph 1—

*Status: This is the original version (as it was originally made).*

- (i) for “The” substitute “Where the United Kingdom is the competent State, the”;
    - (ii) for “territory of the competent State” substitute “United Kingdom”;
    - (iii) for “that State” substitute “the United Kingdom”;
  - (c) in paragraph 4—
    - (i) for “An” substitute “Where the United Kingdom is the competent State, an”;
    - (ii) for “territory of the competent State” substitute “United Kingdom”;
    - (iii) for “that State” substitute “the United Kingdom”.
- 4. In Article 22(1)—
  - (a) in the heading—
    - (i) for “competent State” substitute “United Kingdom”;
    - (ii) for “another Member State” in both places it occurs substitute “a Member State”;
  - (b) in paragraph 1—
    - (i) for “An” substitute “Where the United Kingdom is the competent State, an”;
    - (ii) for “competent State” substitute “United Kingdom”;
  - (c) in paragraph 1(c)(ii)—
    - (i) after “competent institution” in the first place it occurs insert “of the United Kingdom”;
    - (ii) for “which it administers” substitute “of the United Kingdom”;
    - (iii) for “competent State” substitute “United Kingdom”;
  - (d) omit paragraph 1a;
  - (e) in paragraph 3 omit “, 1a”.
- 5. In Article 23(2)—
  - (a) in paragraph 1—
    - (i) for “The competent institution of a Member State whose legislation” substitute “If the legislation of the United Kingdom”;
    - (ii) after “average contributions,” insert “the competent institution in the United Kingdom”;
  - (b) in paragraph 2—
    - (i) for “The competent institution in a Member State whose legislation” substitute “If the legislation of the United Kingdom”;
    - (ii) after “standard earnings,” insert “the competent institution in the United Kingdom”;
  - (c) in paragraph 2a—
    - (i) after “competent institution” insert “in the United Kingdom”;
    - (ii) for “other Member States” substitute “Member States”;
  - (d) in paragraph 3—
    - (i) for “The competent institution of a Member State under whose legislation” substitute “If the legislation of the United Kingdom”;
    - (ii) after “the family,” insert “the competent institution”;

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(1) Article 22 was amended by Regulation (EC) No 631/2004 of the European Parliament and of the Council of 31 March 2004 (“Regulation No 631/2004”).

(2) Article 23 was amended by Regulation No 647/2005.

- (iii) for “another Member State” substitute “a Member State”;
  - (iv) for “competent State” substitute “United Kingdom”.
- 6. In Article 25(3)—**
- (a) in paragraph 1—
    - (i) for “An” substitute “Where the United Kingdom is the competent State, an”;
    - (ii) for “competent State” substitute “United Kingdom”;
  - (b) in paragraph 1(b)—
    - (i) after “by the competent institution” insert “in the United Kingdom”;
    - (ii) for “which it administers” substitute “of the United Kingdom”;
    - (iii) for “competent State” substitute “United Kingdom”;
  - (c) omit paragraph 1a;
  - (d) in paragraph 2—
    - (i) after “Article 71(1)(b)(ii) apply,” insert “and who resides in the United Kingdom,”;
    - (ii) for “Member State in whose territory he resides” substitute “United Kingdom”;
    - (iii) for “country of residence” substitute “United Kingdom”;
  - (e) in paragraph 3—
    - (i) after “Where” insert “the United Kingdom is the competent State responsible for the cost of unemployment benefits for entitlement to sickness and maternity benefits, and where”;
    - (ii) for “Member State which is responsible for the cost of unemployment benefits for entitlement to sickness and maternity benefits” substitute “United Kingdom”;
    - (iii) for “Member State” in the second place it occurs substitute “State”;
    - (iv) for “Member State which is responsible for the cost of unemployment benefits” substitute “United Kingdom”;
    - (v) for “which it administers” substitute “of the United Kingdom”;
  - (f) in paragraph 4—
    - (i) for “a Member State” substitute “the United Kingdom”;
    - (ii) after “competent institution” insert “in the United Kingdom”;
    - (iii) for “administered by that institution” substitute “of the United Kingdom”.
- 7. In Article 25a—**
- (a) for “The institution which” substitute “Where the competent institution in the United Kingdom”;
  - (b) for “and which belongs to a Member State whose legislation” substitute “and where the legislation of the United Kingdom”;
  - (c) after “maternity benefits” insert “, the competent institution”;
  - (d) for “its” substitute “that”.
- 8. In Article 27—**
- (a) in the heading—
    - (i) for “several” substitute “the United Kingdom and one or more Member”;

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(3) Article 25 was amended by Regulation No 631/2004.

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- (ii) after “in the” insert “United Kingdom, as”;
  - (b) for “A pensioner who” substitute “Where a pensioner resides in the United Kingdom, and”;
  - (c) for “two” substitute “the United Kingdom and one”;
  - (d) omit “of which one is that of the Member State in whose territory he resides.”;
  - (e) for “latter Member State” in both places it occurs substitute “United Kingdom”;
  - (f) for “place of residence” substitute “United Kingdom”.
- 9.** In Article 28—
- (a) in the heading for “one or more” substitute “the United Kingdom and one or more Member”;
  - (b) in paragraph 1—
    - (i) for “A pensioner” substitute “Where the United Kingdom is the competent State, a pensioner”;
    - (ii) for “one Member State” substitute “the United Kingdom”;
    - (iii) for “two” substitute “the United Kingdom and one”;
    - (iv) after “shall nevertheless receive such benefits” insert “from the competent institution in the United Kingdom”;
    - (v) for “Member State or at least one of the Member States” to “of such State” substitute “United Kingdom if he were resident in the United Kingdom”;
  - (c) in paragraph 1(b) for “which it administers” substitute “of the United Kingdom”;
  - (d) in paragraph 2—
    - (i) for “Member State” in both places it occurs substitute “State”;
    - (ii) for “two” substitute “the United Kingdom and one”.
- 10.** In Article 29(4)—
- (a) in paragraph 1—
    - (i) for “Members” substitute “Where the United Kingdom is the competent State, members”;
    - (ii) for “Member State” in the first two places it occurs substitute “State”;
    - (iii) for “Member States” substitute “States”;
    - (iv) for “one Member State” substitute “the United Kingdom”;
  - (b) in paragraph 1(b)—
    - (i) for “which it administers” substitute “of the United Kingdom”;
    - (ii) for “competent State” substitute “United Kingdom”;
  - (c) in paragraph 2 for “Members” substitute “Where the United Kingdom is the competent State, members”;
  - (d) in paragraph 2(b)—
    - (i) for “which it administers” substitute “of the United Kingdom”;
    - (ii) for “competent State” substitute “United Kingdom”.
- 11.** In Article 31(5)—
- (a) in paragraph 1—

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(4) Article 29 was amended by Council Regulation (EC) No 1223/98 of 4 June 1998 (“Regulation No 1223/98”).

(5) Article 31 was amended by Regulation No 1223/98 and substituted by Regulation No 631/2004.

- (i) for “A pensioner” substitute “Where the United Kingdom is the competent State, a pensioner”;
  - (ii) for “one Member State” substitute “the United Kingdom”;
  - (iii) for “two” substitute “the United Kingdom and one”;
  - (iv) for “one of those States” substitute “the United Kingdom”;
  - (v) for “Member State” substitute “State”;
- (b) in paragraph 1(b)—
- (i) for “which it administers” substitute “of the United Kingdom”;
  - (ii) for “legislation of the competent State” substitute “legislation of the United Kingdom”;
- (c) omit paragraph 2.
- 12.** In Article 33(1) for “Member State” in both places it occurs substitute “State”;
- 13.** In Article 34 for “Member State” in each place it occurs substitute “State”.
- 14.** In Article 35(6)—
- (a) in paragraph 1—
    - (i) for “legislation of the country of stay or residence” substitute “United Kingdom is the country of stay or residence, and the legislation of the United Kingdom”;
    - (ii) for “place of stay or residence” substitute “United Kingdom”;
  - (b) in paragraph 3—
    - (i) for “a Member State” substitute “the United Kingdom”;
    - (ii) for “the Member State” substitute “the State”;
  - (c) in paragraph 4—
    - (i) for “a Member State” substitute “the United Kingdom”;
    - (ii) for “which administers that legislation” substitute “of the United Kingdom”;
    - (iii) for “another Member State” substitute “a Member State”.

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(6) Article 35 was amended by Regulation No 307/1999 and Regulation No 647/2005.