

## SCHEDULES

### SCHEDULE 3

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

### PART 3

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

**23.** In Article 44(1)—

- (a) in the heading and paragraph 1 for “Member States” substitute “States”;
- (b) in paragraph 2—
  - (i) after “claim” insert “by the United Kingdom”;
  - (ii) omit the last sentence.

**24.** In Article 45—

- (a) in paragraph 1—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) for “that Member State” substitute “the United Kingdom”;
  - (iii) for “other Member State” substitute “Member State”;
  - (iv) for “its own legislation” substitute “the legislation of the United Kingdom”;
- (b) in paragraphs 2 and 3—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) for “other Member States” substitute “Member States”;
- (c) in paragraph 4—
  - (i) for “another Member State” substitute “the United Kingdom”;
  - (ii) for “latter State” substitute “United Kingdom”;
- (d) in paragraph 5—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) for “another Member State” substitute “a Member State”;
- (e) for paragraph 6—

“6. Where a worker to whom the first sentence of Article 71(1)(a)(ii) or (b)(ii) applies resides in the United Kingdom, a period of full employment shall be taken into account by the competent institution in the United Kingdom in accordance with the legislation of the United Kingdom, as if that legislation applied to him during his last employment.

Where the legislation of the United Kingdom provides for deduction of contributions payable by unemployed persons to cover old age pensions and death, the competent

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(1) Article 44 was amended by Council Regulation (EC) No 1399/1999 of 29 April 1999 (“Regulation No 1399/1999”).

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institution in the United Kingdom shall be authorised to make such deductions in accordance with the provisions of the legislation of the United Kingdom.

If the legislation of the United Kingdom provides that the period of full unemployment in the United Kingdom can be taken into account only if contribution periods have been completed in the United Kingdom, this condition shall be deemed to be fulfilled if the contribution periods have been completed in a Member State.”.

**25.** In Article 46—

- (a) in paragraphs 1 and 2—
  - (i) after “Where” insert “the United Kingdom is the competent State and where”;
  - (ii) for “a Member State” substitute “the United Kingdom”;
  - (iii) after “competent institution” in each place it occurs insert “in the United Kingdom”;
  - (iv) for “which it administers” in each place it occurs substitute “of the United Kingdom”;
  - (v) for “each Member State” substitute “each State”;
  - (vi) for “State in question” substitute “United Kingdom”;
  - (vii) for “Member States” in the second place it occurs substitute “States”;
- (b) in paragraphs 3 for “each Member State” substitute “the United Kingdom”;
- (c) in paragraph 4—
  - (i) for “Member States” in both places it occurs substitute “States”;
  - (ii) omit “referred to in Article 6(b)”.

**26.** In Article 46a—

- (a) in the heading for “legislations of the Member States” substitute “legislation of the United Kingdom”;
- (b) in paragraph 3 for “a Member State” substitute “the United Kingdom”;
- (c) in paragraph 3(a)—
  - (i) for “another Member State” in both places it occurs substitute “a Member State”;
  - (ii) for “first Member State” substitute “United Kingdom”;
- (d) in paragraph 3(b) and (c) for “another Member State” substitute “a Member State”;
- (e) in paragraph 3(d)—
  - (i) for “only one Member State” substitute “the United Kingdom”;
  - (ii) for “other Member States” in each place it occurs substitute “Member States”;
  - (iii) for “first Member State” substitute “United Kingdom”.

**27.** In Article 46b—

- (a) in the heading and in the first place it occurs for “two” substitute “the United Kingdom and one”;
- (b) for “a Member State” in both places it occurs substitute “the United Kingdom”.

**28.** In Article 46c—

- (a) in the heading omit “, where two or more Member States are concerned”;
- (b) in paragraph 1 for “Member States concerned” substitute “United Kingdom”;
- (c) in paragraph 2—
  - (i) for “other Member States” substitute “Member States”;
  - (ii) for “Member State” substitute “United Kingdom”;

- (d) in paragraph 3 for “Member States concerned” substitute “United Kingdom”;
- (e) in paragraph 4—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) for “that Member State” substitute “the United Kingdom”;
- (f) in paragraph 5—
  - (i) for “one or more Member States” substitute “the United Kingdom”;
  - (ii) for “another Member State” substitute “a Member State”.

**29.** In Article 47—

- (a) in paragraph 1(a)—
  - (i) for “Member States” substitute “States”;
  - (ii) for “one of these States” substitute “the United Kingdom”;
  - (iii) after “full benefit,” insert “and where the United Kingdom is one of these States,”;
  - (iv) for “that State” substitute “the United Kingdom”;
  - (v) for “which it administers” substitute “of the United Kingdom”;
- (b) in paragraph 1(c)—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) for “that State” substitute “the United Kingdom”;
  - (iii) for “said State” substitute “United Kingdom”;
- (c) in paragraph 1(d)—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) for “State” substitute “United Kingdom”;
  - (iii) for “other Member States” substitute “Member States”;
  - (iv) for “which it administers” substitute “of the United Kingdom”;
- (d) in paragraph 1(e)—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) for “that State” substitute “the United Kingdom”;
  - (iii) for “other Member States” substitute “Member States”;
  - (iv) for “which it administers” substitute “of the United Kingdom”;
- (e) in paragraph 1(f)—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) for “that State” substitute “the United Kingdom”;
  - (iii) for “other Member States” in both places it occurs substitute “Member States”;
  - (iv) for “which it administers” substitute “of the United Kingdom”;
- (f) in paragraph 1(g)—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) after “competent institution” insert “in the United Kingdom”;
  - (iii) for “said State” substitute “United Kingdom”;
- (g) in paragraph 2—
  - (i) for “a Member State” substitute “the United Kingdom”;
  - (ii) for “that state” substitute “the United Kingdom”;

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- (iii) for “other Member States” substitute “Member States”;
  - (h) in paragraph 3—
    - (i) for “a Member State” substitute “the United Kingdom”;
    - (ii) for “that State” substitute “the United Kingdom”;
    - (iii) for “another Member State” substitute “a Member State”;
    - (iv) for “competent State” substitute “United Kingdom”;
  - (i) in paragraph 4—
    - (i) for “which the competent institution of a Member State administers” substitute “of the United Kingdom”;
    - (ii) for “this Member State” substitute “the United Kingdom”;
    - (iii) for “that Member State” substitute “the United Kingdom”;
    - (iv) for “which it administers” substitute “of the United Kingdom”.
- 30.** In Article 48—
- (a) in paragraph 1 for “a Member State” substitute “the United Kingdom”;
  - (b) in paragraph 2 for “each of the Member States concerned” substitute “the United Kingdom”;
  - (c) in paragraph 3—
    - (i) for “Member States” substitute “States”;
    - (ii) after “the legislation of the” insert “United Kingdom if it is”;
    - (iii) for “that State” substitute “the United Kingdom”.
- 31.** In Article 49—
- (a) in the heading omit “or when he has expressly requested a postponement of the award of old age benefits”;
  - (b) in paragraph 1—
    - (i) for “Member States” substitute “States”;
    - (ii) after “the following provisions shall apply” insert “where the United Kingdom is the competent State”;
    - (iii) for “each of the competent institutions administering a legislation whose conditions” substitute “the competent institution in the United Kingdom, when the conditions of its legislation,”;
    - (iv) for “one legislation” substitute “the legislation of the United Kingdom”;
    - (v) for “whose conditions are satisfied, taking” substitute “of the United Kingdom, taking”;
    - (vi) omit the words from “The provisions” to the end of the paragraph;
  - (c) in paragraph 2—
    - (i) after “Article 46,” insert “by the competent institution in the United Kingdom,”;
    - (ii) omit the final sentence;
  - (d) in paragraph 3 after “with paragraph 1” insert “by the competent institution in the United Kingdom,”.
- 32.** In Article 50—
- (a) in the heading for “Member States” substitute “States”;

- (b) after “applies” insert “, who is resident in the United Kingdom and to whom a benefit is payable under the legislation of the United Kingdom,”;
- (c) omit “, in the State in whose territory he resides and under whose legislation a benefit is payable to him,”;
- (d) for “that State” substitute “the United Kingdom”;
- (e) for “its territory” substitute “the United Kingdom”.

**33.** In Article 51a(2)—

- (a) for “a Member State” in both places it occurs substitute “the United Kingdom”;
- (b) for “that Member State” in each place it occurs substitute “the United Kingdom”;
- (c) for “that State” substitute “the United Kingdom”.

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(2) Article 51a was inserted by Regulation No 1606/98.