

## SCHEDULES

### SCHEDULE 5

#### Savings and transitional provision

#### **Interpretation**

1.—(1) In this Schedule—

“competent authority” and “competent institution” have the meaning given by Regulation (EC) No 883/2004 or (as the case may be) Regulation (EEC) No 1408/71;

“relevant benefits in kind”—

- (a) in relation to Regulation (EC) No 883/2004, means the benefits in kind referred to in Article 1(va)(i) and (ii) of that Regulation;
- (b) in relation to Regulation (EEC) No 1408/71, means the benefits in kind to which Chapter 1 or 4 of Title 3 of that Regulation applies immediately before exit day;

“the relevant retained direct EU legislation” means—

- (a) Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009, and
- (b) Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72 (as extended by Regulation (EC) No 859/2003),

so far as relating to the coordination of the provision of relevant benefits in kind.

(2) A reference in this Schedule to a member State includes—

- (a) where the relevant retained direct EU legislation applies in relation to an EEA state which is not a member State, a reference to the EEA state, and
- (b) where the relevant retained direct EU legislation applies in relation to Switzerland, a reference to Switzerland.