

DRAFT STATUTORY INSTRUMENTS

**2019 No. 0000**

**EXITING THE EUROPEAN UNION  
HEALTH SERVICES  
NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES  
SOCIAL SECURITY  
HUMAN TISSUE, ENGLAND AND WALES  
HUMAN TISSUE, NORTHERN IRELAND**

The Social Security Coordination (Reciprocal Healthcare)  
(Amendment etc) (EU Exit) Regulations 2019

*Made* - - - - - **\*\*\***

*Coming into force in accordance with regulation 1*

**THE SOCIAL SECURITY COORDINATION  
(RECIPROCAL HEALTHCARE) (AMENDMENT  
ETC) (EU EXIT) REGULATIONS 2019**

PART 1

Preliminary

1. Citation, commencement and extent
2. Interpretation

PART 2

Amendments of primary legislation

3. The National Health Service Act 2006
4. The National Health Service (Wales) Act 2006

### PART 3

#### Amendments of subordinate legislation

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6. The Human Tissue Act 2004 (Ethical Approval, Exceptions from Licensing and Supply of Information about Transplants) Regulations 2006
7. The National Health Service and Public Health (Functions and Miscellaneous Provisions) Regulations 2013
8. The National Health Service (General Medical Services Contracts) Regulations 2015
9. The National Health Service (Personal Medical Services Agreements) Regulations 2015
10. The Social Security Coordination (Regulation (EC) No 883/2004, EEA Agreement and Swiss Agreement) (Amendment) (EU Exit) Regulations 2019

### PART 4

#### Rights etc deriving from the Treaties

11. Rights etc deriving from the Treaties

### PART 5

#### Amendment of EU Regulations

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13. Regulation (EC) No 987/2009
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15. Regulation (EEC) No 574/72

### PART 6

#### Amendment of the EEA agreement

16. Amendment of the EEA agreement

### PART 7

#### Savings and transitional provision

17. Savings and transitional provision  
Signature

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## SCHEDULES

### SCHEDULE 1 — Regulation (EC) No 883/2004

1. Regulation (EC) No 883/2004 is amended as follows.
2. (1) Article 1 is amended as follows.
3. In Article 3, after paragraph 5 insert— References in this Regulation to receipt of social security benefits...
4. Omit Articles 17 to 20.
5. (1) Article 22 is amended as follows.
6. In Article 23— (a) for “benefits in kind”, in each...

7. For Article 24 (including the heading) substitute— Article 24 No...
8. In Article 25— (a) in the heading—
9. In Article 26— (a) for “Member State”, in each place...
10. Omit Articles 27 and 28.
11. In Article 29, for paragraph 1 substitute— Where a person resides in a Member State and receives...
12. In Article 31, for “Articles 17 to 21” substitute “Article...
13. Omit Articles 32 to 35.
14. In Article 36— (a) for the heading substitute “Article 21...
15. In Article 40, omit paragraphs 1 and 2.
16. In Article 85, omit “Article 35(3) and/or”.
17. Omit Annexes 3 to 5.
18. (1) Annex 11 is amended as follows.

#### SCHEDULE 2 — Regulation (EC) No 987/2009

1. Regulation (EC) No 987/2009 is amended as follows.
2. Omit Article 22.
3. In Article 23— (a) for “Member State”, in both places...
4. Omit Articles 24 to 26.
5. Omit Article 29.
6. Omit Article 31.
7. (1) Article 32 is amended as follows.
8. (1) Article 33 is amended as follows.
9. Omit Article 35.
10. Omit Article 41.
11. In Title 4, omit Chapter 1 (reimbursement of the cost...
12. (1) Annex 1 is amended as follows.
13. Omit Annex 3.

#### SCHEDULE 3 — Regulation (EEC) No 1408/71

1. Regulation (EEC) No 1408/71 is amended as follows.
2. (1) Article 1 is amended as follows.
3. (1) Article 19 is amended as follows.
4. Omit Article 20.
5. In Article 21(2), omit the second subparagraph.
6. (1) Article 22 is amended as follows.
7. Omit Article 22a.
8. Omit Article 24.
9. (1) Article 25 is amended as follows.
10. In Article 25a, omit “benefits in kind and”.
11. Omit Section 4 of Chapter 1.
12. (1) Article 28 is amended as follows.
13. Omit Article 28a.
14. (1) Article 29 is amended as follows.
15. Omit Article 30.
16. In Article 31, omit paragraph 1(a).
17. (1) Article 33 is amended as follows.
18. (1) Article 34 is amended as follows.
19. In Article 34a for the words from “Articles 18” to...
20. In Article 35, in paragraph 1, omit “26,”.
21. Omit Section 7 of Chapter 1.
22. In Article 52, omit point (a).
23. (1) Article 55 is amended as follows.

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:  
*The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019 No. 776*

24. In Article 61, omit paragraphs 1 to 4.
25. Omit Section 4 of Chapter 4.
26. In Article 63a, for “Sections 1 to 4” substitute “Sections...
27. Omit Article 66.
28. In Article 66a, for “Articles 64 to 66” substitute “Article...
29. In Annex 1, in part 2, omit the following headings...
30. (1) Annex 6 is amended as follows.

#### SCHEDULE 4 — Regulation (EEC) No 574/72

1. Regulation (EEC) No 574/72 is amended as follows.
2. In Article 4, omit paragraph 9.
3. Omit Article 17.
4. Omit Articles 19 to 23 and the headings “Implementation of...
5. In Article 24, for “Article 22(1)(a)(ii)” substitute “Article 22(1)”.
6. (1) Article 26 is amended as follows.
7. Omit Articles 27 to 31 and the headings “Implementation of...
8. Omit Article 34.
9. Omit Article 60.
10. Omit Articles 62 and 63.
11. Omit Article 66.
12. (1) Article 93 is amended as follows.
13. Omit Articles 94 to 96 and the heading “Implementation of...
14. Omit Article 99.
15. In Article 100, omit paragraph 2.
16. Omit Article 113.
17. (1) Annex 2 is amended as follows.
18. (1) Annex 3 is amended as follows.
19. (1) Annex 4 is amended as follows.
20. (1) Annex 5 is amended as follows.
21. In Annex 6, in the text in brackets under the...
22. In Annex 7, in paragraph (b), for “55(3) and 122”...
23. Omit Annex 9.
24. (1) Annex 10 is amended as follows.

#### SCHEDULE 5 — Savings and transitional provision

1. Interpretation
2. Cases arising before exit day
3. Cases arising during reciprocal arrangements
4. List for the purposes of paragraph 3
5. Savings provision for cases arising during reciprocal arrangements
6. Modifications of the relevant retained direct EU legislation
7. Regulation (EC) No 987/2009
8. Regulation (EEC) No 574/72
9. Provision for United Kingdom legislation

Explanatory Note