

SCHEDULES

SCHEDULE 4

Amendments to Title 4: Implementation of the special provisions
of the Regulation relating to the various categories of benefits

PART 3

Amendments to Chapter 3: Invalidity, old-age and death (pensions)

9. In Article 35—

- (a) in paragraph 1 for “either to the institution” to the end of the paragraph substitute “to the institution in the United Kingdom”;
- (b) in paragraph 2—
 - (i) for “the institution” in the first place it occurs substitute “where the United Kingdom is the institution initially responsible for payment of the benefits, it may request from the institution”;
 - (ii) omit “shall notify”;
 - (iii) for “it administers to the institution initially responsible for payment of the benefits” substitute “the latter administers”;
- (c) omit paragraph 3.

10. In Article 36—

- (a) in paragraph 1—
 - (i) for “place of residence” in the first place it occurs substitute “United Kingdom, where it is the place of residence,”;
 - (ii) for “administered by that institution” substitute “of the United Kingdom”;
 - (iii) for “place of residence” in the second place it occurs substitute “United Kingdom”;
 - (iv) for the final sentence substitute “Where the United Kingdom is the State to whose legislation an employed or self-employed person was last subject and a claim is forwarded by the institution of the place of residence, the date on which the claim was submitted to that institution shall be regarded as the date on which the claim was submitted to the institution in the United Kingdom.”;
- (b) in paragraph 2 for “Member State to whose legislation the employed or self-employed person was last subject” substitute “United Kingdom if he was last subject to the legislation of the United Kingdom”;
- (c) in paragraph 3—
 - (i) for “a State” substitute “a state”;
 - (ii) after “Member State” in the first place it occurs insert “or the United Kingdom”;
 - (iii) for “that Member State” substitute “the United Kingdom if it is the”;

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- (iv) for “Member State” in the final place it occurs substitute “United Kingdom as the State”;
- (d) in paragraph 4—
 - (i) for “one Member State” substitute “the United Kingdom”;
 - (ii) omit “concurrent”;
 - (iii) for “all the Member States in question” to the end of paragraph substitute “the United Kingdom”.
- 11.** In Article 37—
 - (a) in point (a)—
 - (i) after “legislation” insert “of the United Kingdom”;
 - (ii) omit points (i) and (ii);
 - (b) in point (b)—
 - (i) after “the claimant” in the first place it occurs insert “to the institution in the United Kingdom”;
 - (ii) after “confirmed” insert “, as far as possible,”;
 - (c) in point (c) for “Member State” in both places it occurs substitute “State”;
 - (d) omit point (d).
- 12.** In Article 38—
 - (a) in paragraph 1 in the first paragraph omit “other than in which the institution responsible for the award of benefits is situated”;
 - (b) in paragraph 1 in the second paragraph for “shall” in the first place it occurs substitute “may”;
 - (c) in paragraph 1 in the third paragraph—
 - (i) for “responsible for the award of benefits,” substitute “in the United Kingdom”;
 - (ii) omit “other than the State in which the said institution is situated”;
 - (d) in paragraph 2 for “administered by the institution concerned” substitute “of the United Kingdom”.
- 13.** In Article 39—
 - (a) in paragraph 1—
 - (i) after “institution” in the first place it occurs insert “in the United Kingdom”;
 - (ii) for “shall” substitute “may”;
 - (b) in paragraph 2—
 - (i) for “other Member State” substitute “State”;
 - (ii) for “competent State” substitute “United Kingdom”;
 - (c) omit paragraph 3;
 - (d) in paragraph 4 for “paragraphs 1, 2 and 3” substitute “paragraphs 1 and 2”.
- 14.** In Article 40—
 - (a) for “Member State” substitute “United Kingdom”;
 - (b) for “other Member State” substitute “Member State”;
 - (c) for “Each institution” substitute “The institution in the United Kingdom”;

(d) omit from “except where” to the end of the Article.

15. In Article 41 for “Claims for benefit shall be investigated by that institution to which they have been sent or forwarded” substitute “Where claims for benefits are sent or forwarded to the institution in the United Kingdom, they shall be investigated by that institution”.

16. In Article 42—

- (a) for “Member States” substitute “States”;
- (b) omit paragraph 2.

17. In Article 43 —

- (a) in paragraph 1 for “Member State” substitute “State”;
- (b) in paragraph 2—
 - (i) for “that institution shall complete the said form by indicating” substitute “the investigating institution may request that the other institution completes the following information in the said form”;
 - (ii) for “it administers” substitute “the other institution administers”;
 - (iii) omit “The form, thus completed, shall be returned to the investigating institution.”;
 - (iv) for “second Member State” substitute “Member State”;
 - (v) for “shall” in the last two places it occurs substitute “may”;
- (c) in paragraph 3 in the first subparagraph for “each one” to the end of the paragraph substitute “the investigating institution may request that the other institution complete the said form.”;
- (d) in paragraph 3 in the second subparagraph for “shall” in both places it occurs substitute “may”;
- (e) in paragraph 3 in the third subparagraph—
 - (i) for “Member States” substitute “States”;
 - (ii) for “shall” in the first place it occurs substitute “may”;
 - (iii) for “which shall” substitute “and may request each institution to”;
 - (iv) for “shall” in the last place it occurs substitute “to”;
- (f) omit paragraph 5.

18. Omit Articles 44 and 45.

19. In Article 46—

- (a) for “applicable” substitute “applied by the institution in the United Kingdom”;
- (b) for “Member State’s” substitute “United Kingdom’s”.

20. In Article 47—

- (a) for “it applies” substitute “of the United Kingdom”;
- (b) for “each Member State” substitute “the United Kingdom”;
- (c) for “another Member State” substitute “a Member State”.

21. In Article 48—

- (a) for “shall” in the first place it occurs substitute “may”;
- (b) for “must” substitute “may”.

22. In Article 49—

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- (a) for “the institution which has taken such a decision” substitute “by the institution in the United Kingdom, it”;
 - (b) omit “, if necessary through the good offices of the investigating institution”.
- 23.** In Article 50—
- (a) in paragraph 1(a)—
 - (i) for “one Member State” substitute “a Member State”;
 - (ii) for “another Member State” substitute “the United Kingdom”;
 - (iii) for “latter Member State” substitute “United Kingdom”;
 - (iv) for “same Member State” substitute “Member State”;
 - (v) omit “, under conditions fixed by the Administrative Commission,”;
 - (vi) for “member State” substitute “State”;
 - (b) in paragraph 1(b) for “shall” substitute “may”;
 - (c) omit paragraph 2.
- 24.** In Article 51—
- (a) for “territory of a Member State other than” substitute “United Kingdom which is not”;
 - (b) for “place of stay or residence of the recipient” substitute “United Kingdom”;
 - (c) for “administered by the latter institution” substitute “of the United Kingdom”;
 - (d) in the last sentence of paragraph 1 for “shall” substitute “may”;
 - (e) in paragraph 2 for “place of stay or residence” substitute “United Kingdom”.
- 25.** In Article 52—
- (a) for “Member State” substitute “State”;
 - (b) for “shall” substitute “may”.
- 26.** In Article 53—
- (a) in paragraph 1—
 - (i) for “territory of another Member State” substitute “United Kingdom”;
 - (ii) for “latter Member State” substitute “United Kingdom”;
 - (iii) for “place of residence of the said persons entitled to benefits” substitute “the United Kingdom”;
 - (iv) for “shall” in the last place it occurs substitute “may”;
 - (v) for “place of residence” substitute “United Kingdom”;
 - (b) in paragraph 2—
 - (i) for “Two” substitute “The United Kingdom and one”;
 - (ii) for “Member States” in the second place it occurs substitute “States”;
 - (iii) omit the final sentence;
 - (c) in paragraph 3 after “agreements” insert “between the United Kingdom and Member States”.
- 27.** In Article 54 for “The institution responsible for payment of benefits” substitute “Where the United Kingdom is responsible for the payment of benefits, the institution in the United Kingdom”.
- 28.** In Article 55—
- (a) in paragraph 1—

- (i) for “Ten” substitute “Where the United Kingdom is responsible for the payment of benefits, ten”;
 - (ii) for “responsible for payment” in the first place it occurs substitute “in the United Kingdom”;
 - (iii) for “member State in whose territory it is situated” substitute “United Kingdom”;
 - (iv) for “Member State in whose territory the institution responsible for payment is situated” substitute “United Kingdom”;
- (b) omit paragraph 2.
- 29.** In Article 56—
- (a) in paragraph 1—
 - (i) for “The payments specified in the” substitute “Where the United Kingdom receives payments specified in a”;
 - (ii) after “Regulation” insert “, those payments”;
 - (iii) for “paying body” in the second place it occurs substitute “United Kingdom”;
 - (b) in paragraph 2—
 - (i) after “paying body” substitute “in the United Kingdom”;
 - (ii) for “another State” substitute “a Member State”;
 - (c) in paragraph 3 after “paying body” substitute “in the United Kingdom”.
- 30.** In Article 57—
- (a) in paragraph 1 after “payment period” insert “by the paying body in the United Kingdom”;
 - (b) in paragraph 2—
 - (i) for “Member State” substitute “State”;
 - (ii) after “paying body” insert “in the United Kingdom”;
 - (c) in paragraph 3 after “paying body” insert “in the United Kingdom”;
 - (d) in paragraph 4—
 - (i) for “Member State” substitute “State”;
 - (ii) after “paying body” insert “in the United Kingdom”;
 - (iii) for “shall” substitute “may”.
- 31.** In Article 59 for “Member States” substitute “States”.