

SCHEDULES

SCHEDULE 4

Regulation 2(d)

Amendments to Title 5: Miscellaneous provisions

1. In Article 76—
 - (a) omit paragraphs 1 and 2;
 - (b) in paragraph 3 for “Member States” substitute “States”;
 - (c) in paragraph 4—
 - (i) in the first and second subparagraphs after “institutions” insert “of the United Kingdom”;
 - (ii) in the third subparagraph for “Member State” in both places it occurs substitute “State”;
 - (d) omit paragraph 6;
 - (e) in paragraph 7—
 - (i) for “one Member State” substitute “the United Kingdom”;
 - (ii) for “another Member State” substitute “a Member State”.
2. In Article 77—
 - (a) for “a Member State” substitute “the United Kingdom”;
 - (b) for “another Member State” in both places it occurs substitute “a Member State”;
 - (c) for “Member State transmitting them” substitute “United Kingdom”;
 - (d) for “Any communication from the authority or institution of the receiving Member State” substitute “Where the authorities or institutions of the United Kingdom receive any communication from a Member State, that communication”;
 - (e) for “receiving Member State” substitute “United Kingdom”;
 - (f) for “one Member State” substitute “the United Kingdom”.
3. In Article 78—
 - (a) omit paragraph 1;
 - (b) in paragraph 2 for “Member State” substitute “State”;
 - (c) in paragraph 3 for “another Member State” substitute “the United Kingdom”.
4. Omit Article 79.
5. In Article 80—
 - (a) for “one Member State” substitute “the United Kingdom”;
 - (b) for “that Member State” substitute “the United Kingdom”;
 - (c) for “another Member State” substitute “a Member State”.
6. For Article 81 substitute—

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Social Security Coordination (Regulation (EC) No 883/2004, EEA Agreement and Swiss Agreement) (Amendment) (EU Exit) Regulations 2019 (revoked) No. 722*

“Article 81

Claims, declarations or appeals

1. In the event that an authority, institution or tribunal in the United Kingdom receives a claim, declaration or appeal which should have been submitted to an authority, institution or tribunal in a Member State, reasonable steps shall be taken to forward that claim, declaration or appeal to the correct authority, institution or tribunal in the Member State. Alternatively the claim, declaration or appeal shall be returned to the individual with a request that they forward it to the correct authority, institution or tribunal in the Member State.

2. In the event that a claim, declaration or appeal which should have been submitted to an authority, institution or tribunal in the United Kingdom is submitted to an authority, institution or tribunal in a Member State, the date on which such claim, declaration or appeal was submitted to the authority, institution or tribunal in the Member State shall be considered as the date of its submission to the competent authority, institution or tribunal in the United Kingdom.”.

7. In Article 82—

- (a) for “Member State” in both places it occurs substitute “State”;
- (b) for “Member States” substitute “States”.

8. In Article 83 for “Member States” substitute “States”.

9. In Article 84—

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

10. In Article 85—

- (a) for “Member State” in each place it occurs substitute “State”;
- (b) for “Member States” substitute “States”.

11. Omit Article 86.