
STATUTORY INSTRUMENTS

2019 No. 776

**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 - - - - 2nd April 2019

Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018^{M1}.

In accordance with paragraph 1(1) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Marginal Citations

M1 2018 c. 16.

PART 1

Preliminary

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019 and come into force on exit day^{M2}.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

(2) An amendment, repeal or revocation made by these Regulations has the same extent and application as the provision being amended, repealed or revoked.

Commencement Information

I1 Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M2 “Exit day” is defined in section 20 of the European Union (Withdrawal) Act 2018.

Interpretation

2. In these Regulations—

“Regulation (EEC) No 1408/71” means Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community;

“Regulation (EEC) No 574/72” means Council Regulation (EEC) No 574/72 of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to their families moving within the Community;

“Regulation (EC) No 883/2004” means Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems;

“Regulation (EC) No 987/2009” means Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems.

Commencement Information

I2 Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

PART 2

Amendments of primary legislation

The National Health Service Act 2006

3. In the National Health Service Act 2006—

- (a) in section 183 (payment of travelling expenses) ^{M3}, omit paragraph (a)(iii) and the “or” preceding it;
- (b) in section 275 (interpretation), omit the definition of “Regulation (EC) No. 883/2004”^{M4} so far as it relates to section 183(a)(iii).

Commencement Information

I3 Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

- M3** 2006 c.41; section 183 was amended by paragraph 98 of Schedule 4 to the [Health and Social Care Act 2012 \(c.7\)](#).
- M4** The definition was inserted by [S.I. 2010/915](#).

The National Health Service (Wales) Act 2006

4. In the National Health Service (Wales) Act 2006—
- (a) in section 131 (payment of travelling expenses) ^{M5}, omit paragraph (a)(iii) and the “or” preceding it;
- (b) in section 206 (interpretation), omit the definition of “Regulation (EC) No. 883/2004”^{M6} so far as it relates to section 131(a)(iii).

Commencement Information

- I4** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M5** 2006 c.42; section 131 was amended by [S.I. 2010/915](#); there are other amending instruments but none is relevant.
- M6** The definition was inserted by [S.I. 2010/915](#).

PART 3

Amendments of subordinate legislation

The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005

- 5.—(1) The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005 ^{M7}, is amended as follows.
- (2) In article 1 (interpretation), omit the definition of “the European Health Insurance Card”.
- (3) Omit article 3(a)(ii) (functions of the NHS Business Services Authority – the European Health Insurance Card).

Commencement Information

- I5** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M7** [S.I. 2005/2414](#); relevant amendments were made by [S.I. 2006/632](#).

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

The Human Tissue Act 2004 (Ethical Approval, Exceptions from Licensing and Supply of Information about Transplants) Regulations 2006

[^{F16} In the Human Tissue Act 2004 (Ethical Approval, Exceptions from Licensing and Supply of Information about Transplants) Regulations 2006, in Schedule 2 (receipt of transplantable material), in paragraph 10, in the text following “case) that—”—

(a) for sub-paragraph (a) (including the “or” at the end) substitute—

“(a) the treatment of the recipient was provided under a listed healthcare arrangement as defined in regulation 1(3) of the Healthcare (European Economic Area and Switzerland Arrangements) (EU Exit) Regulations 2019, or”;

(b) omit sub-paragraph (b).]

F1 Reg. 6 substituted (31.12.2020 immediately before IP completion day) by [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 3

Commencement Information

I6 Reg. 6 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

The National Health Service and Public Health (Functions and Miscellaneous Provisions) Regulations 2013

7. In the National Health Service and Public Health (Functions and Miscellaneous Provisions) Regulations 2013 ^{M8}, omit regulations 2 to 8 (exercise of EU functions), so far as not omitted by the National Health Service (Cross-Border Healthcare and Miscellaneous Amendments etc.) (EU Exit) Regulations 2019 ^{M9}.

Commencement Information

I7 Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M8 [S.I. 2013/261](#); amended by [S.I. 2013/2269](#); there are other amending instruments but none is relevant.

M9 [S.I. 2019/777](#).

The National Health Service (General Medical Services Contracts) Regulations 2015

[^{F28} In regulation 74F (information relating to overseas visitors) of the National Health Service (General Medical Services Contracts) Regulations 2015—

(a) for paragraph (1)(b) (but not the words following that paragraph) substitute—

“(b) where applicable in the case of a patient, record the fact that the patient is the holder of a document—

(i) which is—

(aa) a European Health Insurance Card;

(bb) an S1 Healthcare Certificate; or

(cc) a document which, for the purposes of a listed healthcare arrangement as defined in regulation 1(3) of the Healthcare

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

(European Economic Area and Switzerland Arrangements) (EU Exit) Regulations 2019, is treated as equivalent to a document referred to in sub-paragraph (aa) (“EHIC equivalent document”) or (bb) (“S1 equivalent document”); and

- (ii) which has not been issued to or in respect of the patient by the United Kingdom,”;
- (b) in paragraph (2)(a)—
 - (i) after “European Health Insurance Card” insert “or EHIC equivalent document”;
 - (ii) after “that card” insert “or document”;
- (c) in paragraph (4)—
 - (i) after “S1 Healthcare Certificate” insert “or S1 equivalent document”;
 - (ii) after the remaining references to “certificate” (in both places), insert “or document”.]

F2 Reg. 8 substituted (31.12.2020 immediately before IP completion day) by [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 4

Commencement Information

I8 Reg. 8 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

The National Health Service (Personal Medical Services Agreements) Regulations 2015

[^{F39} In regulation 67F (information relating to overseas visitors) of the National Health Service (Personal Medical Services Agreements) Regulations 2015—

- (a) for paragraph (1)(b) (but not the words following that paragraph) substitute—
 - “(b) where applicable in the case of a patient, record the fact that the patient is the holder of a document—
 - (i) which is—
 - (aa) a European Health Insurance Card;
 - (bb) an S1 Healthcare Certificate; or
 - (cc) a document which, for the purposes of a listed healthcare arrangement as defined in regulation 1(3) of the Healthcare (European Economic Area and Switzerland Arrangements) (EU Exit) Regulations 2019, is treated as equivalent to a document referred to in sub-paragraph (aa) (“EHIC equivalent document”) or (bb) (“S1 equivalent document”); and
 - (ii) which has not been issued to or in respect of the patient by the United Kingdom,”;
- (b) in paragraph (2)(a)—
 - (i) after “European Health Insurance Card” insert “or EHIC equivalent document”;
 - (ii) after “that card” insert “or document”;
- (c) in paragraph (4)—
 - (i) after “S1 Healthcare Certificate” insert “or S1 equivalent document”;
 - (ii) after the remaining references to “certificate” (in both places), insert “or document”.]

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

F3 Reg. 9 substituted (31.12.2020 immediately before IP completion day) by [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 5

Commencement Information

I9 Reg. 9 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

The Social Security Coordination (Regulation (EC) No 883/2004, EEA Agreement and Swiss Agreement) (Amendment) (EU Exit) Regulations 2019

^{F4}**10.**

F4 Reg. 10 omitted (31.12.2020) by virtue of [The Social Security Co-ordination \(Revocation of Retained Direct EU Legislation and Related Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1508\)](#), reg. 1(3), [Sch. para. 5\(a\)](#)

PART 4

Rights etc deriving from the Treaties

Rights etc deriving from the Treaties

11. The rights, powers, liabilities, obligations, restrictions, remedies and procedures which, but for this regulation, would continue to be recognised and available in domestic law ^{M10} by virtue of section 4 of the European Union (Withdrawal) Act 2018, are to cease to be recognised and available in domestic law on exit day, so far as they are inconsistent with, or are otherwise capable of affecting the interpretation, application or operation of, provision made by these Regulations.

Commencement Information

I10 Reg. 11 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M10 “Domestic law” is defined in section 20 of the European Union (Withdrawal) Act 2018.

PART 5

Amendment of EU Regulations

Regulation (EC) No 883/2004

12. Regulation (EC) No 883/2004 is amended as set out in Schedule 1.

Commencement Information

I11 Reg. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Regulation (EC) No 987/2009

13. Regulation (EC) No 987/2009 is amended as set out in Schedule 2.

Commencement Information

I12 Reg. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Regulation (EEC) No 1408/71

14. Regulation (EEC) No 1408/71 is amended as set out in Schedule 3.

Commencement Information

I13 Reg. 14 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Regulation (EEC) No 574/72

15. Regulation (EEC) No 574/72 is amended as set out in Schedule 4.

Commencement Information

I14 Reg. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

PART 6

Amendment of the EEA agreement

Amendment of the EEA agreement

16. In the Agreement on the European Economic Area signed at Oporto on 2 May 1992, so far as it forms part of domestic law by virtue of section 3(2)(b) of the European Union (Withdrawal) Act 2018, in Annex 6, in Part 1 (general social security coordination), in paragraph 1 (provision relating to Regulation (EC) No 883/2004)—

- (a) omit point (e) (modification of Annex 3);
- (b) omit point (f) (modification of Annex 4);
- (c) omit point (l) (modification of Annex 11) ^{F5}....

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

F5 Words in reg. 16(c) omitted (31.12.2020) by virtue of [The Social Security Co-ordination \(Revocation of Retained Direct EU Legislation and Related Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1508\)](#), reg. 1(3), [Sch. para. 5\(b\)](#)

Commencement Information

I15 Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

PART 7

Savings and transitional provision

PROSPECTIVE

Savings and transitional provision

^{F6}**17.**

F6 Reg. 17 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, [6](#)

Signed by authority of the Secretary of State for Health and Social Care.

Department for Health and Social Care

Stephen Hammond
Minister of State,

SCHEDULES

SCHEDULE 1

Regulation 12

Regulation (EC) No 883/2004

1. Regulation (EC) No 883/2004 is amended as follows.

Commencement Information

I16 Sch. 1 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

2.—(1) Article 1 is amended as follows.

(2) In point (i)(1)(ii), for “pursuant to Title III, Chapter 1 on sickness, maternity and equivalent paternity benefits” substitute “referred to in Article 29”.

(3) In point (va) ^{M11}—

(a) in point (i)—

(i) for “Title III, Chapter 1 (sickness, maternity and equivalent paternity benefits)” substitute “this Article, Article 3 and Article 29”;

(ii) for “Member State” substitute “State”;

(b) omit point (ii).

(4) In point (z), omit “in kind or”.

Commencement Information

I17 Sch. 1 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M11 Point (va) was inserted by Regulation (EC) No 988/2009 of the European Parliament and the Council of 16 September 2009 (“Regulation (EC) 988/2009”).

3. In Article 3, after paragraph 5 insert—

“6. References in this Regulation to receipt of social security benefits do not, in relation to the United Kingdom, include receipt of benefits in kind.”.

Commencement Information

I18 Sch. 1 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

4. Omit Articles 17 to 20.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I19 Sch. 1 para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

5.—(1) Article 22 is amended as follows.

(2) In paragraph 1—

- (a) for “benefits in kind”, in each place it occurs, substitute “ cash benefits ”;
- (b) for “Member State in which he/she resides” substitute “ United Kingdom ”;
- (c) for the words from “the pension claimant” to “in paragraph 2” substitute “ in the event of a pension being awarded the United Kingdom would be competent under Articles 23 to 25 ”;
- (d) omit “in the Member State of residence”.

(3) Omit paragraph 2.

Commencement Information

I20 Sch. 1 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

6. In Article 23—

- (a) for “benefits in kind”, in each place it occurs (including the heading), substitute “ cash benefits ”;
- (b) in the heading for “Member State of residence” substitute “ United Kingdom where it is the State of residence ”;
- (c) after “person who” insert “ resides in the United Kingdom and ”;
- (d) for “Member States” substitute “ States ”;
- (e) for “Member State of residence” substitute “ United Kingdom ”;
- (f) for “that Member State”, in both places it occurs, substitute “ the United Kingdom ”;
- (g) omit “and at the expense of”;
- (h) for “place of residence” substitute “ United Kingdom ”.

Commencement Information

I21 Sch. 1 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

7. For Article 24 (including the heading) substitute—

“Article 24

No right to cash benefits under the legislation of the Member State of residence

The United Kingdom will be competent for cash benefits for pensioners, or their family members, resident in a Member State where the pensioner is in receipt of a pension from the United Kingdom and not from the Member State of residence, and:

- (a) the pensioner is only entitled to cash benefits under the legislation of the United Kingdom; or
- (b) the pensioner is entitled to cash benefits under the legislation of two or more States, one of which is the United Kingdom, and the pensioner has been subject to the legislation of the United Kingdom for the longest period of time. If the pensioner has been subject for an equal period of time to the legislation of another State, the United Kingdom will be competent if the pensioner was last subject to its legislation.”

Commencement Information

I22 Sch. 1 para. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

8. In Article 25—

- (a) in the heading—
 - (i) for “Member States” substitute “ States ”;
 - (ii) for “benefits in kind” substitute “ cash benefits ”;
 - (iii) for “latter Member State” substitute “ Member State of residence ”;
- (b) for “Member States”, in the first place it occurs, substitute “ States ”;
- (c) for “benefits in kind”, in the first place it occurs, substitute “ cash benefits ”;
- (d) for the words from “the cost of benefits in kind provided” to “Article 24(2)” substitute “ where the United Kingdom has been determined in accordance with Article 24 as competent in respect of that person's pensions, the United Kingdom is competent for cash benefits ”;
- (e) for “that Member State”, in the second place it occurs, substitute “ the United Kingdom ”.

Commencement Information

I23 Sch. 1 para. 8 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

9. In Article 26—

- (a) for “Member State”, in each place it occurs (including the heading), substitute “ State ”;
- (b) for “Member States” substitute “ States, one of which is the United Kingdom, ”;
- (c) for the words from “benefits in kind”, in the first place it occurs, to “costs of the benefits in kind” substitute “ cash benefits from the United Kingdom, where the United Kingdom is competent for cash benefits ”.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I24 Sch. 1 para. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

10. Omit Articles 27 and 28.

Commencement Information

I25 Sch. 1 para. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

11. In Article 29, for paragraph 1 substitute—

“**1.** Where a person resides in a Member State and receives a pension or pensions under the legislation of the United Kingdom and one or more Member States, the competent institution of the United Kingdom is not responsible for paying cash benefits where the competent institution in the Member State of residence is responsible for the cost of benefits in kind provided to the person in that Member State. Article 21 shall apply *mutatis mutandis*”.

Commencement Information

I26 Sch. 1 para. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

12. In Article 31, for “Articles 17 to 21” substitute “ Article 21 ”.

Commencement Information

I27 Sch. 1 para. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

13. Omit Articles 32 to 35.

Commencement Information

I28 Sch. 1 para. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

14. In Article 36—

- (a) for the heading substitute “ Article 21 to apply to benefits within this Chapter ”;
- (b) omit paragraphs 1, 2 and 2a.

Commencement Information

I29 Sch. 1 para. 14 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

15. In Article 40, omit paragraphs 1 and 2.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I30 Sch. 1 para. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

16. In Article 85, omit “Article 35(3) and/or”.

Commencement Information

I31 Sch. 1 para. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

17. Omit Annexes 3 to 5.

Commencement Information

I32 Sch. 1 para. 17 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

18.—(1) Annex 11 is amended as follows.

(2) Under the heading “FRANCE”, omit paragraph 2;

(3) Under the heading “NETHERLANDS”, in paragraph 1—

(a) omit points (a) to (e);

(b) omit point (h).

Commencement Information

I33 Sch. 1 para. 18 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

SCHEDULE 2

Regulation 13

Regulation (EC) No 987/2009

1. Regulation (EC) No 987/2009 is amended as follows.

Commencement Information

I34 Sch. 2 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

2. Omit Article 22.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I35 Sch. 2 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

3. In Article 23—

- (a) for “Member State”, in both places it occurs, substitute “ State ”;
- (b) omit “17, 19(1), 20,”.

Commencement Information

I36 Sch. 2 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

4. Omit Articles 24 to 26.

Commencement Information

I37 Sch. 2 para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

5. Omit Article 29.

Commencement Information

I38 Sch. 2 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

6. Omit Article 31.

Commencement Information

I39 Sch. 2 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

7.—(1) Article 32 is amended as follows.

- (2) In paragraph 1, for “benefits in kind or in cash” substitute “ cash benefits ”.
- (3) Omit paragraph 2.
- (4) Omit paragraph 3.

Commencement Information

I40 Sch. 2 para. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

8.—(1) Article 33 is amended as follows.

- (2) In the heading, omit “in kind and”.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

(3) In paragraph 1, for “Articles 24 to 27” substitute “ Article 27 ”.

(4) Omit paragraph 2.

Commencement Information

I41 Sch. 2 para. 8 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

9. Omit Article 35.

Commencement Information

I42 Sch. 2 para. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

10. Omit Article 41.

Commencement Information

I43 Sch. 2 para. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

11. In Title 4, omit Chapter 1 (reimbursement of the cost of benefits in application of Article 35 and Article 41 of Regulation (EC) No 883/2004).

Commencement Information

I44 Sch. 2 para. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

12.—(1) Annex 1 ^{M12} is amended as follows.

(2) Under the heading BELGIUM-UNITED KINGDOM, omit point (b).

(3) Under the heading DENMARK-UNITED KINGDOM, omit “benefits in kind and”.

(4) Under the heading IRELAND-UNITED KINGDOM, omit the words from “Articles 36(3)” to “1408/71) and”.

(5) Omit the heading SPAIN-UNITED KINGDOM and the text under it.

(6) Under the heading FRANCE-UNITED KINGDOM, omit point (b).

(7) Omit the heading ITALY-UNITED KINGDOM and the text under it.

(8) Omit the heading HUNGARY-UNITED KINGDOM and the text under it.

(9) Omit the heading MALTA-UNITED KINGDOM and the text under it.

(10) Omit the heading PORTUGAL-UNITED KINGDOM and the text under it.

(11) Under the heading FINLAND-UNITED KINGDOM, omit the words from “Articles 36(3)” to “in kind) and”.

(12) Under the heading SWEDEN-UNITED KINGDOM, omit the words from “Article 36(3)” to “in kind) and”.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I45 Sch. 2 para. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M12 Annex 1 was amended by Commission Regulation (EU) No 1244/2010 of 9 December 2010, Commission Regulation (EU) No 1224/2012 of 18 December 2012, Commission Regulation (EU) No 1372/2013 of 19 December 2013, Commission Regulation (EU) No 1368/2014 of 17 December 2014 (as corrected) and Commission Regulation (EU) 2017/492 of 21 March 2017.

13. Omit Annex 3.

Commencement Information

I46 Sch. 2 para. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

SCHEDULE 3

Regulation 14

Regulation (EEC) No 1408/71

1. Regulation (EEC) No 1408/71 is amended as follows.

Commencement Information

I47 Sch. 3 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

2.—(1) Article 1 is amended as follows.

(2) In point (f)(i) for “Articles 22(1)(a) and 31” substitute “ Article 31 ”.

(3) In point (u)(i), for “benefits in kind or in cash” substitute “ cash benefits ”.

Commencement Information

I48 Sch. 3 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

3.—(1) Article 19 is amended as follows.

(2) Omit paragraph 1(a).

(3) In paragraph 2, omit the second subparagraph.

Commencement Information

I49 Sch. 3 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

4. Omit Article 20.

Commencement Information

I50 Sch. 3 para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

5. In Article 21(2), omit the second subparagraph.

Commencement Information

I51 Sch. 3 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

6.—(1) Article 22 is amended as follows.

(2) In the heading, omit the words from “Need to” to “appropriate treatment”.

(3) In paragraph 1—

(a) omit point (a);

(b) in point (c), for “another Member State” substitute “ a Member State ”;

(c) omit point (c)(i).

(4) In paragraph 3, omit the words from “However” to the end of the paragraph.

Commencement Information

I52 Sch. 3 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

7. Omit Article 22a^{M13}.

Commencement Information

I53 Sch. 3 para. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M13 Article 22a was substituted by Regulation No 631/2004.

8. Omit Article 24.

Commencement Information

I54 Sch. 3 para. 8 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

9.—(1) Article 25^{M14} is amended as follows.

(2) In paragraph 1—

(a) omit “benefits in kind and”;

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

- (b) omit point (a).
- (3) In paragraph 2, for “benefits in kind and in cash” substitute “ cash benefits ”.
- (4) In paragraph 3, omit point (i).

Commencement Information

I55 Sch. 3 para. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M14 Article 25 was amended by Regulation No 631/2004.

- 10.** In Article 25a, omit “benefits in kind and”.

Commencement Information

I56 Sch. 3 para. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

- 11.** Omit Section 4 of Chapter 1.

Commencement Information

I57 Sch. 3 para. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

- 12.—(1)** Article 28 is amended as follows.
 - (2) In paragraph 1, for “conditions” substitute “ condition ”.
 - (3) Omit paragraph 1(a).
 - (4) In paragraph 2, for “the cost of benefits in kind shall be borne” substitute “ cash benefits shall be provided ”.
 - (5) In paragraph 2(a), for the words from “a single” to the end of paragraph 2(a) substitute “ the United Kingdom only, cash benefits shall be provided by the competent institution of the United Kingdom ”.
 - (6) In paragraph 2(b)—
 - (a) for “cost thereof shall be borne” substitute “ benefits shall be provided ”;
 - (b) for the words from “the competent institution” to “whose legislation” substitute “ the competent institution of the United Kingdom where its legislation is the legislation to which ”;
 - (c) for the words from “should the application” to the end of the Article, substitute “ in these circumstances, where the pensioner has been subject to the legislation of a Member State or Member States for an equal period of time to the time they have been subject to the legislation of the United Kingdom and where the legislation to which the pensioner was last subject was that of the United Kingdom the benefits shall be provided by the competent institution of the United Kingdom ”.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I58 Sch. 3 para. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

13. Omit Article 28a.

Commencement Information

I59 Sch. 3 para. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

14.—(1) Article 29 is amended as follows.

(2) In paragraph 1, for “conditions” substitute “ condition ”.

(3) Omit paragraph 1(a).

(4) Omit paragraph 2(a).

Commencement Information

I60 Sch. 3 para. 14 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

15. Omit Article 30.

Commencement Information

I61 Sch. 3 para. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

16. In Article 31, omit paragraph 1(a).

Commencement Information

I62 Sch. 3 para. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

17.—(1) Article 33 is amended as follows.

(2) In paragraph 1, omit “28a,”.

(3) Omit paragraph 2.

Commencement Information

I63 Sch. 3 para. 17 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

18.—(1) Article 34 is amended as follows.

(2) In paragraph 1, omit “28a,”.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

(3) In paragraph 2 for “Articles 27 to 33” substitute “ Articles 27 to 29 and 31 and 33 ”.

Commencement Information

I64 Sch. 3 para. 18 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

19. In Article 34a ^{M15} for the words from “Articles 18” to “and 7” substitute “ Articles 18, 19, 22(3), 23 and section 6 ”.

Commencement Information

I65 Sch. 3 para. 19 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M15 Article 34a was inserted by Regulation No 307/1999 and substituted by Regulation No 631/2004.

20. In Article 35, in paragraph 1, omit “26,”.

Commencement Information

I66 Sch. 3 para. 20 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

21. Omit Section 7 of Chapter 1.

Commencement Information

I67 Sch. 3 para. 21 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

22. In Article 52, omit point (a).

Commencement Information

I68 Sch. 3 para. 22 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

23.—(1) Article 55 is amended as follows.
(2) In paragraph 1, omit point (c).
(3) Omit paragraph 1(c)(i).
(4) In paragraph 2, omit the second subparagraph.

Commencement Information

I69 Sch. 3 para. 23 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

24. In Article 61, omit paragraphs 1 to 4.

Commencement Information

I70 Sch. 3 para. 24 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

25. Omit Section 4 of Chapter 4.

Commencement Information

I71 Sch. 3 para. 25 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

26. In Article 63a^{M16}, for “Sections 1 to 4” substitute “ Sections 1 to 3 ”.

Commencement Information

I72 Sch. 3 para. 26 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M16 Article 63a was inserted by Regulation No 307/1999.

27. Omit Article 66.

Commencement Information

I73 Sch. 3 para. 27 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

28. In Article 66a^{M17}, for “Articles 64 to 66” substitute “ Article 64 and 65 ”.

Commencement Information

I74 Sch. 3 para. 28 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M17 Article 66a was inserted by Regulation No 307/1999.

29. In Annex 1, in part 2^{M18}, omit the following headings and the text under each—

- (a) C. CZECH REPUBLIC;
- (b) D. DENMARK;
- (c) J. IRELAND;
- (d) M. LATVIA;
- (e) N. LITHUANIA;
- (f) P. HUNGARY;

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

- (g) V. ROMANIA;
- (h) X. SLOVAKIA;
- (i) Y. FINLAND;
- (j) Z. SWEDEN;
- (k) AA. UNITED KINGDOM.

Commencement Information

I75 Sch. 3 para. 29 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M18 Part 2 of Annex 1 was amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (“the Accession Act”) and Regulation (EC) No 629/2006 of the European Parliament and of the Council of 4 April 2006 (“Regulation No 629/2006”).

- 30.**—(1) Annex 6^{M19} is amended as follows.
- (2) Under the heading A. BELGIUM, omit point 1.
 - (3) Under the heading D. DENMARK—
 - (a) omit point 2;
 - (b) omit point 10.
 - (4) Under the heading E. GERMANY—
 - (a) omit point 9;
 - (b) omit point 13;
 - (c) omit point 18;
 - (d) omit points 21 to 23.
 - (5) Under the heading G. GREECE, omit point 7.
 - (6) Under the heading H. SPAIN, omit points 7 and 8.
 - (7) Under the heading R. NETHERLANDS, in point 1, omit points (a) to (e).
 - (8) Under the heading Y. FINLAND, omit point 4.
 - (9) Under the heading AA. UNITED KINGDOM, in point 19(c), omit “(including benefits in kind for which the United Kingdom is the competent State)”.

Commencement Information

I76 Sch. 3 para. 30 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M19 Annex 6 was amended by Regulation No 1290/97, Regulation No 1223/98, Regulation No 1606/98, Regulation No 1399/1999, Regulation (EC) No 1386/2001 of the European Parliament and of the Council of 5 June 2001, the Accession Act, Regulation No 647/2005, Regulation No 629/2006, Regulation No

1791/2006, Regulation 1992/2006 and Regulation (EC) No 592/2008 of the European Parliament and of the Council of 17 June 2008.

SCHEDULE 4

Regulation 15

Regulation (EEC) No 574/72

1. Regulation (EEC) No 574/72 is amended as follows.

Commencement Information

I77 Sch. 4 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

2. In Article 4, omit paragraph 9.

Commencement Information

I78 Sch. 4 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

3. Omit Article 17^{M20}.

Commencement Information

I79 Sch. 4 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M20 Article 17 was amended by Regulation No 631/2004.

4. Omit Articles 19 to 23^{M21} and the headings “Implementation of Article 20 of the Regulation”, “Application of the second indent of Article 21(2) of the Regulation” and “Implementation of Article 22 of the Regulation”.

Commencement Information

I80 Sch. 4 para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M21 Articles 19a, 22 and 23 were amended, Article 20 was revoked and Article 21 substituted, by Regulation No 631/2004.

5. In Article 24, for “Article 22(1)(a)(ii)” substitute “ Article 22(1) ”.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I81 Sch. 4 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

- 6.—(1) Article 26 ^{M22} is amended as follows.
- (2) Omit paragraph 1.
 - (3) Omit paragraph 3.
 - (4) In paragraph 6, for “benefit in cash and in kind” substitute “ cash benefits ”.
 - (5) In paragraph 7, for “Article 18(2), (3), (4), (5), (6), (8) and (9)” substitute “ Article 18(2), (3), (4), (4A), (5), (6) and (8) ”.

Commencement Information

I82 Sch. 4 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M22 Paragraphs 1 and 3 of Article 26 were substituted, and paragraph 1a inserted, by Regulation No 631/2004.

7. Omit Articles 27 to 31 and the headings “Implementation of Article 25(3) of the Regulation”, “Implementation of Article 26 of the Regulation”, “Implementation of Articles 28 and 28a of the Regulation”, “Implementation of Article 29 of the Regulation” and “Implementation of Article 31 of the Regulation”.

Commencement Information

I83 Sch. 4 para. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

8. Omit Article 34.

Commencement Information

I84 Sch. 4 para. 8 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

9. Omit Article 60.

Commencement Information

I85 Sch. 4 para. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

10. Omit Articles 62 and 63.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I86 Sch. 4 para. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

11. Omit Article 66.

Commencement Information

I87 Sch. 4 para. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

12.—(1) Article 93^{M23} is amended as follows.

(2) for paragraph 1 substitute—

“1. Where cash benefits are paid in accordance with the provisions of the second sentence of Article 18(8) of the implementing Regulation, the actual amount of benefits shall be refunded by the competent institution in the United Kingdom to the institution which provided the said benefits as shown in the accounts of that institution.”

(3) In paragraph 2, for “In the cases referred to in the second paragraph of Article 21(2), the second subparagraph of Article 22(3) and in Article 31 of the Regulation, and for” substitute “For”.

(4) Omit paragraphs 3 to 6.

Commencement Information

I88 Sch. 4 para. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

Marginal Citations

M23 Article 93(1) was last substituted by Regulation No 1386/2001 and amended by Regulation (EC) No 629/2006 of the European Parliament and of the Council of 5 April 2006.

13. Omit Articles 94 to 96^{M24} and the heading “Implementation of Article 63(2) of the Regulation”.

Commencement Information

I89 Sch. 4 para. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

Marginal Citations

M24 Article 95 was amended by Regulation No 1223/98.

14. Omit Article 99.

Commencement Information

I90 Sch. 4 para. 14 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

15. In Article 100, omit paragraph 2.

Commencement Information

I91 Sch. 4 para. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

16. Omit Article 113.

Commencement Information

I92 Sch. 4 para. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

17.—(1) Annex 2 is amended as follows.

- (2) Under the heading A. BELGIUM^{M25}—
- (a) in paragraph 1(a), for “29” substitute “ 26 ”;
 - (b) in paragraph 4—
 - (i) omit point (a)(i);
 - (ii) omit point (b)(i).
- (3) Under the heading B. BULGARIA—
- (a) omit paragraph 1(a);
 - (b) omit paragraph 3(a).
- (4) Under the heading C. CZECH REPUBLIC—
- (a) omit paragraph 1(a);
 - (b) omit paragraph 3(a).
- (5) Under the heading D. DENMARK—
- (a) omit point (a)(i);
 - (b) in point (d)(i), omit “benefits in kind and”.
- (6) Under the heading E. GERMANY in paragraph 1—
- (a) omit point (c);
 - (b) for “Sections 4 and 5” substitute “ Section 5 ”.
- (7) Under the heading I. FRANCE, omit paragraphs 1 and 2.
- (8) Under the heading J. IRELAND, omit paragraph 1.
- (9) Under the heading K. ITALY—
- (a) in paragraph 1—
 - (i) in part A, omit point (a);
 - (ii) in part B, omit point (a).
 - (b) in paragraph 2—
 - (i) in part A, omit points (a) and (b);
 - (ii) in part B, omit points (a) and (b).
- (10) Under the heading L. CYPRUS, omit paragraph 1.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

- (11) Under the heading M. LATVIA, omit paragraph 2.
- (12) Under the heading N. LITHUANIA—
 - (a) in paragraph 1, omit points (a)(i) and (b)(i);
 - (b) in paragraph 4, omit point (a).
- (13) Under the heading O. LUXEMBOURG—
 - (a) omit paragraph 1(a);
 - (b) omit paragraph 6.
- (14) Under the heading P. HUNGARY—
 - (a) in paragraph 1, omit “benefits in kind and”;
 - (b) omit paragraph 2(a);
 - (c) omit paragraph 4(a).
- (15) Under the heading Q. MALTA, omit paragraph 2.
- (16) Under the heading R. NETHERLANDS, omit paragraph 1(a).
- (17) Under the heading S. AUSTRIA, omit paragraph 1(b).
- (18) Under the heading T. POLAND—
 - (a) omit paragraph 1(a);
 - (b) omit paragraph 3(a);
 - (c) omit paragraph 5(a).
- (19) Under the heading U. PORTUGAL, in part B, omit the words from “for benefits in kind” to “civil service staff), Lisboa”.
- (20) Under the heading V. ROMANIA—
 - (a) omit paragraph 1(a);
 - (b) omit paragraph 4(a).
- (21) Under the heading W. SLOVENIA, omit paragraph 2.
- (22) Under the heading X. SLOVAKIA—
 - (a) in paragraph 1, omit part B;
 - (b) in paragraph 3, omit part B.
- (23) Under the heading Y. FINLAND, omit paragraph 1(b).
- (24) Under the heading Z. SWEDEN, in paragraph 1—
 - (a) in point (d), for “Articles 60 to 77” substitute “ Articles 61 to 77 ”;
 - (b) in point (e), for “Articles 60 to 77” substitute “ Articles 61 to 77 ”.
- (25) Under the heading AA. UNITED KINGDOM, in paragraph 1, omit the first indent.

Commencement Information

I93 Sch. 4 para. 17 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M25 Relevant amendments to Annex 2 were made by Regulation No 1290/97, Regulation No 1223/98, Regulation No 1606/98, Council Regulation (EC) No 1399/1999 of 29 April 1999 (“Regulation No 1399/1999”), the Act concerning the conditions of accession of the Czech Republic, the Republic of

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Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (“the Accession Act”), Regulation No 647/2005 and Council Regulation (EC) No 1791/2006 of 20 November 2006 (“Regulation No 1791/2006”).

- 18.**—(1) Annex 3 is amended as follows.
- (2) Under the heading A: BELGIUM ^{M26}, in part 1—
- (a) in paragraph 1—
- (i) in point (a), for “Articles 17, 18, 22, 25, 28, 29, 30 and 32” substitute “ Articles 18, 25 and 32 ”;
- (ii) omit point (b);
- (b) omit paragraph 4.
- (3) Under the heading B. BULGARIA—
- (a) omit paragraph 1(a);
- (b) omit paragraph 3(a).
- (4) Under the heading C. CZECH REPUBLIC, omit paragraph 1.
- (5) Under the heading D. DENMARK—
- (a) in part 1, in point (a), for “Articles 17, 18, 22, 25, 28, 29 and 30” substitute “ Articles 18 and 25 ”;
- (b) in part 2, omit point (a)(i).
- (6) Under the heading H. SPAIN, omit paragraph 1.
- (7) Under the heading I. FRANCE, in Part A, omit paragraph 1(b).
- (8) Under the heading J. IRELAND, omit paragraph 1.
- (9) Under the heading K. ITALY—
- (a) in paragraph 1—
- (i) in part A, omit point (a);
- (ii) omit part B;
- (b) in paragraph 2—
- (i) omit part A (including the heading);
- (ii) in part B, omit points (a) and (b).
- (10) Under the heading L. CYPRUS, omit paragraph 1.
- (11) Under the heading M. LATVIA, omit paragraph 2.
- (12) Under the heading N. LITHUANIA—
- (a) omit paragraph 1(a)(i) and (b)(i);
- (b) omit paragraph 4(a).
- (13) Under the heading O. LUXEMBOURG, in paragraph 1(a), for “Articles 17, 18, 20, 21, 22, 24, 29, 30 and 31” substitute “ Articles 18 and 24 ”.
- (14) Under the heading P. HUNGARY—
- (a) in Part 1—
- (i) in paragraph 1, omit “Benefits in kind and”;

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

- (ii) omit paragraph 2(a);
- (iii) omit paragraph 4(a);
- (b) in Part 2—
 - (i) in paragraph 1, omit “Benefits in kind and”;
 - (ii) omit paragraph 2(a);
 - (iii) omit paragraph 4(a).
- (15) Under the heading Q. MALTA, omit paragraph 2.
- (16) Under the heading R. NETHERLANDS, omit paragraph 1(a).
- (17) Under the heading S. AUSTRIA, omit paragraph 3(a).
- (18) Under the heading T. POLAND—
 - (a) omit paragraph 1(a);
 - (b) omit paragraph 3(a);
 - (c) omit paragraph 5(a).
- (19) Under the heading U. PORTUGAL—
 - (a) in part 1, in paragraph 1, omit “(for sickness and maternity benefits in kind see also Annex 10)”;
 - (b) in part 2, in paragraph 1, omit “(for sickness and maternity benefits in kind see also Annex 10)”;
 - (c) in part 3, in paragraph 1, omit “(for sickness and maternity benefits in kind see also Annex 10)”.
- (20) Under the heading V. ROMANIA, omit paragraph 1.
- (21) Under the heading W. SLOVENIA, omit paragraph 2.
- (22) Under the heading X. SLOVAKIA, in paragraph 1, omit part B.
- (23) Under the heading Y. FINLAND, omit paragraph 1(b).
- (24) Under the heading AA. UNITED KINGDOM, in paragraph 1, omit the first indent.

Commencement Information

I94 Sch. 4 para. 18 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M26 Relevant amendments to Annex 3 were made by Regulation No 1290/97, Regulation No 1223/98, Regulation No 1606/98, the Accession Act, Regulation No 647/2005 and Regulation No 1791/2006.

- 19.**—(1) Annex 4 is amended as follows.
- (2) In the words in brackets under the heading, for “Articles 3(1), 4(4) and 122” substitute “Articles 3(1) and 4(4) ”^{M27}.
 - (3) Under the heading B. BULGARIA—
 - (a) omit paragraph 1(a);
 - (b) omit paragraph 3(a).
 - (4) Under the heading C. CZECH REPUBLIC, omit paragraph 1.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

- (5) Under the heading D. DENMARK, omit paragraph 1(a).
- (6) Under the heading J. IRELAND, omit paragraph 1.
- (7) Under the heading K. ITALY—
 - (a) in paragraph 1, in part A, omit point (a);
 - (b) in paragraph 2—
 - (i) omit part A;
 - (ii) in part B, omit points (a) and (b).
- (8) Under the heading L. CYPRUS, omit paragraph 1.
- (9) Under the heading M. LATVIA, omit paragraph 2.
- (10) Under the heading N. LITHUANIA, omit paragraph 1(a).
- (11) Under the heading O. LUXEMBOURG, in paragraph 6—
 - (a) omit point (a);
 - (b) in point (b), omit “in other cases:”.
- (12) Under the heading P. HUNGARY—
 - (a) in paragraph 1, omit “Benefits in kind and”;
 - (b) omit paragraph 2(a);
 - (c) omit paragraph 4(a).
- (13) Under the heading R. NETHERLANDS, omit paragraph 1(a).
- (14) Under the heading T. POLAND, omit paragraph 1.
- (15) Under the heading V. ROMANIA, omit paragraph 1.
- (16) Under the heading X. SLOVAKIA, omit paragraph 2.
- (17) Under the heading AA. UNITED KINGDOM—
 - (a) under the heading “Great Britain”, for point (a) substitute—
 - “(a) contributions: HM Revenue and Customs, PT Operations, North East England, BX9 1AN, United Kingdom;”;
 - (b) under the heading “Northern Ireland”, for point (a) substitute—
 - “(a) contributions: HM Revenue and Customs, PT Operations, North East England, BX9 1AN, United Kingdom;”.

Commencement Information

I95 Sch. 4 para. 19 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M27 Relevant amendments to Annex 4 were made by Regulation No 1290/97, Regulation No 1223/98, Regulation No 1606/98, Regulation No 1399/1999, Regulation No 1791/2006 and the Accession Act.

20.—(1) Annex 5 is amended as follows.

(2) In the words in brackets under the heading, for “Articles 4(5), 5, 53(3), 104, 105(2), 116, 121 and 122” substitute “ Articles 53(3), 105(2), 116 and 121 ”^{M28}.

(3) Under the heading 26. BELGIUM-UNITED KINGDOM, omit point (b).

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

- (4) Under the heading 98. DENMARK-UNITED KINGDOM, in paragraph 1—
 - (a) omit “Articles 36(3), 63(3) and 70(3) of the Regulation and”;
 - (b) omit point (a).
- (5) Under the heading 120. GERMANY-UNITED KINGDOM, omit point (b).
- (6) Under the heading 141. ESTONIA-UNITED KINGDOM, for the text substitute “ No relevant convention ”.
- (7) Under the heading 180. SPAIN-UNITED KINGDOM, for the text substitute “ No relevant convention ”.
- (8) Under the heading 198. FRANCE-UNITED KINGDOM, omit point (b).
- (9) Under the heading 215. IRELAND-UNITED KINGDOM, for the text substitute “ No relevant convention ”.
- (10) Under the heading 231. ITALY-UNITED KINGDOM, for the text substitute “ No relevant convention ”.
- (11) Under the heading 285. LUXEMBOURG-UNITED KINGDOM—
 - (a) omit point (a);
 - (b) omit point (b).
- (12) Under the heading 315. NETHERLANDS-UNITED KINGDOM, omit point (b).
- (13) Under the heading 336. PORTUGAL-UNITED KINGDOM, for the text substitute “ No relevant convention ”.
- (14) Under the heading 350. FINLAND-UNITED KINGDOM, for the text substitute “ No relevant convention ”.
- (15) Under the heading 351 SWEDEN-UNITED KINGDOM, for the text substitute “ No relevant convention ”.

Commencement Information

I96 Sch. 4 para. 20 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M28 Relevant amendments to Annex 5 were made by Regulation No 1290/97, Regulation No 1223/98, Regulation No 1399/1999, Regulation No 1791/2006 and the Accession Act.

21. In Annex 6, in the text in brackets under the heading, for “Articles 4(6), 53(1) and 122” substitute “ Articles 4(6) and 53(1) ”^{M29} .

Commencement Information

I97 Sch. 4 para. 21 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M29 Relevant amendments to Annex 6 were made by Regulation No 1290/97, Regulation No 1791/2006 and the Accession Act.

22. In Annex 7 ^{M30}, in paragraph (b), for “55(3) and 122” substitute “ and 55(3) ”.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

I98 Sch. 4 para. 22 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M30 There are amendments to Annex 7 but none are relevant to these Regulations.

23. Omit Annex 9.

Commencement Information

I99 Sch. 4 para. 23 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

24.—(1) Annex 10 is amended as follows.

- (2) Under the heading A. BELGIUM ^{M31}, omit paragraph 6 and 7.
- (3) Under the heading B. BULGARIA, omit paragraph 6.
- (4) Under the heading C. CZECH REPUBLIC, omit paragraphs 3 and 4.
- (5) Under the heading D. DENMARK—
 - (a) in paragraph 1, omit the second paragraph;
 - (b) omit paragraph 6.
- (6) Under the heading E. GERMANY—
 - (a) in paragraph 8—
 - (i) omit point (a);
 - (ii) omit point (b);
 - (iii) in point (c), omit “and Article 102(2) of the implementing Regulation”;
 - (b) omit paragraph 9.
- (7) Under the heading F. ESTONIA, omit paragraph 4.
- (8) Under the heading G. GREECE—
 - (a) omit paragraph 7;
 - (b) omit paragraph 9.
- (9) Under the heading H. SPAIN—
 - (a) in paragraph 2, omit “Article 102(2) (except in respect of mariners and unemployment benefits),” and “and Article 113(2)”;
 - (b) in paragraph 3, omit “Article 102(2) (except in respect of unemployment benefits) and”;
 - (c) omit paragraph 6.
- (10) Under the heading I. FRANCE, omit paragraphs 8 and 9.
- (11) Under the heading J. IRELAND—
 - (a) omit paragraph 3;
 - (b) omit paragraph 4(b).
- (12) Under the heading K. ITALY, omit paragraphs 6 and 7.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

- (13) Under the heading L. CYPRUS, omit paragraph 3.
- (14) Under the heading M. LATVIA, omit points (c) and (d).
- (15) Under the heading N. LITHUANIA—
 - (a) omit paragraph 4;
 - (b) omit paragraph 5(a);
 - (c) omit paragraph 6.
- (16) Under the heading O. LUXEMBOURG, omit paragraphs 8 and 9.
- (17) Under the heading P. HUNGARY—
 - (a) omit paragraph 9;
 - (b) omit paragraph 12.
- (18) Under the heading Q. MALTA—
 - (a) omit “102(2),”;
 - (b) omit the second paragraph.
- (19) Under the heading R. NETHERLANDS, omit paragraph 3.
- (20) Under the heading S. AUSTRIA—
 - (a) omit paragraph 7;
 - (b) omit paragraph 9.
- (21) Under the heading T. POLAND—
 - (a) omit paragraph 3(a);
 - (b) omit paragraph 4(a);
 - (c) omit paragraph 11;
 - (d) omit paragraph 12.
- (22) Under the heading U. PORTUGAL—
 - (a) in part A, in part I—
 - (i) omit paragraph 7;
 - (ii) omit paragraph 11;
 - (b) in part A, in part II—
 - (i) omit paragraph 7;
 - (ii) omit paragraph 11;
 - (c) in part A, in part III—
 - (i) omit paragraph 7;
 - (ii) omit paragraph 11;
 - (d) in part B—
 - (i) omit paragraph 6;
 - (ii) omit paragraph 10.
- (23) Under the heading V. ROMANIA—
 - (a) omit paragraph 2(b);
 - (b) omit paragraph 3;
 - (c) omit paragraph 4.
- (24) Under the heading W. SLOVENIA, omit paragraphs 9 and 10.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

- (25) Under the heading X. SLOVAKIA—
- (a) omit paragraph 3(b);
 - (b) omit paragraph 4(d);
 - (c) in paragraph 6, omit the words from “for benefits in kind” to the end of the paragraph;
 - (d) omit paragraph 12;
 - (e) omit paragraph 13(b);
 - (f) omit paragraph 14.
- (26) Under the heading Y. FINLAND, omit paragraph 8.
- (27) Under the heading Z. SWEDEN, omit paragraph 5.
- (28) Under the heading AA. UNITED KINGDOM—
- (i) in paragraph 1, for “Centre for Non-Residents, Benton Park View, Newcastle upon Tyne, NE98 1ZZ” substitute “ PT Operations, North East England, BX9 1AN, United Kingdom ”;
 - (ii) in paragraph 2, for “Articles 36 and 63 of the Regulation and Articles 8, 38(1), 70(1), 91(2), 102(2), 110 and 113(2)” substitute “ Articles 8, 38(1), 70(1), 91(2) and 110 ”.

Commencement Information

I100 Sch. 4 para. 24 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Marginal Citations

M31 Relevant amendments to Annex 10 were made by Regulation No 1290/97, Regulation No 1223/98, Regulation No 1606/98, Regulation No 1399/1999, the Accession Act and Regulation No 647/2005.

F7 SCHEDULE 5

Regulation 17

F7 Sch. 5 omitted (31.12.2020 immediately before IP completion day) by virtue of **The Reciprocal and Cross-Border Healthcare (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1348)**, **regs. 1, 6**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (b), (c), (d), (e) and (g) and (3) of that Act) arising from the withdrawal of the United Kingdom from the European Union.

Status: *This version of this Instrument contains provisions that are prospective.*

Changes to legislation: *There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)*

Part 2 amends primary legislation and Part 3 amends subordinate legislation relating to the coordination of the provision of benefits in kind relating to healthcare.

Part 4 relates to rights and other matters which become part of domestic law by virtue of section 4 of the European Union (Withdrawal) Act 2018. Part 5 amends or revokes provisions of retained EU Regulations relating to the coordination of the provision of benefits in kind. Part 6 revokes provisions of the EEA agreement.

Part 7 contains savings and transitional provisions.

An impact assessment has been prepared in relation to these Regulations and copies can be obtained from the Department of Health and Social Care, 39 Victoria Street, London, SW1H 0EU.

Status:

This version of this Instrument contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019.