

Status: Point in time view as at 28/04/2006.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1408/71 (repealed), Division N.. (See end of Document for details)

ANNEX VI (A) (B) (2) (7)
(8) (9) (11) (12) (13) (14) (15)

SPECIAL PROCEDURES FOR APPLYING THE
LEGISLATIONS OF CERTAIN MEMBER STATES

[^{F1}N.LUXEMBOURG]

1. Notwithstanding Article 94 (2) of the Regulation, periods of insurance or periods treated as such completed by employed persons or self-employed persons under Luxembourg legislation for invalidity, old-age or death pensions insurance either before 1 January 1946 or before an earlier date stipulated by a bilateral convention shall be taken into consideration for the purpose of applying this legislation only if the person concerned demonstrates that he has completed six months of insurance under the Luxembourg scheme after the date in question. Where several bilateral conventions apply, periods of insurance or periods treated as such shall be taken into consideration as from the earliest of these dates.
2. For the purpose of granting the fixed part of Luxembourg pensions, periods of insurance completed under Luxembourg legislation by employed or self-employed persons not residing in Luxembourg territory shall, as from 1 October 1972, be treated as periods of residence.
3. The second subparagraph of Article 22 (2) of the Regulation does not affect the provisions of Luxembourg legislation pursuant to which authorization by the Sickness Fund for treatment abroad cannot be refused where the required treatment cannot be provided in the Grand Duchy.
4. For the purpose of taking the insurance period provided for in Article 171 (7) of the Social Insurance Code (Code des Assurances Sociales) into account, the Luxembourg institution shall recognize periods of insurance completed by the person concerned under the legislation of any other Member State as if they were periods completed under the legislation which it administers. Application of the foregoing provision shall be subject to the condition that the person concerned last completed insurance periods under Luxembourg legislation.
5. [^{F2}For a civil servant not subject to Luxembourg legislation at the time of leaving the service, the basis for calculation for the award of a pension shall be the final salary of the person concerned on leaving the Luxembourg civil service, this salary being established in accordance with the legislation in force at the time of maturity of the pension.
6. Where there is a move from a Luxembourg statutory scheme to a special scheme for civil servants or persons treated as such in another Member State, the provisions of Luxembourg legislation on retroactive insurance shall be suspended.
7. Approval of periods by the Luxembourg statutory scheme shall be based on periods completed in Luxembourg alone.]
8. [^{F3}Persons covered by a health insurance scheme in the Grand Duchy of Luxembourg who pursue their studies in another Member State are exempted from the requirement to join as a student under the legislation of the country where they study.]

Textual Amendments

F2 Inserted by [Council Regulation \(EC\) No 1606/98 of 29 June 1998](#).

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F3 Inserted by [Council Regulation \(EC\) No 307/1999 of 8 February 1999](#).

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