

Council Regulation (EC) 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 (8) (9) (10) (11) (Consolidated version — OJ No L 28 of 30.1.1997, p. 1 See appendix.) (repealed)

TITLE I GENERAL PROVISIONS

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*Status: Point in time view as at 01/05/2010.**Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1408/71 (repealed). (See end of Document for details)*

Article 14f	Special rules applicable to civil servants simultaneously employed in more than one Member State and insured in one of these States in a special scheme
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SPECIAL PROVISIONS RELATING TO THE VARIOUS CATEGORIES OF BENEFITS

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SICKNESS AND MATERNITY

Section 1

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Article 21	Stay in or transfer of residence to the competent State
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Article 25a (12)	Contributions payable by wholly unemployed persons

Status: Point in time view as at 01/05/2010.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1408/71 (repealed).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

Section 4

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- Article 26 Right to benefits in kind in cases of cessation of the right to benefits from the institution which was last competent

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- Article 29 Residence of members of the family in a State other than the one in which the pensioner resides — Transfer of residence to the State where the pensioner resides
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- Article 32
(15)
- Article 33 (7) Contributions payable by pensioners
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Section 5a

Persons who study or receive vocational training and members of their families

- Article 34a Special provisions for students and members of their families
- Article 34b Common provisions

Section 6

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- Article 35 Scheme applicable where there are a number of schemes in the country of residence or stay — Previous illness — Maximum period during which benefits are granted

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*Status: Point in time view as at 01/05/2010.**Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1408/71 (repealed). (See end of Document for details)*

CHAPTER 2 (11)

INVALIDITY

Section 1

Employed persons or self-employed persons subject only to legislation under which the amount of invalidity benefits is independent of the duration of the periods of insurance

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- Article 39 Award of benefits
(11)(14)

Section 2

Employed persons or self-employed persons subject either only to legislation under which the amount of invalidity benefit depends on the duration of periods of insurance or residence or the legislation of this type and of the type referred to in Section 1

- Article 40 General provisions
(11)

Section 3

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- Article 41
(11)

Section 4

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Status: Point in time view as at 01/05/2010.

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CHAPTER 3 (11)

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- Article 44 (11) General provisions for the award of benefits where an employed or selfemployed person has been subject to the legislation of two or more Member States
- Article 45 (11) (14) Consideration of periods of insurance or of residence completed under the legislations to which an employed person or self-employed person was subject, for the acquisition, retention or recovery of the right to benefits
- Article 46 (11) Award of benefits
- Article 46a (11) General provisions relating to reduction, suspension or withdrawal applicable to benefits in respect of invalidity, old age or survivors under the legislations of the Member States
- Article 46b (11) Special provisions applicable in the case of overlapping of benefits of the same kind under the legislation of two or more Member States
- Article 46c (11) Special provisions applicable in the case of overlapping of one or more benefits referred to in Article 46a (1) with one or more benefits of a different kind or with other income, where two or more Member States are concerned
- Article 47 (11) Additional provisions for the calculation of benefits
- Article 48 (11) Periods of insurance or of residence of less than one year
- Article 49 (11) (15) Calculation of benefits where the person concerned does not simultaneously satisfy the conditions laid down by all the legislations under which periods of insurance or of residence have been completed or when he has expressly requested a postponement of the award of old-age benefits
- Article 50 (11) Award of a supplement where the total of benefits payable under the legislations of the various Member States does not amount to the minimum laid down by the legislation of the State in whose territory the recipient resides
- Article 51 (11) Revalorization and recalculation of benefits
- Article 51a Persons covered by a special scheme for civil servants

CHAPTER 4

ACCIDENTS AT WORK AND OCCUPATIONAL DISEASES

Section 1

Right to benefits

- Article 52 Residence in a Member State other than the competent State — General rules
- Article 53 Frontier workers — Special rule
- Article 54 Stay in or transfer of residence to the competent State

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Article 55	Stay outside the competent State — Return to or transfer of residence to another Member State after sustaining an accident or contracting an occupational disease — Need to go to another Member State in order to receive appropriate treatment
Article 56	Accidents while travelling
Article 57 (7)	Benefits for an occupational disease where the person concerned has been exposed to the same risk in several Member States
Article 58	Calculation of cash benefits
Article 59	Costs of transporting a person who has sustained an accident at work or is suffering from an occupational disease

Section 2

Aggravation of an occupational disease for which the benefit has been awarded

Article 60 (7)
(11)	

Section 3

Miscellaneous provisions

Article 61	Rules for taking into account the special features of certain legislations
Article 62	Scheme applicable where there are several schemes in the country of stay or residence — Maximum duration of benefits

Section 4

Reimbursements between institutions

Article 63
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Section 5

Students

Article 63a
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CHAPTER 5

DEATH GRANTS

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Article 65	Right to grants where death occurs in, or where the person entitled resides in, a Member State other than the competent State
Article 66	Provision of benefits in the event of the death of a pensioner who had resided in a Member State other than the one whose institution was responsible for providing benefits in kind
Article 66a	Students

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CHAPTER 6

UNEMPLOYMENT BENEFITS

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- Article 67 Aggregation of periods of insurance or employment
Article 68 Calculation of benefits

Section 2

Unemployed persons going to a Member State other than the competent State

- Article 69 Conditions and limits for the retention of the right to benefits
Article 70 Provision of benefits and reimbursements

Section 3

Unemployed persons who, during their last employment, were residing in a Member State other than the competent State

- Article 71

Section 4

Persons covered by a special scheme for civil servants

- Article 71a

CHAPTER 7 (8)

FAMILY BENEFITS

- Article 72 (8) Aggregation of periods of insurance, employment or self-employment
Article 72a Employed persons who have become fully unemployed
(9) (14)
Article 73 (8) Employed or self-employed persons the members of whose families reside in a Member State other than the competent State
Article 74 (8) Unemployed persons the members of whose families reside in a Member State other than the competent State
Article 75 (8) Provisions of benefits
Article 76 (8) Rules or priority in cases of overlapping entitlement to family benefits under the legislation of the competent State and under the legislation of the Member State of residence of the members of the family
Article 76a Students

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CHAPTER 8

BENEFITS FOR DEPENDENT CHILDREN OF PENSIONERS AND FOR ORPHANS

Article 77	Dependent children of pensioners
Article 78	Orphans
Article 78a
Article 79 (7)	Provisions common to benefits for dependent children of pensioners and for orphans
Article 79a	Provisions relating to benefits for orphans entitled to benefits under a special scheme for civil servants

TITLE IV

ADMINISTRATIVE COMMISSION ON SOCIAL SECURITY FOR MIGRANT WORKERS

Article 80	Composition and working methods
Article 81	Tasks of the Administrative Commission

TITLE V

ADVISORY COMMITTEE ON SOCIAL SECURITY FOR MIGRANT WORKERS

Article 82 (B)	Establishment, composition and working methods
Article 83	Tasks of the Advisory Committee

TITLE VI

MISCELLANEOUS PROVISIONS

Article 84 (7)	Cooperation between competent authorities
Article 84a	Relations between the institutions and the persons covered by this Regulation.
Article 85	Exemptions from or reductions of taxes — Exemption from authentication
Article 86 (14)	Claims, declarations or appeals submitted to an authority, institution or tribunal of a Member State other than the competent State
Article 87	Medical examinations
Article 88	Transfers from one Member State to another of sums of money payable pursuant to this Regulation
Article 89	Special procedures for implementing certain legislations
Article 90 (8)
Article 91	Contributions chargeable to employers or undertakings not established in the competent State
Article 92	Collection of contributions
Article 93	Rights of institutions responsible for benefits against liable third parties

Status: Point in time view as at 01/05/2010.

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TITLE VII

TRANSITIONAL AND FINAL PROVISIONS

Article 94 (7)	Transitional provisions for employed persons
(8) (11) (12)	
Article 95 (6)	Transitional provisions for self-employed persons
(12)	
Article 95a	Transitional provisions for application of Regulation (EEC) No
(11)	1248/92
Article 95b	Transitional provisions for application of Regulation (EEC) No
(14)	1247/92
Article 95c	Transitional provisions for application of Regulation (EC) No
	1606/98
Article 95d	Transitional provisions applicable to students
Article 95e	Transitional provisions for application of Regulation (EC) No
	1399/1999
Article 95f	Transitional provisions relating to Annex II, section I, under the
	headings 'D. GERMANY' and 'R. AUSTRIA'.
Article 95g
Article 96	Agreements relating to reimbursement between institutions
Article 97	Notification pursuant to certain provisions
Article 98	Implementing Regulation

ANNEX I (A) (B) (8) (9) (13) (14) (15)

PERSONS COVERED BY THE REGULATION

- I. Employed persons and/or self-employed persons (Article 1 (a) (ii) and...
- II. Members of the family (Second sentence of Article 1 (f)...

ANNEX II (A) (B) (8) (10) (15)

(Article 1 (j) and (u) of the Regulation)

- I. Special schemes for self-employed persons excluded from the scope of...
- II. Special childbirth or adoption allowances excluded from the scope of...
- III. Special non-contributory benefits within the meaning of Article 4 (2b)...

ANNEX IIa

SPECIAL NON-CONTRIBUTORY CASH BENEFITS

- A. BELGIUM
- B. BULGARIA

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- C. CZECH REPUBLIC
- D. DENMARK
- E. GERMANY
- F. ESTONIA
- G. GREECE
- H. SPAIN
- I. FRANCE
- J. IRELAND
- K. ITALY
- L. CYPRUS
- M. LATVIA
- N. LITHUANIA
- O. LUXEMBOURG
- P. HUNGARY
- Q. MALTA
- R. NETHERLANDS
- S. AUSTRIA
- T. POLAND
- U. PORTUGAL
- V. ROMANIA
- W. SLOVENIA
- X. SLOVAKIA
- Y. FINLAND
- Z. SWEDEN
- AA. UNITED KINGDOM

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ANNEX III (A) (B) (6) (7) (12) (14) (15)

PROVISIONS OF SOCIAL SECURITY CONVENTIONS REMAINING APPLICABLE NOTWITHSTANDING ARTICLE 6 OF THE REGULATION — PROVISIONS OF SOCIAL SECURITY CONVENTIONS WHICH DO NOT APPLY TO ALL PERSONS TO WHOM THE REGULATION APPLIES

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- A. Provisions of social security conventions remaining applicable notwithstanding Article 6...
- B. Provisions of Conventions which do not apply to all persons...

ANNEX IV (B) (11) (13) (15)

(Articles 37 (2), 38 (3), 45 (3), 46 (1) (b) and 46 b (2) of the Regulation)

- A. Legislations referred to in Article 37 (1) of the Regulation...
- B. Special schemes for self-employed persons within the meaning of Articles...
- C. Cases referred to in Article 46 (1) (b) of the...
- D. Benefits and agreements referred to in Article 46b(2) of the...
 - 1. Benefits referred to in Article 46b(2)(a) of the Regulation, the...
 - 2. Benefits referred to in Article 46b(2)(b) of the Regulation, the amount...
 - 3. Agreements referred to in Article 46b(2)(b)(i) of the Regulation intended to...

ANNEX V (15)

CONCORDANCE BETWEEN THE LEGISLATIONS OF MEMBER STATES ON CONDITIONS RELATING TO THE DEGREE OF INVALIDITY

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

SPECIAL PROCEDURES FOR APPLYING THE LEGISLATIONS OF CERTAIN MEMBER STATES

- A. BELGIUM
- B. BULGARIA
- C. CZECH REPUBLIC
- D. DENMARK
- E. GERMANY
- F. ESTONIA

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- G. GREECE
- H. SPAIN
- I. FRANCE
- J. IRELAND
- K. ITALY
- L. CYPRUS
- M. LATVIA
- N. LITHUANIA
- O. LUXEMBOURG
- P. HUNGARY
- Q. MALTA
- R. NETHERLANDS
- S. AUSTRIA
- T. POLAND
- U. PORTUGAL
- V. ROMANIA
- W. SLOVENIA
- X. SLOVAKIA
- Y. FINLAND
- Z. SWEDEN
- AA. UNITED KINGDOM

ANNEX VII

INSTANCES IN WHICH A PERSON SHALL BE SIMULTANEOUSLY
SUBJECT TO THE LEGISLATION OF TWO MEMBER STATES

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Status: Point in time view as at 01/05/2010.

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ANNEX VIII

(Article 78a of the Regulation)

- A. BELGIUM
- B. BULGARIA
- C. CZECH REPUBLIC
- D. DENMARK
- E. GERMANY
- F. ESTONIA
- G. GREECE
- H. SPAIN
- I. FRANCE
- F. GREECE
- J. IRELAND
- K. ITALY
- L. CYPRUS
- M. LATVIA
- N. LITHUANIA
- O. LUXEMBOURG
- P. HUNGARY
- Q. MALTA
- R. NETHERLANDS
- S. AUSTRIA
- T. POLAND
- U. PORTUGAL
- V. ROMANIA
- W. SLOVENIA
- X. SLOVAKIA

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Y. FINLAND

Z. SWEDEN

AA. UNITED KINGDOM

1. Great Britain and Northern Ireland
2. Gibraltar

Status:

Point in time view as at 01/05/2010.

Changes to legislation:

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