

Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self employed persons, to self-employed persons and to their families moving within the Community (Consolidated version — OJ No L 28 of 30. 1. 1997, p. 1See annex B. ) (repealed)

#### TITLE IV

### IMPLEMENTATION OF THE SPECIAL PROVISIONS OF THE REGULATION RELATING TO THE VARIOUS CATEGORIES OF BENEFITS

#### CHAPTER 2

#### SICKNESS AND MATERNITY

##### *Implementation of Articles 28 and 28a of the Regulation*

##### *Article 29*

#### **Benefits in kind for pensioners and members of their families who are not resident in a Member State under whose legislation they receive a pension and are entitled to benefits**

1 In order to receive benefits in kind in the territory of the Member State in which he resides, under Articles 28 (1) and 28a of the Regulation, a pensioner and the members of his family<sup>F1</sup>residing in the same Member State] shall register with the institution of the place of residence by submitting a certified statement testifying that he is entitled to the said benefits for himself and for the members of his family, under the legislation or one of the legislations under which a pension is payable.

2 This certified statement shall be issued, at the request of the pensioner, by the institution or one of the institutions responsible for payment of the pension or, where appropriate, by the institution empowered to determine entitlement to benefits in kind, as soon as the pensioner satisfies the conditions for acquisition of the right to such benefits. If the pensioner does not submit the certified statement, the institution of the place of residence shall obtain it from the institution or institutions responsible for payment of the pension, or, where appropriate, from the institution empowered to issue such certified statement. Whilst awaiting the receipt of this certified statement the institution of the place of residence may, in the light of the documentary evidence accepted by it, register the pensioner and the members of his family<sup>F1</sup>residing in the same Member State] provisionally. This registration shall bind the institution responsible for the payment of benefits in kind only if this latter institution has issued the certified statement provided for in paragraph 1.

3 The institution of the place of residence shall inform the institution which has issued the certified statement provided for in paragraph 2 of every registration effected in accordance with the provisions of the said paragraph.

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*Status: Point in time view as at 05/05/2005. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 574/72 (repealed), Article 29. (See end of Document for details)*

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4 When an application is made for benefits in kind it must be proved to the institution of the place of residence, by means of the receipt or the counterfoil of the money order of the last payment made, that the pensioner is still entitled to a pension.

5 The pensioner or the members of his family<sup>F1</sup>residing in the same Member State] shall inform the institution of the place of residence of any entitlement to benefits in kind, in particular any suspension or withdrawal of the pension and any transfer of their residence. The institutions responsible for the pension shall also inform the institution of the pensioners place of residence of any such change.

6 The Administrative Commission shall, to the extent necessary, fix the procedure for determining the institution which shall bear the cost of the payment of benefits in kind, in the case referred to in Article 28 (2) (b) of the Regulation.

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#### **Textual Amendments**

- F1** Inserted by Council Regulation (EC) No 1223/98 of 4 June 1998 amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71.

**Status:**

Point in time view as at 05/05/2005. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EEC) No 574/72 (repealed), Article 29.