

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to their families moving within the Community (Consolidated version — OJ No L 28 of 30. 1. 1997, p. 1See annex B. ) (repealed)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 8

### **BENEFITS FOR DEPENDENT CHILDREN OF PENSIONERS AND FOR ORPHANS**

#### *Implementation of Articles 77, 78 and 79 of the Regulation*

#### *Article 90*

1 In order to receive benefits under Article 77 or 78 of the Regulation, a claimant shall submit a claim to the institution of his place of residence, in accordance with the procedures laid down by the legislation administered by that institution.

2 If, however, the claimant does not reside in the territory of the Member State in which the competent institution is situated, he may submit his claim either to the competent institution or to the institution of his place of residence, which shall then forward the claim to the competent institution, indicating the date on which it was submitted. The date shall be considered as the date of submission of the claim to the competent institution.

3 If the competent institution referred to in paragraph 2 finds that there is no entitlement under the legislation which it administers, it shall forward the claim forthwith, together with all necessary documents and information, to the institution of the Member State to whose legislation the employed or self-employed person was subject for the longest period of time.

Where necessary the matter may have to be referred back, under the same conditions, to the institution of the Member State under whose legislation the person concerned completed the shortest of his periods of insurance or residence.

4 The Administrative Commission shall, where necessary, lay down any supplementary procedures required for the submission of claims for benefits.

#### *Article 91*

1 Payment of benefits due under Article 77 or 78 of the Regulation shall be made in accordance with the provisions of Articles 53 to 58 of the implementing Regulation.

2 The competent authorities of the Member States shall, where necessary, designate the competent institution for paying benefits due under Article 77 or 78 of the Regulation.

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**Status:** Point in time view as at 09/02/2005.

**Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EEC) No 574/72 (repealed), CHAPTER 8. (See end of Document for details)

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### Article 92

Any person to whom benefits are paid under Article 77 or 78 of the Regulation for a pensioner's children or for orphans, shall inform the institution responsible for the payment of such benefits:

- of any change in the situation of the children or orphans that is likely to alter the entitlement to benefits,
- of any modification in the number of children or orphans in respect of whom benefits are due,
- of any transfer of residence of the children or orphans,
- of any pursuit of a professional or trade activity giving entitlement to family benefits or family allowances for such children or orphans.

**Status:**

Point in time view as at 09/02/2005.

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EEC) No 574/72 (repealed), CHAPTER 8.