

SCHEDULE

CONVENTION ON SOCIAL SECURITY BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF SWEDEN

Modifications etc. (not altering text)

- C1** Sch. modified (5.12.2005) by [Social Security \(Reciprocal Agreements\) Order 2005 \(S.I. 2005/2765\)](#), art. 1, Sch. 1, [Sch. 2](#)

PART III

special provisions

Section 6

benefits for industrial injuries and diseases

Article 21

(1) Where a person is employed in the territory of one State and the legislation of the other State applies to him in accordance with any of the provisions of Articles 5 to 9 of this Convention, he shall be treated under that legislation for the purpose of any claim for benefit in respect of an industrial accident or an industrial disease contracted during that employment, as if the accident had occurred or the disease had been contracted in the territory of the latter State. Where benefit would be payable in respect of that claim if the person were in the territory of the latter State, it shall be payable while he is in the territory of the former State.

(2) Where a person sustains an accident after he leaves the territory of one State to go, in the course of his employment, to the territory of the other State but before he arrives in the latter territory, then, for the purpose of any claim for benefit in respect of that accident:

- (a) the accident shall be treated as if it had occurred in the territory of the State whose legislation applied to him at the time the accident occurred; and
- (b) his absence from the territory of that State shall be disregarded in determining whether his employment was as an employed person under that legislation.

Article 22

(1) Where a person has sustained an industrial injury or contracted an industrial disease, in respect of which the legislation of one State applies, and later sustains an industrial injury or contracts an industrial disease in respect of which the legislation of the other State applies, then for the purpose of determining the degree of his disablement under the legislation of the latter State, account shall be taken of the former injury or disease as if the legislation of the latter State applied to it.

(2) Where a person contracts an industrial disease, after having been employed in the territory of only one State in an occupation to which, under the legislation of that State, the disease may be attributed, the legislation of that State shall apply in his case, even if the disease is first diagnosed in the territory of the other State. This shall apply also in relation to any aggravation of the disease, provided that the person has not in the meantime been further exposed to the same risk in the territory of the latter State.

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Social Security (Sweden) Order 1988. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(3) Where a person contracts an industrial disease, after having been employed in the territories of both States in an occupation to which, under the legislation of both States, the disease may be attributed and he would be entitled to receive benefit in respect of that disease under the legislation of both States, whether by virtue of this Convention or otherwise, the benefit shall be payable only under the legislation of the State in whose territory he was last employed in that occupation before the disease was diagnosed.

(4) Where a person has suffered an aggravation of an industrial disease for which benefit has been paid in accordance with the provisions of paragraph (2) or (3) of this Article, the following provisions shall apply:

- (a) if the person has not had further employment in occupations to which the disease or the aggravation may be attributed, or has had such employment only in the territory of the State under whose legislation benefit has been paid, any additional benefit to which he may become entitled as a result of such aggravation shall be payable only under that legislation;
- (b) if the person makes a claim under the legislation of the State in whose territory he is employed on the ground that he has suffered an aggravation of the disease while he was employed in the territory of that State in occupations to which, under the legislation of that State the aggravation may be attributed, the competent institution of that State shall be liable to pay benefit only in respect of the aggravation as determined under the legislation of that State.

Article 23

Where, but for the provisions of this Article and subject to the provisions of Article 22(4)(b) of this Convention, a person would have been entitled to any benefit payable in respect of an industrial injury or disease under the legislation of both States, that benefit shall be granted exclusively under the legislation of the territory in which the person was last employed.

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Changes and effects yet to be applied to :

- Instrument modified by [S.I. 1992/3213 art.2](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Order modified by [S.I. 1988/591 art. 23Sch.](#)
- Order modified by [S.I. 1995/767 art. 2Sch. 12](#)
- Act modified by [S.I. 1996/1928 art.2Schs.12](#)
- Order modified by [S.I. 1996/1928 art. 2Sch. 12](#)