

SCHEDULES

SCHEDULE 4

Regulation 2(d)

Amendments to Title 6: Miscellaneous provisions

1. In Article 84—
 - (a) omit paragraphs 1 and 2;
 - (b) in paragraph 3 for “Member States” substitute “States”;
 - (c) in paragraph 4—
 - (i) for “one Member State” substitute “the United Kingdom”;
 - (ii) for “another Member State” substitute “a Member State”;
 - (iii) omit the final sentence;
 - (d) after paragraph 4 insert—

“**4A.** The United Kingdom may provide or exchange all data necessary for establishing and determining the rights and obligations of any person to whom this Regulation applies, including the establishing and determining of those rights and obligations by a Member State applying this Regulation as it applies in the European Union.”;
 - (e) in paragraph 5—
 - (i) for “a Member State” substitute “the United Kingdom”;
 - (ii) for “another Member State” substitute “a Member State”;
 - (iii) for “Member State providing the data” substitute “United Kingdom”;
 - (iv) for “Any” substitute “Where personal data is communicated to the United Kingdom, any”;
 - (v) for “receiving Member State” substitute “United Kingdom”.
2. In Article 84a(1)—
 - (a) in the heading after “the institutions” insert “of the United Kingdom”;
 - (b) after “The institutions” in the first two places it occurs insert “of the United Kingdom”;
 - (c) after “queries” insert “from persons covered by this Regulation”;
 - (d) for “national law” substitute “the law of the United Kingdom”;
 - (e) omit paragraph 3.
3. In Article 85(2)—
 - (a) in paragraph 1—
 - (i) for “one Member State” substitute “the United Kingdom”;
 - (ii) for “that State” substitute “the United Kingdom”;
 - (iii) for “another Member State” substitute “a Member State”;

(1) Article 84a was inserted by Regulation No 631/2004.

(2) Article 85 was amended by Regulation No 1290/97.

Status: This is the original version (as it was originally made).

- (b) in paragraph 3—
 - (i) for “another Member State” substitute “the United Kingdom”;
 - (ii) for “receiving institution” substitute “institution of the United Kingdom”;
 - (iii) for “one social security institution to another” substitute “a social security institution in the United Kingdom to another social security institution”;
 - (iv) for “relevant Community provisions” substitute “law of the United Kingdom”.
- 4. In Article 86—
 - (a) in the heading for “Member State” substitute “State”;
 - (b) for paragraph 1 substitute—

“1. In the event that an authority, institution or tribunal in the United Kingdom receives a claim, declaration or appeal which should have been submitted to a corresponding authority, institution or tribunal in a Member State, reasonable steps shall be taken to forward that claim, declaration or appeal to the authority, institution or tribunal in that Member State. Alternatively the claim, declaration or appeal shall be returned to the individual with a request that the individual forward it to the authority, institution or tribunal in that Member State.

1A. In the event that a claim, declaration or appeal which should have been submitted to an authority, institution or tribunal in the United Kingdom is submitted to an authority, institution or tribunal in a Member State, the date on which such claim, declaration or appeal was submitted to the authority, institution or tribunal of the Member State shall be considered as the date of its submission to the competent authority, institution or tribunal in the United Kingdom.”;
 - (c) in paragraph 2—
 - (i) after “Where” insert “the United Kingdom is the competent State, and where”;
 - (ii) after “tribunal” insert “in the United Kingdom”;
 - (iii) for “Member State which is” substitute “United Kingdom as the State”;
 - (iv) for “that State” substitute “the United Kingdom”;
 - (v) for “first Member State” substitute “Member State”.
- 5. In Article 87—
 - (a) in paragraph 1—
 - (i) for “Member State” in both places it occurs substitute “State”;
 - (ii) for “Member States” substitute “States”;
 - (b) in paragraph 2—
 - (i) for “Medical” substitute “Where the United Kingdom is the competent State, medical”;
 - (ii) for “competent State” substitute “United Kingdom”.
- 6. In Article 88—
 - (a) in the heading for “Member State” substitute “State”;
 - (b) for “the relevant agreements” substitute “any relevant agreements”;
 - (c) for “Member States” in the first place it occurs substitute “States”;
 - (d) omit the final sentence.
- 7. In Article 89 for “Member States” substitute “States”.

8. In Article 91—
 - (a) for “competent State” (including in the heading) substitute “United Kingdom”;
 - (b) for “An” substitute “Where the competent State is the United Kingdom, an”;
 - (c) after “contributions” insert “in the United Kingdom”;
 - (d) omit “other than the competent State”.
9. In Article 92—
 - (a) for “one Member State” substitute “a Member State”;
 - (b) for “another Member State” substitute “the United Kingdom”;
 - (c) for “latter State” substitute “United Kingdom”;
 - (d) for “Member States” substitute “States”.
10. In Article 93—
 - (a) in paragraph 1—
 - (i) for “one Member State” substitute “one State”;
 - (ii) for “each Member State” in both places it occurs substitute “the United Kingdom”;
 - (b) in paragraph 2—
 - (i) for “one Member State” substitute “the United Kingdom”;
 - (ii) for “another Member State” substitute “a Member State”;
 - (iii) after “competent institution” insert “in the United Kingdom”;
 - (iv) after “rights of the institution” insert “in the United Kingdom”;
 - (c) omit paragraph 3.