



**APPROVED**

# International Process Guidelines

## Legislation Applicable Sector

LA\_BUC\_02 - Determination of legislation applicable

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**Document history:**

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V0.1	10/08/2017	Secretariat	First draft of the document submitted for review to the Legislation Applicable Ad Hoc group
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V4.1.0	01/10/2018	Secretariat	Performed patch changes to reference the new CDM version 4.1.0.
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## LA\_BUC\_02 – Determination of legislation applicable

**Description:** An institution of the Member States uses this BUC in situations involving a need to determine the proper legislation to apply in a given case, handled according to Article 13 of Regulation (EC) No 883/2004. The Institution needs to exchange information and agree with a Counterparty Institution in a different Member State(s) about its (provisional) Determination of legislation applicable for a person that is working/has worked in two or more Member States and/or the person receives/has received certain benefits based on previous employment in another Member State. Here are a few examples of such situations:

- The person works in two or more Member States;
- The person works in one Member State and receives certain benefits from another Member State.
- A (provisional) decision has been made regarding the Legislation Applicable. The institution from the Member State whose legislation is applicable may issue the Portable Document A1.

**Please note that issuing the PD A1 is out of the scope of EESSI, therefore it is not a mandatory activity of this BUC. For details of issuing a PD A1 you should act in accordance with provisions in Regulations 883/2004 and 987/2009 and consult the national processes.**

**Legal base:** LA\_BUC\_02 is based on Regulation No 883/2004 and Implementing Regulation No 987/2009. The following table specifies SEDs used in this BUC and documents the articles that provide the legal basis for each SED:

SED	Basic Regulation (883/04)		Implementing Regulation (987/09)		
	Article 13	Title II	Article 6	Article 16	Article 14
A003 - Determination of Applicable Legislation	✓			✓	✓
A004 - Rejection of Determination on Applicable Legislation	✓			✓	✓
A005 - Request for more information		✓			
A006 - Reply to Request for more information		✓			
A007 - Provisional Determination of Applicable Legislation			✓		
A008 - Notification of relevant information	✓				
A012 - Acceptance of Decision on Applicable Legislation	✓			✓	✓

### Glossary of relevant terms used in LA\_BUC\_02:

Term used	Description
<i>Case Owner</i>	In this BUC the Case Owner is an institution of a Member State that is being petitioned by a person in order to determine the Legislation Applicable in a situation where a person works or has worked/receives or has received certain benefits in two or more Member States. The Case owner is the Member State in which the person resides. It is obliged to inform institutions in other Member States about the applicable legislation for the person.
<i>Counterparty</i>	In this BUC, the Counterparty is an institution of a Member State being informed about the applicable legislation for the person. It may choose to take this information into account without replying, or to agree or disagree (agree but with changed parameters) on the legislation applicable.
<i>Petitioner</i>	In this BUC, the Petitioner is a person covered by social security legislation (self-employed or employee) that is working/has worked or is receiving/has received certain benefits in at least two member States, or its employer.
<i>Participants</i>	The Case Owner and the Counterparty(ies) are herein collectively referred to as Participants.

## How to start this BUC?

In order to help you understand the LA\_BUC\_02 we have created a set of questions that will guide you through the main scenario of the process as well as possible sub-scenarios or options available at each step along the way. Ask yourself each question and click on one of the hyperlinks that will guide you to the answer in the next step within this document or to another separate file. You will notice that in some of the steps, where it is allowed to use the additional horizontal and administrative sub-processes. They will be listed under the step description.

### What is my role in the social security exchange of information I have to complete?

If you are an institution of a Member State that is being petitioned by a person in order to determine the Legislation Applicable in a situation where a person works or has worked/receives or has received certain benefits in two or more Member States and you need to inform institutions in other Member States about the applicable legislation for the person, then your role will be defined as the **Case Owner**.

[I am the Case Owner.](#) (step CO.1)

If you are the an institution of a Member State being informed about the applicable legislation for a person, with the purpose of considering this information and optionally replying to it, by agreeing or disagreeing (i.e. agreeing with changed parameters) on the legislation applicable, then your role will be defined as the **Counterparty**.

[I am the Counterparty.](#) (step CP.1)

### CO.1 Who do I need to notify?

As the Case Owner, your first step will be to identify the Member State(s) with whom you need to exchange information. These are Member State(s) where the person works or has worked or where the person receives or has received certain benefits from. The second step is to identify the relevant institution(s) in the Member State that is/are involved in the process. This activity will define the Counterparty(ies) you will be working with.

[I need to identify the Counterparty or Counterparties.](#) (step CO.2)

[I have identified the Counterparty or Counterparties I need to contact.](#) (step CO.3)

### CO.2 How do I identify the correct institution(s) to exchange information with?

In order to determine the relevant Competent Institution(s) from other Member State(s) you will need to consult the Institution Repository (IR). The IR provides an electronic record of all current and previous Competent Institutions and Liaison Bodies that have been responsible for the cross border coordination of social security information for each of the relevant Member States.

Please note that the Liaison Body should be chosen only if it is impossible to identify the correct Competent Institution in the respective Member State or if the case is handled by the Liaison Body.

To access the IR please use the following [link](#).

[I have now identified the Competent Institution\(s\) from the Member State\(s\) I need to contact.](#) (step CO.3)

### CO.3 How do I proceed after having identified the Counterparty?

You need to send the initial determination of applicable legislation by filling out the 'Determination of Applicable Legislation' - [SED A003](#).

[I want to send a 'Determination of Applicable Legislation' SED A003 to the Counterparty\(ies\)](#) (step CO.4)

Sub-process steps available to the Case Owner at this stage:

[I want to add another participant to this case \(AD\\_BUC\\_03\).](#)

[I want to Remove Participant \(AD\\_BUC\\_04\).](#)

[I want to forward the case to another Institution in my Member State \(AD\\_BUC\\_05\).](#)

#### CO.4 How do I send a 'Determination of Applicable Legislation' A003 to the Counterparty(ies)?

Fill out the 'Determination of Applicable Legislation' - [SED A003](#) by entering all the required information, optionally including relevant attachments, in order to determine the legislation applicable. Afterwards, send the SED A003 to the identified Counterparty(ies).

A provisional PD A1 may be issued simultaneously to sending the SED A003. It is not necessary to wait for a reply from the Counterparties.

[I sent the SED A003 and I continue the information exchange to reach the agreement with the Counterparty\(ies\).](#) (step CO.5)

Sub-process steps available to the Case Owner at this stage:

[I want to close the case \(AD\\_BUC\\_01\).](#)

[I want to add another participant to this case \(AD\\_BUC\\_03\).](#)

[I want to Remove Participant \(AD\\_BUC\\_04\).](#)

[I want to forward the case to another Institution in my Member State \(AD\\_BUC\\_05\).](#)

[I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)

[I want to remind \(AD\\_BUC\\_07\).](#)

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CO.5 What do I need to do during the period of reaching agreement with the Counterparty?

You are now at the stage of exchanging information in order to reach an agreement with the Counterparty(ies) depending the phase of the business use case:

**Within the two months period after having sent the SED A003, you can do the following at this stage:**

- [I received the 'Acceptance of Decision on Applicable Legislation' SED A012 from the Counterparty;](#) (step CO.6)
- [I received a 'Rejection of Determination on Applicable Legislation' SED A004 from the Counterparty;](#) (step CO.7)
- [I received a 'Notification of relevant information' SED A008 from the Counterparty](#) that I take into account. (step CO.11)
- [I need to send a 'Notification of relevant information' SED A008 to the Counterparty;](#) (step CO.10)
- [I received request for more information – SED A005 from the Counterparty;](#) (step CO.13)
- [I need to send a new 'Determination of Applicable Legislation' SED A003;](#) (step CO.4), after having received a SED A008, A007, A006, and/or send an A008 preceded by a SED A004.

A provisional [PD A1](#) can be either issued simultaneously to sending the SED A003 or during the interval of two months after sending this SED A003.

**After two months after having sent the SED A003, if no reply was received,** the 'Determination of Applicable Legislation' - [SED A003](#) is implicitly considered approved by all institutions concerned. You have to close the

case, this BUC ends here. You may issue the PD A1 according to the concrete situation and send it to the citizen.

Sub-process steps available to the Case Owner at this stage:

- [I want to close the case \(AD\\_BUC\\_01\).](#)
- [I want to add another participant to this case \(AD\\_BUC\\_03\).](#)
- [I want to Remove Participant \(AD\\_BUC\\_04\).](#)
- [I want to forward the case to another Institution in my Member State \(AD\\_BUC\\_05\).](#)
- [I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)
- [I want to remind \(AD\\_BUC\\_07\).](#)
- [I want to Clarify Content \(AD\\_BUC\\_08\).](#)
- [I want to Reject SED \(AD\\_BUC\\_09\).](#)
- [I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)
- [I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)
- [I want to Determine Residence \(H\\_BUC\\_02\).](#)
- [I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)
- [I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CO.6 How do I proceed after receiving 'Acceptance of Decision on Applicable Legislation' SED A012?

You received an 'Acceptance of Decision on Applicable Legislation' - [SED A012](#) as a formal acceptance from the Counterparty.

When all the counterparties accepted the decision in [SED A003](#) (or if after two months you have not received any replies from the counterparties) the process comes to an end and you need to close the case using the [Administrative sub-process AD\\_BUC\\_01 – I want to Close the Case](#).

You may issue a Portable Document [PD A1](#) and send it to the citizen.

When you are still waiting for a reply from a Counterparty, [you continue the information exchange to reach the agreement with the Counterparty](#); (step CO.5).

Sub-process steps available to the Case Owner at this stage:

- [I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)
- [I want to Clarify Content \(AD\\_BUC\\_08\).](#)
- [I want to Reject SED \(AD\\_BUC\\_09\).](#)

#### CO.7 How do I proceed after receiving a 'Rejection of Determination on Applicable Legislation' - SED A004?

You received a 'Rejection of Determination of legislation applicable' - [SED A004](#) from the Counterparty(ies), which rejects the proposed 'Determination of Applicable Legislation' - [SED A003](#) you previously sent them.

**Depending on the information received in SED A004, you can do the following at this stage:**

- [I need to send a new 'Determination of Applicable Legislation' SED A003](#); (step CO.4)
- [I need to send a 'Provisional Determination of Applicable Legislation' SED A007](#); (step CO.9)
- [I received a 'Provisional Determination of Applicable Legislation' SED A007 from the Counterparty](#) which I need to take into account; (step CO.8)
- [I received a 'Request for more information' SED A005 from the Counterparty](#); (step CO.13)
- [I need to send a 'Request for more information' SED A005](#); (step CO.12)
- [I received a 'Notification of relevant information' SED A008 from the Counterparty](#) that I take into account. (step CO.11)
- [I need to send a 'Notification of relevant information' SED A008 to the Counterparty](#); (step CO.10)

Sub-process steps available to the Case Owner at this stage:

- [I want to close the case \(AD\\_BUC\\_01\).](#)



[I want to add another participant to this case \(AD\\_BUC\\_03\).](#)  
[I want to Remove Participant \(AD\\_BUC\\_04\).](#)  
[I want to forward the case to another Institution in my Member State \(AD\\_BUC\\_05\).](#)  
[I want to Clarify Content \(AD\\_BUC\\_08\).](#)  
[I want to Reject SED \(AD\\_BUC\\_09\).](#)  
[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)  
[I want to Determine Residence \(H\\_BUC\\_02\).](#)  
[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)  
[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CO.8 How do I proceed after receiving a 'Provisional Determination of Applicable Legislation' SED A007?

You receive the 'Provisional Determination of Applicable Legislation' - [SED A007](#) from the Counterparty, as reviewed response to [SED A004](#). You review SED 007 and fill out a new [SED A003](#).

[I need to send a new 'Determination of Applicable Legislation' SED A003;](#) (step CO.4)

Sub-process steps available to the Case Owner at this stage:

[I want to close the case \(AD\\_BUC\\_01\).](#)  
[I want to add another participant to this case \(AD\\_BUC\\_03\).](#)  
[I want to Remove Participant \(AD\\_BUC\\_04\).](#)  
[I want to forward the case to another Institution in my Member State \(AD\\_BUC\\_05\).](#)  
[I want to Clarify Content \(AD\\_BUC\\_08\).](#)  
[I want to Reject SED \(AD\\_BUC\\_09\).](#)  
[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)  
[I want to Determine Residence \(H\\_BUC\\_02\).](#)  
[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)  
[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CO.9 How do I send a 'Provisional Determination of Applicable Legislation' SED A007?

Fill out a 'Provisional Determination of Applicable Legislation' - [SED A007](#) and send it to the Counterparty(ies), optionally adding relevant attachments. The Counterparty will receive SED A007 and review it, then they will continue the information exchange to reach the agreement:

[I continue the information exchange to reach the agreement with the Counterparty.](#) (step CO.5)

Sub-process steps available to the Case Owner at this stage:

[I want to close the case \(AD\\_BUC\\_01\).](#)  
[I want to add another participant to this case \(AD\\_BUC\\_03\).](#)  
[I want to Remove Participant \(AD\\_BUC\\_04\).](#)  
[I want to forward the case to another Institution in my Member State \(AD\\_BUC\\_05\).](#)  
[I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)  
[I want to remind \(AD\\_BUC\\_07\).](#)  
[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)  
[I want to Determine Residence \(H\\_BUC\\_02\).](#)  
[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)  
[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CO.10 How do I send a 'Notification of relevant information' SED A008 to the Counterparty?

You send case-relevant information by filling out and sending a 'Notification of Relevant Information' - [SED A008](#) to the Counterparty, optionally including relevant attachments. The Counterparty(ies) will receive and

review the SED A008, the information will be used in their decision making process.

[I continue the information exchange to reach the agreement with the Counterparty.](#) (step CO.5)

Sub-process steps available to the Case Owner at this stage:

[I want to close the case \(AD\\_BUC\\_01\).](#)

[I want to add another participant to this case \(AD\\_BUC\\_03\).](#)

[I want to Remove Participant \(AD\\_BUC\\_04\).](#)

[I want to forward the case to another Institution in my Member State \(AD\\_BUC\\_05\).](#)

[I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CO.11 How do I proceed after receiving a 'Notification of relevant information' SED A008?

You receive case-relevant information in a 'Notification of Relevant Information' - [SED A008](#) sent by the Counterparty. Use the received information in your decision making process.

[I continue the information exchange to reach the agreement with the Counterparty.](#) (step CO.5)

Sub-process steps available to the Case Owner at this stage:

[I want to close the case \(AD\\_BUC\\_01\).](#)

[I want to add another participant to this case \(AD\\_BUC\\_03\).](#)

[I want to Remove Participant \(AD\\_BUC\\_04\).](#)

[I want to forward the case to another Institution in my Member State \(AD\\_BUC\\_05\).](#)

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CO.12 How do I send a 'Request for more information' SED A005?

You request information by filling out and sending a 'Request for more information' - [SED A005](#) to the Counterparty.

You expect to receive a 'Reply to Request for more information' - [SED A006](#).

The received information is for the requesting Participant to take into account in the decision making process.

[As a Case Owner, I continue the information exchange to reach the agreement with the Counterparty.](#) (step CO.5)

Sub-process steps available to the Case Owner at this stage:

[I want to remind \(AD\\_BUC\\_07\).](#)

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

### CO.13 How do I proceed after receiving a 'Request for more information' SED A005?

Provide the information requested by the Participant in the received [SED A005](#) by filling out a 'Reply to Request for more information' - [SED A006](#) and sending it back to them.

[As a Case Owner, I continue the information exchange to reach the agreement with the Counterparty.](#) (step CO.5)

Sub-process steps available to the Case Owner at this stage:

[I want to remind \(AD\\_BUC\\_07\).](#)

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

### CP.1 How do I proceed after receiving a 'Determination of Applicable Legislation' SED A003?

Receiving the first 'Determination of Applicable Legislation' - [SED A003](#) from the Case Owner starts this BUC for you as a Counterparty. You need to review the currently proposed determination of applicable legislation and decide on the next step. You have two options here, to reply to the proposed determination or not to reply at all. The options are further explained here:

- a. In case you DO NEED to react to the received Determination of Applicable Legislation, then see [How can I react to the current determination of applicable legislation.](#) (step CP.2).
- b. In case you do not react and if the Case Owner does not receive any reply during the next two months from any other Counterparties, the current Determination of Applicable Legislation (SED A003) is considered as implicitly approved by all institutions concerned. In this case, the competent institution (the Case Owner) will close the case and this use case ends here. The Case Owner might issue the [PD A1](#) according to the concrete situation.

Please note that you can receive a SED A003 multiple times with updated Determinations of Applicable Legislation, as part of the iterative decision making process.

Sub-process steps available to the Counterparty before the case has been closed by the Case Owner:

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

### CP.2 How can I react to the currently proposed Determination of Applicable Legislation?

You can react to a received 'Determination of Applicable Legislation' - [SED A003](#) (during the two months after receiving it) in one of the following ways:

- a. You decide to either accept or reject the received Determination of Applicable Legislation:
  - a. [I accept the Determination of Applicable Legislation I have received](#) (step CP.3)
  - b. [I reject the Determination of Applicable Legislation I have received](#) (step CP.4)
- b. You consider that additional information needs to be shared between the involved participants before a decision can be taken:

- a. [I send 'Notification of relevant information' – SED A008](#) (step CP.7)
  - b. [I received a 'Notification of relevant information' – SED A008](#) (step CP.8)
  - c. [I send a 'Request for more information' - SED A005](#) (step CP.9)
  - d. [I received a 'Request for more information' - SED A005](#) (step CP.10)
- c. In addition, when a new SED A003 is received after the handling of a Reject SED A004:
- a. [I want to send a 'Provisional Determination of Applicable Legislation' SED A007 to the Case Owner](#); (step CP.5).

Sub-process steps available to the Counterparty before the case has been closed by the Case Owner:

[I want to invalidate the sent SED \(AD\\_BUC\\_06\)](#).

[I want to remind \(AD\\_BUC\\_07\)](#).

[I want to Clarify Content \(AD\\_BUC\\_08\)](#).

[I want to Reject SED \(AD\\_BUC\\_09\)](#).

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\)](#).

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\)](#).

[I want to Determine Residence \(H\\_BUC\\_02\)](#).

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\)](#).

[I want to send Notification of Death \(H\\_BUC\\_07\)](#).

### CP.3 How do I send an 'Acceptance of Decision on Applicable Legislation' SED A012?

In case you decided to accept the 'Determination of Applicable Legislation' - [SED A003](#) sent by the Case Owner, then you need to fill out and send the 'Acceptance of Decision on Applicable Legislation' - [SED A012](#) to the Case Owner. You need to do this within the period of two months after receiving the SED A003. You can optionally add relevant documents as attachments to SED A012.

The Case Owner will receive the SED A012 and according to the concrete situation may issue a [PD A1](#) and then end the business use case. This step ends the use case for you.

You might receive information from other participants and/or Case Owner, until a decision is agreed between all parties.

Upon receiving new information, you might [need to decide on the current determination of applicable legislation](#). (step CP.2)

Sub-process steps available to the Counterparty before the case has been closed by the Case Owner:

[I want to invalidate the sent SED \(AD\\_BUC\\_06\)](#).

[I want to remind \(AD\\_BUC\\_07\)](#).

[I want to Clarify Content \(AD\\_BUC\\_08\)](#).

[I want to Reject SED \(AD\\_BUC\\_09\)](#).

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\)](#).

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\)](#).

[I want to Determine Residence \(H\\_BUC\\_02\)](#).

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\)](#).

[I want to send Notification of Death \(H\\_BUC\\_07\)](#).

### CP.4 How do I send a 'Rejection of Determination on Applicable Legislation' SED A004?

If you do not agree with the determination of applicable legislation proposed by the Case Owner in the [SED A003](#) you received from them, you can reject it by filling out and sending a 'Rejection of Determination on Applicable Legislation' - [SED A004](#) to the Case Owner. You can optionally add relevant documents as attachments to the SED A004.

The following steps can take place after sending the rejection:

- [I want to send a 'Provisional Determination of Applicable Legislation' SED A007 to the Case Owner;](#) (step CP.5). This step may be done only under conditions described in the BUC, especially when Art. 6 Implementing Regulations applies.
- [I received a 'Provisional Determination of Applicable Legislation' SED A007;](#) (step CP.6)
- [I received a new 'Determination of Applicable Legislation' SED A003 from the Case Owner;](#) (step CP.1)
- [I send 'Notification of relevant information' SED A008](#) (step CP.7)
- [I received a 'Notification of relevant information' SED A008](#) (step CP.8)
- [I send a 'Request for more information' SED A005](#) (step CP.9)
- [I received a 'Request for more information' SED A005](#) (step CP.10)

Sub-process steps available to the Counterparty before the case has been closed by the Case Owner:

[I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)

[I want to remind \(AD\\_BUC\\_07\).](#)

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CP.5 How do I send a 'Provisional Determination of Applicable Legislation' SED A007?

After a 'Rejection of Determination on Applicable Legislation' - [SED A004](#), you can fill out 'Provisional Determination of Applicable Legislation' - [SED A007](#) and send it to the other participants. You can optionally include relevant documents as attachments. The other participants receiving your SED can review this SED A007.

You expect to receive a new 'Determination of legislation applicable' - [SED A003](#), which the Case Owner will send to all Participants.

The following steps are available when handling the rejection:

- [I received a new 'Determination of Applicable Legislation' - SED A003 from the Case Owner;](#) (step CP.1)
- [I received a 'Provisional Determination of Applicable Legislation' – SED A007](#) (step CP.6)
- [I received a 'Notification of relevant information' – SED A008](#) (step CP.8)
- [I received a 'Request for more information' - SED A005](#) (step CP.10)

Sub-process steps available to the Counterparty before the case has been closed by the Case Owner:

[I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)

[I want to remind \(AD\\_BUC\\_07\).](#)

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CP.6 How do I proceed after receiving the 'Provisional Determination of Applicable Legislation' SED A007?

You need to review and take it into account in your decision-making process the 'Provisional Determination of

Applicable Legislation' - [SED A007](#) which was sent by another participant after a 'Rejection of Determination on Applicable Legislation' - [SED A004](#).

You expect for the Case Owner to send a new 'Determination of legislation applicable' - [SED A003](#) to all participants.

[I need to decide on the current determination of applicable legislation.](#) (step CP.2)

Sub-process steps available to the Counterparty before the case has been closed by the Case Owner:

[I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)

[I want to remind \(AD\\_BUC\\_07\).](#)

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CP.7 How do I send a 'Notification of relevant information' SED A008?

You can notify the Case Owner of information relevant to the current case by filling out and sending a 'Notification of relevant information' - [SED A008](#) to them. You need to do this within two months after receiving a 'Determination of Applicable Legislation' - [SED A003](#). You can optionally add relevant documents as attachments to SED A008.

The Case Owner will receive the notification and will decide the next step.

The case continues:

[I need to decide on the current determination of applicable legislation.](#) (step CP.2)

Sub-process steps available to the Counterparty before the case has been closed by the Case Owner:

[I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)

[I want to remind \(AD\\_BUC\\_07\).](#)

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)

[I want to Determine Residence \(H\\_BUC\\_02\).](#)

[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)

[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CP.8 How do I proceed after receiving a 'Notification of relevant information' SED A008?

You need to review the 'Notification of relevant information' - [SED A008](#) and take the information into account in the next step of the case.

The case continues:

[I need to decide on the current determination of applicable legislation.](#) (step CP.2)

Sub-process steps available to the Counterparty before the case has been closed by the Case Owner:

[I want to invalidate the sent SED \(AD\\_BUC\\_06\).](#)

[I want to remind \(AD\\_BUC\\_07\).](#)

[I want to Clarify Content \(AD\\_BUC\\_08\).](#)

[I want to Reject SED \(AD\\_BUC\\_09\).](#)

[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)

[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)  
[I want to Determine Residence \(H\\_BUC\\_02\).](#)  
[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)  
[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CP.9 How do I 'Request for more information' SED A005 from another Participant?

You request more information by filling out a 'Request for more information' - [SED A005](#). Depending on the request you need to decide to whom it should be sent.

For making your decision to inform the Case Owner, you send your request to the Case Owner and the other participants who received the SED A003.

When your request is related to a SED A004, you send your request to the participant sending this SED, and to any other participant.

You expect to receive a 'Reply to Request for more information' - [SED A006](#) from the corresponding Participant (either Counterparty or Case Owner).

You take the received information into account in the decision making process.

[As a Counterparty, I continue the information exchange to reach the agreement with the Case Owner.](#) (step CP.2)

Sub-process steps available to the Counterparty at this stage:

[I want to remind \(AD\\_BUC\\_07\).](#)  
[I want to Clarify Content \(AD\\_BUC\\_08\).](#)  
[I want to Reject SED \(AD\\_BUC\\_09\).](#)  
[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)  
[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)  
[I want to Determine Residence \(H\\_BUC\\_02\).](#)  
[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)  
[I want to send Notification of Death \(H\\_BUC\\_07\).](#)

#### CP.10 How do I proceed after receiving a 'Request for more information' SED A005?

Provide the information requested by the Participant in the received [SED A005](#) by filling out a 'Reply to Request for more information' - [SED A006](#) and sending it back to them.

[As a Counterparty, I continue the information exchange to reach the agreement with the Case Owner.](#) (step CP.2)

Sub-process steps available to the Counterparty at this stage:

[I want to remind \(AD\\_BUC\\_07\).](#)  
[I want to Clarify Content \(AD\\_BUC\\_08\).](#)  
[I want to Reject SED \(AD\\_BUC\\_09\).](#)  
[I want to update the information contained in the sent SED \(AD\\_BUC\\_10\).](#)  
[I want to exchange Ad Hoc information not covered by the main process \(H\\_BUC\\_01\).](#)  
[I want to Determine Residence \(H\\_BUC\\_02\).](#)  
[I want to perform the Transfer of Claim \(H\\_BUC\\_06\).](#)  
[I want to send Notification of Death \(H\\_BUC\\_07\).](#)



## BPMN diagram for LA\_BUC\_02

Click [here](#) to open the BPMN diagram for LA\_BUC\_02.

Click [here](#) to open the BPMN diagrams of the included sub-process.

### Structured Electronic Documents (SEDs) used in the process

The following SED is used in LA\_BUC\_02:

- [SED A003 - Determination of Applicable Legislation](#)
- [SED A004 - Rejection of Determination on Applicable Legislation](#)
- [SED A005 - Request for more information](#)
- [SED A006 - Reply to Request for more information](#)
- [SED A007 - Provisional Determination of Applicable Legislation](#)
- [SED A008 - Notification of relevant information](#)
- [SED A012 - Acceptance of Decision on Applicable Legislation](#)

### Portable Documents

The following Portable Document is used in LA\_BUC\_02:

- [PD A1](#)

### Horizontal sub-processes

The following horizontal sub-processes are used in LA\_BUC\_02:

- [H BUC 01 Sub-process: Ad Hoc Exchange of Information](#)
- [H BUC 02 Sub-process: Determine Residence](#)
- [H BUC 06 Sub-process: Exchange Claim](#)
- [H BUC 07 Sub-process: Notification of Death](#)

### Administrative sub-processes

The following administrative sub-processes are used in LA\_BUC\_02:

- [AD BUC 01 Sub-process – Close Case](#)
- [AD BUC 03 Sub-process – Add Participant](#)
- [AD BUC 05 Sub-process – Forward Case](#)
- [AD BUC 06 Sub-process – Invalidate SED](#)
- [AD BUC 07 Sub-process – Reminder](#)
- [AD BUC 08 Sub-process – Clarify Content](#)
- [AD BUC 09 Sub-process – Reject SED](#)
- [AD BUC 10 Sub-process – Update SED](#)

The following technical administrative sub-processes can be used at any point in the process:

- [AD BUC 11 Sub-process – Business Exception](#)
- [AD BUC 12 Subprocess – Change of Participant](#)