necessary to have recourse to the arrangements for aggregation of the periods of insurance.

2. Since the waiving of residence clauses pursuant to Article 10 of Regulation No 1408/71 has no effect on the acquisition of the right to benefit, it cannot involve the application of Article 46 (3) of that regulation.

Kutscher Sørensen Bosco

Donner Pescatore Mackenzie Stuart O'Keeffe

Delivered in open court in Luxembourg on 20 October 1977.

A. Van Houtte
Registrar

H. Kutscher
President

OPINION OF MR ADVOCATE-GENERAL WARNER
(see case 112/76, p. 1657)