

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 2017 Nr. 103

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## A. TITEL

*Protocol tot wijziging van het Verdrag inzake sociale zekerheid tussen het Koninkrijk der Nederlanden en de Republiek India en het Administratief Akkoord daarbij, ondertekend te New Delhi op 22 oktober 2009; 's-Gravenhage, 27 juni 2017*

Voor een overzicht van de verdragsgegevens, zie verdragsnummer 013217 in de Verdragenbank.

## B. TEKST

### **Protocol amending The Agreement on Social Security between The Kingdom of The Netherlands and The Republic of India and its Administrative Arrangement, signed at New Delhi on 22 October 2009**

The Kingdom of the Netherlands

and

the Republic of India,

hereinafter "the Contracting States",

Wishing to amend the Agreement on social security between the Kingdom of the Netherlands and the Republic of India (hereinafter "the Agreement") and Administrative Arrangement for the implementation of the Agreement (hereinafter "the Administrative Arrangement"), signed at New Delhi on 22 October 2009,

Have agreed as follows:

#### Article I

##### *Appliance of the country of residence principle*

The following new Article shall be inserted after Article 5 of the Agreement:

##### "Article 5a

In so far as Dutch legislation so requires and notwithstanding Article 5, the country of residence principle shall be applied. This means that the amount of a benefit is adjusted to the cost of living in the country of residence of the beneficiary."

#### Article II

##### *Copies of certificates of coverage*

Paragraph 2 of Article 3 of the Administrative Arrangement, shall be deleted and replaced by the following paragraph:

"2. The competent institution of the Contracting State that has issued a certificate under the first paragraph, under a) or b), will send copies of it to the person concerned, to the person's employer and to the competent institution of the other Contracting State."

### Article III

#### *Transitional provision*

Notwithstanding Article I of this Protocol, the Agreement shall continue to be applied as unamended to the person who is in receipt of a benefit on the date of entry into force of this Protocol regarding that benefit, for as long as this person is resident in the same country as on the date of entry into force of this Protocol and this person continues to fulfill, without interruption, the other conditions for entitlement for the benefit.

### Article IV

#### *Entry into Force*

1. The Contracting States shall notify each other in writing of the completion of their respective constitutional procedures required for the entry into force of this Protocol.
2. This Protocol shall enter into force on the first day of the third month after the date of the last notification.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Protocol.

DONE at The Hague this 27 June 2017, in two originals in the English language.

*For the Kingdom of the Netherlands,*

BERT KOENDERS

*For the Republic of India,*

venu RAJAMONY

#### D. PARLEMENT

Het Protocol behoeft ingevolge artikel 91 van de Grondwet de goedkeuring van de Staten-Generaal, alvorens het Koninkrijk aan het Verdrag kan worden gebonden.

#### G. INWERKINGTREDING

De bepalingen van het Protocol zullen ingevolge artikel IV, eerste en tweede lid, van het Protocol, in werking treden op de eerste dag van de derde maand na de datum van de laatste notificatie waarin de verdragsluitende staten elkaar er schriftelijk van in kennis hebben gesteld dat hun respectieve grondwettelijke vereiste procedures voor de inwerkingtreding van dit Protocol zijn voltooid.

Uitgegeven de *twaalfde* juli 2017.

*De Minister van Buitenlandse Zaken,*

A.G. KOENDERS