

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1976 Nr. 63

A. TITEL

Briefwisseling tussen de Nederlandse en de Britse bevoegde autoriteiten ter uitvoering van artikel 36, derde lid, en artikel 63, derde lid, van Verordening nr. 1408/71 van de Raad van de Europese Gemeenschappen inzake de toepassing van de sociale zekerheidsregelingen op loontrekkenden en hun gezinnen die zich binnen de Gemeenschap verplaatsen;

Londen/'s-Gravenhage, 24 februari/5 maart 1976

B. TEKST

Nr. I

DEPARTMENT OF HEALTH
AND SOCIAL SECURITY
10 JOHN ADAM STREET
LONDON WC2N 6HD

Sir

With reference to earlier discussions on the matter, I, the undersigned on behalf of the competent authorities of the United Kingdom of Great Britain and Northern Ireland, and of Gibraltar within the meaning of Article 1 (1) of Regulation (EEC) No 1408/71 of 14 June 1971 of the Council of the European Communities on the application of social security schemes to employed persons and their families moving within the Community ¹⁾ (hereinafter to be referred to as "the Regulation") as specified in Annex 1 of Regulation (EEC)

¹⁾ Official Journal of the European Communities No L149 of 5 July 1971.

No 574/72 of 21 March 1972²⁾ of the Council of the European Communities as amended³⁾, propose the following:

1. The reimbursement of the cost of benefits in kind incurred by institutions of one State on behalf of those of another State in respect of sickness or maternity as laid down in Chapter 1 and in respect of accidents at work and occupational diseases as laid down in Chapter 4 of Title III of the Regulation be mutually waived on the basis of the provisions of Article 36, paragraph 3 and Article 63, paragraph 3 of the Regulation.

2. The foregoing will not apply to the cost of any benefits in kind provided after cessation of entitlement under the aforementioned provisions and before notification of such cessation has been received from the competent institution by the institution of the place of residence in accordance with the procedures laid down in Regulation No 574/72 as amended; the liability of the former institution will continue until the notification of such cessation is received by the institution of the place of residence.

If the foregoing accords with the understanding of the competent authorities of the Kingdom of the Netherlands, I have the honour to propose that this letter together with your reply to that effect be regarded as placing on record the understanding of the competent authorities in this matter.

This arrangement will enter into force on the date of your letter in reply, with retrospective effect from 1 April 1973. The arrangement will remain in force for a period of three years and thereafter it will continue to be in force from year to year unless, either the competent authorities of the United Kingdom of Great Britain and Northern Ireland, and of Gibraltar acting jointly or the competent Netherlands authorities acting jointly give at least six months' notice of termination.

I have the honour to be your obedient servant,

(sd.) L. G. REFFELL

for the competent authorities of the United Kingdom of Great Britain and Northern Ireland, and of Gibraltar.

24 February 1976.

To the competent authorities of the Kingdom of the Netherlands

²⁾ Official Journal of the European Communities No L74 of 27 March 1972.

³⁾ By Regulation (EEC) No 878/73 of 26 March 1973 and by Regulation (EEC) No 1392/74 of 4 June 1974.

Nr. II

MINISTRY OF SOCIAL AFFAIRS
ZEESTRAAT 73
THE HAGUE

Sir

I have the honour to acknowledge receipt of your letter of 24 February 1976 which reads as follows:

(zoals in Nr. I)

I, on behalf of the competent Netherlands authorities within the meaning of Article 1 (1) of Regulation No 1408/71, as specified in Annex 1 of Regulation No 574/72, agree to the proposals made in your letter.

I have the honour to confirm that your letter, together with my reply to that effect be regarded as placing on record the understanding of the competent Netherlands authorities in this matter, and that this arrangement will enter into force from this date with retrospective effect from 1 April 1973.

I have the honour to be your obedient servant,

(w.g.) L. LAMERS

for the competent authorities of the Kingdom
of the Netherlands.

5 March 1976.

*To the competent authorities
of the United Kingdom of
Great Britain and Northern Ireland,
and of Gibraltar*

G. INWERKINGTREDING

Ingevolge het in de brieven gestelde is het in de brieven vervatte administratief akkoord op 5 maart 1976 in werking getreden met terugwerkende kracht te rekenen vanaf 1 april 1973.

J. GEGEVENS

Verordening nr. 1408/71 van de Raad van de Europese Gemeenschappen inzake de toepassing van de sociale zekerheidsregelingen op loontrekkenden en hun gezinnen die zich binnen de Gemeenschap verplaatsen, naar welke Verordening in de brieven wordt verwezen, is geplaatst in *Pb.* EG nr. L 149/71.

Verordening nr. 574/72 van de Raad van de Europese Gemeenschappen, naar welke Verordening in de brieven wordt verwezen, is geplaatst in *Pb.* EG nr. 74/72. Deze Verordening is gewijzigd bij de Verordeningen nr. 878/73 en nr. 1392/74 van de Raad van de Europese Gemeenschappen (*Pb.* EG nr. L 86/73, respectievelijk nr. L 152/74).

Van het op 25 maart 1957 te Rome tot stand gekomen Verdrag tot oprichting van de Europese Economische Gemeenschap is de Nederlandse tekst geplaatst in *Trb.* 1957, 91; zie ook, laatstelijk, *Trb.* 1962, 104.

Vergelijk ook de op 8/28 januari 1976 te Londen/'s-Gravenhage tot stand gekomen Briefwisseling tussen de Nederlandse en de Britse bevoegde autoriteiten ter uitvoering van artikel 70, derde lid, van meergenoemde Verordening nr. 1408/71 (tekst in *Trb.* 1976, 52).

Uitgegeven de zesentwintigste mei 1976.

De Minister van Buitenlandse Zaken,
M. VAN DER STOEL.