

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1979 Nr. 117

A. TITEL

Briefwisseling tussen de Nederlandse en de Deense 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;

's-Gravenhage/Kopenhagen, 30 maart/25 april 1979

B. TEKST

Nr. I

Sir

With reference to earlier discussions on the matter, I, undersigned, on behalf of the competent authorities of the Kingdom of the Netherlands within the meaning of Article 1 (1) of Regulation (EEC) No. 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community¹⁾ (hereafter to be referred to as "the Regulation") as specified in Annex 1 of Regulation (EEC) No. 574/72 of the Council of 21 March 1972²⁾ as amended or subsequently amended or extended, propose the following: -

¹⁾ Official Journal of the European Communities No. L 149 of 5 July 1971, lastly amended by Regulation (EEC) No. 2595/77 of 21 November 1977, Official Journal of the European Communities No. L 302 of 26 November 1977.

²⁾ Official Journal of the European Communities No. L 74 of 27 March 1972, lastly amended by Regulation (EEC) No. 2595/77 of 21 November 1977, Official Journal of the European Communities No. L 302 of 26 November 1977.

1. The reimbursement of the costs of benefits in kind provided by institutions of one State on behalf of those of the other State in respect of sickness or maternity as laid down in Chapter 1, with the exception of Article 22, paragraph 1c), and in respect of accidents at work and occupational diseases as laid down in Chapter 4, with the exception of Article 55, paragraph 1c), 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 costs of any benefits in kind provided after cessation of entitlement under the afore-mentioned 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; the liability of the former institution will continue until the notification of such cessation is received by the institution of the place of residence.

3. The annual expenses of the Danish Travel Health Security Scheme relating to expenses concerning benefits in kind in the Netherlands, apart from expenses regarding transport to Denmark, be reimbursed by the Dutch institution, designated for the application of article 102, paragraph 2 of the Regulation No. 574/72 for the refunds of benefits in kind according to the articles 36 and 63 of the Regulation, with 60 per cent on the base of accounts, certified by the Danish competent institution or authority.

If the foregoing accords with the understanding of the competent authorities of the Kingdom of Denmark 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 continue to be in force from year to year unless terminated in writing by the competent authorities of either Member State at least six months before the expiry of any such yearly period.

I have the honour to be your obedient servant

30 March, 1979

For the competent authorities of the
Kingdom of the Netherlands

(sd.) A. L. DIRKEN
(Drs. A. L. Dirken)

To the competent authorities of the Kingdom of Denmark

Nr. II

Sir

I have the honour to acknowledge receipt of your letter of 30 March, 1979 which reads as follows:

(zoals in Nr. I)

I, on behalf of the competent authorities of the Kingdom of Denmark 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 authorities in this matter, and that this arrangement will enter into force as from this date, with retrospective effect from 1 April 1973.

I have the honour to be your obedient servant

25 April, 1979

For the competent authorities of the
Kingdom of Denmark

(sd.) ADAM TRIER
(A. Trier)

To the competent authorities of the Kingdom of the Netherlands

G. INWERKINGTREDING

Ingevolge het in de brieven gestelde is het in de brieven vervatte administratief akkoord op 25 april 1979 in werking getreden met terugwerkende kracht 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. Deze Verordening is laatstelijk gewijzigd bij Verordening nr. 2595/77 (*Pb.* EG nr. L 302/77).

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, nr. 1392/74 en nr. 2592/77 van de Raad van de Europese Gemeenschappen (respectievelijk *Pb.* EG nr. L 86/73, nr. L 152/74 en nr. L 302/77).

Van het op 25 maart 1957 te Rome totstandgekomen Verdrag tot oprichting van de Europese Economische Gemeenschap is de Nederlandse tekst geplaatst in *Trb.* 1957, 91; zie ook, laatstelijk, *Trb.* 1976, 78.

Uitgegeven de derde augustus 1979.

De Minister van Buitenlandse Zaken,
C. A. VAN DER KLAAUW