

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1992 Nr. 135

A. TITEL

Briefwisseling tussen de Nederlandse en de Britse bevoegde autoriteiten ter uitvoering van artikel 36, derde lid, van Verordening nr. 1408/71 van de Raad van de Europese Gemeenschappen inzake de toepassing van de sociale zekerheidsregelingen op werknemers en zelfstandigen, alsmede op hun gezinsleden, die zich binnen de Gemeenschap verplaatsen; Londen/Leidschendam, 25 april/26 mei 1986

B. TEKST

Zie *Trb.* 1986, 81.

Voor wijzigingen van de tekst zie rubriek J hieronder.

G. INWERKINGTREDING

Zie *Trb.* 1986, 81.

J. GEGEVENS

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.* 1987, 117.

Verordening 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 ook in de brieven hieronder wordt verwezen, is geplaatst in *Pb.* EG nr. L 149/71. Deze Verordening is laatstelijk gewijzigd op 30 april 1992 bij Verordening 1249/92 (*Pb.* EG nr. L 136/92).

Verordening 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 laatstelijk gewijzigd op 30 april 1992 bij Verordening 1249/92 (*Pb. EG* nr. L 136/92).

Op 30 september 1991 en 6 januari 1992 zijn te Rijswijk en Londen brieven gewisseld tussen de Nederlandse en Britse bevoegde autoriteiten tot wijziging van het onderhavige administratief akkoord.

Nr. I

Ministerie van Welzijn, Volksgezondheid en Cultuur

DGVGZ/VMP/VVU-419374

30 september 1991

Reimbursement-arrangement
between The Kingdom of
the Netherlands and the United
Kingdom of Great Britain and
Northern Ireland under Article 36(3)
of Regulation (EEC) nr. 1408/71

Sir,

In order to take into account the part of the costs of medical care provided to seamen that falls at the expence of the shipowner, it is necessary to change the reimbursement arrangement between the competent authorities of the United Kingdom of Great Britain and Northern Ireland and of the Kingdom of the Netherlands, based on Article 36 of Regulation (EEC) nr. 1408/71, of 25 April and 26 May 1986, which entered into force on 1 January 1986.

For that purpose I propose the following amendment to the aforementioned arrangement.

Article 2 will be renumbered into Article 2a, while to this Article two new paragraphs b and c will be added reading:

b. In the case of seamen the average annual cost per person mentioned in paragraph a. will be reduced by 60% for the seaman himself.

c. For the application of paragraph a. in the case of seamen:

i. the average annual number of United Kingdom seamen residing in the Netherlands to be taken into account shall be the determined by the following formula -.

| | | |
|---|---|---|
| Average No. of UK employed persons residing the Netherlands | × | Average No. of Dutch seamen residing in the UK |
| | | Average No. of Dutch employed persons residing in the UK |

ii. the average annual number of Dutch seamen residing in the United Kingdom to be taken into account shall be the relevant number of forms E106 issued in respect of those seamen.

The Dutch liaison body will communicate the necessary information for the calculation to the British liaison body annually.

This understanding will take effect retrospectively from the first of January 1986.

If the foregoing is acceptable to the competent authorities of the United Kingdom of Great Britain and Northern Ireland, I have the honour to suggest that this letter together with your reply to that effect will place on the record the understanding of the competent authorities in this matter.

For the competent authorities
of the Netherlands
The Secretary of State of Welfare,
Health and Cultural Affairs,

(sd.) H. J. SIMONS

(Hans J. Simons)

*The Competent Authorities of Great
Britain and Northern Ireland within
the meaning of Article 1 of Regulation
(EEC) Nr. 1408/71
Hannibal House
Elephant and Castle
London SE 1 6TE
United Kingdom*

Nr. II

Department of Health
Hannibal House
Elephant and Castle
London SE1

6 January 1992

Sir

I have the honour to acknowledge receipt of your letter of 30 September 1991 which reads as follows:

In order to take into account the part of the costs of medical care provided to seamen that falls at the expense of the shipowner, it is necessary to change the reimbursement arrangement between the

competent authorities of the United Kingdom of Great Britain and Northern Ireland and of the Kingdom of the Netherlands, based on Article 36 of Regulation (EEC) 1408/71, of 25 April and 26 May 1986, which entered into force on 1 January 1986.

For that purpose I propose the following amendment to the aforementioned arrangement.

Article 2 will be renumbered into Article 2a, while to this Article two new paragraphs b and c will be added reading:

b. In the case of seamen the average annual cost per person mentioned in paragraph a. will be reduced by 60% for the seaman himself.

c. For the application of paragraph a. in the case of seamen:

i. the average annual number of United Kingdom seamen residing in the Netherlands to be taken into account shall be determined by the following formula –

| | | |
|--|---|---|
| Average No. of UK employed persons residing in the Netherlands | x | Average No. of Dutch seamen residing in the UK |
|--|---|---|

| |
|---|
| Average No. of Dutch employed persons residing in the UK |
|---|

ii. the average number of Dutch seamen residing in the United Kingdom to be taken into account shall be the relevant number of forms E106 issued in respect of those seamen.

The Dutch liaison body will communicate the necessary information for the calculation to the British liaison body annually.

The understanding will take effect retrospectively from the first of January 1986.

I, on behalf of the competent UK authorities within the meaning of Article 1(1) of Regulation (EEC) 1408/71, as specified in Annex 1 of Regulation (EEC) 574/72, agree to the proposals made in your letter.

I have the honour to confirm that your letter, together with my reply to take effect, be regarded as placing on record the understanding of the competent authorities in this matter.

I have the honour to be your obedient servant.

(sd.) PETER MCCONN

P. McConn

For the competent authorities
of the United Kingdom of Great
Britain and Northern Ireland

*To the competent authorities
of the Kingdom of the
Netherlands*

De in de brieven vervatte wijziging is met terugwerkende kracht op 1 januari 1986 van kracht geworden.

Uitgegeven de *elfde* september 1992.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK