

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1994 Nr. 184

A. TITEL

Briefwisseling tussen de bevoegde autoriteiten van het Koninkrijk der Nederlanden en de Helleense Republiek inzake artikel 36, derde lid, van EEG-Verordening nr. 1408/71; Athene, 8 september 1992/Rijswijk, 30 juni 1993

B. TEKST

Bij brieven van 8 september 1992 en 30 juni 1993 is tussen de bevoegde autoriteiten van het Koninkrijk der Nederlanden en van de Helleense Republiek de volgende regeling getroffen:

Having regard to Article 36, paragraph 3 of Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to workers and self-employed persons, as well as their families, moving within the Community, and to the Articles 93, paragraph 6, 94, paragraph 6, and 95, paragraph 6 of Regulation (EEC) No 574/72 of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71,

Wishing to ease the administrative task of the Dutch and the Greek institutions by making use of the possibility offered by Regulations (EEC) Nos 1408/71 and 574/72 to agree upon other methods of assessing the amounts to be refunded;

Have agreed upon the following:

Article 1

Contrary to Article 93 of Regulation (EEC) No 574/72 the Greek competent institution shall refund the costs of benefits in kind that have been provided,

a) according to Article 19, paragraph 1, of Regulation (EEC) No 1408/71 to employed or self-employed persons, other than seafaring people, who reside in the Netherlands, by a lump-sum which is based on 80% of the average yearly costs pro capita;

b) according to Article 19, paragraph 2, of Regulation (EEC) No 1408/71 to members of the families of employed or self-employed persons, who reside in the Netherlands, by a lump-sum which is based on 80% of the average yearly costs pro capita;

c) according to Article 29, paragraph 1, of Regulation (EEC) No 1408/71 to in the Netherlands residing members of the families of the holders of pension rights who reside in Greece, by a lumpsum which is based on 80% of the average yearly costs pro capita.

Article 2

In the cases referred to in Article 1 of this Agreement, the institution of the place of residence shall be considered the competent institution for the application of the Articles 22 and 31 of Regulation (EEC) No 1408/71 and Article 93 of Regulation (EEC) No 574/72.

Article 3

Contrary to Article 94, paragraphs 2,3 and 4 of Regulation (EEC) No 574/72, the Greek competent institution shall refund the costs of benefits in kind that have been provided according to Article 19, paragraph 2, of Regulation (EEC) No 1408/71 to members of the families of workers or self-employed persons who reside in the Netherlands, by a lump-sum which is based on 80% of the average yearly costs pro capita.

Article 4

Contrary to Article 95, paragraphs 2, 3 and 4 of Regulation (EEC) No 574/72 the Greek competent institution shall refund the costs of benefits in kind that have been provided according to Articles 28 and 28 bis of Regulation (EEC) No 1408/71 to holders of pension rights and the members of their families, who reside in the Netherlands, by a lump-sum which is based on 80% of the average yearly costs pro capita split-up in an amount for persons under 65 years of age and an amount for persons of 65 years of age and older.

Article 5

This Agreement will enter into force on the first of January of 1992.

Article 6

This Agreement will remain in force for the period of one year from the date of its entering into force.

It will continue to be in force from year to year unless one of the Contracting Parties gives at least three months notice of termination.

G. INWERKINGTREDING

De bepalingen van de in de brieven vervatte regeling zijn ingevolge artikel 5 op 1 januari 1992 in werking getreden.

Wat het Koninkrijk der Nederlanden betreft, geldt de regeling alleen voor Nederland.

J. GEGEVENS

Verordening nr. 1408/71 van de Raad van de Europese Economische Gemeenschap betreffende de toepassing van de sociale zekerheidsregelingen op loontrekkenden en hun gezinnen, naar welke Verordening wordt verwezen in onder meer de preambule tot de onderhavige regeling, is geplaatst in *Pb EG* nr. L 149 van 5 juli 1971.

Verordening nr. 574/72 van de Raad van de Europese Economische Gemeenschap tot vaststelling van de wijze van toepassing van Verordening nr. 1408/71, naar welke Verordening wordt verwezen in onder meer de preambule tot de onderhavige regeling, is geplaatst in *Pb EG* nr. L 74 van 27 maart 1972.

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, 116. Dit Verdrag is laatstelijk gewijzigd bij het op 7 februari 1992 te Maastricht tot stand gekomen Verdrag betreffende de Europese Unie. De Nederlandse tekst van het Verdrag is geplaatst in *Trb.* 1992, 74; zie ook, laatstelijk, *Trb.* 1994, 28.

Uitgegeven de *tweede* september 1994.

De Minister van Buitenlandse Zaken,

H. A. F. M. O. VAN MIERLO