

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2015 Nr. 177

A. TITEL

*Verdrag tussen het Koninkrijk der Nederlanden en Japan inzake sociale zekerheid
(met Administratief Akkoord);
's-Gravenhage, 21 februari 2008*

B. TEKST

De Engelse tekst van het Verdrag, met Administratief Akkoord, en de bijbehorende notawisseling is geplaatst in *Trb. 2008*, 64.

Voor correcties in de tekst zie *Trb. 2008*, 158 en *Trb. 2009*, 15.

C. VERTALING

Zie *Trb. 2008*, 158.

D. PARLEMENT

Zie *Trb. 2009*, 15.

E. PARTIJGEGEVENS

In nota's van 10 september 2015 en 29 september 2015 hebben het Koninkrijk der Nederlanden en Japan een interpretatieve verklaring inzake de toepassing van het Verdrag vastgelegd. De Engelse tekst van deze nota's luidt als volgt:

Nr. I

EMBASSY OF JAPAN IN THE NETHERLANDS

The Hague, 10 September 2015

35-P-2015

The Embassy of Japan presents its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and has the honour to refer to the Agreement between Japan and the Kingdom of the Netherlands on Social Security which entered into force on March 1, 2009 (hereinafter referred to as "the Agreement") and the amendments of the laws of Japan concerning the Japanese pension systems which will enter into force on October 1, 2015 (hereinafter referred to as "the amendments of the laws of Japan").

The Embassy has further the honour to inform the Ministry of Foreign Affairs of the Kingdom of the Netherlands, on behalf of the Government of Japan, that, through the amendments of the laws of Japan, the Employees' Pension Insurance will be applied to national public officials, local public officials, private school personnel and personnel of similar status on and after October 1, 2015, the additional pension for specified occupations under the mutual aid pensions will be abolished on October 1, 2015, transitional measures in the light of the abolition of that additional pension will be taken on and after October 1, 2015, and the benefits paid as retirement or other pensions to be introduced on October 1, 2015 (hereinafter referred to as "the benefits paid as retirement or other pensions") will be granted as an additional pension for national public officials, local public officials, private school personnel and personnel of similar status on and after October 1, 2015.

The Embassy has further the honour to confirm the Ministry of Foreign Affairs of the Kingdom of the Netherlands that, on the application of the Agreement on and after October 1, 2015, the following is the mutual understanding of the Government of Japan and the Government of the Kingdom of the Netherlands:

1. For the purpose of the application of the Agreement, the Japanese pension systems specified in paragraph 1 (a)(ii) to (v) of Article 2 of the Agreement (referred to as the "Japanese pension systems for employees" in the Agreement) will be unified into the Employees' Pension Insurance specified in paragraph 1 (a)(ii) of Article 2 of the Agreement on and after October 1, 2015, in the light of the unification of the Japanese pension systems for employees by the amendments of the laws of Japan. The term "the Japanese pension systems for employees" in the Agreement means "the Employees' Pension Insurance" on and after October 1, 2015. The circumstances to which paragraph 2 of Article 18 and paragraph 4 of Article 19 of the Agreement apply will no longer exist on and after October 1, 2015, as a result of the unification of the Japanese pension systems for employees into the Employees' Pension Insurance.
2. For the purpose of the application of paragraph 1 of Article 17 of the Agreement, the term "the additional pension for specified occupations under the mutual aid pensions" means, on and after October 1, 2015, such additional pension under the legislation of Japan before the amendments of the laws of Japan that may be granted as transitional measures on and after October 1, 2015, in the light of the abolition of the current additional pension for specified occupations under the Japanese mutual aid pensions by the amendments of the laws of Japan.
3. The Agreement will not apply to the benefits paid as retirement or other pensions and any identical or substantially similar benefits to be introduced on and after October 1, 2015 in addition to, or in place of, the benefits paid as retirement or other pensions.
4. Even after the entry into force, on October 1, 2015, of the amendments of the laws of Japan, rights regarding entitlement to and payment of benefits acquired before that date will be retained.

The Embassy of Japan has further the honour to request the Ministry of Foreign Affairs of the Kingdom of the Netherlands the confirmation of the above-mentioned application of the Agreement on and after October 1, 2015.

The Embassy of Japan avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of the Netherlands the assurances of its highest consideration.

*Ministry of Foreign Affairs
The Hague*

Nr. II

MINISTRY OF FOREIGN AFFAIRS

The Hague, 29 September 2015

Treaties Division

MINBUZA-2015.562022

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the Embassy of Japan and has the honour to refer to the Embassy's Note, No. 35-P-2015, of 10 September 2015 on the Agreement between the Kingdom of the Netherlands and Japan on Social Security (hereinafter referred to as "the Agreement"), done at The Hague on 21 February 2008, and the amendments of the laws of Japan concerning the Japanese pension systems which will enter into force on 1 October 2015.

The Ministry has the honour to inform the Embassy that the proposals outlined in the said Note are acceptable to the Government of the Kingdom of the Netherlands and it acknowledges the application of the Agreement on and after 1 October 2015, as outlined in the said Note.

The Ministry of Foreign Affairs of the Kingdom of the Netherlands avails itself of this opportunity to renew to the Embassy of Japan the assurances of its highest consideration.

To the Embassy of Japan at The Hague

F. VOORLOPIGE TOEPASSING

Zie *Trb.* 2008, 64.

G. INWERKINGTREDING

Zie *Trb.* 2009, 15.

J. VERWIJZINGEN

Zie *Trb.* 2008, 64.

Uitgegeven de *vierde* november 2015.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS