

No. 10746

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**NETHERLANDS**  
and  
**GREECE**

**Convention on Social Security. Signed at Athens on 13 September 1966**

**General Administrative Agreement concerning the manner of application of the above-mentioned Convention. Signed at The Hague on 19 December 1967**

*Authentic text: French.*

*Registered by the Netherlands on 3 September 1970.*

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**PAYS-BAS**  
et  
**GRÈCE**

**Convention sur la sécurité sociale. Signée à Athènes le 13 septembre 1966**

**Arrangement administratif général relatif aux modalités d'application de la Convention susmentionnée. Signé à La Haye le 19 décembre 1967**

*Texte authentique: français.*

*Enregistrés par les Pays-Bas le 3 septembre 1970.*

[TRANSLATION — TRADUCTION]

CONVENTION<sup>1</sup> BETWEEN THE KINGDOM OF THE  
NETHERLANDS AND THE KINGDOM OF GREECE  
ON SOCIAL SECURITY

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Her Majesty the Queen of the Netherlands and

His Majesty the King of the Hellenes,

Desiring to regulate relations between the two States in the matter of social insurance;

Have decided to conclude a Convention with this object and, for this purpose, have appointed as their plenipotentiaries :

Her Majesty the Queen of the Netherlands : Baron van Lynden, Ambassador of the Netherlands,

His Majesty the King of the Hellenes : Jean Toumbas, Minister for Foreign Affairs,

who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

T I T L E I

GENERAL PROVISIONS

*Article 1*

1. This Convention shall apply :

(a) In the Netherlands, to the legislation concerning :

1. Sickness insurance (benefits in cash and in kind in respect of sickness and maternity);
2. Invalidity, old age and premature death insurance covering employed persons, including increases in annuities;
3. General old age insurance;
4. General widows' and orphans' insurance;
5. Industrial accident and occupational disease insurance, including increases in annuities;
6. Unemployment insurance;

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<sup>1</sup> Came into force on 1 July 1970, the first day of the month following the month in which the instruments of ratification were exchanged at The Hague (on 22 June 1970), in accordance with articles 43 and 44.

7. Family allowances;
8. Special schemes for persons employed by coal-mining enterprises;

(b) In Greece, to the legislation concerning :

1. The social insurance covering employed persons or persons treated as such in respect of sickness and maternity, invalidity, industrial accidents and occupational diseases, old age and death;
2. The special insurance schemes covering certain categories of employed persons in respect of the aforementioned contingencies;
3. Unemployment insurance for employed persons;
4. Family allowances.

The term « legislation » shall also, where appropriate, include regulations.

2. This Convention shall also apply to all laws or regulations by which the legislation referred to in paragraph 1 of this article has been or may be amended or supplemented.

It shall apply to :

- (a) Laws or regulations covering a new branch of social insurance, provided that an agreement to that effect is concluded between the Contracting Parties;
- (b) Laws or regulations extending existing schemes to new categories of beneficiaries, provided that the Government of the Contracting Party concerned raises no objection within a period of three months from the date of notification of the official publication of such laws or regulations.

3. The provisions of this Convention shall not apply to merchant seamen unless a supplementary agreement is concluded to that effect.

4. For the purposes of this Convention, the competent authorities shall be, in the case of the Netherlands, the Minister of Social Affairs and Public Health, and, in the case of Greece, the Minister of Labour.

### *Article 2*

1. The provisions of this Convention shall apply to employed persons or persons treated as such who are or have been subject to the legislation of one of the Contracting Parties and are nationals of one of the Parties, and to the members of their families and their survivors.

2. The provisions of this Convention shall not apply to members of diplomatic or consular missions (including chancellery officials, provided that they are nationals of the sending State) or to members of a government service of

one of the Contracting Parties who are sent by their Government to the territory of the other Party.

### *Article 3*

Nationals of one of the Contracting Parties to whom the provisions of this Convention apply shall be subject to the requirements and entitled to the advantages of the legislation specified in article 1, under the same conditions as nationals of the other Party.

### *Article 4*

1. Subject to the provisions of article 25, pensions or annuities, including increases, acquired under the legislation of one of the Contracting Parties shall not be reduced, modified, suspended, discontinued or withheld on the ground that the beneficiary is resident in the territory of the Contracting Party other than that in whose territory the institution liable for the benefit is situated.

2. Social insurance benefits of one of the Contracting Parties shall be paid to nationals of the other Contracting Party resident in the territory of a third State on the same conditions and to the same extent as to nationals of the first-named Party resident in the territory of that third State.

### *Article 5*

1. The provisions of this Convention shall not operate to confer or maintain any right to receive, under the legislation of one of the Contracting Parties, more than one benefit of the same nature or more than one benefit relating to the same insurance period or equivalent period, save where, under the invalidity, old age and death (pensions) insurance schemes, liability for payment is divided between the insurance authorities of both Contracting Parties.

2. The provisions of the legislation of one Contracting Party concerning the reduction or suspension of benefits in the event of the beneficiary's being simultaneously in receipt of other social security benefits or other income or his carrying on an occupation shall apply to him even where the benefits in question are payable under a scheme of the other Contracting Party or where the income is received or the occupation carried on in the territory of the other Contracting Party.

3. Where the application of this rule would result in the reduction or suspension of the benefits payable under the legislation of both Contracting Parties, the amount of each such benefit affected by the reduction or suspension shall not exceed one half of the amount which is not to be paid.

4. The provisions of the preceding paragraph shall not, however, apply in cases where benefits of the same nature are acquired under articles 18 and 19 of this Convention.

5. Where the application of paragraph 2 results in the reduction or suspension of a benefit awarded under articles 18 and 19, account shall be taken, for the purpose of such reduction or suspension, only of such part of the benefits, income or remuneration as is determined in proportion to the duration of the periods completed in accordance with the provisions of article 19, paragraph 1, subparagraph (b).

## TITLE II

### PROVISIONS TO DETERMINE WHICH LEGISLATION IS APPLICABLE

#### *Article 6*

Subject to the provisions of this title, an employed person or a person treated as such who is employed in the territory of one of the Contracting Parties shall be subject to the legislation of that Party, even if he is still deemed to be resident in the territory of the other Party or his employer or the principal place of business of the enterprise which employs him is in the territory of the other Party.

#### *Article 7*

The principle laid down in the preceding article shall be subject to the following exceptions :

- (a) An employed person or a person treated as such who is resident in the territory of one of the Contracting Parties and is sent to the territory of the other Contracting Party by the enterprise which normally employs him in the territory of the first-mentioned Party shall remain subject to the legislation of the first-mentioned Party, as though he were employed in its territory, for the first twelve months of his employment in the territory of the other Party; if the duration of such employment exceeds twelve months, the legislation of the first-mentioned Party shall continue to apply for a further period of not more than twelve months, provided that the competent authority of the other Party has given its consent before the end of the first twelve-month period;
- (b) An employed person or a person treated as such who is in the service of an enterprise engaged, on behalf of others or on its own account, in the transport of passengers or goods by rail, road, air or water or in maritime fishing, with its principal place of business in the territory of one of the Contracting Parties, and who is employed in a travelling or sea-going capacity shall be subject to

the legislation of the Contracting Party in whose territory the enterprise has its principal place of business; if, however, the enterprise has a branch or a permanent agency in the territory of the other Contracting Party, persons employed by such branch or permanent agency shall be subject to the legislation of the Contracting Party in whose territory the branch or permanent agency is situated.

#### *Article 8*

1. Without prejudice to the provisions of article 2, paragraph 2, the provisions of article 6 shall apply to employed persons or persons treated as such who are employed at the diplomatic or consular posts of the Contracting Parties or are in the personal employ of the agents of such posts.

2. However, an employed person as specified in paragraph 1 of this article who is a national of the Contracting Party represented by the diplomatic or consular post in question may, within a period of six months after the commencement of his employment or the entry into force of this Convention, elect to be subject to the legislation of the sending State.

#### *Article 9*

The competent authorities of the Contracting Parties may, by agreement, make exceptions to the provisions of articles 6 to 8 of this Convention, for specific employed persons or groups of employed persons, as regards the applicable legislation.

### T I T L E III

## SPECIAL PROVISIONS

### Chapter 1

#### SICKNESS, MATERNITY AND DEATH (FUNERAL GRANT)

#### *Article 10*

For the purposes of the acquisition, maintenance or recovery of the right to benefits, where an employed person or a person treated as such has been subject successively or alternately to the legislation of both Contracting Parties, the insurance periods and equivalent periods completed under the legislation of each of the Contracting Parties shall be aggregated, provided that they do not overlap.

*Article 11*

1. An employed person or a person treated as such who has completed insurance periods or equivalent periods under the legislation of one of the Contracting Parties and who moves to the territory of the other Contracting Party shall be entitled, for himself and for such members of his family as are in that territory, to the benefits provided for by the legislation of the last-mentioned Contracting Party, provided that :

- (a) He was fit for employment when he last entered the territory of the last-mentioned Contracting Party;
- (b) He has been subject to compulsory insurance since he last entered that territory;
- (c) He satisfies the conditions imposed by the legislation of the last-mentioned Contracting Party, account being taken of the aggregation of periods referred to in the preceding article.

2. Where, in the cases specified in paragraph 1 of this article, an employed person or a person treated as such does not satisfy the conditions laid down in subparagraphs *a*, *b* and *c* of that paragraph, and where he would still be entitled to benefits under the legislation of the Contracting Party in whose territory he was last insured before his change of residence if he were in that territory, he shall remain entitled to benefits for a period of twenty-one days from the last day on which he was subject to the compulsory insurance scheme of that Party. The insurance authority of that Party may request the insurance authority of the place of residence to provide benefits in kind in accordance with the legislation applied by the last-mentioned insurance authority.

*Article 12*

1. An employed person or a person treated as such who is insured with an insurance authority of one of the Contracting Parties and is resident in the territory of that Party shall be entitled to benefits during a temporary stay in the territory of the other Contracting Party if his state of health necessitates immediate medical treatment, including admission to hospital.

2. An employed person or a person treated as such who is entitled to benefits from an insurance authority of one of the Contracting Parties and who is resident in the territory of that Party shall retain that entitlement when he transfers his residence to the territory of the other Contracting Party; before transferring his residence, however, he must obtain the consent of the competent insurance authority, which may withhold its consent only if advised by a physician on its staff that his state of health does not permit the transfer of residence to the territory of the other Contracting Party.

3. Where an employed person or a person treated as such is entitled to benefits under the provisions of the preceding paragraph, benefits in kind shall

be provided by the insurance authority of his temporary or new place of residence in accordance with the provisions of the legislation applied by that insurance authority, particularly as regards the scale of such benefits and the manner of providing them; the duration of such benefits shall, however, be that prescribed by the legislation of the competent country.

4. In the cases specified in paragraphs 1 and 2 of this article, the provision of prosthesis, of large prosthetic appliances and of other major benefits in kind shall be subject, except in cases of unmistakable urgency, to prior authorization by the competent insurance authority.

5. In the cases specified in paragraphs 1 and 2 of this article, cash benefits shall be paid in accordance with the legislation of the competent country. Such benefits may be paid by the insurance authority of the other country as agent for the competent insurance authority according to rules to be laid down in an administrative agreement.

6. The provisions of the preceding paragraphs shall apply *mutatis mutandis* to family members in cases where they are staying temporarily in the territory of the other Contracting Party or where they transfer their residence to the territory of the other Contracting Party after falling sick or becoming pregnant.

### Article 13

1. Members of the family of an employed person or of a person treated as such who is insured with an insurance authority of one of the Contracting Parties shall, when resident in the territory of the other Contracting Party, be entitled to benefits in kind as though the employed person were insured with the insurance authority of their place of residence. The scale and duration of such benefits and the manner of providing them shall be determined in accordance with the provisions of the legislation applied by the last-mentioned insurance authority.

2. Where family members transfer their residence to the territory of the competent country, they shall be entitled to benefits in accordance with the provisions of the legislation of that country. This rule shall also apply where the family members have already received, in respect of the same case of sickness or the same pregnancy, benefits provided by the insurance authorities of the Contracting Party in whose territory they were resident before the transfer; if the legislation applied by the competent insurance authority prescribes a maximum duration for the provision of benefits, the period for which benefits were provided immediately before the transfer of residence shall be taken into account.

3. The provisions of this article shall not apply to family members as specified in paragraph 1 of this article who carry on an occupation in their country of residence or who receive a pension or annuity which entitles them to benefits in kind.



4. For the purposes of the preceding paragraphs, persons shall be deemed to be family members if they are regarded as such under the legislation of the Contracting Party in whose territory they are resident.

#### *Article 14*

Where the application of this chapter would entitle an employed person or a person treated as such, or a member of his family, to maternity benefits under the legislation of both Contracting Parties, the beneficiary shall be subject to the legislation in force in the territory of the Contracting Party in which the birth takes place, account being taken, so far as necessary, of the aggregation of periods referred to in article 10 of this Convention.

#### *Article 15*

1. Where a person in receipt of pensions or annuities payable under the legislation of both Contracting Parties is resident in the territory of one of the Contracting Parties and is entitled to benefits in kind under the legislation of that Party, such benefits shall be provided for him and for members of his family by the insurance authority of his place of residence as though he were in receipt of a pension or annuity payable solely under the legislation of his country of residence. The cost of such benefits shall be borne by the insurance authority of the country of residence.

2. Where a person in receipt of a pension or annuity payable under the legislation of one of the Contracting Parties is resident in the territory of the other Contracting Party, any benefits in kind to which he may be entitled under the legislation of the first-mentioned Party shall be provided for him and for members of his family by the insurance authority of his place of residence.

3. If the legislation of one Contracting Party provides for contributory deductions from the amounts payable to a pensioner or annuitant, in order to cover the cost of benefits in kind, the insurance authority which is liable for the pension or annuity and for the cost of the benefits in kind shall be empowered to make such deductions in the cases specified in this article.

#### *Article 16*

1. The cost of benefits in kind provided under article 11, paragraph 2, article 12, paragraphs 1, 2 and 6, article 13, paragraph 1 and article 15, paragraph 2, of this Convention shall be repaid by the competent insurance authorities to the insurance authorities which provided the said benefits.

2. The amount due shall be determined and repaid according to rules to be laid down in an administrative agreement concluded by the competent authorities; the repayment may be made in lump sums.

*Article 17*

1. Where an employed person or a person treated as such who is subject to the legislation of one Contracting Party, or a person in receipt of a pension or annuity, or a member of his family, dies in the territory of the other Party, the death shall be deemed to have occurred in the territory of the first-mentioned Party.

2. The competent insurance authority shall assume liability for the death grant, even if the beneficiary is in the territory of the other Contracting Party.

## Chapter 2

## INVALIDITY, OLD AGE AND DEATH (PENSIONS)

## SECTION 1

*GENERAL PROVISIONS**Article 18*

1. For the purposes of the acquisition, maintenance or recovery of the right to benefits, where an insured person has been subject successively or alternately to the legislation of both Contracting Parties, the insurance periods and equivalent periods completed under the legislation of each of the Contracting Parties shall be aggregated, provided that they do not overlap.

2. Where the legislation of one Contracting Party makes it a condition for the award of particular benefits that the insurance periods should be completed in an occupation which is subject to a special scheme, only the periods completed under the corresponding schemes of the other Contracting Party and the periods completed in the same occupation under other schemes of the latter Contracting Party shall be aggregated, provided that they do not overlap, for the purpose of qualification for such benefits. If, despite the aggregation of such periods, the insured person does not satisfy the conditions for entitlement to such benefits, the periods in question shall nevertheless be aggregated for the purpose of qualification for benefits under the general scheme of the Contracting Parties.

3. If the insurance periods and equivalent periods under the legislation of one of the Contracting Parties amount in all to less than six months, no benefit shall be payable under that legislation; in such case, the said periods shall be taken into account for the purposes of the acquisition, maintenance and recovery of the right to benefits from the other Contracting Party, but not for the purpose of determining the proportionate amount due under article 19, paragraph 1, subparagraph (b), of this Convention. This provision shall not, however, apply if the right to benefits was acquired under the legislation of the first-mentioned Contracting Party solely on the basis of periods completed under that legislation.

*Article 19*

1. The benefits to which an insured person as specified in article 18 of this Convention or his survivors may be entitled in virtue of the legislation of the Contracting Parties under which the insured person has completed insurance periods or equivalent periods shall be determined in the following manner :

- (a) The insurance authority of each of the Contracting Parties shall determine in accordance with its own legislation, taking into account the aggregation of periods referred to in the preceding article, whether the person concerned satisfies the conditions for entitlement to the benefits provided for by that legislation;
- (b) Where a right is acquired in accordance with the preceding subparagraph, the said insurance authority shall calculate the amount of the benefit to which the person concerned would be entitled if all the insurance periods or equivalent periods, aggregated in the manner specified in the preceding article, had been completed exclusively under its own legislation; on the basis of that amount, the insurance authority shall determine the amount due according to the proportion which the duration of the periods completed under that legislation before the occurrence of the insurance contingency bears to the total duration of the periods completed under the legislation of both Contracting Parties before the occurrence of the insurance contingency; the latter amount shall represent the benefit payable to the person concerned by the insurance authority in question;
- (c) Where, at a given time, account being taken of the aggregation of periods referred to in the preceding article, the person concerned does not satisfy the conditions imposed by both the bodies of legislation applicable to him but satisfies the conditions imposed by one of those bodies of legislation, the amount of the benefit shall be determined in accordance with the provisions of subparagraph (b) of this paragraph;
- (d) Where, at a given time, the person concerned does not satisfy the conditions imposed by the bodies of legislation applicable to him but satisfies the conditions imposed by one of those bodies of legislation irrespective of the periods completed under the other body of legislation, the amount of the benefit shall be determined exclusively in accordance with the legislation which confers the entitlement, account being taken only of the periods completed under the last-mentioned legislation;
- (e) In the cases specified in subparagraphs (c) and (d) of this paragraph, the benefits already determined shall be revised in accordance with the provisions of subparagraph (b) of this paragraph as and when the conditions imposed by the other body of legislation are satisfied, account being taken of the aggregation of periods referred to in the preceding article.

2. Where the amount of the benefit to which, but for the application of the provisions of article 18, the person concerned might be entitled solely on the

basis of the insurance periods and equivalent periods completed under the legislation of one Contracting Party is greater than the total benefits which accrue from the application of the preceding paragraph of this article, he shall be entitled to receive from the insurance authority of that Party an additional amount equal to the difference.

3. Subject to the provisions of paragraph 1, subparagraph (*d*), of this article and article 22, persons who can avail themselves of the provisions of this chapter may not elect to receive a pension solely under the provisions of the legislation of one Contracting Party.

## SECTION 2

### *SPECIAL PROVISIONS*

#### *Article 20*

1. An employed person or a person treated as such who is insured under Netherlands legislation concerning general old age insurance and general widows' and orphans' insurance shall, throughout any period of temporary or permanent incapacity attributable to sickness, industrial accident or occupational disease which entitles him to a cash benefit from the Netherlands, continue to be insured if the degree of incapacity is not less than 50 per cent, even if he transfers his residence to Greek territory, provided that he has not become employed or self-employed in Greece.

2. A married woman resident in Greece and under 65 years of age, whose husband is insured under Netherlands legislation concerning general old age insurance, shall also be insured, except for any period during which :

- (*a*) She has simultaneously completed insurance or contribution periods or equivalent periods under a Greek compulsory scheme of old age insurance;
- (*b*) She is in receipt of an old age pension under such a scheme.

#### *Article 21*

Netherlands institutions may calculate general old age pensions and invalidity, old age and premature death insurance annuities for employed persons, as well as percentage increases in such annuities, directly and exclusively on the basis of insurance periods and equivalent periods completed under the relevant legislation.

#### *Article 22*

1. Where an employed person or a person treated as such was subject successively or alternately to the legislation specified in article 1 (*a*), 4, and (*b*),

1 and 2, his survivors shall be entitled only to the benefits provided for by the legislation to which such person was subject at the time of his death.

2. Where such person was subject most recently to the Greek legislation specified in article 1 (b), 1 and 2, the insurance periods and equivalent periods completed under the Netherlands legislation referred to in article 1 (a), 4, and under the Netherlands legislation referred to in article 1 (a), 2, shall also be taken into account for the purpose of establishing entitlement to the benefit payable under Greek legislation, provided that they were completed before 1 October 1959.

#### *Article 23*

1. The interim pensions provided for by Netherlands legislation concerning general old age insurance for persons who had reached the age of 65 years on 1 January 1957 shall be granted to Greek nationals under the same conditions as to Netherlands nationals.

2. The interim advantages provided for by Netherlands legislation concerning general old age insurance for persons who were between 15 and 65 years of age on 1 January 1957 shall be granted to Greek nationals under the same conditions as to Netherlands nationals.

#### *Article 24*

The advantages afforded by the transitional provisions of Netherlands legislation concerning general widows' and orphans' insurance in cases where a death occurred before 1 October 1959 shall be granted to Greek nationals under the same conditions as to Netherlands nationals.

#### *Article 25*

The provisions of article 4, paragraph 1, of this Convention shall not apply to :

- (a) Interim pensions granted under article 23, paragraph 1, of this Convention;
- (b) Interim pensions and advantages, as specified in the preceding articles granted to Netherlands nationals.

#### *Article 26*

Where an employed person or a person treated as such was subject to compulsory insurance under Greek legislation before reaching the age of 35 years and subsequently carries on an occupation in the Netherlands as an employed person or a person treated as such :

- (a) He shall not be denied insurance coverage under the legislation specified in article 1 (a), 2, provided, however, that he has not reached the age of 65 years, that he is not in receipt of remuneration entitling him to apply for exemption from affiliation with an insurance scheme, and that he is not barred from insurance coverage under another provision of such legislation;
- (b) He shall for the purpose of establishing his entitlement to a benefit under such legislation, be deemed to have become insured thereunder before reaching the age of 35 years;
- (c) He shall, for the purpose of determining the amount of a benefit under such legislation, be deemed to have been insured as from the time he reached the age of 35 years.

### Chapter 3

#### INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

##### *Article 27*

Where, for the purpose of assessing the degree of disability in a case of industrial accident or occupational disease under the legislation of one of the Contracting Parties, that legislation explicitly or implicitly provides that previous industrial accidents or occupational diseases shall be taken into account, industrial accidents sustained and occupational diseases contracted at an earlier date under the legislation of the other Contracting Party shall also be taken into account as though they had been sustained or contracted under the legislation of the first-mentioned Party.

##### *Article 28*

Where an employed person or a person treated as such who has received compensation for an occupational disease from the competent insurance authority of one of the Contracting Parties claims compensation for an occupational disease of the same nature under the legislation of the other Party, he must furnish the competent insurance authority of the latter Party with the necessary particulars concerning the benefits previously granted in compensation for the occupational disease in question.

The insurance authority liable for the new benefits shall take the previous benefits into account as though they had been paid on its responsibility.

## Chapter 4

## UNEMPLOYMENT

*Article 29*

1. For the purposes of the acquisition, maintenance or recovery of the right to benefits, where an insured person has been subject successively or alternatively to the legislation of both Contracting Parties, the insurance periods and equivalent periods completed under the legislation of each of the Parties shall be aggregated, provided that they do not overlap.

2. An employed person or a person treated as such who has completed insurance periods or equivalent periods under the legislation of one of the Contracting Parties and who moves to the territory of the other Contracting Party shall be entitled while in that territory to the unemployment benefits provided for by the legislation of the last-mentioned Contracting Party, provided that :

- (a) He has been subject to compulsory unemployment insurance since he last entered that territory;
- (b) He satisfies the conditions imposed by the legislation of the last-mentioned Contracting Party, account being taken of the aggregation of periods referred to in the preceding paragraph.

*Article 30*

1. An unemployed person who, after acquiring the right to benefits under the legislation of one of the Contracting Parties, transfers his residence to the territory of the other Contracting Party, shall retain this right for a period not to exceed that during which he would be entitled to benefits under the legislation of the country where he was last employed. Before transferring his residence, such person must inform the competent insurance authority of one country where he was last employed of the transfer.

2. The benefits to which an unemployed person is entitled under this article shall be paid by the insurance authority of his place of residence in accordance with the legislation applied by that authority.

3. The insurance authority of the country where the person concerned was last employed shall be required to repay to the insurance authority providing the unemployment benefits referred to in the preceding paragraphs a sum equivalent to 85 per cent of the actual amount of the said benefits.

## Chapter 5

## FAMILY ALLOWANCES

*Article 31*

Where the legislation of one of the Contracting Parties makes the acquisition of the right to family allowances conditional upon the completion of insurance periods or equivalent periods, the competent insurance authority of that Party shall take into account, to such extent as may be necessary, all periods completed in the territory of each of the Contracting Parties.

*Article 32*

1. An employed person or a person treated as such who is insured under the legislation of one Contracting Party and who has children residing or being brought up in the territory of the other Party shall be entitled, account being taken, where applicable, of the aggregation of periods referred to in the preceding article, to family allowances for such children under the provisions of the legislation of the first-mentioned Contracting Party, even if he resides in the territory of the other Party.

2. Pensioners or annuitants who are entitled to family allowances under the legislation of one of the Contracting Parties shall be entitled to such allowances even if they or their children reside in the territory of the other Contracting Party.

3. Where, in the course of a particular period, family allowances are payable in respect of the same child under the legislation of both Contracting Parties, the family allowances payable under the legislation of the Contracting Party in whose territory the child is residing or being brought up shall be paid without limitation and the family allowances payable under the legislation of the other Contracting Party shall be paid to the extent that the amount exceeds that payable under the legislation of the first-mentioned Party.

## T I T L E I V

## MISCELLANEOUS PROVISIONS

*Article 33*

1. The competent authorities :
- (1) Shall make such administrative arrangements as may be necessary for the application of this Convention;
  - (2) Shall communicate to each other full information regarding measures taken for the application of this Convention;



(3) Shall communicate to each other full information regarding any changes made in their legislation which may affect its application.

2. If necessary, the competent authorities may, by agreement, lay down special regulations for the benefit of particular categories of employed persons, especially seamen and persons employed by coal-mining enterprises.

#### *Article 34*

The authorities and insurance authorities responsible for the execution of this Convention shall assist one another in applying this Convention; they shall act as though the matter were one affecting the application of their own legislation.

#### *Article 35*

1. Any exemption from or reduction of charges, stamp duties, court fees or registration fees provided for by the legislation of one of the Contracting Parties in respect of papers or documents required to be produced for the purposes of the legislation of that Party shall be extended to similar papers and documents required to be produced for the purposes of the legislation of the other Contracting Party or of this Convention.

2. Legalization by diplomatic and consular authorities and payment of chancery fees shall be waived in respect of all certificates, documents and papers required to be produced for the purposes of this Convention.

#### *Article 36*

1. Direct correspondence between insurance authorities for the purposes of the application of this Convention shall be conducted in the French language.

2. The insurance authorities and the authorities of one of the Contracting Parties shall not reject claims or other documents addressed to them on the ground that they are drawn up in the official language of the other Contracting Party.

#### *Article 37*

Claims, declarations or appeals which, for the purposes of the application of the legislation of one of the Contracting Parties, must be presented within a prescribed time-limit to an authority, insurance authority or other agency of that Party shall be admissible if they are presented within the same time-limit to a corresponding authority, insurance authority or other agency of the other Contracting Party. In such cases, the authority, insurance authority or agency concerned shall transmit such claims, declarations or appeals without delay to the competent authority, insurance authority or agency of the first-mentioned Party, either direct or through the competent authorities of the Contracting Parties.

*Article 38*

1. The insurance authorities of one Contracting Party which are liable under this Convention for the payment of cash benefits to beneficiaries who are in the territory of the other Contracting Party shall be held to discharge their liability validly by payment in the currency of the first-mentioned Party; moneys due from such insurance authorities to insurance authorities which are in the territory of the other Contracting Party must be paid in the currency of the last-mentioned Party.

2. Transfers of funds required for the execution of this Convention shall be effected in accordance with the relevant agreements in force between the two Contracting Parties at the time of the transfer.

*Article 39*

1. Any dispute between the Contracting Parties relating to the interpretation or application of this Convention shall be the subject of direct negotiations between the competent authorities of the Contracting Parties.

2. If the dispute cannot be resolved by that means within a period of six months from the opening of negotiations, it shall be submitted to an arbitral commission, whose composition and procedure shall be determined by agreement between the Contracting Parties.

The arbitral commission shall resolve the dispute in accordance with the fundamental principles and the spirit of this Convention. Its decisions shall be binding and final.

*Article 40*

1. Where an insurance authority of one Contracting Party has made an advance payment to a person entitled to benefits, such insurance authority or, at its request, the competent insurance authority of the other Party, may deduct the amount of the advance from the payment to which such person is entitled.

2. Where a beneficiary has received public assistance from one Contracting Party during a period for which he is entitled to cash benefits, the insurance authority liable for such benefits shall, at the request and for the account of the insurance authority which granted the public assistance, withhold such benefits until the amount of the benefits paid to the beneficiary in the form of public assistance has been recovered.

## TITLE V

## TRANSITIONAL AND FINAL PROVISIONS

*Article 41*

1. This Convention shall in no case confer any right to the payment of benefits for a period before the date of its entry into force.

2. Any insurance period or equivalent period completed under the legislation of one of the Contracting Parties before the date of the entry into force of this Convention shall be taken into account for the purpose of determining the right to benefits in accordance with the provisions of this Convention.

3. Subject to the provisions of paragraph 1 of this article, a pension or annuity shall be payable under this Convention even in respect of an event which occurred before the date of its entry into force. To this end, any pension or annuity which has not been paid or which has been suspended by reason of the nationality of the person concerned or because he is resident in the territory of the other Contracting Party shall, upon his application, be paid or reinstated as from the date of the entry into force of this Convention, provided that the entitlement previously awarded has not been liquidated by a lump-sum payment.

4. With regard to the rights arising out of the application of the preceding paragraph, the legislative provisions of the Contracting Parties concerning the lapse and extinction of rights shall not apply to the beneficiary provided that the claim is presented within a period of two years from the date of the entry into force of this Convention.

If the claim is presented after the expiry of that period, such right to benefit as has not lapsed or been extinguished shall be acquired as from the date of presentation of the claim, unless more favourable legislative provisions of one Contracting Party are applicable.

*Article 42*

So far as the Kingdom of the Netherlands is concerned, this Convention shall apply only to the Kingdom in Europe.

*Article 43*

This Convention shall be ratified and the instruments of ratification shall be exchanged at The Hague as soon as possible.

*Article 44*

This Convention shall enter into force on the first day of the month following the month in which the instruments of ratification are exchanged.

*Article 45*

This Convention is concluded for a term of one year. It shall be tacitly renewed from year to year unless notice of termination is given not later than three months before the expiry of the current term.

*Article 46*

1. In the event of the termination of this Convention, any right acquired in accordance with its provisions shall be maintained.

2. Rights which are in process of acquisition in respect of periods completed before the date on which the termination takes effect shall not be extinguished by the termination; the preservation of such rights in respect of the period after termination shall be determined by agreement or, in the absence of such agreement, by the national legislation of the insurance authority concerned.

IN WITNESS WHEREOF the aforementioned plenipotentiaries have signed this Convention.

DONE at Athens, on 13 September 1966, in two copies in the French language.

For the Kingdom  
of the Netherlands :  
R. B. VAN LYNDEN

For the Kingdom  
of Greece :  
J. TOUMBAS

[TRANSLATION — TRADUCTION]

GENERAL ADMINISTRATIVE AGREEMENT<sup>1</sup> CONCERNING THE MANNER OF APPLICATION OF THE CONVENTION OF 13 SEPTEMBER 1966<sup>2</sup> BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE KINGDOM OF GREECE ON SOCIAL SECURITY

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Pursuant to article 33 of the Convention between the Kingdom of the Netherlands and the Kingdom of Greece on Social Security, signed at Athens on 13 September 1966<sup>2</sup> (hereinafter referred to as “the Convention”), the competent Netherlands and Greek authorities, namely :

The Netherlands Minister of Social Affairs and Public Health, B. Roolvink and  
The Greek Minister of Labour, J. Xydopoulos,

Have, by agreement, issued the following provisions :

TITLE I

GENERAL PROVISIONS

*Article 1*

For the purposes of the Convention and of this Agreement :

(a) The term “legislation” means the existing and future laws, regulations and statutory instruments concerning the schemes and branches of social security referred to in article 1, paragraph 1, of the Convention;

(b) The term “territory” means :

In the case of the Netherlands : the territory of the Kingdom in Europe;

In the case of Greece : the territory of the Kingdom of Greece;

(c) The term “nationals” means :

In the case of the Netherlands : persons of Netherlands nationality;

In the case of Greece : persons of Greek nationality;

(d) The term “competent authority” means :

In the case of the Netherlands : The Minister of Social Affairs and Public Health;

In the case of Greece : the Minister of Labour;

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<sup>1</sup> Came into force on 1 July 1970, the date of entry into force of the Convention, in accordance with article 42.

<sup>2</sup> See p. 3 of this volume.

(e) The term “insurance authority” means the agency responsible for applying all or part of the legislation;

(f) The term “competent insurance authority” means the insurance authority with which the person concerned is insured at the time of the application for benefits or against which he has an entitlement to benefits or would continue to have such entitlement if he was resident in the territory of the Contracting Party in which he was last employed;

(g) The term “competent country” means the Contracting Party in whose territory the competent insurance authority is situated;

(h) The term “residence” means habitual residence;

(i) The term “insurance authority of the place of residence” means the insurance authority with which the person concerned would be insured if he was insured in his country of residence, or the insurance authority designated by the competent authority of the country concerned;

(j) The term “insurance authority of the place of temporary residence” means the insurance authority with which the person concerned would be insured if he was insured in the country in which he is temporarily resident, or the insurance authority designated by the competent authority of the country concerned;

(k) The term “members of the family” means the members of the employed person’s family who are regarded as beneficiaries by the legislation of the country in which they are resident;

The term “survivors” means persons defined or accepted as such by the applicable legislation;

(l) The term “insurance periods” includes the contribution periods or employment periods which are defined or taken into account as insurance periods;

(m) The term “equivalent periods” means periods assimilated to insurance periods or employment periods which are defined by the legislation under which they were completed, insofar as they are recognized by that legislation as equivalent to insurance periods or employment periods;

(n) The terms “benefits”, “pensions” or “annuities” means all benefits, pensions, annuities, including any payments out of public funds, increases adjustments or supplementary allowances, as well as any lump-sum payments made in lieu of pensions or annuities;

(o) The term “death grant” means any lump sum paid in respect of a death;

(p) The term “liaison agency” means :  
In the Netherlands : the Sociale Verzekeringsbank (Social Insurance Bank) at Amsterdam, except in the case of sickness insurance, in respect of which the

Ziekenfondsraad (Board of Sickness Insurance Funds) at Amsterdam shall be competent;

In Greece : the Idryma Koinonikon Asphaliseon (Social Insurance Authority) (IKA) at Athens.

#### *Article 2*

In cases specified in article 7 (a) of the Convention, the competent liaison agency of the usual place of employment shall issue the employed person with a certificate specifying that he remains subject to the legislation of that country.

The certificate must be produced, as necessary, by the employer's agent in the other country if there is such an agent, or otherwise by the employed person himself.

When several employed persons leave the country of their usual place of employment at the same time to work together in the other country and to return to the first-mentioned country at the same time, a single certificate may cover all such employed persons.

#### *Article 3*

(1) In order to exercise his option under article 8, paragraph 2, of the Convention, an employed person shall, while simultaneously informing his employer, make application to the competent liaison agency of the sending country.

(2) The liaison agency to which the application is made shall, if necessary, inform the liaison agency of the other country accordingly.

### TITLE II

## SPECIAL PROVISIONS

### Chapter 1

#### SICKNESS, MATERNITY AND DEATH (FUNERAL GRANT)

#### *Article 4*

(1) In order to benefit from the aggregation of insurance periods and equivalent periods, an employed person in cases specified in article 11, paragraph 1, of the Convention must submit to the competent insurance authority a certificate of the insurance periods and equivalent periods completed under the legislation of the Contracting Party under whose legislation he was insured before the date on which his insurance coverage began under the legislation of the competent country.

(2) The certificate shall be issued, at the request of the employed person, by the competent sickness insurance (cash benefits) authority with which the person was last insured before the said date. Where the employed person was insured under the legislation of that Party, for benefits in kind only, the certificate shall be issued by the competent sickness insurance (benefits in kind) authority. The said authority shall certify that the employed person was not insured under the sickness insurance (cash benefits) scheme. The certificate shall cover a period of one year. If the employed person does not submit the certificate, the competent insurance authority shall request the insurance authority indicated above to issue and forward the certificate.

(3) Where an employed person in cases specified in article 11, paragraph 1, of the Convention has been granted, for himself or a member of his family, the right to prosthesis, to large prosthetic appliances or to other major benefits in kind by the competent insurance authority of the Contracting Party in whose territory such person was last insured before entering the territory of the other Contracting Party, the cost of such benefits shall be borne by that insurance authority, even if they are in fact provided after his departure.

#### Article 5

(1) In order to receive benefits under article 11, paragraph 2, of the Convention, the employed person shall submit to the insurance authority of his place of residence a document in which the insurance authority paying those benefits requests the first-mentioned institution to provide them, indicating in particular the maximum length of time for which the benefits may be provided. If the employed person does not submit such a document, the insurance authority of the place of residence shall request it from the other insurance authority.

(2) The provisions of article 12, paragraph 4, of the Convention shall apply *mutatis mutandis*.

#### Article 6

(1) In order to receive medical treatment including, where necessary, admission to hospital while temporarily resident in the territory of the Contracting Party other than that of the competent country, an employed person in cases specified in article 12, paragraph 1, of the Convention shall submit to the insurance authority of the place of temporary residence a certificate issued by the competent insurance authority, if possible before the commencement of the temporary residence of the employed person in the territory of the other Contracting Party, proving that he is entitled to the aforementioned benefits. The certificate shall indicate, in particular, the length of time for which the benefits may be provided. If the employed person does not submit the certificate, the insurance authority of the place of temporary residence shall request it from the competent insurance authority.



(2) The provisions of the preceding paragraph shall apply *mutatis mutandis* to family members in cases where they are temporarily resident in the territory of the other Contracting Party.

#### Article 7

(1) The following provisions shall also apply to the provision of benefits in kind in cases specified in article 12, paragraph 1, of the Convention.

(2) In the event of admission to hospital, the insurance authority of the place of temporary residence shall notify the competent insurance authority, within a period of three days from the date on which it learns of the occurrence, of the date of admission and the probable duration of stay in a hospital or other medical establishment; upon discharge from the hospital or other medical establishment, the insurance authority of the place of temporary residence shall, within the same period, notify the competent insurance authority of the date of discharge.

(3) For the purpose of obtaining the authorization to which the provision of the benefits referred to in article 12, paragraph 4, of the Convention is subject, the insurance authority of the place of temporary residence shall make application to the competent insurance authority. Where such benefits have been provided, in cases of absolute urgency, without the authorization of the competent insurance authority, the insurance authority of the place of temporary residence shall advise that insurance authority immediately.

(4) For the purposes of article 12, paragraph 4, of the Convention, the term “cases of absolute urgency” means cases where provision of the benefit cannot be delayed without seriously endangering the life or health of the person concerned. In the event of accidental breakage of or damage to a prosthetic or other appliance, proof of the need for repair or replacement of the appliance in question shall suffice to establish absolute urgency.

#### Article 8

(1) In order to retain the right to benefits in kind in his new country of residence, an employed person in cases specified in article 12, paragraph 2, of the Convention must submit to the insurance authority of his new place of residence a certificate in which the competent insurance authority authorizes him to retain the right to benefits after his change of residence.

The said insurance authority shall, where necessary, indicate in the certificate the maximum duration of benefits in kind, as prescribed by the legislation which it applies.

The competent insurance authority may issue the certificate after the change of residence of the employed person, at his request, if it was not possible to do so in advance for reasons of *force majeure*.

(2) For the purposes of the provision of benefits by the insurance authority of the new place of residence of the employed person, the provisions of article 7, paragraphs (2) and (3), of this Agreement shall apply *mutatis mutandis*.

(3) The insurance authority of the new place of residence shall, either on its own initiative or at the request of the competent insurance authority, have the beneficiary examined at regular intervals with a view to determining whether medical treatment is actually and regularly being provided. It must make arrangements for such examinations and advise the competent insurance authority of the findings immediately. The continued defrayal of the cost of medical treatment by the competent insurance authority shall be subject to compliance with these rules.

(4) The provisions of paragraphs (1) to (3) of this article shall apply *mutatis mutandis* to the members of the employed person's family who transfer their residence to the territory of the Contracting Party other than the competent country after the occurrence of the insurance contingency (sickness or pregnancy).

(5) If the insurance authority of the place of residence finds that hospital treatment should be terminated, it shall notify the employed person of the date of termination of hospital treatment and shall send a copy of the notification to the competent insurance authority immediately.

#### Article 9

(1) In order to receive benefits in kind in their country of residence, family members in cases specified in article 13, paragraph 1, of the Convention must register with the insurance authority of their place of residence, submitting the following documentary evidence :

- (i) A certificate issued by the competent insurance authority, at the request of the employed person, stating that the employed person is entitled to benefits in kind and indicating the names of the members of his family, as reported by him. The certificate shall be valid until such time as the competent insurance authority notifies the insurance authority of the place of residence of the cancellation of the said certificate;
- (ii) The documentary evidence normally required by the legislation of the country of residence for the provision of benefits in kind to family members.

(2) The insurance authority of the place of residence shall inform the competent insurance authority whether or not the family members are entitled to benefits under the legislation applied by the first-mentioned insurance authority.

(3) The provision of benefits in kind to family members shall be subject to the validity of the certificate referred to in paragraph (1) of this article.

(4) The employed person and the members of his family must inform the insurance authority of the place of residence of such family members of any change in their circumstances which might affect the entitlement of the family members to benefits in kind, including, in particular, any termination or change of employment on the part of the employed person or any change in the place of residence or of temporary residence of the employed person or any member of his family.

(5) The insurance authority of the place of residence shall assist the competent insurance authority for the purpose of instituting recovery proceedings against a beneficiary who has wrongfully obtained benefits.

#### *Article 10*

In cases specified in article 13, paragraph 2, of the Convention, the competent insurance authority shall, if necessary, request the insurance authority of the last place of residence of any family member who has transferred his residence to the territory of the competent country to furnish information concerning the period during which benefits were provided immediately before the transfer.

#### *Article 11*

(1) In order to receive benefits in kind in his country of residence, a person in receipt of a pension or annuity in cases specified in article 15, paragraph 2, of the Convention must register with the insurance authority of his place of residence, producing a certificate in which the Idryma Koinonikon Asphaliseon or the Ziekenfondsraad, according as the insurance authority liable for the pension or annuity is a Greek or Netherlands authority, indicates that the pensioner or annuitant is entitled, for himself and the members of his family, to benefits in kind under the legislation pursuant to which the pension or annuity is payable. The agency issuing the certificate shall forward a copy thereof to the liaison agency of the other Contracting Party.

(2) The pensioner or annuitant must inform the insurance authority of his place of residence of any change in his circumstances which might affect his entitlement to benefits in kind, including, in particular, any suspension or discontinuance of his pension or annuity and any change in his place of residence or that of the members of his family.

(3) The agency issuing the certificate may inform the agency of the other Contracting Party when the pensioner's or annuitant's entitlements to benefits in kind terminate.

#### *Article 12*

(1) In order to receive cash benefits while temporarily resident in the territory of a Contracting Party other than that of the competent country, an

employed person must make application immediately to the insurance authority of the place of temporary residence, submitting to that authority in cases specified in article 11, paragraph 2, of the Convention the document referred to in article 5, paragraph (1), in cases specified in article 12, paragraph 1, of the Convention the certificate referred to in article 6, paragraph (1), and in cases specified in article 12, paragraph 2, of the Convention the certificate referred to in article 8, paragraph (1).

He shall, if so required by the legislation of the Contracting Party in whose territory he is, attach a certificate of incapacity issued by the physician attending him. He shall also give his address in the country in which he is, as well as the names and addresses of his employer and of the competent insurance authority.

(2) If the employed person does not submit the certificate referred to in the preceding paragraph, the insurance authority of the place of temporary residence shall request from the competent insurance authority such a certificate or a statement that the employed person is still insured under the legislation of the competent country. However, the certificate referred to in article 8, paragraph (1), shall be issued after the change of residence only if, for reasons of *force majeure*, it was not possible to issue it in advance.

#### Article 13

(1) The insurance authority of the place of temporary residence shall immediately, and in any event within three days following the date on which the employed person has made application to that insurance authority, have the employed person placed under medical control by one of its examining physicians. If the competent insurance authority has indicated in the certificate referred to in article 8, paragraph (1), a date on which the employed person must be placed under medical control, the insurance authority of the place of temporary residence may defer the first medical examination until that date.

(2) The report of the examining physician, which shall state whether the employed person is incapacitated and, if so, the date on which the incapacity began, the diagnosis and the probable duration of the incapacity, shall be sent to the competent insurance authority by the insurance authority of the place of temporary residence within three days following the date of the examination. The insurance authority of the place of temporary residence shall indicate the date on which the employed person made application to that insurance authority.

#### Article 14

(1) The employed person shall be subject to the administrative control regulations of the insurance authority of the place of temporary residence.

(2) After the first medical examination, the insurance authority of the place of temporary residence shall continue the medical and administrative control

in the manner applicable to persons insured with that authority itself. The medical control shall be conducted at such intervals that the employed person is re-examined at the end of the period for which he is likely, according to the last medical control report, to remain incapacitated.

(3) The medical reports, indicating whether the employed person is still incapacitated, the diagnosis and the probable duration of the incapacity, shall be forwarded to the competent insurance authority by the insurance authority of the place of temporary residence within three days following the date of the examination.

(4) If the insurance authority of the place of temporary residence finds that the employed person is infringing the administrative control regulations, it shall notify the competent insurance authority immediately, describing the nature of the infringement and indicating what action is normally taken by the insurance authority of the place of temporary residence in the case of such infringement by a person insured with that authority itself.

#### *Article 15*

If the examining physician finds that the employed person is or will be fit to resume work, the insurance authority of the place of temporary residence shall notify the employed person of the termination of his incapacity and shall send a copy of the notification to the competent insurance authority without delay, attaching the examining physician's report.

#### *Article 16*

If the employed person returns to the competent country, the insurance authority of the place of temporary residence shall inform the competent insurance authority accordingly and attach an opinion by the examining physician indicating whether the journey is detrimental to the employed person's state of health.

#### *Article 17*

(1) The competent insurance authority shall pay cash benefits by international postal money order. However, such benefits may be paid by the insurance authority of the place of temporary residence as agent for the competent insurance authority, if the latter so agrees. In that case, the competent insurance authority shall inform the insurance authority of the place of temporary residence of the amount of the benefits and the date or dates on which they are to be paid, and of the maximum length of time for which the benefits are to be provided.

(2) If the competent insurance authority decides, on the basis of information it has received, that the employed person is fit to resume work, it shall notify him of its decision, forwarding a copy of the notification to the insurance authority of the place of residence.

(3) If, in the same case, two different dates for the termination of incapacity are set by the insurance authority of the place of residence and by the competent insurance authority, the first-mentioned date shall prevail.

#### Article 18

(1) In the case of benefits in kind provided under article 11, paragraph 2, and article 12, paragraph 1, 2 and 6, of the Convention, the actual amount of the costs relating to such benefits, as shown in the book of the insurance authorities, shall be repaid by the competent insurance authorities to the insurance authorities which provided the aforementioned benefits.

(2) No rates higher than those applicable to benefits in kind provided to employed persons who are subject to the legislation applied by the insurance authority which provided the benefits referred to in paragraph (1) of this article may be taken into account for the purposes of the repayment of costs.

(3) The provisions of paragraph (1) of this article shall apply *mutatis mutandis* to the benefits provided under the second sentence of article 17, paragraph (1), of this Agreement.

#### Article 19

(1) In the case of benefits in kind provided under article 13, paragraph 1, of the Convention, the costs relating to such benefits shall be estimated at a lump sum for each calendar year.

(2) The amount of the lump sum shall be arrived at by multiplying the average annual cost per family by the average annual number of families involved.

(3) The average annual cost per family shall, for each country, be equal to the average per family of the annual costs relating to all benefits in kind provided by the insurance authorities of the country in question to all families of insured persons who are subject to the legislation of that country.

#### Article 20

(1) In the case of benefits in kind provided under article 15, paragraph 2, of the Convention, the costs relating to such benefits shall be estimated at a lump sum for each calendar year.

(2) The amount of the lump sum shall be arrived at by multiplying the average annual cost per pensioner or annuitant and member of the family of such person by the average annual number of pensioners or annuitants and members of the families of such persons involved.

(3) The average cost per pensioner or annuitant and member of the family of such person shall, for each country, be equal to the average per pensioner or

annuitant and member of the family of such person of the costs relating to all benefits in kind provided by the insurance authorities of the country in question to all pensioners or annuitants (including members of the families of such persons) who are subject to the legislation of that country.

(4) In the application of paragraphs (1), (2), and (3) of this article, calculations may vary according to the age group to which the pensioners or annuitants belong.

#### *Article 21*

(1) The repayments provided for in article 16 of the Convention shall be made through the competent liaison agencies.

(2) The agencies referred to in the preceding paragraph may agree that the amounts referred to in articles 19 and 20 of this Agreement shall be increased by a specified percentage for administrative expenses.

For the purposes of the application of the provisions of articles 18 to 20, they may agree on more detailed arrangements, particularly with regard to the advance payments.

### Chapter 2

#### INVALIDITY, OLD AGE AND DEATH (PENSIONS) SUBMISSION AND EXAMINATION OF APPLICATIONS

#### *Article 22*

(1) In order to receive benefits under the provisions of title III, chapter 2, of the Convention, an employed person or a survivor of an employed person must make his application to the competent insurance authority of his place of residence in the manner laid down by the legislation of the country of residence.

(2) Where an employed person or a survivor of an employed person, not being resident in the Netherlands or Greece, requests payment of a benefit under the provisions of title III, chapter 2, of the Convention, he must make his application to the competent insurance authority of the country under whose legislation the employed person was last insured.

(3) The applicant shall, so far as possible, specify the insurance authority or authorities of the two countries with which the employed person was insured.

#### *Article 23*

Applications submitted in accordance with the provisions of the preceding article shall be examined by the competent insurance authority to which they are made. Such insurance authority is hereinafter referred to as "the examining insurance authority".

*Article 24*

(1) In its examination of applications for benefits payable under the provisions of title III, chapter 2, of the Convention, the examining insurance authority shall use a standard form which includes, *inter alia*, a statement and summary of the insurance periods and equivalent periods completed by the insured person under the bodies of legislation to which he has been subject.

(2) The forwarding of the standard form to the competent insurance authorities of the other country shall serve as a substitute for the forwarding of documentary evidence.

*Article 25*

(1) The examining insurance authority shall enter on the standard form referred to in the preceding article the insurance periods and equivalent periods completed under the legislation applicable to it and shall send two copies of the form to the competent insurance authority of the other country.

(2) The last-mentioned insurance authority shall complete the form by indicating the insurance periods and equivalent periods completed under its own legislation and shall return it in duplicate to the examining insurance authority. The following additional information shall be entered on the form : the amount of the entitlements under its own legislation, account being taken of the provisions of title III, chapter 2, of the Convention, the amount of the benefit to which, but for the application of article 18 of the Convention, the applicant might be entitled solely on the basis of the insurance periods and equivalent periods completed under its own legislation, and the procedures and time-limits for the submission of appeals.

*Article 26*

(1) If the examining insurance authority finds that the applicant is entitled to avail himself of the provisions of article 19, paragraph 2, of the Convention, it shall determine the additional amount to which the applicant is entitled under those provisions. If the applicant is entitled to additional payments from the insurance authorities of both countries, the examining insurance authority shall divide the liability for the higher of the payments, which alone shall be payable, between the insurance authorities which would have provided additional payments. Each such insurance authority shall provide that portion of such additional amount corresponding to the proportion which the additional amount payable under its own legislation bears to the total additional amounts payable by all insurance authorities concerned.

(2) In the application of article 19, paragraph 2, of the Convention, the conversion of sums expressed in different national currencies shall be effected on the basis of the official rate of exchange prevailing on the date on which the



amount of the pension is calculated. In the event of fluctuations in the rate of exchange, the amount of the pension shall be reviewed only when the fluctuations exceed 10 per cent.

#### *Article 27*

The examining insurance authority shall notify the applicant of all decisions taken concerning the payment of benefits calculated under article 19 of the Convention and of the procedures and time-limits for the submission of appeals provided for by each of the bodies of legislation which have been applied. In addition, the said insurance authority shall forward a copy of the notification to the competent insurance authority of the other country and shall indicate the date on which such notification was sent to the applicant.

### PAYMENT OF BENEFITS

#### *Article 28*

(1) Benefits payable by the insurance authorities of one country to beneficiaries who are resident in the other country shall be paid direct and on the due dates provided for by the legislation which the insurance authorities apply.

(2) The competent insurance authority shall pay cash benefits by international postal money order and shall, on the first occasion, inform the insurance authority of the place of residence accordingly. However, such benefits may be paid by the insurance authority of the place of residence as agent for the competent insurance authority, if the latter so agrees. In that case, the competent insurance authority shall inform the insurance authority of the place of residence of the amount of the benefits and the date or dates on which they are to be paid, and of the maximum length of time for which the benefits are to be provided.

#### *Article 29*

Benefits shall be paid to the beneficiaries without deduction of postal or bank charges.

### Chapter 3

#### INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

#### *Article 30*

(1) The provisions of this Agreement relating to sickness benefits shall apply *mutatis mutandis* to the benefits which may be claimed by an employed person who sustains an industrial accident or contracts an occupational disease.

(2) Any industrial accident sustained by an employed person which has resulted or is apt to result in either death or permanent disability, whether total or partial, must be notified by the competent insurance authority to the consular authorities of the country of which the person concerned is a national.

#### *Article 31*

For the purpose of assessing the degree of disability in cases specified in article 27 of the Convention, an employed person must furnish the competent insurance authority of the country under whose legislation the industrial accident was sustained or the occupational disease contracted with the necessary particulars concerning the industrial accidents sustained or occupational diseases contracted at an earlier date under the legislation of the other country, irrespective of the degree of disability occasioned in those cases. If the said insurance authority deems it necessary, it may request particulars on those cases from the insurance authority or authorities which were competent to provide compensation therefor.

### Chapter 4

#### UNEMPLOYMENT AND FAMILY ALLOWANCES

#### *Article 32*

(1) In order to avail himself of one of the provisions of articles 29 and 31 of the Convention, the person concerned must submit to the competent insurance authority a certificate of the periods which are to be taken into account, to such extent as may be necessary, in addition to the periods completed under the legislation applied by that insurance authority.

(2) The certificate shall be issued, at the request of the person concerned, by the insurance authority with which he was last insured in the other country.

If the person concerned does not submit the certificate, the competent insurance authority shall request the insurance authority in question to issue and forward the certificate.

#### *Article 33*

(1) In order to retain the right in his new country of residence to benefits acquired under the legislation of the country where he was last employed, an unemployed person in cases specified in article 30, paragraph 1, of the Convention must submit to the insurance authority of his new place of residence a certificate in which the insurance authority of the country where he was last employed states that he retains his right to unemployment benefits indicating, in particular, the maximum period during which the right to benefits may be retained.

(2) If possible, the certificate should be issued before the change of residence. If the unemployed person does not submit the certificate, the insurance authority of his new place of residence shall request the insurance authority of the country where he was last employed to issue and forward the certificate.

(3) The insurance authority of the unemployed person's new place of residence shall send as soon as possible to the insurance authority of the country where he was last employed a certificate indicating the amount of the daily unemployment benefit to which the unemployed person is entitled under the legislation which it applies.

(4) The insurance authority of the country where the beneficiary was last employed may at any time request the insurance authority of his place of residence to furnish information relating to his situation, in particular, his status as an involuntarily unemployed person and the offers of employment which he has received.

(5) The unemployment benefits specified in article 30, paragraph 3, of the Convention shall be repaid every six months direct by the insurance authority liable therefor to the insurance authority of the country of residence which paid them.

### TITLE III

## MISCELLANEOUS PROVISIONS

### *Article 34*

(1) For the purposes of the application of article 10, article 18, paragraph 1, article 19, paragraph 1 (*b*) and articles 29 and 31 of the Convention, the insurance periods and equivalent periods completed under the legislation of both countries shall be aggregated for the purposes of the acquisition, maintenance or recovery of the right to benefits, and for the calculation of benefits, in accordance with the following rules :

- (a) Where an insurance period completed in a compulsory insurance scheme under the legislation of one country coincides with an insurance period completed in a voluntary or optionally continued insurance scheme under the legislation of the other country, only the first-mentioned period shall be taken into account;
- (b) Where an insurance period completed under the legislation of one country coincides with an equivalent period under the legislation of the other country, only the first-mentioned period shall be taken into account;
- (c) Any period which is an equivalent period under the legislation of both countries shall be taken into account only by the competent insurance authority of the country under whose legislation the person concerned was

last compulsorily insured prior to the said period; if the person concerned was not compulsorily insured under the legislation of either country prior to the said period, it shall be taken into account by the competent insurance authority of the country under whose legislation he was first compulsorily insured after the period in question;

- (d) If it is not possible to determine precisely when particular periods were completed under the legislation of one country, the competent insurance authorities may agree to take such periods into account if recourse to other methods provides sufficient proof of the performance of employment which would give rise to insurance periods.

(2) If, under paragraph 1 (a) of this article, insurance periods completed in a voluntary or optionally continued insurance scheme under the legislation of one Contracting Party concerning invalidity, old age and death (pensions) insurance are not to be taken into account, the contributions in respect of such periods shall be deemed to be for the purpose of increasing the benefits payable under the said legislation.

#### ADMINISTRATIVE AND MEDICAL CONTROL

##### *Article 35*

(1) The administrative and medical control of persons in receipt of benefits under Greek legislation who are resident in the Netherlands shall be conducted, at the request of the competent insurance authority, through :

- (a) The Nieuwe Algemene Bedrijfsvereniging, in the case of cash benefits payable in the event of sickness or maternity;
- (b) The Sociale Verzekeringsbank, in the case of other cash benefits.

(2) The administrative and medical control of persons in receipt of benefits under Netherlands legislation who are resident in Greece shall be conducted, at the request of the competent insurance authority, through the Idryma Koinonikon Asphaliseon (IKA).

(3) Each competent insurance authority shall, however, retain the right to have the person in receipt of benefits examined by a physician of its choice.

##### *Article 36*

In order to assess the degree of disability, the insurance authorities of each country shall take account of the medical reports and administrative information obtained by the insurance authorities of the other country.

The said insurance authorities shall, however, retain the right to have the person concerned examined by a physician of their choice.

*Article 37*

Where, as a result of the control referred to in article 35 of this Agreement, it is found that the beneficiary is or has been employed while in receipt of benefits, or that he has means in excess of the prescribed limit, or that he has resumed work, a report shall be sent to the competent insurance authority. The report shall indicate the nature of the employment carried on, the amount of the earnings or means which the person concerned received during the last three months, the normal remuneration received in the same locality by a person in the occupational category to which the person concerned belonged in the occupation he exercised before he became incapacitated and, where appropriate, the opinion of a medical specialist regarding the state of health of the person concerned.

*Article 38*

Where, after suspension of a benefit, the person concerned recovers his entitlement to benefits while resident in the territory of the other country, the insurance authorities concerned shall exchange all necessary information with a view to resuming the payment of the said benefit.

*Article 39*

The costs of medical examinations, medical observations, travel of physicians and administrative or medical investigations required for the purposes of administrative or medical control shall be borne by the insurance authority conducting such control on the basis of the rates which it applies and shall be repaid by the insurance authority on whose behalf the control was conducted.

*Article 40*

The provisions of this Agreement shall apply to persons employed by coal-mining enterprises, subject to the special provisions to be adopted for that category of employed persons.

*Article 41*

(1) Any difficulties concerning the application of the Convention and of this Agreement shall be resolved by a commission composed of representatives of the competent authorities who are competent in social security matters and who may be accompanied by experts. The commission shall meet in each country alternately.

(2) The liaison agencies may agree upon standard forms for the certificates, requests and other documents required for the application of the Convention.

*Article 42*

This Agreement shall enter into force on the same date as the Convention. It shall have effect for the same period as the Convention.

DONE in duplicate in the French language, at The Hague, on 19 December 1967.

The Netherlands Minister :

B. ROOLVINK

The Greek Minister :

J. XYDPOULOS