

No. 20327

**FEDERAL REPUBLIC OF GERMANY
and
LUXEMBOURG**

Agreement concerning the waiving of reimbursement for benefits in kind provided on account of industrial accidents and occupational diseases. Signed at Luxembourg on 20 July 1978

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 7 August 1981.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
LUXEMBOURG**

Accord au sujet de la renonciation au remboursement de prestations en nature en raison d'accidents du travail et de maladies professionnelles. Signé à Luxembourg le 20 juillet 1978

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 7 août 1981.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE GRAND DUCHY OF LUXEMBOURG CONCERNING THE WAIVING OF REIMBURSEMENT FOR BENEFITS IN KIND PROVIDED ON ACCOUNT OF INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

The Government of the Federal Republic of Germany and the Government of the Grand Duchy of Luxembourg,

In the light of article 63, paragraph 3, of Council Regulation (EEC) No. 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community;

Bearing in mind that the amounts which the German and Luxembourg institutions are to reimburse each other under article 63, paragraph 1, of regulation (EEC) No. 1408/71 are approximately the same;

Desirous of simplifying the administrative work of the German and Luxembourg institutions;

Have agreed as follows:

Article 1. (1) In the reciprocal relations between the German and Luxembourg institutions, reimbursement shall be waived in respect of expenditures for benefits in kind which are provided in the case of industrial accidents and occupational diseases under articles 52 and 55, paragraph 1, of Council Regulation (EEC) No. 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community.

(2) Paragraph (1) shall not apply to benefits provided to persons who have entered the territory of the other Contracting State in order to receive benefits in kind there in accordance with article 55, paragraph 1 (c), of the Regulation.

Article 2. Where an institution of one of the Contracting States has provided benefits in kind, reimbursement for which is waived in accordance with article 1, paragraph (1), the person to whom the benefits have been provided is regarded, for the purposes of any claims against liable third parties, as insured by the institution of the Contracting State which provided the benefits in kind.

Article 3. This Agreement shall also apply to *Land Berlin*, provided that the Government of the Federal Republic of Germany does not make a declaration to the contrary to the Government of the Grand Duchy of Luxembourg within three months of the entry into force of this Agreement.

Article 4. This Agreement is concluded for a period of one year following its entry into force. It shall be tacitly renewed from year to year unless either Contract-

¹ Came into force on 29 May 1979, the date on which the Governments notified each other of the fulfilment of their respective legislative requirements, with retroactive effect from 1 January 1978, in accordance with article 5.

ing State gives written notice of termination at least three months before the expiration of any such yearly period.

Article 5. This Agreement shall enter into force, with effect from 1 January 1978, on the day on which the two Governments have notified each other that the conditions provided for in their national legislation for its entry into force are fulfilled.

DONE at Luxembourg on 20 July 1978 in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

Dr. H.-W. MEYER-LOHSE

For the Government of the Grand Duchy of Luxembourg:

GASTON THORN

BENNY BERG
