

No. 21951

**NETHERLANDS
and
SWEDEN**

Convention on social security (with final protocol and administrative arrangement). Signed at Stockholm on 2 July 1982

*Authentic texts: Dutch, Swedish and English.
Registered by the Netherlands on 24 June 1983.*

**PAYS-BAS
et
SUÈDE**

Convention en matière de sécurité sociale (avec protocole final et arrangement administratif). Signée à Stockholm le 2 juillet 1982

*Textes authentiques : néerlandais, suédois et anglais.
Enregistrée par les Pays-Bas le 24 juin 1983.*

CONVENTION¹ ON SOCIAL SECURITY BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE KINGDOM OF SWEDEN

The Government of the Kingdom of the Netherlands and the Government of the Kingdom of Sweden,

Desirous of regulating the relations between the two states in the field of social security,

Have agreed to conclude the following Convention:

PART I. GENERAL PROVISIONS

Article 1. 1. For the purpose of the present Convention,

1) “Netherlands” means the Kingdom of the Netherlands and “Sweden” the Kingdom of Sweden;

2) “Territory” means

In relation to the Netherlands: the territory of the Kingdom in Europe,

In relation to Sweden: its territory;

3) “Legislation” means laws, ordinances and administrative regulations relating to the systems and branches of social security as specified in Article 2;

4) “Competent authority” means

In relation to the Netherlands: the Minister for Social Affairs and Employment, or concerning benefits in kind of the legislation on sickness insurance the Minister for Health and Environmental Protection;

In relation to Sweden: the Government or the authority nominated by the Government;

5) “Insurance institution” means the body or authority charged with the implementation of the legislation (or a portion thereof) specified in Article 2;

6) “Competent insurance institution” means the insurance institution which is competent under the applicable legislation;

7) “Competent State” means the state in whose territory the competent insurance institution is situated;

8) “Periods of insurance” means periods of contribution, employment, occupational activity or residence defined or recognized as periods of insurance by the legislation under which they were completed, and any other periods, in so far as they are regarded by this legislation as equivalent to periods of insurance;

9) “Cash benefit” or “pension” means a cash benefit or a pension under the applicable legislation, including all the constituent parts thereof which are financed out of public funds as well as all increases and additional allowances.

2. Other terms used in this Convention shall have the meaning which is given to them under the legislation applied.

¹ Came into force on 1 March 1983, i.e., the first day of the third month following the date of the last of the notifications (effected on 7 and 10 December 1982) by which the Contracting Parties informed each other of the accomplishment of their constitutional procedures, in accordance with article 39.

Article 2. 1. This Convention shall apply

A. In relation to the Netherlands, to the legislation on:

- a) Sickness insurance (cash benefits and benefits in kind in the case of sickness and maternity);
- b) Invalidity insurance (incapacity for work, occupational injuries and diseases);
- c) Old-age insurance;
- d) Widows' and orphans' insurances;
- e) Unemployment benefits;
- f) Children's allowances.

B. In relation to Sweden, to the legislation on:

- a) Health insurance and parental insurance;
- b) Basic pension;
- c) Supplementary pension;
- d) Unemployment insurance and labour market cash support;
- e) Children's allowances;
- f) Occupational accidents and diseases insurance.

2. Except where otherwise indicated by the provision in paragraph (4), this Convention shall also apply to legislation codifying, amending or supplementing the legislation specified in paragraph (1) of this Article.

3. This Convention shall apply to legislation concerning a new system or a new branch for social security in excess of that specified in paragraph (1) of this Article only if so agreed between the Contracting Parties.

4. This Convention shall not apply to legislation extending the application of the legislation specified in paragraph (1) of this Article to new groups of beneficiaries if the competent authority in the state concerned notifies the competent authority in the other state within three months from the date of the official publication of the new legislation, that no such extension of the Convention is intended.

5. This Convention does not apply to social or medical assistance schemes or to special schemes for civil servants or persons treated as such.

Article 3. In so far as it does not contain provisions to the contrary, this Convention shall apply to nationals of the Contracting Parties, to persons who are, or who have been, covered by the legislation of either of the Contracting Parties and to persons deriving their rights from such persons.

Article 4. In the application of the legislation of a Contracting Party the following persons shall, except where otherwise provided in this Convention, be equated with nationals of that Contracting Party:

- a) Nationals of the other Contracting Party;
- b) Refugees and stateless persons, as referred to in the Convention of 28th July 1951 on the Status of Refugees¹ and the Protocol of 31st January 1967 to the said Convention,² as well as the Convention of 28th September 1954 on the Status of Stateless Persons;³

¹ United Nations, *Treaty Series*, vol. 189, p. 137.

² *Ibid.*, vol. 606, p. 267.

³ *Ibid.*, vol. 360, p. 117.

- c) Other persons with regard to rights which they derive from a national of a Contracting Party or from a refugee or stateless person referred to in this Article.

Article 5. Except where otherwise provided in this Convention, pensions and other cash benefits, apart from unemployment benefits, may not be reduced, modified, suspended or withdrawn on account of the recipient residing in the territory of the other Contracting Party.

Article 6. Provisions in the legislation of a Contracting Party for the reduction, suspension or suppression of benefits from one branch of social security where there is overlapping with benefits from another branch or with other income, or because of an occupational activity, shall apply also to a beneficiary in respect of benefits acquired under the legislation of the other Contracting Party or in respect of income obtained, or occupation exercised, in the territory of the other Contracting Party.

PART II. PROVISIONS CONCERNING APPLICABLE LEGISLATION

Article 7. Except where otherwise provided in Articles 8 and 9, employed persons shall be subject to the legislation of only the Contracting Party, in whose territory they exercise their occupation. This applies also where the employed person or his employer has his place of residence in the territory of the other Contracting Party.

Article 8. 1. If a person employed in the territory of a Contracting Party is posted by his employer to the territory of the other Contracting Party to perform work on behalf of the same employer, he shall continue to be subject to the legislation of the former Party until the expiry of the twentyfourth calendar month after his posting as though he were still employed in the territory of that Party.

2. Travelling personnel employed by railway or road traffic undertakings or by air lines, and working in the territories of both the Contracting Parties, shall be subject to the legislation of the Contracting Party in whose territory the undertaking has its head office. If, however, they are employed by a branch or permanent agency which the said undertaking has in the territory of the other Contracting Party, the legislation of that Contracting Party shall apply.

3. The legislation of the Contracting Party, whose flag a vessel is flying, shall apply to the crew of the vessel and the other persons who are employed on board on a permanent basis. If, however, a person employed on board on a ship flying the flag of one Contracting Party is paid in respect of this occupation by an undertaking having its principal place of business, or by a person having his place of residence, in the territory of the other Contracting Party, he shall be subject to the legislation of the latter Party. In relation to the Netherlands the second sentence applies also where a ship flies the flag of a third country but has a crew which is paid by an undertaking having its principal place of business or by a person having its place of residence in the Netherlands.

4. An employee who is to be subject to the legislation of a Contracting Party under the provisions of this Article shall for such purposes be considered to be resident in the territory of that Contracting Party.

Article 9. The present Convention does not affect the provisions of the Vienna Convention on Diplomatic Relations¹ and the Vienna Convention on Consular Relations² relating to the legislation specified in Article 2, paragraph (1).

Article 10. 1. The competent authorities of the two Contracting Parties may agree on exceptions from the provisions of Articles 7, 8 or 9 in the interest of certain persons or groups of persons.

2. The provisions of paragraph (4) of Article 8 shall apply, *mutatis mutandis*, in cases referred to in this Article.

PART III. SPECIAL PROVISIONS CONCERNING THE VARIOUS CATEGORIES OF BENEFITS

Chapter 1. SICKNESS, MATERNITY AND CHILDBIRTH

Article 11. If a person has completed periods of insurance under the legislation of both Contracting Parties, these periods shall be added together for the acquisition, maintaining or recovery of entitlement to a benefit, in so far as they do not coincide.

Article 12. 1. A person who is entitled to benefits in kind under the legislation of one of the Contracting Parties, as well as members of his family, shall receive benefits in kind during a temporary stay in the territory of the other Contracting Party if their condition necessitates the immediate provision of such benefits.

2. Such benefits shall be provided by the insurance institution of the place of temporary stay in accordance with the legislation which that institution applies.

3. Paragraph (1) is not applicable to persons who go to the territory of the other Contracting Party for the purpose of receiving medical care.

Article 13. 1. A person who is entitled to benefits in kind under the legislation of one Contracting Party but resides in the territory of the other Contracting Party shall receive benefits in kind also in the territory of the latter Party.

2. Members of the family of a person who is entitled to benefits in kind under the legislation of one Contracting Party shall, if they reside in the territory of the other Contracting Party, receive benefits in kind.

3. The benefits mentioned in paragraph (1) and (2) shall be provided by the insurance institution of the place of residence in accordance with the legislation which that institution applies.

4. Paragraph (2) is not applicable in cases where the family members are entitled to benefits in kind because of their professional activity or their receiving a social security benefit of the Contracting Party in whose territory they reside.

Article 14. The question of refund of costs for benefits provided under Articles 12 and 13 shall be determined and made in accordance with regulations to be agreed on by the competent authorities. These authorities may agree that there shall be no refunds between the insurance institutions concerned.

Article 15. A person who satisfies the conditions for entitlement to cash benefits under the legislation of the competent State, regard being had, where ap-

¹ United Nations, *Treaty Series*, vol. 500, p. 95.

² *Ibid.*, vol. 596, p. 261.

appropriate, to the provisions of Article 11, receives the benefits even if he is present in the territory of the other state.

The benefits are paid by the competent insurance institution in accordance with the provisions of the legislation which it applies.

Chapter 2. INVALIDITY, OLD AGE AND SURVIVORS

Implementation of the Netherlands legislation

Article 16. Where a national of one of the Contracting Parties or a person designated in Article 4 *b*), at the time when incapacity for work followed by invalidity occurred, was subject to Swedish legislation on pensions and had previously completed a total insurance period of at least 12 months under the Netherlands legislation on invalidity insurance, he shall be entitled to a benefit under the latter legislation, calculated according to the rules of Article 17.

Article 17. 1. The amount of the benefit referred to in Article 16 shall be calculated in proportion to the ratio of the total length of the periods of insurance completed by the person concerned under the Netherlands legislation after the age of 15 years to the period between the date on which he reached the age of 15 and the date of his incapacity for work followed by invalidity.

2. If, at the time when incapacity for work followed by invalidity occurred, the person concerned was an employed person or a person treated as such, the benefit due shall be determined according to the Incapacity Insurance Act of 18 February 1966 (WAO). If not, the benefit due shall be determined according to the General Incapacity Insurance Act of 11 December 1975 (AAW).

3. As periods of insurance completed under the Netherlands legislation shall be considered:

- a) Periods of insurance completed under the Incapacity Insurance Act of 18 February 1966 (WAO);
- b) Periods of insurance completed under the General Incapacity Insurance Act of 11 December 1975 (AAW);
- c) Periods of employment and periods treated as such completed in the Netherlands before 1 July 1967.

4. In the case referred to in paragraph (2), first sentence, when an insurance period under the WAO coincides with an insurance period under the AAW, only the period completed under the WAO shall be taken into account.

5. In the case referred to in paragraph (2), second sentence, when an insurance period under the AAW coincides with an insurance period under the WAO, only the period completed under the AAW shall be taken into account.

Article 18. 1. In the case of old age the Netherlands insurance institution determines the pension directly and exclusively on the basis of the periods of insurance completed under the Netherlands legislation on old age insurance.

2. Periods before 1 January 1957 during which the person concerned resided in the territory of the Netherlands after reaching the age of fifteen or during which, whilst residing in another country, he was gainfully employed in the Netherlands shall also be considered as periods of insurance when he is not satisfying the condi-

tions of the Netherlands legislation permitting him to have such periods treated as periods of insurance.

3. Periods before 1 January 1957 shall only be taken into consideration for calculation of the old-age pension if the person concerned has resided throughout six years in the territory of one or both of the Contracting Parties after reaching the age of fifty-nine years or has paid contributions for the Netherlands old-age insurance during that period of six years.

4. The periods referred to in paragraph 2 will not be taken into consideration when they coincide with periods taken into consideration for the calculation of old-age pension under the legislation of another country than the Netherlands or when the person concerned receives a full Swedish basic pension.

Article 19. When a national of one of the Contracting Parties or a person designated in Article 4 *b*) at the time of his death was subject to Swedish legislation on pensions and had previously completed a total insurance period of at least 12 months under the Netherlands legislation on widows' and orphans' insurance, his widow or the orphans shall be entitled to a benefit under this legislation, calculated in accordance with the rules of Article 20.

Article 20. The amount of the benefit referred to in Article 19 shall be calculated in proportion to the ratio of the total length of the periods of insurance completed by the deceased under the Netherlands legislation before he reached the age of 65 to the period between the date on which he reached the age of 15 years and the date of his death, but at the latest the date on which he reached the age of 65 years.

Article 21. The principle of equality of treatment laid down in Article 4 does not apply to the old-age and survivors optional continued insurance in so far as the payment of contributions at reduced rates is concerned.

Implementation of the Swedish legislation

Article 22. 1. Nationals of the Netherlands as well as the persons designated in Article 4 *b*) and *c*), whether they reside in Sweden or elsewhere, who do not fulfill the conditions of the Swedish legislation which apply to them as regards entitlement to basic pension, shall be entitled to a basic pension in accordance with the rules applying to Swedish nationals residing abroad.

2. Handicap allowances which are not supplements to a basic pension, care allowances for handicapped children, general pension supplements and income-tested pension supplements are payable to persons designated in the previous paragraph, provided that they are residing in Sweden, applying *mutatis mutandis* the rules contained in that paragraph.

Article 23. Where a national of one of the Contracting Parties or a person designated in Article 4 *b*) or *c*) does not have sufficient Swedish periods of insurance to satisfy the requirements for entitlement to a basic pension in accordance with the provisions applicable to Swedish nationals residing outside of Sweden, periods of insurance completed under the legislation of the Netherlands shall be taken into account in so far as they do not coincide with Swedish periods of insurance.

Article 24. 1. Where periods of insurance have been completed both under the Swedish supplementary pension insurance scheme and under the legislation of

the Netherlands, these periods shall when necessary be added together for the acquisition of a right to supplementary pension in so far as they do not coincide.

2. When computing the amount of supplementary pension, only periods of insurance covered under Swedish legislation will be taken into account.

3. A person who is not a Swedish national cannot be credited with pension points by virtue of gainful occupation while residing outside of Sweden.

Chapter 3. UNEMPLOYMENT

Article 25. 1. If the legislation of both Contracting Parties has been applicable to a person, then the periods of insurance or employment, which are to be taken into consideration according to both Parties' legislation, shall be added together for the acquisition of the right to receive unemployment benefits, in so far as they do not coincide.

2. The application of paragraph (1) presupposes that the person concerned was last subject to the legislation of the Contracting Party, under the legislation of which he is claiming the benefit, and has been employed in the territory of that Party for at least four weeks in total during the last twelve months before submitting the claim. Paragraph (1) applies, however, even when his employment has terminated before the expiration of four weeks, if it was terminated through no fault of the employee and had been intended to last for a longer period.

Article 26. The duration of the period of payment of benefits for which a claim exists under the Swedish legislation pursuant to Article 25 is reduced to take account of the time for which benefits have been paid to the unemployed person by a Netherlands insurance institution during the last twelve months immediately before the application was submitted.

Chapter 4. CHILDREN'S ALLOWANCES

Article 27. 1. A children's allowance is payable under Swedish legislation with respect to a child residing in Sweden who is a Netherlands national, under the same conditions as for children of Swedish nationality.

2. If entitlement to a children's allowance exists according to the legislation of both Contracting Parties with regard to the same child and the same period, a children's allowance shall be paid out in accordance with the legislation of the Contracting Party in whose territory the child resides.

PART IV. MISCELLANEOUS PROVISIONS

Article 28. The competent authorities may agree on provisions for the implementation of this Convention. Furthermore, they shall take steps to ensure that liaison bodies are designated in their respective territories to facilitate the implementation of this Convention.

Article 29. 1. For the purpose of applying this Convention, the authorities and insurance institutions of the Contracting Parties shall lend their good offices as though applying their own legislation. Such mutual administrative assistance shall be provided free of charge.

2. The authorities and insurance institutions of the Contracting Parties may for the purpose of applying this Convention, communicate directly with one another in English or French.

3. The authorities, insurance institutions and jurisdictions of a Contracting Party may not reject claims or other documents submitted to them by reason of the fact that they are written in a foreign language provided they are in the official language of the other Party, in English or in French.

4. The diplomatic and consular representatives of a Contracting Party may request information directly from authorities and insurance institutions in the territory of the other Contracting Party in order to safeguard the interests of their own nationals.

Article 30. The competent authorities shall keep each other informed of the measures taken to apply this Convention within their territories.

Article 31. Any exemption granted in the territory of one of the Contracting Parties from stamp duty, notarial or registration fees in respect of certificates and documents required to be submitted to authorities and insurance institutions in the same territory, shall also apply to certificates and documents which, for the purpose of this Convention, have to be submitted to authorities and insurance institutions in the territory of the other Contracting Party. Documents and certificates required to be produced for the purpose of this Convention shall be exempt from authentication by diplomatic or consular authorities.

Article 32. 1. Applications, appeals and other documents which, in accordance with the legislation of a Contracting Party, have to be submitted to an authority or insurance institution within a specified period shall be admissible if they are submitted within the same period to a corresponding authority or institution of the other Contracting Party.

2. An application for a benefit submitted in accordance with the legislation of one Contracting Party shall be considered as an application for the corresponding benefit under the legislation of the other Contracting Party. With respect to old age pensions, however, this shall not apply if the applicant states that the application refers solely to pension benefits under the legislation of the former Contracting Party.

Article 33. 1. Where, under this Convention, an insurance institution of one Contracting Party is liable to pay cash benefits to a beneficiary who is in the territory of the other Contracting Party, its liability shall be expressed in the currency of the first Party. That institution may validly discharge its liability in the currency of the second Party.

2. Where, under this Convention, an insurance institution of one Contracting Party is liable to make payments to an insurance institution of the other Contracting Party, its liability shall be expressed in the currency of the second Party. The first insurance institution may validly discharge its liability in that currency.

3. Transfers of funds which result from the application of this Convention shall be effected in accordance with the relevant agreements in force between the Contracting Parties at the date of transfer.

Article 34. 1. If, when awarding or reviewing benefits in respect of invalidity, old age or death (pensions) pursuant to Chapter 2 of Part III, the insurance institu-

tion of a Contracting Party has paid to a beneficiary a sum in excess of that to which he is entitled, that institution may request the insurance institution of the other Contracting Party responsible for the payment of corresponding benefits to that beneficiary to deduct the amount overpaid from the arrears which it pays to him. The latter institution shall transfer the amount deducted to the creditor institution. Where the amount overpaid cannot be deducted from the arrears, the provisions of paragraph (2) shall apply.

2. When in other cases the insurance institution of a Contracting Party has paid to a beneficiary a sum in excess of that to which he is entitled, that institution may, within the conditions and limits laid down by the legislation which it applies, request the insurance institution of the other Contracting Party responsible for the payment of benefits to that beneficiary to deduct the amount overpaid from the amounts, which it pays to him. The latter institution shall make the deduction under the conditions and within the limits provided for such setting-off by the legislation which it applies, as if the sums had been overpaid by itself, and shall transfer the amount deducted to the creditor institution.

Article 35. 1. Disputes arising in connection with the application of this Convention are to be resolved by negotiations between the competent authorities.

2. If the dispute has not been settled within the six months following the first request to start the negotiations prescribed in the preceding paragraph of this Article, it shall be submitted to an arbitral tribunal whose composition and procedure shall be agreed upon by the Contracting Parties.

The arbitral tribunal shall settle the dispute according to the fundamental principles and in the spirit of the present Convention. The decision by the arbitral tribunal shall be final and binding upon the Contracting Parties.

PART V. TRANSITIONAL AND FINAL PROVISIONS

Article 36. 1. This Convention shall also apply to contingencies arising prior to its entry into force. However, no benefits shall be payable under this Convention with respect to any period prior to its entry into force, although periods of insurance or residence completed before the said entry into force shall be taken into account in the determination of benefits.

2. Any benefit which has not been awarded or been withdrawn on account of the nationality of the person concerned, or of his residence in the territory of the other Contracting Party or by reason of another obstacle which has been removed by this Convention, shall, on application, be awarded or resumed with affects from the date of entry into force of this Convention.

3. Upon an application being received, a benefit granted prior to the entry into force of this Convention shall be recalculated in compliance with the provisions of the same. Such benefits may also be recalculated without any application being made. This recalculation may not result in any reduction of the benefit paid.

4. Provisions in the laws of the Contracting Parties concerning the prescription and the termination of the right to benefits shall not apply to rights arising out of the provisions of paragraphs (1)–(3) of this Article, always provided that the beneficiary submits his application for a benefit within two years after the date of entry into force of this Convention.

Article 37. 1. This Convention does not affect the transitional provisions in Swedish legislation concerning the calculation of basic pension for persons born in 1929 or earlier, and the calculation of supplementary pensions for persons born in 1923 or earlier.

2. Article 5 of this Convention does not affect the provisions of Swedish legislation concerning the right of Swedish nationals residing outside of Sweden to a basic pension.

Article 38. 1. This Convention may be denounced by either of the two Contracting Parties. Notice of denunciation shall be given not less than three months before the expiry of the current calendar year, whereupon the Convention shall cease to be in force at the expiry of the calendar year in which it is denounced.

2. If the Convention is denounced, its provisions shall continue to apply to benefits which have already been acquired, notwithstanding any provision that may have been enacted in the legislation of the two Contracting Parties concerning restrictions of the right to benefits in connection with residence in, or citizenship of, other countries. Any right to future benefits which may have been acquired by virtue of the Convention shall be settled by special agreement.

Article 39. Both Contracting Parties shall notify each other in writing of the accomplishment of their respective constitutional procedures required for the entry into force of the present Convention. The Convention shall enter into force on the first day of the third month after the date of the last notification.

IN WITNESS WHEREOF the undersigned, duly authorised by their respective Governments, have signed this Convention.

DONE in duplicate at Stockholm on 2 July 1982, in the Dutch, Swedish and English languages, each version being equally authoritative.

For the Kingdom
of the Netherlands:
P. W. VAN HEUSDE

For the Kingdom
of Sweden:
KARIN SÖDER

FINAL PROTOCOL

At the moment of signing the Convention on social security between the Kingdom of the Netherlands and the Kingdom of Sweden (hereafter mentioned "the Convention") the undersigned plenipotentiaries have agreed as follows:

As far as the Netherlands legislation on sickness insurance (benefits in kind) is concerned Chapter 1 of Part III of the Convention is only applicable to persons who are insured according to the provisions of the Health Insurance Act (*Ziekenfondswet*).

This Protocol is an integral part of the Convention.

DONE in duplicate at Stockholm on 2 July 1982, in the Dutch, Swedish and English languages, each version being equally authoritative.

For the Kingdom
of the Netherlands:
P. W. VAN HEUSDE

For the Kingdom
of Sweden:
KARIN SÖDER

ADMINISTRATIVE ARRANGEMENT FOR THE APPLICATION OF THE CONVENTION ON SOCIAL SECURITY BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE KINGDOM OF SWEDEN, SIGNED AT STOCKHOLM ON 2 JULY 1982

Pursuant to Article 28 of the Convention on Social Security between the Kingdom of the Netherlands and the Kingdom of Sweden, signed at Stockholm on 2 July 1982, the competent authorities of the two States, namely:

- For the Netherlands, the Minister for Social Affairs and Employment and the Minister for Health and Environmental Protection,
- For Sweden, the Swedish Government,

Have agreed on the following provisions for the application of the Convention:

PART I. GENERAL PROVISIONS

Article 1. For the purpose of the present Arrangement:

(a) The term "Convention" means the Convention on Social Security between the Kingdom of the Netherlands and the Kingdom of Sweden signed at Stockholm on 2 July 1982;

(b) The terms defined in Article 1 of the Convention have the meaning given to them in that Article.

Article 2. 1. The liaison bodies in accordance with Article 28 of the Convention are:

A. In the Netherlands

- (a) For the benefits in kind in case of sickness and maternity, occupational injuries and diseases: the Ziekenfondsraad (Sickness Funds Council), Amstelveen;
- (b) For old-age and survivors pensions and for children's allowances: the Sociale Verzekeringsbank (Social Insurance Bank), Amsterdam;
- (c) In all other cases: the Gemeenschappelijk Administratiekantoor (Joint Administration Office), Amsterdam;

B. In Sweden

- (a) For unemployment insurance and labour market cash support: Arbetsmarknadsstyrelsen (the Labour Market Board), Solna;
- (b) In all other cases: Riksförsäkringsverket (the National Social Insurance Board), Stockholm.

2. The duties of the liaison bodies are stated in this Arrangement. For the application of the Convention, the liaison bodies may communicate directly with each other as well as with the persons concerned or their representatives. They shall assist each other in the application of the Convention.

Article 3. 1. The institution, designated in paragraph 2, of the State whose legislation is to remain applicable, shall issue a certificate stating that a worker shall remain subject to that legislation:

- (a) At the request of the worker or his employer in cases referred to in Article 8, paragraph 1 of the Convention,
- (b) In cases where Article 10 of the Convention applies.

2. The institutions according to paragraph 1 are:

- In the Netherlands, the Sociale Verzekeringsraad (Social Insurance Council), Zoetermeer;
- In Sweden, Riksförsäkringsverket (the National Social Insurance Board), Stockholm, or the regional public insurance office.

PART II. APPLICATION OF THE SPECIAL PROVISIONS CONCERNING THE VARIOUS CATEGORIES OF BENEFITS

Chapter 1. SICKNESS, MATERNITY AND CHILDBIRTH

Article 4. For the application of this chapter the term “insurance institution of the place of temporary stay” means:

- In the Netherlands, the Algemeen Nederlands Onderling Ziekenfonds U.A. (General Netherlands Mutual Sickness Fund), Utrecht;
- In Sweden, the regional public insurance office;

and the term “insurance institution of the place of residence” means:

- In the Netherlands, a sickness fund at the place of residence, as chosen by the person concerned;
- In Sweden, the regional public insurance office.

Article 5. 1. For the application of Article 11 of the Convention by the insurance institution of one of the States, a person shall submit to this institution a certificate showing the periods of insurance completed under the legislation of the other State.

2. At the request of the person concerned, this certificate shall be issued:

- In the Netherlands, by the professional association to which the insured person’s last employer was affiliated. However, if the person concerned has only been insured for benefits in kind, the certificate shall be issued by the sickness fund to which that person has last been affiliated;
- In Sweden, by the National Social Insurance Board or the regional public insurance office.

3. If the person concerned is not able to submit the required certificate, the institution shall obtain it from the insurance institution mentioned in paragraph 2.

Article 6. 1. In order to receive benefits in kind during a temporary stay in the territory of the State other than the competent State, the person concerned shall submit a certificate of his entitlement to a person or institution authorized to give the necessary medical aid and working within the social insurance system. This certificate shall be issued by the competent insurance institution. It shall be valid for such maximum duration as it specifies, from its date of issue. The competent authorities may agree that insurance cards issued by the competent insurance institution are valid as such certificates.

2. If the person concerned is not able to submit the required certificate, the insurance institution of the place of temporary stay shall obtain it from the competent insurance institution.

Article 7. 1. In order to receive benefits in kind provided for in Article 13, paragraph 1 or 2 of the Convention, the persons concerned shall register themselves

with the insurance institution of their place of residence, submitting where necessary a certificate of their entitlement. This certificate shall be issued by the competent insurance institution. If such a certificate is not submitted, the insurance institution of the place of residence shall obtain it from the competent insurance institution.

2. The certificate referred to in the preceding paragraph shall be valid until such time as the insurance institution of the place of residence receives notice of its cancellation.

3. The insurance institution of the place of residence shall inform the competent insurance institution of any registration made in accordance with the provisions of paragraph 1.

4. The persons concerned shall inform the insurance institution of the place of residence of any change in their circumstances which might affect their entitlement to benefits in kind and, in particular, of any change of residence or of any cessation or change of employment or occupational activity on the part of the insured person.

5. The insurance institution of the place of residence shall, as soon as it has become aware of it, inform the competent insurance institution of any change which might affect the concerned persons' affiliation to the insurance institution or their entitlement to benefits in kind.

Article 8. In cases referred to in Articles 12 and 13 of the Convention there shall be no refund between insurance institutions of costs for benefits provided under those Articles. If, however, there are reasons to assume that a considerable lack of balance between the mutual costs has developed, renegotiations on the future regulation of this matter shall take part on the request of the competent authority of one State.

Article 9. 1. In order to receive cash benefits an insured person who is present in the territory of the State other than the competent State may apply to the insurance institution of the State where he is present:

- In the Netherlands, to the competent district-office of the *Gemeenschappelijk Administratiekantoor* (Joint Administration Office) acting on behalf of the *Nieuwe Algemene Bedrijfsvereniging* (New General Professional Association);
- In Sweden, to the regional public insurance office.

This institution shall notify the competent insurance institution immediately of such an application.

2. The competent insurance institution may have the incapacity for work medically confirmed through the insurance institution of the place where the insured person is present. The report of the examining physician shall indicate, in particular, the probable duration of the incapacity for work, and shall be forwarded to the competent insurance institution within three days following the date of the examination.

3. At the request of the competent insurance institution, the insurance institution of the place where the person concerned is present shall subsequently carry out any necessary administrative checks or medical examinations as if he were insured with the latter institution.

4. The competent insurance institution shall pay cash benefits directly to the beneficiary by the appropriate method, in particular by international money order.

Chapter 2. INVALIDITY, OLD AGE AND SURVIVORS

Article 10. 1. The competent insurance institutions shall inform each other immediately of any application for a pension to which Part III, Chapter 2 and Article 32 of the Convention are applicable.

This information shall be supplied on a special form which also contains all information necessary for the investigation of the claim by the competent insurance institution of the other State. This form shall take the place of supporting documents.

2. The competent insurance institutions shall furthermore inform each other of circumstances which are of importance when deciding on a pension, enclosing relevant medical documents.

3. The competent insurance institutions shall inform each other of decisions which are taken during the process of settling a pension claim.

The final decisions taken by the said institutions shall be simultaneously forwarded to the claimant by the insurance institution of the State in whose territory he resides.

Article 11. Except where Article 34, paragraph 1 of the Convention is applied, pensions shall be paid out directly to the beneficiaries.

In the cases where the said paragraph is applied, the arrears have to be paid to the insurance institution that has paid a sum in excess of the pension due.

Article 12. Article 11 shall apply with regard to Sweden also to annuities payable in the case of an industrial injury.

Chapter 3. UNEMPLOYMENT

Article 13. Where a person, in application of Part III, Chapter 3 of the Convention, applies for cash benefits in the event of unemployment in one State, information shall be obtained from the insurance institution of the other State, where necessary through the liaison body of that State.

Chapter 4. CHILDREN'S ALLOWANCES

Article 14. The competent insurance institution of the State in whose territory the child resides shall supply the competent insurance institution of the other State with all information necessary for the application of Article 27, paragraph 2 of the Convention.

PART III. FINAL PROVISIONS

Article 15. 1. Models of certificates and other documents for the application of this Arrangement shall be drawn up by the liaison bodies.

2. Provided they are authorised to do so by the competent authorities, the liaison bodies may take additional measures of an administrative nature for the application of this Arrangement.

Article 16. 1. The liaison bodies and the insurance institutions shall correspond in English or French.

2. The liaison bodies shall, where necessary, assist each other in translating applications and other documents, written in their respective official languages, into English or French.

Article 17. The costs entailed in medical examinations necessary for the award or review of benefits shall be refunded by the insurance institution on whose behalf they were made to the insurance institution which has been responsible therefor, on the basis of the charges applied by the latter institution.

Article 18. This Arrangement shall enter into force concurrently with the Convention and may be denounced in accordance with the same rules as apply to the Convention.

DONE in duplicate at Stockholm on 2 July 1982 in the Dutch, Swedish and English languages, each version being equally authoritative.

For the competent
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