

No. 23202

**FEDERAL REPUBLIC OF GERMANY
and
GREECE**

Agreement concerning reimbursement of the costs of sickness insurance benefits provided in kind. Signed at Bonn on 11 March 1982

Authentic texts: German and Greek.

Registered by the Federal Republic of Germany on 28 December 1984.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
GRÈCE**

Accord relatif au remboursement des prestations d'assurance maladie servies en nature. Signé à Bonn le 11 mars 1982

Textes authentiques : allemand et grec.

Enregistré par la République fédérale d'Allemagne le 28 décembre 1984.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
HELLENIC REPUBLIC CONCERNING REIMBURSEMENT OF
THE COSTS OF SICKNESS INSURANCE BENEFITS PROVIDED
IN KIND

The Federal Republic of Germany and the Government of the Hellenic Republic,

Desiring, as an alternative to article 94 of regulation (EEC) No. 574/72 of the Council, of 21 March 1972, on the implementation of regulation (EEC) No. 1408/71 concerning the application of social security schemes to employed persons and their families who migrate within the Community, to assess the actual costs of benefits paid in kind by German sickness insurance schemes to family members, residing in the Federal Republic of Germany, of persons insured by Greek insurance authorities,

Desiring, to simplify, through the German sickness insurance system, the procedure for registering qualifying family members, living in Greece, of Greek employed persons insured in the Federal Republic of Germany, and to expedite the assessment and payment of the sums which were disbursed by the Greek sickness insurance authorities for the aforementioned family members and which are to be reimbursed by the German sickness authorities,

Considering that the German sickness insurance schemes, in benefit cases to be assessed in terms of actual expenditure, are unable to determine the actual amount of the costs of medicaments supplied in individual cases,

On the basis of article 36, paragraph 3, of regulation (EEC) No. 1408/71 in conjunction with article 94, paragraph 6, of regulation (EEC) No. 574/72 of the Council, of 21 March 1972,

Have agreed as follows:

Article 1. Where a German sickness insurance authority has provided benefits in kind for the family members specified in article 19, paragraph 2, of regulation (EEC) No. 1408/71 of the Council, of 14 June 1971, who are resident in the Federal Republic of Germany, the sums to be reimbursed under article 36 of that Regulation for these expenditures shall be used in accordance, *mutatis mutandis*, with article 93, paragraphs 1, 4 and 6, of regulation (EEC) No. 574/72 of the Council, of 21 March 1972, as an alternative to article 94, paragraphs 1 to 5, thereof.

Article 2. (1) With regard to the benefits paid in kind to the family members resident in Greece and specified in article 19, paragraph 2, of regulation (EEC) No. 1408/71, the competent German sickness insurance authorities shall draw up the documents for assessing the sums to be reimbursed under article 36 of that Regulation and shall transmit them to the Greek liaison office for sickness insurance through the German liaison office for sickness insurance within three months after publica-

¹ Came into force on 13 October 1983, i.e., one month after the date of receipt of the last of the notifications (13 September 1983) by which the Parties had notified each other of the completion of the required internal formalities, with retroactive effect from 1 January 1981, in accordance with article 7.

tion of the average costs for the assessment year concerned in the *Official Journal* of the European Communities.

(2) The Greek liaison office shall inform the German liaison office, within six months after receipt of the assessment documents referred to in paragraph (1), of any objections in cases to be specified in detail for each German insurance authority concerned.

(3) The German liaison office shall forthwith transmit to the Greek liaison office the sums paid by the competent German sickness insurance authorities.

Article 3. (1) The competent German sickness insurance authorities shall, by 31 March of each year, pay lump sums in advance for the previous calendar year to the German liaison office, provided that in that calendar year at least 50 persons with qualifying family members in Greece were insured with them. The lump sum advance shall be based on the last monthly lump sum established by the Administrative Commission for the social security of migrant workers under article 94 of regulation (EEC) No. 574/72. Where such a lump sum has not yet been established, the last lump sum established under article 17, paragraph 2, of the German-Greek social security Agreement of 25 April 1961 shall serve as a basis.

(2) Article 2, paragraph 3, shall apply *mutatis mutandis*.

(3) Lump sum advances shall be cleared at the final settlement of accounts.

Article 4. As an alternative to article 93, paragraph 1, of regulation (EEC) No. 574/72, the sums to be reimbursed by the Greek sickness insurance authorities for medicaments shall be invoiced by the competent German sickness insurance authorities to the amount of the lump sum rates applied between the German insurance authorities in temporary assistance cases.

Article 5. The sickness insurance liaison offices shall jointly determine what forms are required for the implementation of this Agreement.

Article 6. This Agreement shall also apply to *Land Berlin* provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the Hellenic Republic within three months of the date of entry into force of this Agreement.

Article 7. This Agreement shall enter into force, with effect from 1 January 1981, one month after the day on which the two Governments have notified each other that the requisite national formalities for its entry into force have been completed. The Agreement shall remain in force for the period of one year and shall be extended for successive one-year periods unless it is denounced in writing by one of the Contracting Parties not less than three months before the expiry of the one-year period.

DONE at Bonn on 11 March 1982, in two originals, each in the German and Greek languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

B. VON STADEN

For the Government of the Hellenic Republic:

C. TSAMADOS
