

No. 49296

**Japan
and
Netherlands (for the European part of the Netherlands)**

**Agreement between Japan and the Kingdom of the Netherlands on social security.
The Hague, 21 February 2008**

Entry into force: *1 March 2009 by notification, in accordance with article 31*

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**Japon
et
Pays-Bas (pour la partie européenne des Pays-Bas)**

**Accord entre le Japon et le Royaume des Pays-Bas relatif à la sécurité sociale. La Haye,
21 février 2008**

Entrée en vigueur : *1^{er} mars 2009 par notification, conformément à l'article 31*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Japon, 2 février 2012*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN
JAPAN AND THE KINGDOM OF THE NETHERLANDS
ON SOCIAL SECURITY

Japan and the Kingdom of the Netherlands,
Being desirous of regulating their mutual relations in
the field of social security,
Have agreed as follows:

PART I
GENERAL PROVISIONS

Article 1
Definitions

1. For the purpose of this Agreement,
 - (a) The term "the Netherlands" means the Kingdom of the Netherlands;
 - (b) The term "territory" means,

as regards Japan,
the territory of Japan,

as regards the Netherlands,
the territory of the Kingdom of the Netherlands in Europe;
 - (c) The term "national" means,

as regards Japan,
a Japanese national within the meaning of the law on nationality of Japan,

as regards the Netherlands,
a person of the nationality of the Netherlands;
 - (d) The term "legislation" means,

as regards Japan,
the laws and regulations of Japan concerning the Japanese pension systems and the Japanese health insurance systems specified in paragraph 1 of Article 2,

as regards the Netherlands,
the laws and regulations of the Netherlands
concerning the branches of social security
specified in paragraph 2 of Article 2;

- (e) The term "competent authority" means,

as regards Japan,
any of the Governmental organizations competent
for the Japanese pension systems and the Japanese
health insurance systems specified in paragraph 1
of Article 2,

as regards the Netherlands,
the Minister of Social Affairs and Employment;

- (f) The term "competent institution" means,

as regards Japan,
any of the insurance institutions, or any
association thereof, responsible for the
implementation of the Japanese pension systems
and the Japanese health insurance systems
specified in paragraph 1 of Article 2,

as regards the Netherlands,
the institutions responsible for the
implementation of the legislation of the
Netherlands;

- (g) The term "period of coverage" means,

as regards Japan,
a period of contributions under the legislation
of Japan concerning the Japanese pension systems
specified in paragraph 1(a)(i) to (v) of Article
2, and any other period taken into account under
that legislation for establishing entitlement to
benefits,

however, a period which shall be taken into
account, for the purpose of establishing
entitlement to benefits under that legislation,
pursuant to other agreements on social security
comparable with this Agreement shall not be
included,

as regards the Netherlands,
a period of employment or self-employment, or a
period of residence, and a period treated as
such, under the legislation of the Netherlands;

- (h) The term "benefit" means a pension or any other cash benefit under the legislation of a Contracting State.

2. For the purpose of this Agreement, any term not defined in this Agreement shall have the meaning assigned to it under the applicable legislation.

Article 2
Matters Covered

This Agreement shall apply,

1. as regards Japan,

(a) to the following Japanese pension systems:

- (i) the National Pension (except the National Pension Fund);
- (ii) the Employees' Pension Insurance (except the Employees' Pension Fund);
- (iii) the Mutual Aid Pension for National Public Officials;
- (iv) the Mutual Aid Pension for Local Public Officials and Personnel of Similar Status (except the pension system for members of local assemblies); and
- (v) the Mutual Aid Pension for Private School Personnel;

(the Japanese pension systems specified in (ii) to (v) shall hereinafter be referred to as the "Japanese pension systems for employees");

however, for the purpose of this Agreement, the National Pension shall not include the Old Age Welfare Pension or any other pensions which are granted on a transitional or complementary basis for the purpose of welfare and which are payable wholly or mainly out of national budgetary resources; and

(b) to the Japanese health insurance systems implemented under the following laws, as amended:

- (i) the Health Insurance Law (Law No. 70, 1922);
- (ii) the Seamen's Insurance Law (including the provisions on employment insurance and workers' accident compensation insurance) (Law No. 73, 1939);
- (iii) the National Health Insurance Law (Law No. 192, 1958);
- (iv) the Law Concerning Mutual Aid Association for National Public Officials (Law No. 128, 1958);
- (v) the Law Concerning Mutual Aid Association for Local Public Officials and Personnel of Similar Status (Law No. 152, 1962);
- (vi) the Law Concerning Mutual Aid for Private School Personnel (Law No. 245, 1953); and
- (vii) the Law Concerning the Security of Healthcare Treatment for Senior Citizens (Law No. 80, 1982);

however, for the purpose of this Agreement, Articles 5, 14 to 21, 26, 27, 30 (except for paragraph 3) and paragraph 2 of Article 32 shall only be applicable to the Japanese pension systems referred to in (a) of this paragraph; and

2. as regards the Netherlands, to the following branches of social security:

- (a) disablement benefit;
- (b) old-age benefit;
- (c) survivors' benefit;
- (d) child benefit;
- (e) sickness and maternity cash benefit;
- (f) sickness benefit in kind; and
- (g) unemployment benefit;