

Status: Point in time view as at 25/02/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 574/72 (repealed), ANNEX 9 (A) (B) (2) (12) (14). (See end of Document for details)

ANNEX 9 (A) (B) (2) (12) (14)

CALCULATION OF THE AVERAGE ANNUAL COST OF BENEFITS IN KIND (Articles 4 (9), 94 (3) (a) and 95 (3) (a) of the implementing Regulation)

A. BELGIUM

The general social security scheme shall be taken into consideration when calculating the average annual cost of benefits in kind.

However, for the purposes of applying Articles 94 and 95 of the implementing Regulation to cases in which Article 35 (2) of the Regulation applies, the scheme for compulsory health care insurance for self-employed persons shall be taken into consideration when calculating the average annual cost of benefits in kind.

[^{F1}B. BULGARIA

The average annual cost of benefits in kind shall be calculated by taking into consideration the benefits in kind provided in accordance with the Law on Health Insurance, the Law on Health and the Law on Integration of People with Disabilities.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 101/2008 of 4 February 2008 amending Council Regulation \(EEC\) No 574/72 laying down the procedure for implementing Regulation \(EEC\) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community.](#)

[^{F2}[^{F3}C. CZECH REPUBLIC]

The general health insurance system shall be taken into consideration when calculating the average annual costs of benefits in kind.]

Textual Amendments

- F2** Inserted by [Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.](#)
- F3** Substituted by [Council Regulation \(EC\) No 1791/2006 of 20 November 2006 adapting certain Regulations and Decisions in the fields of free movement of goods, freedom of movement of persons, company law, competition policy, agriculture \(including veterinary and phytosanitary legislation\), transport policy, taxation, statistics, energy, environment, cooperation in the fields of justice and home affairs, customs union, external relations, common foreign and security policy and institutions, by reason of the accession of Bulgaria and Romania.](#)

[^{F4}D. DENMARK

The average annual costs of benefits in kind shall be calculated by taking into account the schemes set up by the law on the public health service, the law on hospital and, in respect of the cost of rehabilitation, the Active Social Policy Act and the Active Employment Measures Act.]

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Textual Amendments

- F4** Substituted by [Commission Regulation \(EC\) No 311/2007 of 19 March 2007 amending Council Regulation \(EEC\) No 574/72 laying down the procedure for implementing Regulation \(EEC\) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community.](#)

[^{F3}E. GERMANY]

[^{F5}The average annual cost of benefits in kind shall be calculated by taking into account the general scheme.]

Textual Amendments

- F5** Substituted by [Council Regulation \(EC\) No 1290/97 of 27 June 1997 amending Regulation \(EEC\) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation \(EEC\) No 574/72 laying down the procedure for implementing Regulation \(EEC\) No 1408/71.](#)

[^{F6}[^{F3}F. ESTONIA]

The average annual cost of benefits in kind shall be calculated by taking into consideration the benefits provided in accordance with Health Insurance Act, Health Services Organisation Act and Art.12 of Social Welfare Act (provision of prosthetic, orthopaedic and other appliances).]

Textual Amendments

- F6** Substituted by [Commission Regulation \(EC\) No 77/2005 of 13 January 2005 amending Council Regulation \(EEC\) No 574/72 laying down the procedure for implementing Regulation \(EEC\) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community.](#)

[^{F6}[^{F3}G. GREECE]

The general social security scheme administered by the Ίδρυμα Κοινωνικών Ασφαλίσεων — Ενιαίο Ταμείο Ασφάλισης Μισθωτών (ΙΚΑ — ΕΤΑΜ) (Social Insurance Institute — Unified Insurance Fund for Employees (ΙΚΑ — ΕΤΑΜ)) shall be taken into consideration when calculating the average annual cost of benefits in kind.]

[^{F3}H. SPAIN]

The annual average cost of benefits in kind is calculated by taking into consideration the benefits granted by the National Health Service of Spain.

[^{F3}I. FRANCE]

The general social Security scheme shall be taken into consideration when calculating the average annual cost of benefits in kind.

^{F7}F. GREECE

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Textual Amendments

- F7** Deleted by [Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.](#)

[^{F4}J. IRELAND

The average annual cost of benefits in kind shall be calculated by taking into consideration the benefits in kind (health services) provided by the Health Service Executive, mentioned in Annex 2, in accordance with the provisions of the Health Acts 1947 to 2004.]

[^{F3}K. ITALY]

The average annual cost of benefits in kind shall be calculated by taking into account the benefits granted by the national health service in Italy.

[^{F2}[^{F3}L. CYPRUS]

The average annual cost of benefits in kind shall be calculated by taking into consideration the benefits provided by the Government Health Services in Cyprus.

[^{F8}[^{F3}M. LATVIA]

The average annual cost of benefits shall be calculated by taking into consideration the benefits in kind (health services) administered by the State Compulsory Health Insurance Agency.]

Textual Amendments

- F8** Substituted by [Commission Regulation \(EC\) No 207/2006 of 7 February 2006 amending Council Regulation \(EEC\) No 574/72 laying down the procedure for implementing Regulation \(EEC\) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community.](#)

[^{F3}N. LITHUANIA]

Calculation of the cost of average annual benefits in kind is based on the provisions of the Law on Health Insurance.]

[^{F3}O. LUXEMBOURG]

All sickness funds and the sickness funds' association shall be taken into consideration when calculating the annual average cost of benefits in kind.

[^{F2}[^{F3}P. HUNGARY]

The average annual cost of benefits in kind shall be calculated by taking into consideration the general health insurance scheme and the health care expenditures on benefits provided in accordance with the provisions of the Health Act.

[^{F3}Q. MALTA]

Calculations of the average annual cost of benefits in kind shall be calculated by taking into consideration the benefits provided under the National Health Scheme.]

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[^{F3}R. NETHERLANDS]

The general social security scheme shall be taken into consideration when calculating the average annual cost of benefits in kind.

A reduction shall, however, be made to allow for the effects of:

1. invalidity insurance (arbeidsongeschiktheidsverzekering, WAO);
2. insurance against special sickness costs (verzekering tegen bijzondere ziektekosten, AWBZ).

[^{F3}S. AUSTRIA]

[^{F9}The average annual cost of benefits in kind shall be calculated by taking into consideration:

Textual Amendments

F9 Substituted by [Commission Regulation \(EC\) No 410/2002 of 27 February 2002 amending Council Regulation \(EEC\) No 574/72 laying down the procedure for implementing Regulation \(EEC\) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community.](#)

1. the benefits provided by the Gebietskrankenkassen (Regional Funds for Sickness Insurance);
2. [^{F8}the benefits provided by hospitals for which a Landesgesundheitsfonds (regional health fund) is responsible;]
3. the benefits provided by other hospitals covered by the agreement between the Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Social Insurance Institutions) and the Wirtschaftskammer Österreich (Austrian Chamber of Commerce) applying on 31 December 2000, and
4. the benefits provided by the Fonds zur Mitfinanzierung der In-vitro-Fertilisation (In Vitro Fertilisation Cofinancing Fund), Vienna.]

[^{F4}T. POLAND

The average annual costs of benefits in kind shall be calculated by taking into consideration the schemes set up by the law on healthcare services financed from the public resources, the law on the National Medical Emergency Service and, in respect of costs of rehabilitation, also the law on social insurance scheme and the law on social insurance of farmers.]

[^{F3}U. PORTUGAL]

The annual average cost of benefits in kind is calculated by taking into consideration the benefits provided by the official Health Services.

[^{F10}V. ROMANIA

The annual average cost of benefits in kind shall be calculated by taking into consideration the benefits provided under the health insurance scheme.]

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Textual Amendments

F10 Inserted by Council Regulation (EC) No 1791/2006 of 20 November 2006 adapting certain Regulations and Decisions in the fields of free movement of goods, freedom of movement of persons, company law, competition policy, agriculture (including veterinary and phytosanitary legislation), transport policy, taxation, statistics, energy, environment, cooperation in the fields of justice and home affairs, customs union, external relations, common foreign and security policy and institutions, by reason of the accession of Bulgaria and Romania.

[^{F2}[^{F3}W. SLOVENIA]

The annual average cost of benefits in kind shall be calculated by taking into consideration the general health care programme.

[^{F3}X. SLOVAKIA]

The average annual cost of benefits in kind shall be calculated by taking into consideration the costs provided for health care purposes within the health insurance scheme.]

[^{F3}Y. FINLAND]

The average annual cost of benefits in kind shall be calculated by taking account the schemes of public health and hospital services and the refunds under the sickness insurance and rehabilitation services provided by Kansaneläkelaitos —Folkpensionsanstalten (Social Insurance Institution), Helsinki.

[^{F3}Z. SWEDEN]

The annual average cost of benefits in kind is calculated by taking into consideration the benefits provided under the national social insurance scheme.

[^{F3}AA. UNITED KINGDOM]

The average annual cost of benefits in kind shall be calculated by taking into consideration the benefits provided by the National Health Service of the United Kingdom.

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