

EXPLANATORY STATEMENT 1 of 2010

Amendment to the Agreement between the Government of Australia and the Government of the Kingdom of the Netherlands concerning the Provision of Medical Treatment of 5 April 1991 [1992] ATS 3 [2009] ATNIF 22

Practical and legal effect

1. The proposed treaty action is to amend the *Agreement between the Government of Australia and the Government of the Kingdom of the Netherlands concerning the Provision of Medical Treatment* (the Australia-Netherlands Agreement) to reflect changes in legislation and the names of government agencies in Australia and the Netherlands. The practical and legal effect of the proposed treaty action is technical and does not affect the benefits or scope of the Australia-Netherlands Agreement. There are no financial implications.

Nature and timing of the proposed treaty matter

2. The Australia-Netherlands Agreement provides reciprocal access to public health facilities for residents travelling between the two countries. In Australia, this comprises public hospital treatment, subsidised medical treatment under Medicare and medicines under the Pharmaceutical Benefits Scheme.

3. The proposed treaty action will bring the text of the Australia-Netherlands Agreement up to date in respect of the titles of legislation and the names of government agencies in Australia and the Netherlands. It will also bring Australian definitions into line with past amendments to the *Health Insurance Act 1973*.

4. The proposed treaty action will enter into force 30 days after the date on which the two Governments have notified each other in writing that the necessary domestic procedures have been completed, and will have retrospective effect as from 1 January 2006.

Reasons for Australia to take the proposed action relating to the treaty matter

5. The proposed treaty action was initiated by the Netherlands. It was also an opportunity to bring the Australian parts of the text up to date.

Implementing legislation

6. The proposed treaty action entails no legislative change.

Medicare Benefits Branch
Department of Health & Ageing

Submitted to JSCOT:
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