

Jersey R & O 7752

**ACT 1988 REGARDING HEALTH CARE AGREEMENT WITH
SWEDEN**

Act, dated 10th May, 1988, with regard to a Reciprocal Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Sweden concerning medical treatment.

(Promulgated on the 11th day of May, 1988.)

STATES OF JERSEY.

The 10th day of May, 1988.

WHEREAS a Convention on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Sweden (hereinafter referred to as “the Convention) and a Protocol supplementing the Convention and concerning medical treatment (hereinafter referred to as “the Protocol”) were signed on behalf of those Governments at Stockholm on the twenty-ninth day of June, 1987;

AND WHEREAS by Article 35 of the Convention it is provided that the Convention shall enter into force on the first day of the third month following the month in which the instruments of ratification are exchanged;

AND WHEREAS by Article 5 of the Protocol it is provided that the Protocol shall form an integral part of, and shall enter into force at the same time as, the Convention;

AND WHEREAS the Convention has been ratified by the said Governments and the instruments of ratification were exchanged on the

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twenty-sixth day of February, 1988, and accordingly the Convention and the Protocol entered into force on the first day of May, 1988;

AND WHEREAS the States have given effect to the Convention by making the Family Allowances and Social Security (Reciprocal Agreement with Sweden) (Jersey) Act, 1988¹;

AND WHEREAS it is desirable to give effect to the Protocol;

NOW, THEREFORE, the States have resolved as follows –

1. The provisions of the Protocol concerning Medical Treatment set out in the Schedule to this Act shall have effect with respect to the provision of medical treatment to residents of the Kingdom of Sweden who are temporarily in the Bailiwick.

2. This Act shall be deemed to have come into force on the first day of May, 1988.

E.J.M. POTTER

Greffier of the States.

¹ No. 7751.

*SCHEDULE***PROTOCOL CONCERNING MEDICAL TREATMENT**

At the time of signing the Convention on Social Security concluded this day between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Sweden (hereinafter referred to as “the Convention”) the undersigned, being duly authorised thereto by their respective Governments;

Desiring to provide resident of the territory of either of the two States during a temporary stay in the territory of the other State with immediate medical treatment;

Have agreed as follows –

ARTICLE 1

- (1) For the purpose of this protocol –
 - (a) “medical treatment” means –
 - (i) in relation to the United Kingdom and the Isle of Man, treatment by services provided under national health legislation in force in the United Kingdom and the Isle of Man and administered by health authorities or by the Isle of Man Department of Health and Social Security respectively;
 - (ii) in relation to the Island of Jersey, hospital medical and nursing services, including dental, ophthalmic and pharmaceutical services provided by the Public Health Committee of the States of Jersey;
 - (iii) in relation to the Islands of Guernsey, Alderney, Herm, Jethou and Sark, hospital treatment provided by the Board of Health of the States of Guernsey;

- (iv) in relation to Sweden, medical care under the Swedish Health Insurance legislation;
- (b) “resident” means –
 - (i) in relation to the United Kingdom and the Isle of Man, a person who is ordinarily resident in the United Kingdom or the Isle of Man who holds either a valid United Kingdom passport or as appropriate one of the following –
 - a National Health Service Medical Card in the case of Great Britain and the Isle of Man
 - a Health Service Medical Card in the case of Northern Ireland;
 - (ii) in relation to the Island of Jersey, a person who is ordinarily resident in that island who holds a valid United Kingdom passport or a certificate issued by the Social Security Committee of the States of Jersey;
 - (iii) in relation to the Islands of Guernsey, Alderney, Herm, Jethou and Sark, a person who is ordinarily resident in one of those islands who holds either a valid United Kingdom passport or proof of insurance issued by the Social Security authority of the States of Guernsey or other proof of residence;
 - (iv) in relation to Sweden, a person who is ordinarily resident in Sweden and holds either a valid Swedish passport or a social insurance card or certificate issued by a Swedish Social Insurance Office.
- (2) Other expressions have the same meaning as in the Convention.

ARTICLE 2

(1) A resident of the territory of one State who is temporarily in the territory of the other and needs immediate medical treatment shall be provided, on terms no less favourable than those which apply to a resident of that territory, with such medical treatment, including any medicines, as is considered for clinical reasons to be immediately necessary. The authorities of that territory shall bear all costs arising therefrom apart from charges normally paid by residents of that territory.

(2) The provisions of this Article shall not apply to a resident of one territory who goes to the other territory for the specific purpose of obtaining medical treatment under this Protocol unless the person seeking treatment is a member of the crew or passenger on any ship, vessel or aircraft travelling to or from or diverted to the territory of one of the States and the need for urgent treatment has arisen during the voyage or flight.

ARTICLE 3

(1) The competent authorities for the implementation of this Protocol are –

- (a) in relation to the territory of the United Kingdom of Great Britain and Northern Ireland, the Department of Health and Social Security and the other authorities of the territory responsible for the provisions of services as defined in Article 1(1);
- (b) in relation to Sweden, the National Social Insurance Board.

(2) These competent authorities shall send to each other as soon as possible details of any changes in laws or regulations operating in the territories of their respective Governments which may significantly affect the nature and scope of services provided under this Protocol.

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ARTICLE 4

Any disagreement relating to the application of this Protocol shall be resolved by consultation between the competent authorities.

ARTICLE 5

This Protocol, which shall enter into force at the same time as the Convention, shall form an integral part of the Convention.

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

DONE in duplicate at Stockholm on this 29th day of June 1987, in the English and Swedish languages, both texts being equally authoritative.

For the Government of the United
Kingdom of Great Britain and
Northern Ireland:

*For the Government of the
Kingdom of Sweden:*

Richard Parsons

G. Sigurdson