

Application of the European Code of Social Security by the Netherlands

56th Annual Report: General report 2023

(1-7-2022 - 30-6-2023)

The Government indicates that seafarers who legally reside in the Netherlands are entitled to social security protection for the following branches: medical care, old-age benefit, child benefit, and surviving relatives benefit.

It further declares that seafarers legally residing in the Netherlands and employed by an employer residing in the Netherlands, as well as seafarers legally employed by a foreign employer and working on a ship flying the Dutch flag, are covered for the following additional branches of social security: sickness benefit, unemployment benefit, maternity benefit, and invalidity benefit.

Non-Dutch seafaring personnel are also statutory protected (Vereniging Zeerisico 1967). In case of illness seafaring personnel receive 80% of their daily wage for the duration of 52 weeks. In case of a job-related illness or a job related accident, seafaring personnel receives 70% of their daily wage for a maximum of 3 years after the initial 52 weeks of illness. Furthermore, there exists a compensation for medical treatment in their home country as well as a compensation for survivors.

I GENERAL

No important changes during the report period

A. Administration/ Organization

No important changes during the report period

B. Benefits

See new rates from 1 January 2023 in the relevant chapters in this report

II MEDICAL CARE

Key to the Dutch healthcare system is the Basic Health Insurance, a mandatory population widescheme. The coverage of this standard package (basisverzekering) includes medical care by specialists, GPs and midwives, hospital care, medication, rehabilitation, dental help for persons younger than 22, mental healthcare and necessary medical help during a holiday or business trip abroad. Health insurance companies have an obligation to accept everyone for this Basic Health Insurance, irrespective of gender, age and health.

Innovations in treatment are added automatically throughout the year, without a need to change entitlements. In the Health Care system, changes in entitlements are implemented at the beginning of each calendar year. In most years, some (minor) changes to this basic insurance package are made. These are reported below, together with changes to co-payments.

a) Changes made during the reference period

The following change was made to the basket of care on January 1st 2023:

- Removal of the Combined Test Screening from the basket of care.

Co-payments:

- NIPT (test during pregnancy on several anomalies) is exempted from the compulsory deductible from 2023.
- No changes in the reference period (1-7-2022 - 30-6-2023) with regard to the compulsory deductible.

b) Changes decided, planned or proposed for the following year

The following changes are planned for 2024:

- For people who have a high risk of falling a risk assessment will be reimbursed from the basic health insurance package. Usually one of the outcomes of the risk assessment will be that the person in question needs to follow a training program, aimed to reduce the risk of falling. For persons who have physical or mental problems with regard to movement, a training program by a physiotherapist will be reimbursed from the basic health insurance package (one program per 12 months).
- From 2024 combined lifestyle interventions for children who are obese or have overweight in combination with specific risk factors will be reimbursed from the basic health insurance package. In addition, for these children the coordinating work of a central health care professional will be reimbursed as well. This professional makes an assessment of the needs of the family and child and coordinates the efforts.
- The maximum period for maternity care will be extended: from 10 days after birth of the child to six weeks.
- No changes with regard to co-payments are planned for the following year

c) Research (including evaluation), completed or initiated

1. Extension of research into paramedical recovery care after Covid-19 until 1 January 2025.
2. Research trajectories on various medical conditions on the basis of conditional admission.

III SICKNESS BENEFITS

a) Changes made during the reference period:

No important changes during the reference period.

b) Changes decided, planned or proposed for the following year:

No changes foreseen.

c) Research (including evaluation), completed or initiated:

No research completed or initiated.

IV UNEMPLOYMENT BENEFITS

a) Changes made during the reference period:

No important changes during the reference period.

b) Changes decided, planned or proposed for the following year:

No changes foreseen.

c) Research (including evaluation), completed or initiated:

The periodic evaluation of the unemployment law was sent to Parliament at the end of June 2023. The previous evaluation dates from 2016. The conclusion of the evaluation is that the unemployment policy is sufficient and that the unemployment law provides a decent degree of income protection. A simplification process has been started. Within this process, the first step is currently a study into the perceived bottlenecks in the unemployment law. The results are expected later this year.

V OLD AGE BENEFITS

a) Changes made during the reference period

The pension age in 2023 is 66 years and 10 months. This will increase by two months in 2024, to 67 years.

Benefit rates as of January 1st 2023:

Single pensioner	€ 1425,80 gross per month	€ 71,77 holiday allowance gross per month	€ 5 top up gross per month
Married pensioners or living together (amount per person)	€ 968,86 gross per month	€ 51,25 holiday allowance gross per month	€ 5 top up gross per month

b) Changes decided, planned or proposed for the following year

A proposed change is that a person no longer receives a 2% reduction on their pension if the premium remains unpaid. People are still obliged to pay the premium after this change but it no longer has an effect on their AOW-pension.

c) Research (including evaluation), completed or initiated

No research completed or initiated.

VI WORK ACCIDENT AND OCCUPATIONAL DISEASE BENEFITS

Not applicable anymore for the Netherlands

VII FAMILY BENEFITS

In the Netherlands, there exists one universal child benefit under the General Child Benefit Act (AKW) and one targeted additional child benefit (WKB).

AKW is a non-contributory benefit, not means-tested and not taxable. WKB is non-contributory, means-tested and not taxable.

a) Changes made during the reference period

Benefit rates as of January 1st 2023:

AKW

0 up to and including 5 years	6 up to and including 11 years	12 up to and including 17 years
€ 269,76 per quarter per child	€ 327,56 per quarter per child	€ 385,37 per quarter per child

WKB

Table 1

0 up to and including 12 years	12 up to and including 16 years	16 up tot and including 17 years
€ 413,25 per quarter per child	€ 449,75 per quarter per child	€ 502,00 per quarter per child

The salary-related family benefit depends on the income of the worker and the number of children as shown in table 2:

Table 2

Number of children	Family benefit
1	€ 137,75 per month
2	€ 137,75 (first child) + 127,66 for every extra child per month

b) Changes decided, planned or proposed for the following year

The amounts of salary-related family benefits have been increased in 2023.

c) Research (including evaluation), completed or initiated

No research completed or initiated.

VIII MATERNITY BENEFITS

a) Changes made during the reference period

No important changes during the reference period.

b) Changes decided, planned or proposed for the following year

No changes foreseen.

c) Research (including evaluation), completed or initiated

No research completed or initiated.

IX INVALIDITY BENEFITS

a) Changes made during the reference period:

b) No important changes during the report period. Changes decided, planned or proposed for the following year

No changes foreseen.

c) Research (including evaluation), completed or initiated

No research completed or initiated.

X SURVIVORS' BENEFITS

a) Changes made during the reference period

The benefits paid under the National Survivor Benefits Act (Anw) are financial support from the government for people whose partner has died and for children who are orphaned.

Benefit rates as from 1 January 2023:

Single survivor	€ 1398,11 gross per month	€ 90,20 holiday allowance gross per month	€ 19,03 Anw top up gross per month
Orphan (up to age 9)	€ 447,40 gross per month	€ 28,86 holiday allowance gross per month	€ 19,03 Anw top up gross per month
Orphan (10-15 years old)	€ 671,09 gross per month	€ 43,30 holiday allowance gross per month	€ 19,03 Anw top up gross per month
Orphan (16 - 20 years old)	€ 894,79 gross per month	€ 57,73 holiday allowance gross per month	€ 19,03 Anw top up gross per month

b) Changes decided, planned or proposed for the following year

No changes foreseen.

c) Research (including evaluation), completed or initiated

The report 'General Surviving Relatives Act, the view from the citizen' was completed in 2022¹.

The social insurance bank (Sociale Verzekeringsbank (SVB)) has conducted an internal investigation into possible non-use of the orphan's benefit in 2023.

The National Budget Information Institute (Nationaal Instituut voor Budgetvoorlichting (Nibud)) has conducted research to gain insight into the living costs of orphans. This report will be delivered in 2023.

¹ [Algemene nabestaandenwet, het beeld vanuit de burger | Rapport | Kennisplatform Werk en Inkomen](#)

SPECIFIC REQUESTS REGARDING THE NETHERLANDS (2023)

Specific Request 1: Part IV Unemployment benefit

Concerning Part IV (Unemployment benefit), Articles 23 and 24 of the Code, as amended by the Protocol, Qualifying period and minimum duration of benefit, in its previous Resolution, the Committee of Ministers noted that to become entitled to the minimum duration of 21 weeks (five months) of unemployment benefit in accordance with Article 24 of the Code, as amended by the Protocol, a person had to fulfil a qualifying period of at least two-and-a-half years of employment. Considering that this was manifestly excessive in terms of Article 23 of the Code, which allows a qualifying period only insofar as it is necessary to preclude abuse, and in view of the practice in the majority of the European countries, where the qualifying period normally does not exceed one year of employment, the Committee of Ministers requested the Netherlands to review its national legislation. Furthermore, the Committee of Ministers noted with concern the former Government's indication that it had started in 2020 the process of denouncing Part IV of the Code, as it considered that reducing the qualifying period for entitlement to unemployment benefit and adjusting the legislation accordingly was neither realistic nor desirable due to its financial impact.

In this regard, the Committee of Ministers notes from the information provided by the Government that the process of denouncing the relevant part of the Code was temporarily suspended in 2021 and that, the Government had undertaken a consultation process with representatives of employers' and workers' organizations before restarting the process of denouncing. The Committee of Ministers also notes that, according to the Government, the requirements of the revised Code are met when it comes to the qualifying period for entitlement to unemployment benefit, ratified, by the Netherlands but not into force in the absence of any other ratification.

The Committee of Ministers further notes from the information provided by the Government that, as a basic rule, each year of work entitles an insured person to one month of unemployment benefits, and that a benefit is paid for a minimum duration of three months to a person who has contributed for at least 26 weeks during the last 36 weeks prior to becoming unemployed. The Committee of Ministers considers that this is in compliance with Article 24(1)(a) of the Code, which requires a minimum duration of benefit payment of 13 weeks, but that it does not comply with this Article as amended by the Protocol, which requires a minimum duration of payment for at least 21 weeks within a period of 12 months, or to 21 weeks in each case of suspension of earnings.

With regard to Part IV (Unemployment benefit), Articles 23 and 24 of the Code, as amended by the Protocol, Qualifying period and minimum duration of benefit, to consider maintaining its obligations under Part IV of the Code and the Protocol, and to envisage taking measures to fully align its legislation with Part IV of the Code, as amended by the Protocol. It requests the Government to provide information on any measures taken in this regard.

Answer:

Following the conclusion of the Committee of Ministers that the Netherlands complies with Part IV of the Code, but not with the higher standards set in the Protocol with regard to Article 24 of the Code, the Government has amended the legislative proposal in such a way that part IV of the Code is not denounced but only the provisions of the Protocol with regard to Article 24.

The Government has consulted the representatives of the Dutch employers' and employees' organizations about this amended legislative proposal before restarting the process of denouncing. The final position on restarting the process of denouncing has yet to be determined.

Again, the Dutch Government emphasizes that the Netherlands does meet the requirements of the revised Code. The Netherlands has ratified the revised Code, which however is not in force due to a lack of any other ratifications.

Specific Request 2: Part XIII (Miscellaneous provisions), Article 74(1) of the Code - Submission of detailed reports concerning the application of the Code.

The Committee requests the Government, to submit such a detailed report containing all required statistical data, in accordance with the report form for the annual report on the Code.

Answer:

Part II Medical care - Article 9

Persons protected - Article 9 (c):

Under the healthcare legislation in the Netherlands in principle all residents are covered. Exceptions are for example:

- military personnel (they have their own insurance scheme);
- persons who for religious reasons object to any form of insurance (they are not insured but do pay a fee to receive healthcare when necessary);
- persons residing in the Netherlands but working in another country (they usually are insured in the country they work in).

- A. Number of residents covered under the general scheme: 17.455.000 persons (on 31-12-2021) (source: Verzekerdenmonitor 2022)
- B. Total number of residents: 17.475.415 persons (on 31-12-2021) (source: CBS Statline)
- C. Number of residents protected (A) per cent of total number of residents (B): 99%.

Furthermore, there are special arrangements for groups like homeless persons or undocumented persons.

Part III Sickness benefit - Articles 15 & 16

Persons protected - Article 15 (a):

- A. Number of employees protected:
- | | |
|----------------------------|-----------|
| i. under general scheme | 8.012.521 |
| ii. under special schemes: | none |
| | ----- |
| iii. Total | 8.012.521 |
- B. Total number of employees 8.012.521
- C. Number of employees protected (A iii.) per cent of total number of employees (B): 100%

Data over 2022 published by UWV (Institute for Employee Benefit Schemes).

Levels of benefit – Article 16:

- A. The Dutch Civil Code stipulates that employers must continue to pay the salaries of sick employees for the first two years of sick leave (at least 70% of the salary), never longer than the contract exists. The Sickness Benefits Act (Zw) serves as a "safety net" for employees who do not have or no longer have an employer and in a few special circumstances. This refers for example to employees who have lost their job in the first two years of their sickness and temporary workers on sick leave who do not have a permanent contract with their employment agency. The amount of the sickness benefit is 70% of the gross salary (maximum daily pay taken into account is € 264,57 (indexed per 1-7-2023). Sickness benefits can be topped up with an allowance payable under the Supplementary Benefits Act.

No distinction is made between male and female beneficiaries.

Part IV Unemployment benefit - Articles 21 & 22 Persons protected - Article 21(a):

A.	Number of employees protected:	
	i. under general scheme	8.012.521
	ii. under special schemes:	none

	iii. Total	8.012.521
B.	Total number of employees	8.012.521
C.	Number of employees protected (A iii.) per cent of total number of employees (B):	100%

Data over 2022 published by UWV (Institute for Employee Benefit Schemes).

Levels of benefit – Article 22:

- A. The amount of the unemployment benefit is 75% of the gross salary during the first 2 months of the unemployment and 70% of the gross salary thereafter (maximum daily pay taken into account is € 264,57 per 1-7-2023 gross). The benefit duration depends on the employment history.

Part V Old-age benefit - Articles 27 & 28

Persons protected: Article 27(c):

- A. All residents who have been living or working in the Netherlands during the 50 years before they reach the state pension age (66 years and 10 months in 2023), are entitled to a state pension under the National Old Age Pensions Act (AOW).
- B. i/ii For the rates of a full AOW-pension, please see the amounts described in the report under V. In general, entitlement to AOW-pension is accumulated at a rate of 2% for each year of insurance. A person who has not lived continuously in the Netherlands during the 50 years before they reach the state pension age and therefore has not been insured continuously, will not receive a full pension. A 2% reduction is made on the full pension for each year of non-insurance. The above mentioned reduction can be avoided by means of a voluntary insurance in the case the insured person leaves the Netherlands or by means of payment of a forfeit when they enter the Netherlands.

Levels of benefit – Article 28:

The AOW pension depends on the number of years a person has been insured under the AOW scheme and whether the person lives alone or with someone else. As a rule, people who live or work in the Netherlands are insured under the AOW scheme automatically, regardless of nationality. For every year a person is insured, he or she builds up rights to 2% of the full AOW pension. If you have been insured for the full 50 years preceding your AOW pension age, you will get a full AOW pension.

There are no reductions being made in the rate of benefit, apart from the reductions made for each year of non-insurance.

The beneficiary will be granted the standard AOW pension, which currently stands at € 993,16 gross for a beneficiary who lives together with a partner.

These amounts are centrally prescribed by law and not left to the discretion of the local authorities providing assistance.

Part VII Family benefit – Articles 41 & 44

Persons protected – Article 41(a):

The General Child Benefits Act is a national scheme. The personal scope of application is identical to the scope of the National Old Age Pensions Act (see under Article 27). All residents of the Netherlands are insured under the General Child Benefits Act (AKW) irrespective of the fact whether they are employed or not. Recipients of the AKW are entitled to the WKB (additional child benefit) if they meet the (income) conditions.

Levels of benefit – Article 44:

The family benefit (part VII) is the sum of a means-tested part and a part that is unrelated to the income earned. Table 1 shows the amounts of the income-unrelated part. Benefit rates as from January 2023. Every 6 months the child benefit amounts can be adjusted to the price developments.

Table 1

0 up to and including 12 years	12 up to and including 16 years	16 up to and including 17 years
€ 413,25 per quarter per child	€ 449,75 per quarter per child	€ 502,00 per quarter per child

The salary-related family benefit depends on the income of the worker and the number of children as shown in table 2:

Table 2

Number of children	Family benefit
1	€ 137,75 per month
2	€ 137,75 (first child) + 127,66 for every extra child per month per month

The amounts in table 2 are the maximum amounts when a single parent workers' income is less than € 70.000 per year. When the income is higher than this minimum income than the maximum amount is reduced with 6.75% of the income above € 70.000.

Part VIII Maternity benefit – Articles 48 & 50

Persons protected – Article 48(a):

All employees as defined in the Sickness Benefit Act.

A. Number of employees protected:

i. under general scheme	8.012.521
ii. under special schemes:	none

iii. Total	8.012.521
B. Total number of employees	8.012.521
C. Number of employees protected (A iii.) per cent of total number of employees (B):	100%

Levels of benefit – Article 50:

100% of the average wage in the previous 12 month period with a maximum of € 264,57/day.

The rules for the calculation of the benefit are the same as under the Sickness Benefits Act. Please see under Article 16. The maximum amount for the benefit is € 264,57/day.

Part IX Invalidity Benefit – Articles 55 & 56

Persons protected – Article 55(a):

A. Number of employees protected:	
i. under general scheme	8.012.521
ii. under special schemes:	none

iii. Total	8.012.521
B. Total number of employees	8.012.521
C. Number of employees protected (A iii.) per cent of total number of employees (B):	100%

Data over 2021 published by UWV (Institute for Employee Benefit Schemes).

Levels of benefit – Article 56:

- A. The invalidity benefit (WIA-benefit) encompasses two schemes:
1. WGA (Partially or temporarily completely Disabled Persons) Scheme: for people who are temporarily or partially (at least 35%) incapacitated for work. If they are temporarily or partially incapacitated for work due to illness or invalidity (at least 35%). The WIA-benefit pays the first period (maximum of two years – related to one's employment history) 70% of their daily wage, which is based on the (average) previous income in the year before sickness (benefit in the first two months is 75%). After this period the WIA-benefit is adjusted and depends on the degree of disability and income from work. If the benefit recipient does not work, the WIA-benefit pays a percentage of the legal minimum wage (between 27 and 50,75%). In case the total income of a benefit recipient and their partner is less than the social assistance standard in the Netherlands (for married coupled €1.995,00 gross per month (indexed per 1-7-2023), for a single person 70%), national Dutch legislation provides a top-up benefit under the Supplementary Benefits Act. If the benefit recipient does work, the income is settled with the benefit, provided that more 50% of the determined remaining earning capacity is earned. In that case the benefit pays 70% of the difference between the daily wage and determined remaining earning capacity. If the benefit recipient earns more than 100% of the determined remaining earning capacity or temporarily has no

earning capacity, the benefit pays 70% of the difference between the daily wage and the earnings.

The daily wage as a basis for calculation of the WGA benefit is maximized to €264,57 gross per day (indexed per 1-7-2023).

2. IVA (Full Invalidity Benefit Regulation) Scheme: for people who are completely (at least 80%) and permanently incapacitated for work. The benefit pays 75% of their daily wage.

Part X Survivors' benefit – Articles 61 & 62

Persons protected – Article 61(c):

All residents working or living in the Netherlands are insured for the National Survivor Benefits Act (Anw). Non-resident persons working in the Netherlands (and consequently paying contributions) are also insured. The deceased needs to be insured at the time of death.

Levels of benefit – Article 62:

(Amounts per 1 January 2023:)

Surviving spouse, partner or co-habitant: flat-rate benefit of €1417,14 paid monthly. In addition, a holiday allowance of € per month is allocated and paid once a year. The gross holiday pay is 6.45% of the gross Anw amount.

The Anw survivors' benefit includes a monthly Anw-allowance of €19,03.

If income from work is less than € 967,20 per month including WLZ/Anw contributions, Anw survivors' benefit is paid out in full. If the income is € 967,20 per month or more, a proportionally lower amount is paid out.

The Anw survivors benefit is income-dependent. Some types of income are deducted in full from the Anw benefit. Other income is either partly deducted or not at all. Cumulation with other social security benefits is possible, but the benefit may be reduced depending on the type of income or social security benefit and their amount.

If the surviving partner has an income of more than €3064,37 per month, no benefit is paid.

The gross holiday payment on the survivor's benefit is determined in such a way that the net holiday payment on the survivor's benefit is equal to 70% of the net minimum holiday allowance per month.

For a spouse who lives together with someone because of the need of extensive care, or the cohabitant needs extensive care, the maximum rate of survivors' benefit is 50% of the statutory net minimum wage.

Income is not taken into account for an orphan's benefit.

Children having lost both parents (no restriction on cumulation with family allowances) aged under 21 are entitled to the following survivor orphan's benefits:

- each child under 10: €466,43 per month, plus a monthly gross holiday allowance of € 28,86 paid as a lump sum once a year.

- each child aged 10 to 16: €690,12 per month, plus a monthly gross holiday allowance of 43,30 paid as a lump sum once a year.
- each child aged 16 to 21: €913,82 per month, plus a monthly gross holiday allowance of 57,73 paid as a lump sum once a year.

The amounts above include the allowance of €19,03.

The gross survivor benefit is set at such an amount that the net survivor benefit is equal to 70% of the net minimum wage. The percentage for the orphan's allowance of the survivor benefit is:

- 32% for orphans under 10
- 48% for those aged 10-15, and
- 64% for those aged 16-20.

Legal regulation on indexation: benefits are adjusted twice a year (January and July) according to price inflation and wage developments.