



Treaty Series No. 80 (1975)

Health Care Convention
between the Government of the
United Kingdom of Great Britain and
Northern Ireland and the Government
of the Republic of Malta

Valletta, 6 March 1975

[The Convention entered into force on 1 April 1975]

Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
June 1975

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**HEALTH CARE CONVENTION
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE REPUBLIC OF MALTA**

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Malta;

Being resolved to establish and develop co-operation in the sphere of health care;

Noting that, under the National Health legislation of the United Kingdom it is the duty of the competent authorities responsible for health to provide health care for the people of the United Kingdom;

Noting that, in Malta it is the duty of the competent authorities responsible for health to provide health care for the people of Malta;

Affirming the principle whereby the citizens of one of the two countries should be assured equal treatment with the citizens of the other country for illness or accidents that occur within that country;

Desirous of giving effect to this principle of reciprocity and of making arrangements for that purpose;

Have agreed as follows :

ARTICLE 1

For the purpose of the present Convention :

- (a) "country" means, according to the context, the United Kingdom or Malta;
- (b) "United Kingdom" means England and Wales, Scotland, Northern Ireland and the Isle of Man;
- (c) "Malta" means the Island of Malta, the Island of Gozo and the other islands of the Maltese Archipelago;
- (d) "competent authority" means:
 - (i) in relation to the United Kingdom :
the Secretary of State for Social Services, or the Secretary of State for Wales, or the Secretary of State for Scotland, or the Department of Health and Social Services for Northern Ireland, or the Isle of Man Health Services Board, as the case may require;
 - (ii) in relation to Malta :
the Minister of Health;

- (e) "citizen" means:
- (i) in relation to the United Kingdom:
a person ordinarily resident in either country for whom a valid United Kingdom passport has been issued;
 - (ii) in relation to Malta:
a person ordinarily resident in either country for whom a valid Maltese passport has been issued;
- (f) "health care" means:
- (i) in relation to the United Kingdom:
hospital care, whether as an in-patient or out-patient, including accommodation, medical, nursing and other hospital and specialist services, and general medical, dental, ophthalmic and pharmaceutical services provided under the National Health Service's legislation in force during the validity of the Convention;
 - (ii) in relation to Malta:
hospital care, whether as an in-patient or out-patient, including accommodation, medical, nursing and other hospital and specialist services, and dental, ophthalmic and pharmaceutical services provided for the people of Malta during the period of validity of the Convention;
- (g) a citizen of one country shall be regarded as temporarily resident in the other country if his stay does not exceed thirty days or such longer period as the competent authority of the other country may allow.

ARTICLE 2

(1) A citizen of the United Kingdom who is temporarily resident in Malta and who requires immediate treatment shall be entitled to receive health care in Malta on the same condition as a citizen of Malta.

(2) A citizen of Malta who is temporarily resident in the United Kingdom and who requires immediate treatment shall be entitled to receive health care under the provisions of United Kingdom legislation on the same conditions as a citizen of the United Kingdom.

(3) Without prejudice to the right of the competent authority of the country providing the health care to require the person concerned to comply with any necessary formalities, the possession of a valid United Kingdom passport duly stamped by the Malta immigration authorities with a tourist entry permit covering the period in question shall ordinarily be regarded as sufficient evidence that a citizen of the United Kingdom is covered by the provisions of this Article of the present Convention, except that in the case of a citizen of the United Kingdom visiting Malta as a passenger of a ship, the possession of a valid United Kingdom passport and an embarkation card issued by the ship's authorised officer shall be regarded as sufficient evidence.

(4) The provisions of this Article of the Convention shall not apply to any sea-farer for any period during which the shipowner is liable for his health care.

ARTICLE 3

Except as provided for under Article 4 of the present Convention, the Convention shall not apply to a citizen of the one country who goes to the other country for the express purpose of benefiting under the Convention.

ARTICLE 4

(1) Subject to and in accordance with the arrangements to be made between the competent authorities of the two countries, where a citizen of Malta is in need of hospital care for which, in the opinion of the competent authority of Malta, adequate facilities do not exist in Malta, the person concerned shall receive that hospital care in the United Kingdom under the provisions of United Kingdom legislation on the same conditions as a citizen of the United Kingdom.

(2) Subject to the provisions of Article 8 of the present Convention, no more than 150 citizens of Malta shall benefit from the provisions of this Article of the Convention in any period of a year.

(3) The Convention shall not extend to the payment of any travelling expenses between the two countries.

ARTICLE 5

(1) Expenses connected with the provision of health care under the terms of the present Convention, apart from charges normally paid by indigenous recipients of health care in the country concerned, shall be borne by the competent authorities of the country which provides the health services.

(2) In the event that either country introduces a system whereby additional health care charges are payable otherwise than by indigenous recipients of health care in the country concerned, those additional charges shall not be payable by citizens of the other country.

ARTICLE 6

The competent authorities shall:

- (a) communicate to each other information regarding any measures taken by them for the application of the present Convention;
- (b) communicate with each other as soon as possible should any changes occur in legislation or otherwise which significantly affect the nature of scope of the health care provided under the Convention;
- (c) furnish assistance to one another with regard to any matter relating to the application of the Convention.

ARTICLE 7

Any disagreement relevant to the interpretation or application of the present Convention shall be resolved by direct consultations between the competent authorities of the two countries.

ARTICLE 8

(1) The present Convention shall enter into force on 1 April 1975, and shall remain in force for a period of two years. Thereafter it shall continue in force for every following period of two years unless it is terminated before the expiry of any such period by one party to the Convention giving three months' written notice to the other.

(2) Six months before the expiry of any period of two years mentioned in paragraph (1) of this Article of the Convention, the competent authorities shall exchange any necessary information and review the operation of the Convention, in particular as to any expenditure incurred thereunder, with a view to keeping the costs to the two Governments broadly in balance.

(3) At the end of any period of two years mentioned in paragraph (1) of this Article of the Convention, the competent authorities may, by agreement, vary the number specified in Article 4 (2) of the Convention, being the maximum number of citizens of Malta who may benefit from the provisions of that Article of the Convention in any period of a year.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed the present Convention.

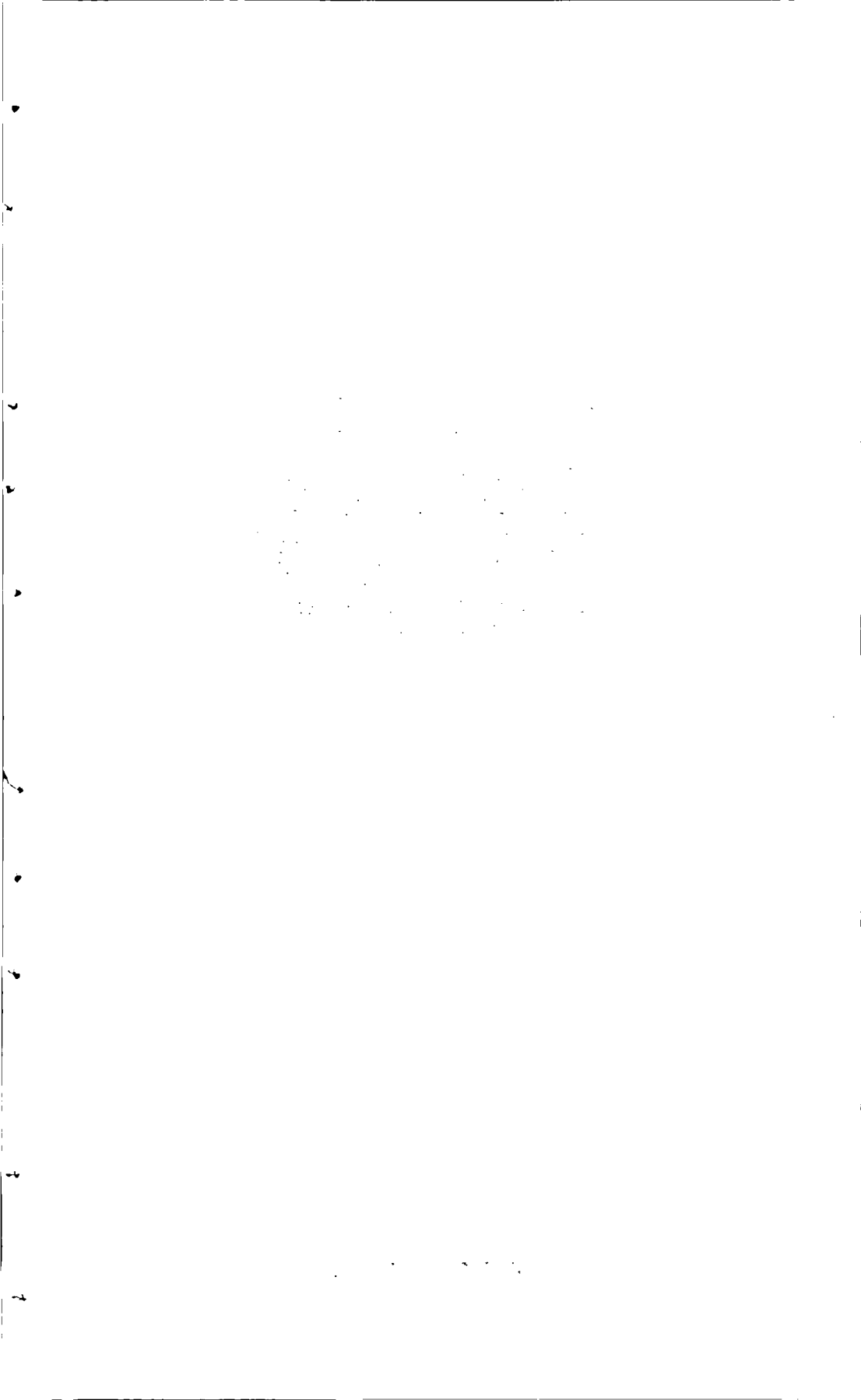
Done at Valletta this 6th day of March 1975.

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

ROBIN HAYDON

For the Government of the Republic
of Malta:

A. HYZLER



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