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PROTOCOLS

PROTOCOL 16

on measures in the field of social security related to transitional periods
on the free movement of persons ([^{F1}Switzerland and] Liechtenstein)

Textual Amendments

F1 Deleted by [Protocol adjusting the Agreement on the European Economic Area](#).

Article 1

For the purposes of applying this Protocol and Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community (OJ No L 149, 5.7.1971, p. 416), 'seasonal worker' shall mean, as [^{F2}regarding][^{F1}Switzerland and] Liechtenstein, any worker who is a national of an EC Member State or another EFTA State and who is the holder of a seasonal permit in the sense of the national legislation of [^{F1}Switzerland and] Liechtenstein[^{F1}, respectively], for a maximum period of nine months.

Textual Amendments

F1 Deleted by [Protocol adjusting the Agreement on the European Economic Area](#).

F2 Substituted by [Protocol adjusting the Agreement on the European Economic Area](#).

Article 2

During the period of validity of the permit, the seasonal worker shall be entitled to unemployment benefits according to [^{F1}Swiss and] Liechtenstein legislation[^{F1}, respectively], under the same conditions as a national of [^{F1}Switzerland and] Liechtenstein[^{F1}, respectively], and according to the provisions of Regulation (EEC) No 1408/71.

Textual Amendments

F1 Deleted by [Protocol adjusting the Agreement on the European Economic Area](#).

Article 3

Part of the unemployment contributions paid by seasonal workers shall be reimbursed by [^{F1}Switzerland and] Liechtenstein[^{F1}, respectively], to the States of residence of these Workers according to the following procedure:

- (a) For each State, the total amount of contributions shall be established according to the number of seasonal workers who are nationals of this State and present in [^{F1}Switzerland and] Liechtenstein[^{F1}, respectively], at the end of August, to the average length of the season, to the wages and to the rates of contribution to [^{F1}Swiss and] Liechtenstein unemployment insurance[^{F1}, respectively] (shares of the employer and of the worker).

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- (b) The amount reimbursed to each State shall correspond to fifty per cent of the total amount of the contributions, calculated according to subparagraph (a).
- (c) The reimbursement shall be made only when the total number of seasonal workers residing in the State concerned exceeds, during the accounting period^[F3],^[F1]500 as regards Switzerland or]50 ^[F1]as regards Liechtenstein].

Textual Amendments

- F1** Deleted by [Protocol adjusting the Agreement on the European Economic Area](#).
- F3** Inserted by [Protocol adjusting the Agreement on the European Economic Area](#).

^{F1}Article 4

Textual Amendments

- F1** Deleted by [Protocol adjusting the Agreement on the European Economic Area](#).

Article 5

The validity of this Protocol shall be limited to the length of the transitional periods as defined in Protocol 15.