

No. 5617

**YUGOSLAVIA
and
CZECHOSLOVAKIA**

**Convention concerning the social insurance. Signed at
Belgrade, on 22 May 1957**

Official texts: Serbo-Croat and Czech.

Registered by Yugoslavia on 17 March 1961.

**YUGOSLAVIE
et
TCHÉCOSLOVAQUIE**

**Convention relative aux assurances sociales. Signée à
Belgrade, le 22 mai 1957**

Textes officiels serbo-croate et tchèque.

Enregistrée par la Yougoslavie le 17 mars 1961.

[TRANSLATION¹ — TRADUCTION²]

No. 5617. CONVENTION³ BETWEEN THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE CZECHOSLOVAK REPUBLIC CONCERNING THE SOCIAL INSURANCE. SIGNED AT BELGRADE, ON 22 MAY 1957

The Federal People's Republic of Yugoslavia and the Czechoslovak Republic desiring to regulate the questions in the field of the social insurance by the mutual co-operation and convinced that such co-operation shall strengthen the friendly relations between the two countries, decided to conclude the Convention on the social insurance and in this purpose have agreed in the following :

PART I

BASIC PROVISIONS

Article 1

For the purpose of this Convention the following expressions mean :

- a) "social insurance" — social insurance i.e. the social security under the legislation of the Contracting Party concerned;
- b) "legislation" — laws and other legal regulation specified in Article 2 of this Convention for each Contracting Party;
- c) "workers" — persons employed and persons equalled (equalited) with such persons under the legislation of the concerned Contracting Party;
- d) "insured persons" — persons entitled to the social insurance rights under the legislation of the respective Contracting Party i.e. workers and persons equalled with them, members of cooperatives and production cooperatives, persons who earn independently, pension and invalidity beneficiaries, as well as dependents of the above mentioned persons;
- e) "directly insured persons" — persons not deriving their right from the social insurance through the other insured person;
- f) "insurance periods (employment)" — period of insurance (of employment) which is accounted under the legislation of the concerned

¹ Translation provided by the Government of Yugoslavia.

² Traduction transmise par le Gouvernement yougoslave.

³ Came into force on 1 December 1957, the first day of the month following the exchange of the instruments of ratification which took place at Prague on 28 November 1957, in accordance with article 36.

Contracting Party, into the right to the benefit and its amount, including the voluntary periods of insurance and the periods equal with the insurance (employment) periods;

g) "benefits in kind on the basis of the insurance in case of sickness and maternity" — all benefits in kind based on this insurance, including the preventive and medical treatment.

Article 2

(1) In the implementation of this Convention the legislation regulating the following branches of the social insurance shall be applied :

- a) insurance in case of sickness and confinement;
- b) insurance in case of the invalidity, old age and death, including industrial accidents and occupational diseases (hereinafter "old-age pension");
- c) children's allowance.

(2) This Convention refers also to the application of the legislation amending the legislations cited in the preceding paragraph.

Article 3

Yugoslav and Czechoslovak citizens are treated equally in their right and duties arising from the legislations mentioned in Article 2 of this Convention.

Article 4

If it is necessary in deciding about the social insurance rights to take into consideration the insurance (employment) period or other activities, the social insurance authority of each Contracting Party shall calculate the corresponding periods taken in account under the legislation of the other Contracting Party.

Article 5

(1) In the implementation of this Convention the legislation in force in the place of activity of the directly insured person shall be applied, unless otherwise stipulated by other provisions of this Convention.

(2) The following exceptions are made from the principle cited in the preceding paragraph :

- a) workers directed on behalf of one enterprise situated in the territory of one Contracting Party for the purpose of the temporary employment in the territory of the other Contracting Party, are subjected to the legislation of the Contracting Party in the territory of which the enterprise is situated;

b) workers in the foreign trade enterprises and transport enterprises, including civil airways enterprises of one Contracting Party who are temporarily or permanently employed in the territory of the other Contracting Party are subjected to the legislation of the Contracting Party where the enterprise is situated. However, if such persons are citizens of the Contracting Party in the territory of which they are employed they are subjected to the legislation of their own country;

c) ship crews are subjected to the legislation of the Contracting Party under the flag of which the vessel is navigating.

Article 6

Persons employed in the diplomatic and consular missions of the Contracting Parties as well as other persons employed in the same, are subjected to the legislation of the Contracting Party in the territory of which they permanently reside. This also applies to persons employed in state and other institutions, bureaux and organizations.

Article 7

The competent bodies of the Contracting Parties may provide for the exception from provision of Articles 5 and 6 of this Convention through the individual agreements.

PART II

SPECIAL PROVISIONS

Chapter I

SICKNESS AND MATERNITY INSURANCE

Article 8

(1) One-term (cash payments) financial insurance benefits in case of sickness and maternity determined independently of the amount of the wages earning of the directly insured person, are paid by the social insurance authority and under the legislation and debit, of the Contracting Party in the territory of which the person to whom these benefits are paid resides in the moment of the acquirement of the right.

(2) Periodical financial insurance benefits in case of sickness and maternity, as well as one-term financial benefits from such insurance, where the amount depends on the amount of earnings of the directly insured person, are being

paid under the legislation and debit of the social insurance authority insuring the directly insured person in the moment of his acquirement of the right to these benefits. If the insured person is entitled to these benefits from the social insurance of both Contracting Parties this right may be realized only with the social insurance authority of one Contracting Party; the authority by which the directly insured person is actively insured is the only one responsible to pay the benefit.

(3) If the insured person resides in the territory of the other Contracting Party when receiving the benefit pursuant to the preceding paragraph, the social insurance authority responsible to extend the benefit may entrust the payment of the benefit to the social insurance authority of the other Contracting Party. Payments effected in this ways hall be compensated on behalf of the social insurance authority responsible to extend the benefit to the authority which effected the payment.

Article 9

In the determination of the insurance benefit in case sickness and maternity account shall be taken only of the earnings realized in the territory of that Contracting Party whose social insurance authority is responsible to pay the benefit.

Article 10

(1) The social insurance in kind in case of sickness and maternity are paid at the debit of the competent authority of the Contracting Party in the territory of which resides the insured person. This also applies to persons cited in Article 5, paragraph 2 and Article 6, excepting the established diplomatic and consular employees. Futher details, and particularly the amount of benefits shall be agreed upon by the competent authority of both Contracting Parties.

(2) The competent authorities of the Contracting Parties may additionally agree wether the provisions of the preceding paragraph shall be applied to established diplomatic and consular officials.

Chapter II

CHILDREN'S ALLOWANCE

Article 11

(1) Children's allowance is paid under the legislation and debit of the social insurance authority of the Contracting Party in the territory of which the child of the directly insured person resides.