

No. 5873

**HUNGARY
and
GERMAN DEMOCRATIC REPUBLIC**

**Agreement on co-operation in the field of social policy.
Signed at Budapest, on 30 January 1960**

Official texts: Hungarian and German.

Registered by Hungary on 26 September 1961.

**HONGRIE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

**Accord de coopération en matière de politique sociale.
Signé à Budapest, le 30 janvier 1960**

Textes officiels hongrois et allemand.

Enregistré par la Hongrie le 26 septembre 1961.

[TRANSLATION¹ — TRADUCTION]

No. 5873. AGREEMENT² BETWEEN THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC ON CO-OPERATION IN THE FIELD OF SOCIAL POLICY. SIGNED AT BUDAPEST, ON 30 JANUARY 1960

The Government of the Hungarian People's Republic and the Government of the German Democratic Republic, desiring to regulate their relations in matters of social policy in a spirit of friendship and co-operation between the two States, have decided to conclude an Agreement.

They have for this purpose appointed as their plenipotentiaries :

The Government of the Hungarian People's Republic :

Ödön Kisházi, Minister for Labour,

The Government of the German Democratic Republic :

Walter Heinicke, Chairman of the Committee on Labour and Wages,

who, having exchanged their full powers, found in good and due form, have agreed as follows :

CHAPTER I

BASIC PROVISIONS

Article 1

(1) The Contracting Parties agree to co-operate in all questions and all spheres of social policy. Such co-operation shall serve to promote social progress both in the two States concerned and at the international level.

(2) The competent authorities shall—

- (a) notify each other of any legislation relating to social policy, and more particularly to social insurance;
- (b) furnish each other with the statistical data necessary for the investigation of questions of social policy and for the determination of the position with regard to social insurance;

¹ With the exception of the Preamble and of the final paragraph, this text is a translation made by the International Labour Office (International Labour Office, *Legislative Series*, May-June 1961).

² Came into force on 1 May 1960, the first day of the month following the exchange of notes signifying ratification, in accordance with article 20.

- (c) arrange for exchanges of experience and reciprocal visits in connection with questions of social policy, and more particularly questions of social insurance;
- (d) promote holiday schemes for children, adolescents and employed persons.

Article 2

(1) This Agreement applies to all the benefits claimable in cash or kind under the social insurance schemes of the German Democratic Republic and the Hungarian People's Republic in the event of sickness, confinement, industrial accident, occupational disease, invalidity, old age and death, and likewise to the children's allowances provided by the State.

(2) Save as herein provided to the contrary, this Agreement does not apply to the benefits claimable by members of armed formations and the members of their families, or by persons disabled in war and their survivors.

Article 3

(1) Save as provided to the contrary in this Agreement, the nationals of one State working on the territory of the other, and the members of their families, shall, for the purposes of labour law and social insurance, and particularly for the purposes of the grant of benefits, be treated in the same way as the nationals of the latter State. They shall have the same rights and obligations as the nationals of that State. The same shall apply, *mutatis mutandis*, to the nationals of one State who are temporarily resident on the territory of the other.

(2) In cases where national legislation makes the entitlement to, and grant of, benefit conditional upon residence in the State concerned, any recognised temporary residence in the other State shall be treated as residence in the first State.

Article 4

(1) Liability to social insurance shall be governed by the legislation of the State on whose territory the relevant employment or activity for insurance purposes is carried on.

(2) Notwithstanding the rule contained in paragraph (1), the persons listed below shall be insured with the insurance carrier of the State from which they are sent and shall not receive any benefits from the insurance carrier of the State in which they are resident, other than benefits in kind provided under Article 5—

- (a) members of the diplomatic and consular missions of one State who are employed on the territory of the other State and persons working for the members of such missions, if they are nationals of the State represented;
- (b) persons employed by transport and other undertakings and institutions of one State, if they work for their undertaking or institution in the other State and are nationals of the first State.

(3) Persons who are not liable to insurance in virtue of their activity but who receive a pension shall be treated as being insured in accordance with the legislation of the State whose insurance carrier pays their pension.

CHAPTER II

SOCIAL INSURANCE BENEFITS SICKNESS AND INCAPACITY BENEFITS

Article 5

(1) Social insurance benefits in kind shall be granted in accordance with national legislation by the insurance carrier of the State on whose territory the insured person or qualifying member of his family is resident.

(2) Where the grant of benefits in kind is conditional upon a prior period of insurance or an equivalent period, the periods of insurance and equivalent periods completed on the territory of one State shall be added to those completed on the territory of the other State.

(3) Nationals of one State who are temporarily resident in the other State shall, in the event of sudden illness or other urgent circumstances, receive free of charge such benefits in kind as are absolutely necessary from the insurance carrier or competent national authority of the latter State. The cost of such benefits shall be disregarded in any settlement of accounts.

(4) Where the competent authority of one State requests the competent authority of the other State to provide benefits in kind beyond the limits laid down in paragraph (3), the cost of such benefits shall be borne by the insurance carrier of the State requesting them to be provided.

(5) The provisions of this Article shall also apply to members of armed formations and the members of their families, to persons disabled in war and their survivors, and to the persons mentioned in paragraph (2) of Article 4.

(6) Detailed rules governing the extent to which benefits are to be provided under this Article and the manner of settling accounts in respect of such benefits for the purposes of paragraph (4) shall be prescribed in a separate agreement between the competent authorities of both States.

Article 6

(1) Short-term social insurance benefits in cash shall be granted in accordance with national legislation by the insurance carrier of the State in which the insured person has his permanent residence. In assessing such benefits the insurance carrier shall also take account of any periods of insurance or equivalent periods completed on the territory of the other State.