

No. 6187

**NORWAY
and
ITALY**

**Convention on Social Security (with Final Protocol). Signed
at Rome, on 12 June 1959**

Official texts: Norwegian and Italian.

Registered by Norway on 9 May 1962.

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et
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**Convention en matière de sécurité sociale (avec Protocole
final). Signée à Rome, le 12 juin 1959**

Textes officiels norvégien et italien.

Enregistrée par la Norvège le 9 mai 1962.

[TRANSLATION — TRADUCTION]

No. 6187. CONVENTION¹ ON SOCIAL SECURITY BETWEEN
THE KINGDOM OF NORWAY AND THE ITALIAN RE-
PUBLIC. SIGNED AT ROME, ON 12 JUNE 1959

His Majesty the King of Norway and the President of the Italian Republic, being desirous of ensuring the benefits of the social security legislation of the two countries for Norwegian and Italian nationals, have decided to conclude a convention and have for this purpose appointed as their representatives :

His Majesty the King of Norway :

His Excellency Mr. Per Preben Prebensen, Ambassador of Norway to Italy ;
and

The President of the Italian Republic :

His Excellency Mr. Carmine De Martino, Member of Parliament,
Under-Secretary of State in the Ministry of Foreign Affairs,

Who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

PART I

GENERAL PROVISIONS

Article 1

Paragraph 1

This Convention shall apply to the legislation concerning :

1. *In Norway :*

- (a) Old-age pensions ;
- (b) Insurance for blind and crippled persons ;
- (c) Sickness insurance (including maternity insurance and funeral insurance) ;
- (d) Survivor's benefit for children ;

¹ Came into force on 1 February 1962, the first day of the second month following the exchange of the instruments of ratification which took place at Oslo on 22 December 1961, in accordance with article 27.

- (e) Children's allowances ;
- (f) Accident insurance, including insurance against occupational diseases ;
- (g) Unemployment insurance ;
- (h) Special insurance schemes for seamen, fishermen, forest workers and State employees ;
- (i) Co-ordination of pension and insurance benefits.

2. *In Italy :*

- (a) Compulsory and voluntary insurance in respect of invalidity, old age and survivors ;
- (b) Compulsory insurance against sickness ;
- (c) Compulsory and voluntary insurance against tuberculosis ;
- (d) The physical and economic welfare of working mothers in respect of insurance benefits ;
- (e) Family allowances ;
- (f) Compulsory insurance against industrial accidents and occupational diseases ;
- (g) Compulsory insurance against involuntary unemployment, including provisions for special unemployment relief ;
- (h) Special insurance schemes for prescribed classes in so far as they relate to risks covered by the aforementioned types of legislation.

Paragraph 2

This Convention shall also apply to laws and regulations amending or supplementing the legislation referred to in paragraph 1.

It shall, however, not apply to :

- (a) Laws or regulations relating to a new branch of social security, unless the two countries conclude an agreement to that effect.
- (b) Laws or regulations extending the application of the legislation in force to new classes of beneficiaries if the Government of the country concerned notifies the Government of the other country within three months after the publication of the relevant provisions that the scope of the Convention is not to be correspondingly extended.

Article 2

Norwegian nationals in Italy and Italian nationals in Norway shall be subject, respectively, to the Italian and Norwegian legislation referred to in article 1 and, save as otherwise provided in this Convention, shall have the same rights and obliga-

tions as the nationals of the country in which they reside. The same shall apply to entitlement to benefits abroad.

Additional allowances in respect of dependent family members shall be paid irrespective of the country in which the said members reside.

Article 3

The principle laid down in article 2 concerning which legislation is applicable shall be subject to the following exceptions :

- (a) Where a person ordinarily resident in one of the two countries and in the service of an undertaking which has its headquarters in that country is sent by such undertaking to the other country, he shall continue to be subject to the legislation of the first country during the first twelve months of his stay in the other country. If employment in the latter country continues beyond twelve months, the above-mentioned legislation may continue to be applied, subject to the agreement of the supreme administrative authority of the other country.
- (b) Travelling personnel employed by a railway or road transport undertaking and performing duties in both countries shall be subject to the legislation of the country in which the undertaking has its headquarters. Where, however, a member of such personnel is resident in the other country, the legislation of that country shall apply.
- (c) Flight personnel employed by an air transport company operating in both countries shall be subject to the legislation of the country in which the company has its headquarters, except where a member of such personnel is a national of the other country and is resident there. Other personnel of such a company who are sent to the other country on temporary work shall, irrespective of nationality, be subject to the legislation of the country in which the company has its headquarters.
- (d) The members of the crew of a ship flying the Norwegian or Italian flag shall be subject to the legislation of the country to which the ship belongs. Where, however, such a ship lying in port in the other country has engaged workers of that country for loading, unloading or repairing or as watchmen, such workers shall be subject to the legislation of the country to which the port belongs.
- (e) Career officers and the official staff of diplomatic or consular missions shall be subject to the legislation of the sending country. The same shall apply to other personnel of diplomatic or consular missions who are sent by one country to the other. Other persons employed in either country at a diplomatic or consular mission of the other country, or in the personal service of officials or staff of such a mission, shall be subject to the legislation of the country in which they work. However, such persons and the personnel mentioned in the second

sentence above may request that the legislation of the other country be applied in respect of one or more of the types of social insurance enumerated in article 1 ; the wishes of the person concerned shall be taken into consideration as far as possible in this regard. Such request must be made within three months after the employee enters upon his duties, or, in the case of persons already employed on the date on which this Convention comes into force, within three months from that date.

Article 4

The supreme administrative authorities of the two countries may agree upon further exceptions to the principle laid down in article 2. They may also agree that the exceptions specified in article 3 shall not apply in particular cases.

PART II

SPECIAL PROVISIONS

CHAPTER I

BENEFITS IN RESPECT OF OLD AGE, INVALIDITY AND SURVIVORS

Article 5

An Italian national shall be entitled to benefit under the Norwegian legislation concerning old-age pensions under the same conditions and subject to the same regulations as Norwegian nationals, on condition that he or she :

- (a) Has, after attaining the age of sixteen years, resided in Norway for a total of not less than fifteen years, including at least five consecutive years immediately preceding the date on which application for benefit is made, or
- (b) Is the widow or widower of a person who was receiving an old-age pension.

Article 6

An Italian national shall be entitled to benefit under the legislation concerning aid to the blind or crippled under the same conditions and subject to the same regulations as Norwegian nationals, on condition that he has resided in Norway for a total of not less than five years and has, since he last arrived in Norway, been fit for normal work for at least one year.

If the condition which led to the blindness or disability arose before the said person last arrived in Norway, the required period of residence shall be not less