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No. 6320

**HUNGARY
and
BULGARIA**

Agreement concerning co-operation in the field of social policy. Signed at Budapest, on 30 June 1961

Official texts: Hungarian and Bulgarian.

Registered by Hungary on 27 September 1962.

**HONGRIE
et
BULGARIE**

Accord régissant la coopération en matière de politique sociale. Signé à Budapest, le 30 juin 1961

Textes officiels hongrois et bulgare.

Enregistré par la Hongrie le 27 septembre 1962.

[TRANSLATION — TRADUCTION]

No. 6320. AGREEMENT¹ BETWEEN THE HUNGARIAN PEOPLE'S REPUBLIC AND THE PEOPLE'S REPUBLIC OF BULGARIA CONCERNING CO-OPERATION IN THE FIELD OF SOCIAL POLICY. SIGNED AT BUDAPEST, ON 30 JUNE 1961

The Presidential Council of the Hungarian People's Republic and the Presidium of the National Assembly of the People's Republic of Bulgaria,

Desiring, in the spirit of the friendly relations existing between the two countries, to develop and expand their co-operation in the field of social policy, have decided to conclude an Agreement and for this purpose have appointed as their plenipotentiaries :

The Presidential Council of the Hungarian People's Republic :

József Mekis, Deputy Minister for Labour,

The Presidium of the National Assembly of the People's Republic of Bulgaria :

Georgi Manev, Deputy Minister for Finance,

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

I. BASIC PRINCIPLES OF CO-OPERATION

Article 1

The two Contracting Parties shall co-operate in every area of social policy, both in their own territory and at the international level. For this purpose :

- (a) Their competent authorities shall keep each other informed concerning legislation enacted by the Contracting Parties in the field of social policy and, in particular, in the field of social insurance;
- (b) They shall provide each other with statistical information on matters relating to social policy and, in particular, to social insurance;
- (c) They shall promote the exchange of experience and visits between the authorities and organizations having jurisdiction in matters of social policy and social insurance;

¹ Came into force on 1 January 1962, the first day of the month following the exchange of the instruments of ratification which took place at Sofia on 12 December 1961, in accordance with article 36.

- (d) They shall assist the competent authorities of the two Contracting Parties in organizing vacations for children, young people and workers of each Party in the territory of the other;
- (e) Under the provisions of this Agreement, the two Contracting Parties undertake to enforce all rights enjoyed by their workers and by the latter's dependants under existing or future social insurance legislation of the two Parties.

Article 2

Nationals of either Contracting Party employed or resident in the territory of the other Contracting Party and their dependants shall, save as otherwise provided in this Agreement, be placed on an equal footing with nationals of the latter Contracting Party in respect of legislation relating to labour and social insurance. They shall be entitled to the same rights and subject to the same obligations as nationals of the latter Contracting Party.

II. SOCIAL INSURANCE

Chapter 1

GENERAL PROVISIONS

Article 3

1. This Agreement shall apply to all sectors of social insurance governed by the legislation of the Contracting Parties.

2. The provisions of this Agreement—except for article 12, paragraph 2—shall not apply to regular members of the armed forces.

Article 4

1. A worker shall be subject to the social insurance legislation of the Contracting Party in whose territory he is carrying on an insurable activity.

2. Where a worker is simultaneously subject to the social insurance legislation of both Contracting Parties, the applicable legislation shall be that of the Contracting Party in whose territory he is carrying on his principal insurable activity.

3. The provisions of paragraph 1 shall not apply to workers of an enterprise established in the territory of one Contracting Party who are sent to take temporary employment in the territory of the other Contracting Party, workers of passenger and goods transport enterprises, including workers of air transport and shipping enterprises and postal workers, and workers of agencies engaged in supervising traffic between the two countries. Such workers shall continue to

be subject to the social insurance legislation of the Contracting Party in whose territory the enterprise employing them is established or the agency sending them abroad is situated.

Article 5

1. If a national of either Contracting Party is employed by a diplomatic, consular or commercial mission of his own State or by a head, member or other employee of such mission, he shall be subject to the social insurance legislation of the Contracting Party maintaining the said mission in the territory of the other Contracting Party.

2. If a worker employed by a diplomatic, consular or commercial mission or by a head, member or other employee of such mission is not a national of the Contracting Party maintaining the mission, the provisions of article 4, paragraph 1, shall apply.

Article 6

Non-working pensioners shall be subject to the sickness and maternity insurance legislation of the Contracting Party whose competent authority is paying the pension. If the pensioner is receiving pensions from the competent authorities of both Contracting Parties, he shall be subject to the sickness and maternity insurance legislation of only the Contracting Party in whose territory he is domiciled.

Article 7

The competent central authorities of the Contracting Parties may agree to regulate the social insurance of specified groups of workers or pensioners in a manner different from that specified in articles 4-6.

Article 8

1. In determining entitlement to social insurance benefits and in calculating the amount of such benefits, account shall be taken of all employment periods or periods equivalent thereto completed in the territory of the two Contracting Parties.

2. The provisions of paragraph 1 shall not apply in the determination of entitlement to benefits provided for under the legislation of only one Contracting Party.

3. Where a period of compulsory insurance completed under the legislation of one Contracting Party coincides with a period of voluntary insurance completed under the legislation of the other Contracting Party, only the period of

compulsory insurance shall be taken into account. Where a period of compulsory insurance completed under the legislation of one Contracting Party coincides with a period regarded as equivalent to an insurance period under the legislation of the other Contracting Party, only the period of compulsory insurance shall be taken into account.

4. Social insurance rights acquired by nationals of one Contracting Party on the basis of employment periods and periods equivalent thereto completed in the territory of a third State shall not be accorded to nationals of the other Contracting Party, save as agreed by the competent central authorities of the Contracting Parties.

Article 9

1. Where the legislation of either Contracting Party makes the acquisition, maintenance or recovery of rights or the amount of benefits conditional upon residence in its territory, residence in the territory of the other Contracting Party shall be regarded as equivalent to residence in the territory of the former Contracting Party.

2. The provisions of paragraph 1 shall apply to the payment of a pension or other pecuniary benefit even if the entitled person moves to the territory of the other Contracting Party.

3. A competent authority of either Contracting Party providing social insurance benefits to entitled nationals of the other Contracting Party who are resident in a third State shall do so under the same conditions as apply to nationals of the former Contracting Party.

Article 10

Legislation of either Contracting Party restricting or suspending the award or provision of social insurance benefits shall apply even if the circumstances constituting grounds for the restriction or suspension of benefits arose in the territory of the other Contracting Party.

Chapter 2

SICKNESS AND MATERNITY INSURANCE

Article 11

1. Pecuniary benefits under sickness and maternity insurance shall be paid, under the legislation applicable to it and at its own cost, by the social insurance authority with which the entitled person was insured when the claim for such benefits was filed or with which he was last insured.