

No. 7316

**CZECHOSLOVAKIA
and
BULGARIA**

**Agreement (with Final Protocol) respecting co-operation
in the field of social policy. Signed at Prague, on
25 January 1957**

Official texts: Czech and Bulgarian.

Registered by Czechoslovakia on 24 June 1964.

**TCHÉCOSLOVAQUIE
et
BULGARIE**

**Accord de coopération en matière de politique sociale
(avec Protocole final). Signé à Prague, le 25 janvier
1957**

Textes officiels tchèque et bulgare.

Enregistré par la Tchécoslovaquie le 24 juin 1964.

[TRANSLATION¹ — TRADUCTION]

No. 7316. AGREEMENT² BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BULGARIA RESPECTING CO-OPERATION IN THE FIELD OF SOCIAL POLICY. SIGNED AT PRAGUE, ON 25 JANUARY 1957

The President of the Czechoslovak Republic and the Presidium of the National Assembly of the People's Republic of Bulgaria, desiring further to intensify and develop mutual relations in the field of social policy, in a spirit of friendship and co-operation, between the Czechoslovak Republic and the People's Republic of Bulgaria, have with that end in view decided to conclude a new Agreement.

They have for that purpose appointed as their plenipotentiaries :

The President of the Czechoslovak Republic :

Evžen Erban, Chairman of the State Social Security Institute;

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

Marin Dimitrov Geshkov, Head of the Department of Pensions and Social Welfare of the Ministry of Public Health and Social Welfare, and

Ivan Tsvetkov Lalev, Head of the Department of State Social Insurance of the Central Council of Trade Unions,

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

I. BASIC PROVISIONS

Article 1

SCOPE OF THE AGREEMENT

(1) The two Contracting Parties agree to co-operate on all questions and in all spheres of social policy, more particularly with a view to developing and consolidating social progress both in their own countries and in the international field.

¹ With the exception of the Preamble, Articles 7, 9, 10, 11, 12, 13 of the Agreement and Title IV of the Final Protocol, this text is a translation made by the International Labour Office (International Labour Office, *Legislative Series*, September-October 1958).

² Came into force on 1 August 1957, the first day of the month following the exchange of the instruments of ratification which took place at Sofia on 24 July 1957, in accordance with article 17 (1).

(2) To this end the two Contracting Parties agree to encourage exchanges of experience in the field of social policy, comprehensive and reciprocal reporting of information and co-operation between the competent authorities, institutions and occupational and other organisations.

(3) The two Contracting Parties agree to encourage reciprocal visits arranged by the authorities, institutions and occupational and other organisations in the field of social policy.

(4) The two Contracting Parties agree to encourage reciprocal measures for the provisions of holiday facilities for children, young persons and workers, to be undertaken by the State and by occupational and other organisations. The details shall be determined by agreement between the competent central authorities and agencies of the two Contracting Parties.

(5) The two Contracting Parties undertake to co-operate on all international social questions affecting the nationals of both States, such as the tracing of lost persons, the furnishing of documents and information, the determination of individual questions of personal and family relationships, etc.

(6) This Agreement shall also govern the relations between the two Contracting Parties in connection with all branches of social insurance, as now established or to be established in either of the States. Except as this Agreement stipulates to the contrary its provisions shall likewise apply to pension increments payable under special provisions or guaranteed by contract in virtue of an employment relationship. The provisions of this Agreement shall further apply to pensions granted in the Czechoslovak Republic to persons disabled on military service or in war and to the victims of war and Fascist persecution, and to the national, war disablement and civil disablement pensions granted in the People's Republic of Bulgaria.

Article 2

PRINCIPLE OF EQUALITY OF TREATMENT

(1) The nationals of one State working on the territory of the other, and the families of such persons, shall, as regards the provisions of labour law and all other spheres of social policy, including social insurance, be treated in the same way as the nationals of the latter State, except as is provided to the contrary in this Agreement. They shall have the same rights and obligations as the nationals of that State.

(2) The principle of equality of treatment stated in paragraph (1) above shall not apply to rights of nationals of the other State which were acquired in virtue of an insurance based on periods of qualifying service or periods of time equivalent thereto spent in a third State or in virtue of an employment

accident (occupational disease) suffered on the territory of a third State, save as may be decided to the contrary by agreement between the competent central authorities or agencies of the two Contracting Parties.

II. SOCIAL INSURANCE

Article 3

ADMINISTRATION OF INSURANCE

(1) The administration of social insurance shall be subject to the law of the State in whose territory the occupation is carried on, save in the case of the grant of pensions and other benefits, to which the provisions of articles 4 and 5 shall apply.

(2) The law of the State in which the occupation is carried on shall apply, *inter alia*, to the liability to insurance, the commencement and cessation of insurance, exclusion from insurance and the recognition of equivalent periods in respect of which insurance contributions are not payable but which count as periods of coverage.

(3) The administration of insurance in accordance with the preceding paragraphs shall be the responsibility of the agencies of the State in which the occupation is carried on.

Article 4

PAYMENT OF PENSION INSURANCE BENEFITS

(1) Pensions and other benefits in virtue of pension insurance shall be granted in accordance with its own rules by the pension insurance carrier of the State on whose territory the insured person (or the member of his family, where the latter is the beneficiary) is living when the entitlement is acquired. For this purpose the insurance carrier shall take account of any recognised period of qualifying service or insurance acquired in the other State and likewise of any period acquired in accordance with the laws of the person's country of residence. The provisions of the first sentence above shall also apply, *mutatis mutandis*, to the cases referred to in the second sentence of paragraph (6) of article 1.

(2) Where a pensioner moves from one State to the other, the payment of the pension shall cease from the first day of the month following that in which he moves. The foregoing shall also apply to the cases referred to in the second sentence of paragraph (6) of article 1.

(3) The insurance carrier of the State to which the pensioner moves shall pay him a pension (pension benefits) in accordance with its own rules; in so doing it shall apply, *mutatis mutandis*, the provisions of the second sentence

of paragraph (1) above. If the person returns, the insurance carrier of the first State shall recommence payment of the pension from the date of his return. The provisions of the preceding sentence shall also apply to the cases referred to in the second sentence of paragraph (6) of article 1.

(4) The provisions of the first sentence of paragraph (3) above shall also apply to cases where the insured person (or the member of his family, where the latter is the beneficiary) moves after becoming entitled to a pension but before it is granted to him in the country of his initial residence.

(5) The agencies of the country of residence shall be responsible for deciding on entitlements to pensions and other benefits in virtue of pension insurance under the preceding paragraphs.

(6) If the pensioner or insured person (or the member of his family, where the latter is the beneficiary) moves to a third State, a pension shall be granted to him within the framework of national legislation by the insurance carrier of the State whose national he is, save where other provision has been made for his entitlement under other international agreements. The provisions of the second sentence of paragraph (1) above shall in this case apply, *mutatis mutandis*.

Article 5

PAYMENT OF CASH BENEFITS IN THE EVENT OF SICKNESS AND MATERNITY

(1) Cash benefits in the event of temporary incapacity for work on account of sickness, accident or maternity, family allowances and burial grants shall be awarded in accordance with its own rules by the insurance carrier of the State on whose territory the insured person (or the member of his family, where the latter is the beneficiary) is living. In this case account shall also be taken of any period of qualifying service acquired in the other State.

(2) If the insured person (or the member of his family) moves to the other State, the payment of benefit shall cease from the date on which he moves. In such cases the insurance carrier in the other State shall pay any cash benefits and allowances that are due in accordance with its own rules, account being taken of the time for which the insured person received such benefits and allowances on the first State.

(3) Benefits in kind in the event of sickness, accident or maternity shall be granted in accordance with its own rules by the insurance carrier of the State on whose territory the insured person (or the member of his family, where the latter is the beneficiary) is resident.

Article 6

SPECIAL PROVISIONS AS TO CERTAIN CATEGORIES OF PERSONS

(1) The employees of diplomatic, consular and other authorities and agencies of government (customs and passport authorities, etc.) established by