

No. 8567

**ROMANIA
and
ALBANIA**

**Convention concerning co-operation in the field of
social problems (with Protocol). Signed at
Bucharest, on 3 May 1961**

Official texts : Romanian and Albanian.

Registered by Romania on 10 March 1967.

**ROUMANIE
et
ALBANIE**

**Convention concernant la coopération en matière
sociale (avec Protocole). Signée à Bucarest, le
3 mai 1961**

Textes officiels roumain et albanais.

Enregistrée par la Roumanie le 10 mars 1967.

[TRANSLATION — TRADUCTION]

No. 8567. CONVENTION¹ BETWEEN THE GOVERNMENT OF THE ROMANIAN PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF ALBANIA CONCERNING CO-OPERATION IN THE FIELD OF SOCIAL PROBLEMS. SIGNED AT BUCHAREST, ON 3 MAY 1961

The Government of the Romanian People's Republic and Government of the People's Republic of Albania, desiring to regulate relations between the two States in the field of social problems in a spirit of friendship and co-operation, have decided to conclude a Convention on that subject and have for that purpose appointed as their plenipotentiaries :

The Government of the Romanian People's Republic : Dr. Octavian Berlogea, Deputy Minister for Health and Social Welfare ;

The Government of the People's Republic of Albania : Rapi Gjermani, Ambassador Extraordinary and Plenipotentiary of the People's Republic of Albania to the Romanian People's Republic,

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

PART I

GENERAL PROVISIONS

Article 1

1. Citizens of one Contracting Party resident in the territory of the other Contracting Party shall be entitled to social insurance and social security in accordance with the provisions of this Convention.

2. This Convention shall apply to all types of social insurance and social security benefits, in cash or in kind, awarded to citizens under the law of the Contracting Parties.

¹ In accordance with article 18 (1), the Convention came into force on 3 January 1963 following the reciprocal communication of its approval by the two Governments.

Article 2

Citizens of one Contracting Party, and members of their families, resident in the territory of the other Contracting Party shall enjoy equality of treatment with citizens of the latter Contracting Party in all matters pertaining to social insurance, social security and labour relations.

PART II

ADMINISTRATION OF SOCIAL INSURANCE AND SOCIAL SECURITY

Article 3

1. The administration of social insurance and social security shall be governed by the law of the Contracting Party in whose territory the citizen concerned resides.

2. Social insurance and social security benefits shall be awarded by the competent authorities of the Contracting Party in whose territory the citizen concerned resides.

Article 4

1. Pensions shall be awarded and paid by the social insurance and social security authorities of the Contracting Party in whose territory the insured person (or the member of his family, where the latter is the beneficiary) is resident under the conditions and in the amount provided by the law of that Party (hereinafter referred to as the « State of residence »).

2. In establishing pensions, social insurance and social security authorities shall take account of employment periods, the period of insurance and any activity equivalent to an employment period on the part of the beneficiary either in the State of residence or in the other State.

Article 5

1. If, after entry into force of this Convention, a pensioner moves to the territory of the other Contracting Party, the social insurance and social security authority which has been paying the pension shall cease payment at the end of the month in which the removal takes place. In such cases, the pension entitlement need not be reviewed if the same type of pension exists under the law of the State of residence. The pension shall be paid by the social insurance and social security authorities of the State of residence as from the first day of the month following that in which the removal takes place.

2. If the pensioner returns to the territory of the other Contracting Party, the social insurance and social security authorities of that Party shall resume payment of the pension as from the first day of the following month.

3. The provisions of paragraph 1 of this article shall similarly apply if the pensioner (or the member of his family, where the latter is the beneficiary) takes up residence in the territory of the other Contracting Party after entitlement has been acquired but before the pension has been awarded.

Article 6

1. The amount of the pension shall be determined in the manner prescribed by the law of the State of residence.

2. In the case of citizens who moved from the territory of one Contracting Party to the territory of the other Contracting Party and thereafter had gainful employment, pensions shall be calculated on the basis of the average wage earned in the territory of residence, whereas, in the case of citizens who were not employed after such removal, pensions shall be calculated on the basis of the average wage received by workers of similar qualifications and occupation, at the time the pension is awarded, in the State of residence.

Article 7

1. Pecuniary benefits in cases of temporary disability and other cash payments on a temporary basis shall be awarded by the social insurance and social security authorities of the State of residence in accordance with the law of that State. In making such payments, account shall be taken of employment periods, the period of insurance and any activity equivalent to an employment period on the part of the beneficiary in the territory of the two Contracting Parties.

2. If an insured person who is entitled to the benefits and cash payments referred to in paragraph 1 of this article takes up residence in the territory of the other Contracting Party, the benefits and payments shall cease as from the date of his departure. In such cases, the social insurance and social security authorities of the State of residence shall award benefits and cash payments in accordance with the law of that State as from the date on which payment was discontinued, taking account of employment periods, the period of insurance and any activity equivalent to an employment period in the territory of the two Contracting Parties.

3. Insurance benefits in kind shall be awarded to the insured person (or the member of his family, where the latter is the beneficiary) by the compe-