

No. 9871

**BULGARIA
and
GERMAN DEMOCRATIC REPUBLIC**

**Agreement on co-operation in the field of social policy (with
Final Protocol). Signed at Berlin on 20 February 1958**

Authentic texts: Bulgarian and German.

Registered by Bulgaria on 5 September 1969.

**BULGARIE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

**Accord de coopération dans le domaine de la politique sociale
(avec Protocole final). Signé à Berlin le 20 février 1958**

Textes authentiques: bulgare et allemand.

Enregistré par la Bulgarie le 5 septembre 1969.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE
PEOPLE'S REPUBLIC OF BULGARIA AND THE GOVERN-
MENT OF THE GERMAN DEMOCRATIC REPUBLIC ON
CO-OPERATION IN THE FIELD OF SOCIAL POLICY

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

They have for that purpose appointed as their plenipotentiaries :

The Government of the People's Republic of Bulgaria :

Dr. Lyuben Stoyanov, First Deputy Minister of Public Health and Social Welfare;

The Government of the German Democratic Republic :

Friedrich Macher, Minister of Labour and Vocational Training,
who, having exchanged their full powers, found in good and due form, have agreed as follows :

I. BASIC PROVISIONS

Article 1

SCOPE OF THE AGREEMENT

(1) The Contracting Parties shall co-operate in all matters and in all fields of social policy. The purpose of such co-operation shall be to promote social progress both in the two States and internationally.

(2) To this end, the Contracting Parties shall encourage the exchange of experience in matters of social policy and shall foster co-operation between the competent agencies and trade-union and other organizations.

(3) The Contracting Parties shall encourage—if necessary, by the provision of material facilities—exchanges of visits organized in connexion with matters of social policy by such agencies and trade-union and other organizations.

¹ Came into force on 11 July 1958, the date of receipt of the two notes confirming its approval, in accordance with article 18 (1).

(4) The Contracting Parties shall reciprocally encourage children's and workers' vacation programmes organized by the State and by trade-union and other organizations. The detailed rules shall be laid down in an agreement between the competent central authorities of the two States.

(5) This Agreement shall also regulate relations between the Contracting Parties in the matter of workers' social insurance.

Article 2

PRINCIPLE OF EQUAL TREATMENT

(1) Save as otherwise provided in this Agreement, nationals of one State employed in the territory of the other State and the members of their families shall, in matters relating to labour law and workers' social insurance, and particularly in so far as relates to the granting of benefits, be treated in the same manner as nationals of the latter State. Nationals of the former State shall have the same rights and obligations as nationals of the latter State.

(2) The same shall apply, as appropriate, to nationals of one State who are temporarily present in the territory of the other State or who reside in the said territory and require assistance.

II. SOCIAL INSURANCE FOR WORKERS

Article 3

ADMINISTRATION OF INSURANCE

(1) Save as otherwise provided in this Agreement, the obligation to provide coverage and to pay contributions in respect of workers' social insurance (hereinafter referred to as "social insurance") shall be governed by the legislative provisions of the State in whose territory the insurable activity is carried on (hereinafter referred to as the "State of the place of work").

(2) Such insurance shall be administered by the competent authorities of the State of the place of work.

Article 4

GRANTING OF PENSIONS

(1) Pensions shall be granted by the insurer of the State in whose territory the insured person or entitled dependant is resident on the date on which he acquires entitlement, in accordance with the legislative provisions of that State.

In so doing, the insurer shall take into account insurance periods (employment periods) completed in both States.

(2) Where a pensioner resident in one State transfers his residence to the other State, payment of the pension shall be discontinued on the expiry of the month during which he transferred his residence.

(3) The insurer of the State to which the pensioner transfers his residence shall thereafter provide him with a pension in accordance with the legislative provisions of that State, due regard being had to the provisions of the second sentence of paragraph 1. Entitlement to pension shall not be reviewed in cases where the legislation of the State to which the pensioner transfers his residence provides for the same type of pension. Payment of the pension shall begin upon attainment by the pensioner of the age required under the legislative provisions of the said State.

(4) Where the insured person or entitled dependant transfers his residence to the other State after entitlement is acquired but before a pension is granted, the pension shall be granted by the insurer of the State in which the new residence is established if entitlement to pension exists under the legislative provisions of that State.

Article 5

GRANTING OF SHORT-TERM BENEFITS IN CASH AND IN KIND AND OF FAMILY ALLOWANCES

(1) Short-term social insurance benefits in cash and family allowances shall be granted by the insurer of the State in which the entitled person is resident, in accordance with the legislative provisions of that State. In so doing, the insurer shall also take into account insurance periods (employment periods) completed in the other State.

(2) Where an entitled person transfers his residence to the other State while he is receiving short-term social insurance benefits in cash or family allowances, payment of the benefits or allowances shall be discontinued as from the date of transfer. In such cases, the insurer of the State to which the entitled person transfers his residence shall grant the benefits or allowances in accordance with the legislative provisions of that State, taking into account any insurance periods (employment periods) completed in the first State.

(3) Social insurance benefits in kind shall be granted by the insurer of the State in whose territory the insured person or entitled dependant is resident. The detailed rules, governing in particular the extent to which benefits are to be

provided, shall be laid down in an agreement between the competent central authorities of the two States.

(4) Social insurance benefits in cash and in kind to persons receiving a pension under this Agreement shall be granted by the insurer of the State in which the pension is paid, in accordance with the legislative provisions of that State. Where pensioners or their dependants are resident in the other State, the provisions of paragraph 3 shall apply as appropriate.

Article 6

SPECIAL PROVISIONS FOR CERTAIN CATEGORIES OF EMPLOYEES

(1) The provisions of this Agreement shall not apply to :

(a) Members of diplomatic and consular missions and other administrative agencies and authorities of one State established in the other State, if they are nationals of the sending State. The same shall apply to persons working for members of such missions, agencies and authorities, if they are nationals of the sending State;

(b) Persons employed by transport and other enterprises of one State, if they work in the other State and are nationals of the first State.

(2) The persons referred to in paragraph 1 and their entitled dependants shall receive social insurance benefits in kind from the insurer of the State in which they are resident.

Article 7

NON-REIMBURSABILITY OF BENEFITS

Benefits provided by an insurer under this Agreement shall not be reimbursable by the insurer of the other State.

III. SOCIAL ASSISTANCE

Article 8

SOCIAL ASSISTANCE FOR UNINSURED PERSONS

(1) Nationals of one State who are resident in the territory of the other State and possess no entitlement under their own insurance or as dependants