

**No. 49630**

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**Switzerland  
and  
Japan**

**Agreement between the Swiss Confederation and Japan on social security. Bern, 22 October 2010**

**Entry into force:** *1 March 2012, in accordance with article 29*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *Switzerland, 22 June 2012*

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**Suisse  
et  
Japon**

**Convention de sécurité sociale entre la Confédération suisse et le Japon. Berne, 22 octobre 2010**

**Entrée en vigueur :** *1<sup>er</sup> mars 2012, conformément à l'article 29*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Suisse, 22 juin 2012*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

AGREEMENT BETWEEN  
THE SWISS CONFEDERATION AND JAPAN  
ON SOCIAL SECURITY

The Swiss Confederation and Japan,

Being desirous of regulating the relationship between  
them in the area of social security,

Have agreed as follows:

PART I  
GENERAL PROVISIONS

Article 1  
Definitions

1. For the purpose of this Agreement,
  - (a) The term "Switzerland" means the Swiss Confederation;
  - (b) The term "national" means,  
as regards Switzerland, a Swiss citizen,  
as regards Japan,  
a Japanese national within the meaning of the law on nationality of Japan;
  - (c) The term "legislation" means,  
as regards Switzerland,  
the laws and their regulations of Switzerland specified in paragraph 2 of Article 2,  
as regards Japan,  
the laws and regulations of Japan concerning the Japanese systems specified in paragraph 1 of Article 2;
  - (d) The term "competent authority" means,  
as regards Switzerland,  
the Federal Social Insurance Office,  
as regards Japan,  
any of the Governmental organizations competent for the Japanese systems specified in paragraph 1 of Article 2;

- (e) The term "competent institution" means,
- as regards Switzerland,  
the competent compensation fund for old-age,  
survivor's and invalidity insurance,
- as regards Japan,  
any of the insurance institutions, or any  
association thereof, responsible for the  
implementation of the Japanese systems specified  
in paragraph 1 of Article 2;
- (f) The term "period of coverage" means,
- as regards Switzerland,  
all periods of contribution and any equivalent  
periods defined as insurance periods under the  
legislation of Switzerland,
- as regards Japan,  
all periods of contribution, premium-exempted  
periods and complementary periods under the  
legislation of Japan concerning the pension  
systems specified in paragraph 1(a)(i) to (v) of  
Article 2.
- However, a period which shall be taken into  
account, for the purpose of establishing  
entitlement to benefits under the legislation of  
a Contracting State, pursuant to other agreements  
on social security comparable with this  
Agreement, shall not be included;
- (g) The term "benefit" means a pension or any other  
cash benefit under the legislation of a  
Contracting State;
- (h) The term "being domiciled in the territory of  
Switzerland" means staying in the territory of  
Switzerland with the intention of permanent stay.

2. For the purpose of this Agreement, any term not  
defined in this Agreement shall have the meaning assigned  
to it under the applicable legislation.

## Article 2 Matters Covered

1. As regards Japan, this Agreement shall apply,
- (a) to the following Japanese pension systems:

- (i) the National Pension (except the National Pension Fund);
  - (ii) the Employees' Pension Insurance (except the Employees' Pension Fund);
  - (iii) the Mutual Aid Pension for National Public Officials;
  - (iv) the Mutual Aid Pension for Local Public Officials and Personnel of Similar Status (except the pension system for members of local assemblies); and
  - (v) the Mutual Aid Pension for Private School Personnel;
- (the Japanese pension systems specified in (ii) to (v) shall hereinafter be referred to as the "Japanese pension systems for employees");
- however, for the purpose of this Agreement, the National Pension shall not include the Old Age Welfare Pension or any other pensions which are granted on a transitional or complementary basis for the purpose of welfare and which are payable wholly or mainly out of national budgetary resources; and
- (b) to the Japanese health insurance systems implemented under the following laws, as amended:
    - (i) the Health Insurance Law (Law No. 70, 1922);
    - (ii) the Seamen's Insurance Law (Law No. 73, 1939);
    - (iii) the National Health Insurance Law (Law No. 192, 1958);
    - (iv) the Law Concerning Mutual Aid Association for National Public Officials (Law No. 128, 1958);
    - (v) the Law Concerning Mutual Aid Association for Local Public Officials and Personnel of Similar Status (Law No. 152, 1962);
    - (vi) the Law Concerning Mutual Aid for Private School Personnel (Law No. 245, 1953); and