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**Republic of Korea
and
Hungary**

**Agreement on social security between the Republic of Korea and the Republic of Hungary.
Budapest, 12 May 2006**

Entry into force: *1 March 2007, in accordance with article 24*

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**République de Corée
et
Hongrie**

**Accord sur la sécurité sociale entre la République de Corée et la République de Hongrie.
Budapest, 12 mai 2006**

Entrée en vigueur : *1^{er} mars 2007, conformément à l'article 24*

Textes authentiques : *anglais, hongrois et coréen*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT ON SOCIAL SECURITY BETWEEN
THE REPUBLIC OF KOREA AND
THE REPUBLIC OF HUNGARY**

The Republic of Korea and the Republic of Hungary (hereinafter referred to as "the Contracting Parties"),

Being desirous of regulating the relationship between their two countries in the field of social security,

Have agreed as follows:

Part I

General Provisions

Article 1

Definitions

1. For the purposes of Agreement;
 - (a) "national" means,
 - (i) as regards the Republic of Korea (hereinafter referred to as "Korea"), a national of Korea as defined in the Nationality Law, as amended;
 - (ii) as regards the Republic of Hungary (hereinafter referred to as "Hungary"), a natural person who is considered a national of Hungary in accordance with the applicable legislation;
 - (b) "legislation" means laws and regulations relating to the schemes and systems of social security specified in Article 2 of this Agreement;
 - (c) "competent authority" means the ministers, ministries or other relevant authorities responsible for social security schemes and systems regulated by the legislation specified in Article 2;
 - (d) "institution" means the institution or the authority responsible for the implementation of the legislation specified in Article 2 of this Agreement;
 - (e) "period of coverage" means any period of contributions that has been recognized and completed under the legislation of a Contracting Party, as well as any period recognized as equivalent to a period of contribution under that legislation;

- (f) "benefit" means any cash benefit provided for in the legislation specified in Article 2 of this Agreement;
 - (g) "residence" means the place where the person concerned habitually resides in accordance with the applicable regulations of either Contracting Party;
 - (h) "stay" means that the person concerned takes up temporary short-term residence, the duration of which is usually related to the attainment of the objective of stay defined in advance.
2. Any term not defined in this Article shall have the meaning assigned to it in the applicable legislation.

Article 2

Material Scope

1. This Agreement shall apply to the following legislation:
- (a) as regards Korea,
 - (i) the National Pension Act; and
 - (ii) with regard to Part II only, the Employment Insurance Act;
 - (b) as regards Hungary,
 - (i) the legislation concerning the payment of social insurance contributions;
 - (ii) the legislation concerning social insurance pensions; and
 - (iii) with regard to Part II only, the provisions of the act on fostering employment and unemployment benefit in respect to payment obligations related to unemployment benefits.
2. Unless otherwise provided in this Agreement, the legislation specified in paragraph 1 of this Article shall not include treaties or other international agreements on social security that may be concluded between one Contracting Party and a third country, or legislation promulgated for their specific implementation.
3. This Agreement shall also apply to future legislation which amends, supplements, consolidates or supersedes the legislation specified in paragraph 1 of this Article.

4. This Agreement shall also apply to the legislation which extends the scope of the existing legislation of one Contracting Party to new categories of beneficiaries, if the competent authority of that Contracting Party notifies such extension to the competent authority of the other Contracting Party in writing and the latter states its acceptance of such extension within six months on receipt of the notification.

Article 3

Personal scope

This Agreement shall apply to any person who is or who has been subject to the legislation of either Contracting Party, and to the dependants and survivors of such a person within the meaning of the applicable legislation of that Contracting Party.

Article 4

Equal Treatment

1. Unless otherwise provided in this Agreement, any persons defined in Article 3 who reside or stay in the territory of either Contracting Party shall, in the application of the legislation of a Contracting Party regarding the eligibility for and the payment of benefits, receive equal treatment with the nationals of that Contracting Party. The foregoing shall also apply to the dependants and survivors who reside or stay in the territory of either Contracting Party with respect to their rights derived from the persons specified in this paragraph.

2. Paragraph 1 of this Article shall not apply to lump-sum refunds effected by Korea under its own legislation.

3. Unless otherwise provided in this Agreement, a benefit acquired under the legislation of one Contracting Party shall not be subject to any reduction,