

N° 3749.

LETTONIE ET POLOGNE

Arrangement relatif aux assurances
sociales. Signé à Riga, le 20 dé-
cembre 1934.

LATVIA AND POLAND

Agreement respecting Social Insu-
rance. Signed at Riga, Decem-
ber 20th, 1934.

¹ TRADUCTION. — TRANSLATION.No: 3749. — AGREEMENT² BETWEEN THE REPUBLIC OF LATVIA AND THE REPUBLIC OF POLAND RESPECTING SOCIAL INSURANCE. SIGNED AT RIGA, DECEMBER 20TH, 1934.

French official text communicated by the Latvian Minister for Foreign Affairs. The registration of this Agreement took place October 21st, 1935.

THE PRESIDENT OF THE REPUBLIC OF LATVIA and THE PRESIDENT OF THE REPUBLIC OF POLAND, being desirous of concluding an Agreement to regulate the mutual relations between the Republic of Latvia and the Republic of Poland in the matter of social insurance, in execution, so far as insurance against accidents is concerned, of Article 1 of the International Labour Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents, have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF LATVIA :

His Excellency Monsieur Vladislavs RUBULS, Minister for Social Welfare ;
Monsieur Fricis ROZE, Director of the Department for the Protection of Labour in the Ministry of Social Welfare ;

THE PRESIDENT OF THE REPUBLIC OF POLAND :

His Excellency Monsieur Zygmunt BECZKOWICZ, Envoy Extraordinary and Minister Plenipotentiary of Poland at Riga ;
Monsieur Bolesław NAKONIECZNIKOFF, Departmental Director in the Ministry of Social Welfare ;
Monsieur Witold LANGROD, Doctor of Law, Head of Section in the Ministry of Foreign Affairs ;
Monsieur Stanisław FISCHLOWITZ, Doctor of Law, Counsellor in the Ministry of Social Welfare ;

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

A. GENERAL PRINCIPLES.

Article 1.

The Agreement shall apply to the following branches of social insurance :

(1) Insurance against industrial accidents (workmen's compensation for accidents) and against occupational diseases ;

¹ Traduction du Bureau international du Travail.

¹ Translation of the International Labour Office.

² The exchange of ratifications took place at Warsaw, June 19th, 1935. Came into force July 1st, 1935.

- (2) Sickness insurance ;
- (3) Insurance against invalidity, old age and death (Article 16).

Article 2.

The Agreement shall apply to all amendments which may hereafter be made in the legislation of the two States respecting the three branches of social insurance mentioned above.

Article 3.

The insurance shall be governed by the legislative provisions in force in the country where the insured person is employed ; exceptions to this rule shall be allowed by agreement between the Ministries of Social Welfare of the two Contracting Parties.

Article 4.

Each of the two Contracting Parties shall grant the nationals of the other Party the same treatment as its own nationals with respect to :

- (a) Admission to insurance ;
- (b) Contributions ;
- (c) Benefits.

**B. INSURANCE AGAINST INDUSTRIAL ACCIDENTS (WORKMEN'S COMPENSATION FOR ACCIDENTS)
AND AGAINST OCCUPATIONAL DISEASES.**

Article 5.

The principle of equality of treatment shall apply to applications for pensions on account of accidents which occurred in the present territory of the two Contracting Parties before the date of the coming into operation between Latvia and Poland of the International Labour Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents, and likewise to applications for pensions on account of accidents which have occurred since that date.

Article 6.

Benefits under the system of insurance against industrial accidents (workmen's compensation for accidents) and against occupational diseases which are due in pursuance of this Agreement shall be granted only in respect of periods since June 1st, 1928.

Article 7.

If a lump sum has been paid to nationals of the other Contracting Party, before June 1st, 1928, in pursuance of restrictive provisions in force with respect to aliens, the said sum shall be deducted from the payments to be made in pursuance of this Agreement if it exceeds the amount of the pensions which would have been paid for the periods between the date when payment of the pensions was suspended and June 1st, 1928.

Article 8.

Nationals of the two Contracting Parties shall be entitled to benefit in virtue of insurance against industrial accidents (workmen's compensation for accidents) and against occupational diseases, irrespective of the country in which they are resident.

C. SICKNESS INSURANCE.

Article 9.

Insurance periods completed by an insured person with sickness insurance carriers of one of the two Contracting Parties shall be taken into account with respect to the sickness insurance carriers of the other Contracting Party for the purpose of the calculation of the insurance period which is a condition of the right to benefit.

Article 10.

If an insured person in receipt of benefit from a sickness insurance carrier of one of the two Contracting Parties is transferred to a sickness insurance carrier of the other Contracting Party, the carrier of the latter Party shall pay the subsequent benefit ; in this case the duration of the benefit already received by the insured person shall be taken into account.

Article 11.

If the insured person or members of his family entitled to benefit from a sickness insurance carrier of one of the two Contracting Parties are resident in the territory of the other Contracting Party and hold the authorisation (if any) issued by the said carrier for this residence, the sickness insurance carrier which is bound to pay the benefit may pay the benefit itself or request a carrier of the other State to undertake the payment thereof. The carrier to which this request is made shall pay the benefit in conformity with the provisions in force which apply to the carrier making the request. The expenses actually incurred by the carrier to which the request was made shall be refunded to it ; expenditure on benefit in kind shall be refunded in conformity with the scales employed by the carrier to which the request was made with regard to its own insured persons (or members of their family). The carriers concerned may arrange further details by agreement.

D. PROVISIONS COMMON TO INSURANCE AGAINST INDUSTRIAL ACCIDENTS (WORKMEN'S COMPENSATION FOR ACCIDENTS) AND OCCUPATIONAL DISEASES, SICKNESS INSURANCE AND INSURANCE AGAINST INVALIDITY, OLD AGE AND DEATH.

Article 12.

The diplomatic or consular representatives of both States shall be deemed to have full power to represent workers who are nationals of their State before all social insurance carriers, authorities and courts of the other State.

Before the termination of an inquiry carried out in one of the two States respecting an accident sustained by a national of the other State, the authority responsible for the conduct of the inquiry shall give notice thereof without delay to the competent diplomatic or consular representative of the other State.

Article 13.

In connection with the administration of the branches of social insurance specified in Article 1, the social insurance carriers, authorities and courts of each of the two Contracting Parties shall give the social insurance carriers, authorities and courts of the other Contracting Party administrative assistance to the same extent as in connection with the administration of the social insurance system of their own State.

Article 14.

The provisions relating to exemptions or reductions in connection with stamp duty or other fees which are applicable to the documents required for the administration of the social insurance system of each of the two Contracting Parties shall apply in the same manner to the documents required for the administration of the social insurance system of the other Contracting Party.

Article 15.

The Ministries of Social Welfare of the Republic of Latvia and the Republic of Poland shall come to an agreement respecting :

(a) The manner in which communications and payments to persons resident in the territory of the other State may be effected as simply as possible and with the least possible expense ;

(b) The manner in which arrears of contributions or other claims of social insurance carriers of each of the two States against debtors in the other State may be recovered.

E. CONCLUDING PROVISIONS.

Article 16.

The Government of the Republic of Poland undertakes to ensure to nationals of the Republic of Latvia the same treatment as it grants to its own nationals in respect of the insurance of wage-earning and salaried employees against invalidity, old age and death.

The Government of the Republic of Latvia undertakes to ensure to Polish nationals the same treatment as it grants to its own nationals in respect of insurance against invalidity, old age and death when this branch of social insurance is established in Latvia.

Article 17.

This Agreement shall be ratified as soon as possible and the instruments of ratification shall be exchanged in Warsaw as soon as possible.

The Agreement shall come into operation on the first day of the month following the date of the exchange of the instruments of ratification, and shall remain in operation for one year.

The Agreement shall be renewed tacitly from year to year in the absence of denunciation ; it may be denounced by the giving of notice three months before the expiration of any annual term.

In faith whereof the Plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

Done at Riga, in duplicate, on the twentieth day of December, one thousand nine hundred and thirty-four.

(L. S.) (Signed) V. RUBULS.

(L. S.) (Signed) F. ROZE.

(L. S.) (Signed) Z. BECZKOWICZ.

(Signed) B. NAKONIECZNIKOFF.

(Signed) Dr. Witold LANGROD.

(Signed) Dr. Stan. FISCHLOWITZ.