

No. 2620

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
DENMARK**

Convention on payment of compensation or benefit in respect of industrial injuries (including occupational diseases). Signed at London, on 15 December 1953

Official texts: English and Danish.

Registered by the United Kingdom of Great Britain and Northern Ireland on 26 July 1954.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
DANEMARK**

Convention relative au versement d'indemnités ou de prestations au titre d'accidents du travail (y compris les maladies professionnelles). Signée à Londres, le 15 décembre 1953

Textes officiels anglais et danois.

Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 26 juillet 1954.

No. 2620. CONVENTION¹ ON PAYMENT OF COMPENSATION OR BENEFIT IN RESPECT OF INDUSTRIAL INJURIES (INCLUDING OCCUPATIONAL DISEASES) BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF DENMARK. SIGNED AT LONDON, ON 15 DECEMBER 1953

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Denmark,

Affirming the principle that the nationals of one Contracting Party should receive under the industrial injuries insurance schemes of the other equal treatment with the nationals of the latter,

Affirming the principle that the benefits of the industrial injuries insurance schemes of each Contracting Party should be granted to persons in the territory of the other,

Desirous of giving effect to these principles,

Have agreed as follows : —

Article 1

(1) For the purposes of the present Convention

(a) “the Act in force in Great Britain” means the National Insurance (Industrial Injuries) Act, 1946, or the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948, as the case may require;

(b) “the Act in force in Denmark” means Act No. 183 of the 20th May, 1933, concerning Insurance against Consequences of Accidents, or the Ordinance for the Faroe Islands No. 161 of the 29th March, 1939, concerning Insurance against Consequences of Accidents, as the case may require;

(c) “Great Britain” means England, Wales, Scotland and the Isle of Man, and “Denmark” means Denmark including the Faroe Islands, but not Greenland except as provided in Article 2;

(d) “country” means, according to the context, Great Britain or Denmark, and “countries” means Great Britain and Denmark as defined in paragraph (c) of this Article;

(e) “national” means, in relation to the United Kingdom, a citizen of the United Kingdom and Colonies, and, in relation to Denmark, a Danish national;

¹ Came into force on 1 May 1954, in accordance with article 10, the instruments of ratification having been exchanged at London on 26 April 1954.

(f) “compensation or benefit” includes any increase thereof or any allowances payable therewith;

(g) “employment” means employment to which the Act in force in one (or the other) country applies, and the words “employ” and “employer” refer to such employment.

(2) References in the present Convention to the Act in force in a particular country shall be construed as references to the Act in force in Great Britain or the Act in force in Denmark, according to the context.

(3) References in the present Convention to any enactment shall include a reference to such enactment as amended by any subsequent enactment, regulation or order.

Article 2

The present Convention shall, as far as Greenland is concerned, apply only to employment in Greenland to the extent to which the Act in force in Denmark applies to such employment.

Article 3

Subject to the following provisions, the Act in force in Great Britain shall apply to a national of either Contracting Party in employment in Great Britain, and the Act in force in Denmark shall apply to a national of either Contracting Party in employment in Denmark.

Article 4

(1) Where a national of either Contracting Party, ordinarily resident in one country and under contract, entered into in that country, to serve an employer who has a place of business there, is sent in pursuance of that contract to work in the other country, the Act in force in the former country shall, in respect of any period occurring within twelve months of the commencement of employment in the latter country, apply to that national, provided that his employment in the latter country is not expected at the commencement thereof to last for a period of more than six months.

(2) Where a national of either Contracting Party is employed in one country, and the Act in force in the other country applies to him in accordance with the provisions of paragraph (1) of this Article, he shall, for the purpose of any title to, or payment of, compensation or benefit in respect of industrial accidents (including occupational diseases) under such Act, be treated as if the accident had occurred or the disease had been contracted or the injury had been received in the latter country.

Article 5

(1) For the purposes of this Article, "ship or aircraft of one (or the other) country" means, according to the context, a ship or vessel whose port of registry is in Great Britain (other than a ship or vessel of which the owner, or managing owner, if there is more than one owner, has his principal place of business in the Irish Republic) or Denmark, or an aircraft registered in Great Britain or Denmark.

(2) Subject to the provisions of paragraph (3) of this Article, where a national of either Contracting Party ordinarily resident in one country is employed on board any ship or aircraft of the other country, the Act in force in the latter country (including any special provisions relating to ships or aircraft) shall apply to him as if any condition relating to nationality, residence, or domicile were satisfied in his case.

(3) Where a national of either Contracting Party, ordinarily resident in one country and employed on board any ship or aircraft of the other country, is paid remuneration in respect of that employment, under a contract entered into in the former country, by some person who has a place of business in the former country and who is not the owner of the ship or aircraft, the Act in force in the former country (including any special provisions relating to ships or aircraft) shall, in respect of that employment, apply to that national as if the employment were on board a ship or aircraft of the former country, and the person by whom the said remuneration is paid shall be treated as the employer for the purposes of the Act in force in Great Britain and the Act in force in Denmark.

Article 6

(1) Where a national of either Contracting Party would be entitled to compensation or benefit under the Act in force in one country but for any provisions of that Act relating to absence from that country, that national shall be entitled to and may receive such compensation or benefit in respect of any period during which he is in the other country.

(2) In all cases, where under the Act in force in one country, any compensation or benefit would be paid in respect of a dependant (other than a child to whom paragraph (3) of this Article applies), if the dependant had been in that country, such compensation or benefit shall be paid in cases where the dependant is in the other country.

(3) In all cases where compensation or benefit would be paid in respect of a child or in respect of a dependant having the care of a child, if such child were in one country, such compensation or benefit shall be paid notwithstanding that the child is in the other country.

Article 7

A national of one country shall, for the purpose of determining any right to compensation or benefit under the Act in force in the other country, be treated as if he were a national of that other country.

Article 8

Nothing in the present Convention shall be deemed to confer upon a national of either Contracting Party a right to be paid for the same period benefits of the same kind in respect of the same disability under the Acts in force in Great Britain and Denmark.

Article 9

The Minister of Pensions and National Insurance of Great Britain and the Danish Minister of Social Affairs shall make such administrative arrangements as may be required for the application of the present Convention and shall determine all matters of an incidental and supplementary nature which in their opinion are relevant for the purpose of giving effect thereto.

Article 10

The present Convention shall be ratified and the instruments of ratification shall be exchanged in London as soon as possible. The Convention shall enter into force on the first day of the month following the month in which the instruments of ratification are exchanged.

Article 11

The present Convention shall remain in force until six months from the date on which either Contracting Party shall have given written notice of its intention to terminate the present Convention.

Article 12

In the event of the termination of the present Convention, any right to compensation or benefit acquired by a national of either Contracting Party in accordance with its provisions shall be maintained, and any claim to compensation or benefit arising in respect of employment before the date of termination shall be determined in accordance with the provisions of the Convention.

IN WITNESS WHEREOF, the undersigned, duly authorised by their respective Governments, have signed the present Convention and affixed thereto their seals.

DONE in duplicate at London the 15th day of December, 1953, in English and Danish, both texts being equally authoritative.

[L.S.] Ivone KIRKPATRICK

[L.S.] E. REVENTLOW