

No. 2462

**GREECE
and
UNITED STATES OF AMERICA**

**Agreement concerning the appointment of an American
citizen as administrator of IKA. Signed at Athens,
on 25 October 1948**

Official text: English.

Registered by Greece on 28 January 1954.

**GRÈCE
et
ÉTATS-UNIS D'AMÉRIQUE**

**Accord relatif à la nomination d'un citoyen américain aux
fonctions d'administrateur de l'IKA. Signé à Athènes,
le 25 octobre 1948**

Texte officiel anglais.

Enregistré par la Grèce le 28 janvier 1954.

No. 2462. AGREEMENT¹ BETWEEN THE ROYAL HELLENIC GOVERNMENT AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING THE APPOINTMENT OF AN AMERICAN CITIZEN AS ADMINISTRATOR OF IKA. SIGNED AT ATHENS, ON 25 OCTOBER 1948

Pursuant to the Economic Cooperation Agreement dated July 2, 1948² this Agreement is entered into between the Greek Government, represented by the Minister of Labor and the Special Mission for Economic Co-operation Administration of the Economic Co-operation Administration (hereinafter known as the "ECA Mission") representing the United States of America.

Article 1

(a) The Greek Government, in its concern for the more efficient administration of social insurance and of IKA, has requested the United States Government to secure the services of a specialist, an American citizen, of wide experience in the administration of social insurance, to effect a reorganization of Greek social insurance and to assume the administration of IKA in order to aid in reorganizing and improving the operation of social insurance; and the services of such other American experts on social insurance as may be deemed necessary.

(b) The ECA Mission, in accordance with the Economic Cooperation Agreement of July 2, 1948, *supra*, has acceded to this request of the Greek Government and undertakes to secure the services of an American expert on social insurance in order to accomplish the purpose of section (a) of this article, under the terms to be defined in this Agreement.

Article 2

(a) The Administrator and the other experts referred to in article 1 (a) *supra*, shall be American citizens. Their salaries and other expenses shall be paid by the ECA Mission, as members thereof.

(b) They shall be appointed by Act of the Council of Ministers on proposal of the Minister of Labor.

¹ Came into force on 25 October 1948, in accordance with article 10.

² United Nations, *Treaty Series*, Vol. 23, p. 43; Vol. 79, p. 298, and Vol. 132, p. 384.

(c) The principal American expert, hereinafter referred to as the Administrator, shall devote himself to the reorganization of Greek social insurance and to the administration of IKA. He shall also act as advisor to the Government of Greece on matters relating to social insurance.

(d) The term of service shall be one year; at the expiration of this term, the term of service may be extended, after agreement between the Minister of Labor and the Chief of Mission, by decision of the Council of Ministers.

Article 3

The Administrator shall draw up a study and detailed drafts for the reorganization of the whole system of social insurances in this country and shall take care of their application, following approval by the competent authorities.

Article 4

(a) All administrative functions, as distinguished from general policy considerations and the development of generally applicable regulations as they relate to IKA, are hereby transferred to the Administrator. Specifically, the Administrator shall have responsibility and authority :

- (1) To establish a pattern of organization for IKA;
- (2) To propose numbers and duties of appropriate positions;

(3) To review and approve all personnel actions, including appointments, assignments, promotions, demotions, terminations, and disciplinary actions, in conformity with law, decrees and regulations;

(4) To supervise and direct the services and activities of IKA, its branches, branch offices, agencies, services, committees, and instruments and to take such steps to assure compliance with law, decrees, regulations and orders as he may deem appropriate.

(b) The functions of the General Director shall be exercised by the Administrator. The Service Council will continue to exercise its function with relation to dismissals, suspensions, and other disciplinary personnel actions. The other functions of the Service Council will be exercised by the Administrator. The Administrator may appeal to the Governing Body for a reversal of any decision of the Service Board.

(c) The Governing Body of IKA shall perform the following functions :

- (1) Prepare regulations governing :
 - (a) Personnel administration, including appointments, assignments, transfers, promotions, demotions, separation, disciplinary actions,

service ratings, standards of performance, leave, retirement, rates of pay and hours of regular and overtime work, payment for or reimbursement of travelling expenses.

(b) Criteria for establishment of standards of service for hospitals, clinics, dispensaries and other facilities.

(c) Procurement of property, supplies and equipment.

(d) The lease and acquisition of real property and buildings.

(2) In accordance with law make decisions as to liability to social insurance.

(3) Upon appropriate advice consider and recommend rates of contributions and other methods of financing social insurance benefits.

(4) Upon appropriate advice, consider, recommend, and in appropriate cases, determine generally applicable rates or amounts and extent of all kinds of benefits and charges if any, to be made therefor.

(5) With approval of the Minister of Labor, fix time for application of social insurance to an area, or areas not now served by IKA.

(6) Draft general health program.

(7) Hear and decide disputes between IKA branches.

(8) Establish, and choose members of, advisory boards.

(9) Advise the Administrator on such questions or matters as he may submit to the Board.

(d) Other functions of the Governing Board established by law, decree, or regulation shall be exercised by the Administrator.

(e) The Administrator may delegate such powers as he deems necessary to the American experts, to the General Director or to other appropriate employees of IKA.

(f) Actions by or under the authority of the Administrator taken in accordance with this agreement will not require further approval.

(g) The Administrator may participate in all meetings held by IKA collective organizations. He may make proposals, but he shall have no vote. He may require the convening of any such meeting by giving notice of such request to the Chairman of such organization five days before the date proposed for the meeting; such request shall define the matters the Administrator proposes for the agenda.

Article 5

Any concurrent decision of the Administrator and the Governing Body of IKA shall take effect without further approval, any other provision of existing legislation to the contrary notwithstanding.

Article 6

All watching service functions in the Ministry of Labor which are concerned with the supervision of IKA except the fiscal audit function, will be administered by IKA and will be performed under the supervision and direction of the Administrator. Relative provisions of Article I of Legislative Decree 30)30)4) 1946 are consequently abolished.

Article 7

(a) No decision of the Governing Body of IKA or of the remaining central collective agencies of its General Direction or of any local committee, board, or body or proposal to the Minister or any State agency shall be carried out without the Administrator's approval. This provision does not apply to the decisions of the Central or Local Audit Councils in so far as the legality of fiscal functions is concerned.

(b) The Administrator's opinion should be entered into the minutes which should also be signed by him, provided he attended the meeting where a proposal is under consideration or a decision about to be carried out was taken. In the event of his not having attended the meeting, the minutes should be communicated to him the day after their ratification. Within a maximum period of 15 days from the latter he should express his opinion in writing. Upon lapse of this delay the Administrator's agreement is inferred on such decisions.

(c) Differences of opinion between the Governing Body of IKA and the Administrator are referred to the Minister of Labor. To this effect each conflicting party may refer to the Minister as soon as there is some difference of opinion requesting him to settle the issue. All particulars relative to the existing difference should be submitted together with the above-mentioned application.

Article 8

The terms of law 761-1948 concerning coordination of the reconstruction plan of the country will not be applicable to this agreement.

Article 9

Upon the termination of the Administrator's service for any reason, the Director-General of IKA will assume the powers and functions the Director-General has under existing laws.

Article 10

This Agreement shall be ratified by law, and shall take effect from the date the law is published in the *Government Gazette*.

Athens, this 25th day of October 1948.

For the Government of the United States :

H. E. GRADY

Chief, Special Mission for
Economic Co-operation

For the Government of Greece:

A. PROTOPAPADAKIS

Minister of Labor

S. STEPHANOPOULOS

Minister of Co-ordination