No. 3140

SWEDEN, DENMARK, ICELAND and NORWAY

Convention respecting transfers of insured persons from one sick fund to another and respecting sickness benefit during temporary residence. Signed at Reykjavik, on 20 July 1953

Supplementary Agreement to the above-mentioned Convention. Signed at Stockholm, on 30 December 1954

Official texts: Swedish, Danish, Icelandic and Norwegian.

Registered by Sweden on 3 February 1956.

SUÈDE, DANEMARK, ISLANDE et NORVÈGE

Convention relative au passage des membres d'une caisse-maladie de l'un des pays signataires à une caisse-maladie de l'un des autres pays et concernant l'assistance-maladie à l'occasion de séjours temporaires dans l'un des pays susvisés. Signée à Reykjavik, le 20 juillet 1953

Accord complémentaire de la Convention susmentionnée. Signé à Stockholm, le 30 décembre 1954

Textes officiels suédois, danois, islandais et norvégien.

Enregistrés par la Suède le 3 février 1956.

[TRANSLATION[1] — TRADUCTION]

No. 3140. CONVENTION[2] BETWEEN SWEDEN, DENMARK, ICELAND AND NORWAY RESPECTING TRANSFERS OF INSURED PERSONS FROM ONE SICK FUND TO ANOTHER AND RESPECTING SICKNESS BENEFIT DURING TEMPORARY RESIDENCE. SIGNED AT REYKJAVIK, ON 20 JULY 1953

His Majesty the King of Sweden, His Majesty the King of Denmark, the President of the Republic of Iceland and His Majesty the King of Norway, having decided to conclude a convention respecting transfers of insured persons from one sick fund to another and respecting sickness benefit during temporary residence, have appointed as their plenipotentiaries :

His Majesty the King of Sweden :

Mr. G. E. Sträng, Cabinet Minister and Head of the Ministry of Social Affairs;

His Majesty the King of Denmark :

Mr. Poul Sörensen, Minister of Labour and Social Affairs;

The President of the Republic of Iceland :

Mr. Steingrímur Steinthórsson, Prime Minister and Minister of Social Affairs;

His Majesty the King of Norway :

Mr. Aaslaug Aasland, Minister of Social Affairs,

who, having been duly furnished with full powers for that purpose, have agreed on the following articles :

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[1] With the exception of the preamble, this text is a translation made by the International Labour Office (International Labour Office, *Legislative Series*, May-June 1955).

[2] Came into force on 1 August 1954, the instruments of ratification having been deposited at Reykjavik by Sweden on 29 January 1954, by Denmark on 9 February 1954, by Iceland on 22 January 1954, and by Norway on 13 May 1954. The Convention ceased to apply in relation to Sweden on 1 January 1955, in accordance with section 16, paragraph 2, the notifications of withdrawal having been addressed by the Government of Sweden to the Governments of Denmark, Norway and Iceland on 23, 24 and 29 June 1954, respectively. Sweden acceded again, as of 1 January 1955, to the Convention as amended by the Supplementary Agreement (See article 1 of the Supplementary Agreement, p. 270 of this volume).

Chapter I. Sick Funds Covered by Agreement

Section 1

This Convention covers, in the case of *Denmark*, the approved sick funds affiliated with the Federated Central Associations of Sick Funds in Denmark and the state-supervised continuation sick funds affiliated with the Federated State-supervised Continuation Sick Funds in Denmark; in the case of *Iceland*, all sick funds established under Division III of the National Insurance Act of 1936, as amended and supplemented, and, as regards cash benefit, the National Insurance Institution; in the case of *Norway*, the insurance funds and approved sick funds; and in the case of *Sweden*, all the recognised sick funds.

The said funds and National Insurance Institution are hereinafter covered by the term " sick funds ".

Chapter II. Transfers of Insured Persons

Section 2

Members of the sick funds covered by this Convention who are insured against sickness shall be entitled to transfer to another fund in accordance with the provisions of this Chapter.

Spouses, children and other persons insured against sickness as dependants in the country from which they move but not insured as dependants in the country to which they move shall be entitled to be transferred as full members.

Section 3

(1) In order to be transferred the insured person must—

(*a*) have ceased to reside in the country from which he moves;

(*b*) have fulfilled his obligations towards the sick fund or funds from which he is to be transferred; and

(*c*) have reported to the sick fund for the place to which he moves within two months of arrival in the country, and handed in to the sick fund a removal certificate made out by the sick fund from which he is to be transferred.

An insured person shall not be entitled to demand transfer where the object of his move is to obtain medical, hospital or maternity care in the other country.

If the person reporting his removal fails to bring a removal certificate with him, he shall be allowed reasonable time to obtain it.

The form for the removal certificate shall be prescribed in the case of Denmark by the Sick Funds Board, in the case of Iceland by the Insurance Council, in the case of Norway by the National Insurance Office, and in the case of Sweden by the National Insurance Institution, after mutual consultation.

(2) If there is more than one sick fund at the place to which the insured person moves and there is nothing in the legislation or in the rules of the sick fund to prevent him from choosing between them, then the sick fund to which he reports shall be bound to accept him as a member.

Section 4

(1) Membership of the sick fund to which transfer is made shall be reckoned from the date of the insured person's arrival in the country to which he moves.

(2) If the insured person fails to report to the sick fund at the place to which he moves within three weeks of arrival, he shall not be entitled to sickness benefit for the time preceding the date on which he reports.

(3) In the case of removals between *Iceland*, *Norway* and *Sweden* and of removals from *Denmark* to *Iceland* or *Norway* the following shall apply : An insured person who at the time of removal is sick and entitled to sickness benefit in the form of a sickness allowance or compensation for hospitalisation expenses shall not be entitled to such sickness benefit for the current sickness period from the sick fund to which he is transferred. As regards removals from *Iceland*, *Norway* or *Sweden*, the sick fund or funds from which the insured person is transferred shall in such cases pay a continued sickness allowance until the current sickness period or the benefit period comes to an end. If the benefit period exceeds two years, it shall be limited to two years.

In the case of removals between *Denmark* and *Sweden* the following shall apply : An insured person who at the time of removal is sick and entitled to sickness benefit in the form of a sickness allowance or compensation for hospitalisation expenses shall be entitled to continued receipt of such benefit for the current sickness period in accordance with the rules of the sick fund and other relevant provisions.

(4) Where confinement occurs before a removal, no maternity benefit shall be payable by the sick fund to which the transfer takes place.

(5) An insured person who removes to *Iceland* shall be entitled to insure himself for the sickness allowance paid by the National Insurance Institution under the existing National Insurance Act. If so, he shall pay a supplementary contribution to the sick fund. The amount of the contribution shall be fixed by the Insurance Council.

(6) In all other respects transfers shall be governed by the rules applying to the transfer of members between funds in the countries to which the insured person removes : Provided that nothing in the said rules shall prevent the transfer of students staying in the other country for more than three consecutive months for the purposes of study.

Section 5

The sick fund to which an insured person reports for transfer shall be entitled to obtain particulars of the said person from the sick fund or funds to which he has belonged. A sick fund shall only be entitled to refuse such particulars where the legislation forbids the giving of such information.

Section 6

If any amendment of the rules governing transfers takes place, the Sick Funds Board in Denmark, the Insurance Council in Iceland, the National Insurance Office in Norway and the National Insurance Institution in Sweden shall inform each other thereof.

Chapter III. Sickness Benefit during Temporary Residence

Section 7

Where a person insured for sickness benefit with a fund covered by section 1 suddenly falls sick during temporary residence in one of the other countries and needs attention, it shall be the duty of the sick fund at the place where he receives attention to defray the cost in accordance with the rules given below.

The said duty shall by way of exception rest with another sick fund if the insured person can show that there were serious reasons for his applying to that fund instead of the fund mentioned in the first paragraph.

Section 8

The following general requirements for receipt of sickness benefit shall apply in addition to the provisions of section 7 :

(*a*) The insured person must as soon as possible, and in no case more than 14 days after asking for medical attention or admission to hospital, report his illness to a sick fund as prescribed in section 7 : Provided that if an illness is reported at a later date this may be accepted where it is shown that the insured person was not in a condition to report earlier.

(*b*) The insured person shall show which sick fund he is insured with by submitting his membership book or other insurance certificate or, if he has neither document, a written declaration on oath.

(*c*) If the insured person himself pays the cost of attention, he shall send a receipted account to the sick fund to which he reports, where possible before leaving the country and in any case within six weeks after paying the account.

Section 9

(1) Sickness benefit under this Chapter shall consist of medical attendance and hospital care or compensation for the cost of medical attendance and hospital care. The benefit shall be provided in accordance with the provisions applying to the sick fund concerned, save where otherwise provided in this Convention.

The benefit shall not be provided beyond the date when the insured person's condition permits him to travel to the country in which he is insured : Provided that benefit shall not be refused where in view of the circumstances of the case it appears unreasonable to direct him to obtain attention in the country in which he is insured.

Hospital care or compensation for the cost thereof shall be provided for a maximum total of 90 days (disregarding any earlier benefit) during any one period of temporary residence.

No waiting period shall apply to sickness benefit under this Chapter.

(2) The Swedish sick funds shall provide compensation for medical expenses to the extent prescribed in the first paragraph of section 22 of the Recognised Sick Funds Ordinance, and for the cost of transport to hospital and care in hospital equal to the amount paid by the insured person but not more than the amount payable for transport to and care in a public ward at the nearest general hospital where the necessary treatment can be given. The cases in which, and the extent to which, the said expenses shall be divided between the local and central sick funds concerned shall be prescribed by the competent authority.

Section 10

(1) In cases of accident during employment sickness benefit shall only be furnished in so far as there is no entitlement to sickness benefit under the applicable compulsory accident insurance.

(2) Sickness benefit shall not be furnished to seafarers who at the time when the need arises are guaranteed sickness benefit under the legislation on seafarers.

Section 11

If an insured person is entitled in respect of an illness to damages from a person responsible for the injury, it shall be his duty, if so requested by the sick fund, to assign to the fund his right to damages up to the amount paid by the fund in connection with the illness.

Section 12

Whenever a person reports to a sick fund under section 8 (*a*) the latter shall without delay notify the sick fund with which the sick person is insured : Provided that such notification may be omitted in cases where minor medical attention only is involved.

When the last-mentioned sick fund receives such notification it shall, if so requested, send as soon as possible to the sick fund which provided benefit confirmation of the sick person's member status and any particulars which the fund may have requested.

If hospital care is provided, the sick fund shall, when hospitalisation ceases, send to the fund with which the person is insured details of the benefit provided.

Any other particulars requested by the fund shall also be furnished.

Section 13

The sick fund providing sickness benefit under this Chapter shall not be entitled to refundment from the fund with which the person is insured or to demand a membership contribution from the insured person.

Chapter IV. General Provisions

Section 14

Any disagreement in connection with the administration of this Convention shall be settled by the authorities which are responsible, under the legislation

of the country to which the insured person moves or in which he is temporarily residing, for determining such questions.

A notice of the decision of the central authorities shall be sent to the corresponding authorities in the other country.

Section 15

Such detailed rules as may be required for the administration of this Convention shall be prescribed in respect of Denmark by the Sick Funds Board, in respect of Iceland by the National Insurance Institution, in respect of Norway by the National Insurance Office, and in respect of Sweden by the National Insurance Institution, after mutual consultation and consultation with the central organisations of the sick funds.

Section 16

(1) When two of the countries have ratified the Convention, it shall come into force for those countries from the beginning of the first month following the expiry of two months from the date when the latter of the two countries ratified it. The Convention shall come into force for the other countries in like manner, reckoned from the date when the particular country ratified the Convention.

(2) Any of the contracting countries may withdraw from the Convention by giving not less than six months' notice.

When this Convention comes into force for the countries in question the following Agreements shall cease :

the Agreement of 30 March 1939 between *Denmark* and *Iceland* on transfers of members between sick funds in Denmark and Iceland, and the Agreement of 20 September 1939 on rules for benefit in the case of sickness during temporary residence in Iceland and Denmark;

the Agreement of 21 January 1948[1] between *Denmark* and *Norway* on transfers of members between sick funds in Denmark and Norway;

the Agreement of 23 December 1947[2] between *Denmark* and *Sweden* on transfers of members between sick funds in Denmark and Sweden;

the Agreement of 22 December 1947[3] between *Norway* and *Sweden* on transfers of members between sick funds in Norway and Sweden.

[1] United Nations, *Treaty Series*, Vol. 14, p. 307.
[2] United Nations, *Treaty Series*, Vol. 14, p. 3.
[3] United Nations, *Treaty Series*, Vol. 22, p. 203.

The Convention shall be deposited in the archives of the Iceland Foreign Ministry and certified copies shall be delivered to the government of each contracting country.

IN WITNESS WHEREOF the respective plenipotentiaries have signed this Convention.

MADE in Reykjavik in one copy, in Danish, Icelandic, Norwegian and Swedish, on 20 July 1953.

G. E. STRÄNG
Poul SÖRENSEN
Steingr. STEINTHÓRSSON
Aaslaug AASLAND

SUPPLEMENTARY AGREEMENT[1] TO THE CONVENTION OF 20 JULY 1953[2] BETWEEN SWEDEN, DENMARK, ICELAND AND NORWAY RESPECTING TRANSFERS OF INSURED PERSONS FROM ONE SICK FUND TO ANOTHER AND RESPECTING SICKNESS BENEFIT DURING TEMPORARY RESIDENCE. SIGNED AT STOCKHOLM, ON 30 DECEMBER 1954

His Majesty the King of Sweden, His Majesty the King of Denmark, the President of the Republic of Iceland and His Majesty the King of Norway, having decided to make certain amendments and additions to the Convention of 20 July 1953[2] between Sweden, Denmark, Iceland and Norway respecting transfers of insured persons from one sick fund to another and respecting sickness benefit during temporary residence, have appointed as their plenipotentiaries :

His Majesty the King of Sweden :
His Excellency Mr. Östen Undén, his Minister of Foreign Affairs;

His Majesty the King of Denmark :
Mr. K. A. Monrad-Hansen, his Ambassador Extraordinary and Plenipotentiary at Stockholm;

The President of the Republic of Iceland :
Mr. Helgi P. Briem, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Stockholm;

His Majesty the King of Norway :
Mr. Jens Schive, his Ambassador Extraordinary and Plenipotentiary at Stockholm,

who, having been duly furnished with full powers for that purpose, have agreed on the following articles :

Article 1

Sweden, which withdrew from the Convention as the result of a change in its legislation, accedes to the Convention again as from 1 January 1955.

[1] Came into force in respect of Sweden, Denmark, Iceland and Norway on 1 January 1955, in accordance with article 3.

[2] See p. 254 of this volume.

Article 2

The following sections of the Convention shall be amended to read as follows :

" *Section 1*

" This Convention covers, in the case of Sweden, all the general sick funds; in the case of Denmark, the approved sick funds affiliated with the Federated Central Associations of Sick Funds in Denmark and the state-supervised continuation sick funds affiliated with the Federated State-Supervised Continuation Sick Funds in Denmark; in the case of Iceland, all sick funds established under division III of the National Insurance Act of 1936, as amended and supplemented, and, as regards cash benefit, the National Insurance Institution; and in the case of Norway, the insurance funds and approved sick funds.

. . .

" *Section 4*

. . .

" (6) In all other respects transfers shall be governed by the rules applying to the transfer of members between funds in the countries to which the insured person removes : Provided that nothing in the said rules shall prevent the transfer of students staying in the other country for more than three consecutive months for the purposes of study, and that upon removal to *Sweden* the coverage of the compulsory sickness-allowance insurance shall be determined without regard to previous insurance.

" *Section 9*

. . .

" (2) The cases in which, and the extent to which, the cost of sickness benefits which are furnished under this chapter by a local sick fund in Sweden shall be apportioned between the fund and the central sick fund concerned shall be prescribed by the competent authority."

Article 3

This Agreement shall enter into force on 1 January 1955. It shall form an integral part of the Convention and therefore may not be separately terminated.

After the Agreement has been signed at Stockholm, it shall be deposited in the archives of the Ministry of Foreign Affairs of Iceland, and certified copies shall be delivered by the Ministry to the Government of each contracting country.

IN WITNESS WHEREOF the respective plenipotentiaries have signed this Agreement.

DONE at Stockholm in one copy, in Swedish, Danish, Icelandic and Norwegian, on 30 December 1954.

(*Signed*) Östen UNDÉN
(*Signed*) K. A. MONRAD-HANSEN
(*Signed*) Helgi P. BRIEM
(*Signed*) Jens SCHIVE