

**No. 5330**

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**CZECHOSLOVAKIA  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement on social security (with Protocol). Signed at  
Prague, on 2 December 1959**

*Official texts : Czech and Russian.*

*Registered by Czechoslovakia on 7 September 1960.*

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**TCHÉCOSLOVAQUIE  
et  
UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES**

**Accord de sécurité sociale (avec Protocole). Signé à Prague,  
le 2 décembre 1959**

*Textes officiels tchèque et russe.*

*Enregistré par la Tchécoslovaquie le 7 septembre 1960.*

[TRANSLATION — TRADUCTION]

No. 5330. AGREEMENT ON SOCIAL SECURITY<sup>1</sup> BETWEEN  
THE CZECHOSLOVAK REPUBLIC AND THE UNION OF  
SOVIET SOCIALIST REPUBLICS. SIGNED AT PRAGUE,  
ON 2 DECEMBER 1959

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The President of the Czechoslovak Republic and the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics, desiring to develop and extend the friendship and co-operation existing between their two States in the field of social security as in other fields, have decided to conclude this Agreement and for this purpose have appointed as their plenipotentiaries :

The President of the Czechoslovak Republic :

Mr. Evžen Erban, Chairman of the State Social Security Board ;

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics :

Mr. K. I. Aleksandrov, Chargé d'Affaires *ad interim* of the Union of Soviet Socialist Republics in the Czechoslovak Republic,

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

PART I

GENERAL PROVISIONS

*Article 1*

1. This Agreement shall cover all forms of social security which have been established by the legislation of the Contracting Parties.

2. Social security shall be understood to mean all types of material benefit (in cash or in kind) awarded by State authorities, co-operatives and public organizations of the Czechoslovak Republic and the Union of Soviet Socialist Republics to nationals in respect of old age, sickness, maternity, and invalidity resulting from whatever cause, and to families upon the death of the breadwinner or in other circumstances.

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<sup>1</sup> Came into force on 1 July 1960, the first day of the month following the exchange of the instruments of ratification which took place at Moscow on 28 June 1960, in accordance with article 20.

*Article 2*

Save as otherwise provided in this Agreement, nationals of one Contracting Party permanently resident in the territory of the other Contracting Party shall in all respects enjoy equality of treatment with nationals of the latter Contracting Party in all matters relating to social security and labour relations.

## PART II

## ADMINISTRATION OF SOCIAL SECURITY

*Article 3*

1. Save as otherwise provided in this Agreement, the administration of social security shall be governed by the legislation of the Contracting Party in whose territory the person concerned resides.

2. Social security shall be administered by the competent authorities of the Contracting Party in whose territory the person applying for social security resides.

*Article 4*CALCULATION OF EMPLOYMENT PERIODS FOR THE PURPOSE OF THE AWARD OF  
PENSIONS AND BENEFITS

1. For the purpose of the award of pensions and benefits, the entire period of employment in the territory of the two Contracting Parties, including any period entitling the person concerned to the award of a pension on preferential terms and in preferential amounts, shall be taken into account. The social security authorities shall take into account the period of employment or period of equivalent activity in the territory of their own or the other State regardless of what fraction of the required period was completed in each State.

2. The employment period completed in the territory of each Contracting Party shall be calculated in accordance with the legislation of the Contracting Party in whose territory the work or equivalent activity was performed.

*Article 5*

## CALCULATION OF EARNINGS FOR THE PURPOSE OF AWARDING PENSIONS AND BENEFITS

1. Pensions and benefits awarded to persons who have left the territory of one Contracting Party to settle in the territory of the other Contracting Party and who have worked after settling there shall be calculated on the basis of the remuneration received in the country in which they have settled.

2. Pensions and benefits awarded to persons who have left the territory of one Contracting Party to settle in the territory of the other Contracting Party and who

have not worked after settling there shall be calculated on the basis of the average monthly remuneration received at the time the pension or benefit is awarded by workers in the same occupation and having the same qualifications in the country in which they have settled. This method of calculation shall also be applied in the case of persons who have left one country to settle in the other after they have been awarded pensions or benefits.

#### AWARD AND PAYMENT OF PENSIONS

##### *Article 6*

Pensions shall be awarded and paid by the social security authorities of the Contracting Party in whose territory the entitled persons are permanently resident at the time they apply for pension ; they shall be awarded on the conditions and at the rates prescribed by the legislation of that Contracting Party.

##### *Article 7*

1. If a pensioner leaves the territory of one Contracting Party to settle in the territory of the other Contracting Party the social security authorities responsible for the pension shall discontinue payment thereof on the first day of the month following the month of his departure.

2. The social security authorities of the Contracting Party in whose territory the pensioner settles shall award him a pension, after his immigration, in accordance with the legislation of that Contracting Party. In such a case, his entitlement to a pension shall not be reviewed if the legislation of that Contracting Party provides for the same type of pension. An old-age pension shall be awarded if the applicant has reached the age entitling him to such pension under the legislation of the Contracting Party in whose territory he has settled.

3. If a pensioner who has emigrated returns to the territory of the Contracting Party in which he originally resided, the social security authorities of that Contracting Party shall, on the first day of the month following the pensioner's return, resume payment of the pension which was discontinued in accordance with the provisions of paragraph 1 of this article.

##### *Article 8*

#### TEMPORARY DISABILITY BENEFIT AND OTHER BENEFITS

1. Temporary disability benefits, benefits for the support and education of children, maternity benefits and other benefits shall be awarded and paid by the competent authorities of the Contracting Party in whose territory the persons concerned are permanently resident and in conformity with the legislation of that

Contracting Party. Benefits for the support and education of children, however, shall be awarded and paid by the competent authorities of the Contracting Party in whose territory the children are permanently resident.

2. If a person in receipt of a benefit leaves the territory of one Contracting Party to settle in the territory of the other Contracting Party, payment of the benefit shall cease on the day of his departure. In such case, the competent authorities of the Contracting Party in whose territory he settles shall award the benefit in accordance with the legislation of that State.

#### *Article 9*

##### MEDICAL ASSISTANCE

1. Nationals of one Contracting Party who are in the territory of the other Contracting Party shall be given medical assistance on the same conditions as the latter's own nationals.

2. The conditions in which nationals of one Contracting Party may be sent to the medical institutions of the other Contracting Party for treatment shall be regulated by special agreements.

#### *Article 10*

##### SOCIAL SECURITY COVERING CERTAIN CATEGORIES OF WORKERS

1. Employees of diplomatic, consular and commercial missions and other agencies of one State which are in the territory of the other State shall be covered by the social security legislation of the sending State if they are nationals thereof. The same rule shall apply in respect of social security covering manual and non-manual workers in the service of employees of such agencies if the said workers are nationals of the sending State.

2. Social security covering :

- (a) Employees of land, air, river and ocean transport undertakings of one State who are sent to take up temporary or permanent employment in the territory of the other State (on connecting and through lines, at frontier or transit stations, on vessels, at airfields, etc.) and
  - (b) Employees of other undertakings of one State who are sent to take up temporary employment in the territory of the other State,
- shall be provided in accordance with the legislation of the State in which the administrative organs of the undertaking are situated.

3. Medical assistance extended to the persons referred to in paragraphs 1 and 2 of this article shall be governed by the provisions of article 9 of this Agreement.

4. In the cases referred to in paragraphs 1 and 2 of this article social security benefits shall be provided by the competent authorities of the sending State.

*Article 11*

## OTHER FORMS OF SOCIAL SECURITY

1. Nationals of one Contracting Party who are permanently resident in the territory of the other Contracting Party shall be afforded such assistance and relief as they may require by the competent authorities of that Contracting Party on the same conditions as its own nationals.

2. Assistance and relief may be afforded in the form of benefits, in cash or in kind, placement in homes for the disabled or the aged, etc. If necessary, several forms of assistance and relief may be granted simultaneously.

*Article 12*

## EXPENDITURE CONNECTED WITH THE PROVISION OF SOCIAL SECURITY

All expenditures connected with the provision of social security under this Agreement shall be borne by the Contracting Party granting the benefits, with no accounting between the Contracting Parties in respect thereof.

*Article 13*

## CO-OPERATION BETWEEN SOCIAL SECURITY AUTHORITIES

1. The social security authorities, courts and other agencies of one Contracting Party which participate in the administration of social security shall afford legal assistance to the authorities of the other Contracting Party free of charge to the same extent as in the administration of social security within their own State. The social security authorities of the two Contracting Parties shall transmit to each other any necessary information concerning facts of material importance for the award of a pension or benefit and shall take the requisite measures to establish those facts.

2. Documents which have been issued in due form or authenticated by the competent State authorities in the territory of one of the Contracting Parties and which bear the official seal shall be accepted in the territory of the other Contracting Party without further legalization.

*Article 14*

## TIME-LIMIT

Applications, complaints and statements of claim which have been filed within the time-limit fixed by law with the social security authorities, courts or other agencies of one Contracting Party shall be deemed to have been filed in time with the authorities of the other Contracting Party. In such cases the applications or other documents must be transmitted forthwith to the central agency or authority of the other Contracting Party in accordance with the procedure prescribed in article 16 of this Agreement.

*Article 15*

## REPRESENTATION OF THE INTERESTS OF NATIONALS

For the purpose of the application of this Agreement, members of the diplomatic or consular missions of either Contracting Party may represent the nationals of their own State directly and without special authorization before the social security authorities, courts and other agencies of the other Contracting Party.

*Article 16*

## PROCEDURES GOVERNING RELATIONS BETWEEN SOCIAL SECURITY AUTHORITIES

1. For the purpose of the application of this Agreement, the social security authorities of the Contracting Parties shall communicate with each other through their central agencies and authorities, the names of which shall be reported by the Contracting Parties on the entry into force of this Agreement.

2. Questions not settled by the central agencies and authorities shall be settled through the diplomatic channel.

*Article 17*

## CO-OPERATION WITH TRADE UNION ORGANIZATIONS

The Contracting Parties shall apply this Agreement in close co-operation with the trade union organizations of their respective countries.

*Article 18*

## EXCHANGE OF EXPERIENCE AND INFORMATION

1. The Contracting Parties shall exchange experience and information in the field of social security.

2. The central agencies and authorities of the Contracting Parties which are competent to administer social security shall keep each other informed of the social security legislation in force and of amendments thereto.

## PART III

## FINAL PROVISIONS

*Article 19*

1. For the purpose of the award of pensions and benefits under this Agreement, employment periods and periods of equivalent activity completed before the entry into force of this Agreement shall also be taken into account.