

No. 5246

**UNION OF SOVIET SOCIALIST REPUBLICS
and
BULGARIA**

**Agreement on social security (with Protocol). Signed at
Sofia, on 11 December 1959**

Official texts: Russian and Bulgarian.

Registered by the Union of Soviet Socialist Republics on 14 July 1960.

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
BULGARIE**

**Accord de sécurité sociale (avec Protocole). Signé à Sofia,
le 11 décembre 1959**

Textes officiels russe et bulgare.

Enregistré par l'Union des Républiques socialistes soviétiques le 14 juillet 1960.

[TRANSLATION — TRADUCTION]

No. 5246. AGREEMENT¹ ON SOCIAL SECURITY BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PEOPLE'S REPUBLIC OF BULGARIA. SIGNED AT SOFIA, ON 11 DECEMBER 1959

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics and the Presidium of the National Assembly of the People's Republic of Bulgaria, 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 Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics :

Mr. Y. K. Prikhodov, Ambassador Extraordinary and Plenipotentiary of the Union of Soviet Socialist Republics to the People's Republic of Bulgaria;

The Presidium of the National Assembly of the People's Republic of Bulgaria :

Mr. K. Nestorov, Deputy Minister of Finance of the People's Republic of Bulgaria,

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 or may hereafter be established by the legislation of the Contracting Parties for their nationals.

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

¹ Came into force on 1 May 1960, the first day of the month following the exchange of the instruments of ratification which took place at Moscow on 12 April 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 AWARDED 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, from the day on which it ceased to be paid.

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, 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 undertaking has its head office.

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 expenditure 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 and organizations 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 legalization.

Article 14

TIME-LIMIT

Declarations and other documents which have been filed within the time-limit fixed by law with the social security authorities 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 declarations 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

PROCEDURE 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 or 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.

2. The provisions of articles 6 and 7 of this Agreement shall also apply in cases where entitlement to pension was acquired before the entry into force of this Agreement.

3. Persons in receipt of pensions which were awarded by the social security authorities of one Contracting Party before the entry into force of this Agreement and were remitted to the territory of the other Contracting Party shall retain their pensions, which shall be paid by the social security authorities of the Contracting Party in whose territory they reside.

Article 20

1. This Agreement shall be subject to ratification; the instruments of ratification shall be exchanged at Moscow as soon as possible. The Agreement shall enter into force on the first day of the month following the exchange of the instruments of ratification.

2. Either Contracting Party may denounce this Agreement not later than six months before the end of a calendar year. The denunciation shall take effect on 1 January of the following year.

3. If this Agreement is denounced pensions awarded and paid on the basis of this Agreement shall be treated as pensions awarded under the legislation of the Contracting Party in whose territory the pensioner resides. Rights acquired under the provisions of this Agreement shall not be extinguished if it is denounced.

DONE at Sofia on 11 December 1959 in two copies, each in the Russian and Bulgarian languages, both texts being equally authentic.

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

Y. PRIKHODOV

For the Presidium
of the National Assembly of the
People's Republic of Bulgaria :

K. NESTOROV

PROTOCOL TO THE AGREEMENT ON SOCIAL SECURITY BETWEEN
THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE
PEOPLE'S REPUBLIC OF BULGARIA, SIGNED AT SOFIA ON
11 DECEMBER 1959¹

On signing the Agreement on social security the Contracting Parties have confirmed the following :

¹ See p. 308 of this volume.

I

Ad article 1

The provisions of the Agreement shall also apply to all forms of social security afforded under the legislation of the Contracting Parties to members of the armed forces, war and military invalids, fighters against fascism and others.

II

Ad articles 7 and 8

The provisions of articles 7 and 8 of the Agreement shall apply in cases where persons have emigrated or returned from the territory of one Contracting Party to take up permanent residence in the territory of the other Contracting Party with the consent of the Contracting Parties. Where the move was made before the entry into force of the Agreement it shall be assumed that consent was granted, in the absence of evidence to the contrary.

III

Ad article 18

The exchange of experience in the field of social security shall be effected in particular by :

(a) The exchange of special literature and periodical publications between the corresponding agencies, authorities and organizations of the Contracting Parties;

(b) Appropriate measures to inform the public in the territory of each Contracting Party of the progress made and the results obtained in the field of social security in the territory of the other Contracting Party;

(c) Exchanges of visits by specialists;

(d) The exchange of information on the results of current scientific research.

IV

Ad article 19

1. Within a period of one month following the entry into force of the Agreement each Contracting Party shall communicate to the other a list of its own nationals and of nationals of the other Party who, prior to the entry into force of the Agreement, were in receipt of pensions awarded by its social security authorities and remitted to the territory of the other Party. The social security authorities of one Contracting Party which remit pensions to nationals residing in the territory of the other Contracting Party shall cease to do so two months after the exchange of the lists of pensioners. The social security authorities

of the Contracting Party in whose territory the said nationals reside shall, two months after the exchange of the lists of pensioners, pay them a pension equal to that which they previously received, if such pension is greater than the pension which could be awarded under article 7 of the Agreement. Nevertheless, the amount of the pension may not be greater than the maximum or smaller than the minimum amount of the corresponding pension provided for by the legislation of the country in which the pensioner resides.

2. The provisions of article 12 of the Agreement, whereby there is no accounting between the Parties in respect of expenditure connected with the provision of social security, shall also apply in the cases specified in paragraph 1 above.

V

The provisions of the Agreement shall not apply to personal pensions or pensions for special services established by the legislation of the Contracting Parties.

This Protocol is an integral part of the Agreement on social security between the Union of Soviet Socialist Republics and the People's Republic of Bulgaria.

DONE at Sofia on 11 December 1959 in two copies, each in the Russian and Bulgarian languages, both texts being equally authentic.

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

Y. PRIKHODOV

For the Presidium
of the National Assembly of the
People's Republic of Bulgaria :

K. NESTOROV