

**No. 6148**

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**SWEDEN, DENMARK, ICELAND and NORWAY**

**Agreement concerning transfers between sick funds and sickness benefits during temporary residence. Signed at Copenhagen, on 19 December 1956**

*Official texts: Swedish, Danish, Icelandic and Norwegian.*

*Registered by Sweden on 8 May 1962.*

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**SUÈDE, DANEMARK, ISLANDE et NORVÈGE**

**Accord concernant les transferts d'une caisse-maladie à une autre et les prestations de maladie en cas de séjours temporaires. Signé à Copenhague, le 19 décembre 1956**

*Textes officiels suédois, danois, islandais et norvégien.*

*Enregistré par la Suède le 8 mai 1962.*

[TRANSLATION — TRADUCTION]

No. 6148. AGREEMENT<sup>1</sup> BETWEEN SWEDEN, DENMARK, ICELAND AND NORWAY CONCERNING TRANSFERS BETWEEN SICK FUNDS AND SICKNESS BENEFITS DURING TEMPORARY RESIDENCE. SIGNED AT COPENHAGEN, ON 19 DECEMBER 1956

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The Governments of Denmark, Iceland, Norway and Sweden, being parties to the Convention of 15 September 1955<sup>2</sup> between Sweden, Denmark, Finland, Iceland and Norway respecting social security, have decided, in pursuance of articles 7 and 8 of that Convention, to conclude the following agreement.

CHAPTER I

SICK FUNDS COVERED BY THE AGREEMENT

*Article 1*

This Agreement 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, the State-supervised continuation sick funds affiliated with the Federated State-supervised Continuation Sick Funds in Denmark, and the Sick Fund for State Railway Employees ;

In the case of Iceland, all sick funds ;

In the case of Norway, the insurance funds and approved sick funds.

CHAPTER II

TRANSFERS OF INSURED PERSONS

*Article 2*

A person insured as a member or as a family member with a sick fund referred to in article 1 may be transferred to another sick fund in accordance with the provisions of this chapter.

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<sup>1</sup> Came into force on 1 January 1957, in accordance with article 14, Chapter IV.

<sup>2</sup> United Nations, *Treaties Series*, Vol. 254, p. 55.

The person so transferred shall be insured as a member or as a family member in accordance with the provisions in force in the country to which he removes.

### *Article 3*

A transfer may take place only if the following conditions are met :

1. The insured person has ceased to reside in the country from which he removes and has taken up residence in the other country. This provision shall not, however, prevent the transfer of students staying in the other country for more than three consecutive months for purposes of study.

2. The insured person has complied with his obligations towards the sick fund or funds from which he is to be transferred.

3. The insured person has reported to the sick fund for the place to which he removes within two months after taking up residence in the other country and has delivered to the said fund a removal certificate issued by the sick fund from which he is to be transferred.

An insured person shall not be entitled to demand a transfer where the object of his removal to the other country is to obtain sickness benefit there.

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 Sweden by the State Insurance Office, in the case of Denmark by the Sick Funds Board, in the case of Iceland by the Insurance Council and in the case of Norway by the State Insurance Office, after joint consultation.

### *Article 4*

1. The transfer to a sick fund in the other country shall be considered to take place on the date on which the insured person takes up residence in that country. If the taking up of residence coincides with arrival in the country, the transfer shall be considered to have taken place upon arrival.

2. If the insured person fails to report to the sick fund at the place to which he removes within three weeks after taking up residence, he shall not be entitled to sickness benefit for the time preceding the date on which he reports.

3. An insured person who at the time of removal is sick and entitled to sickness benefit shall be entitled to continue to receive such benefit for the current sickness period in accordance with the regulations of the sick fund to which he is transferred.

4. In all other respects a transfer shall, in so far as possible, be governed by the rules applying to the transfer of members between sick funds in the country to which the insured person removes.

## CHAPTER III

## SICKNESS BENEFIT DURING TEMPORARY RESIDENCE

*Article 5*

Where a person insured for sickness benefit with a sick fund referred to in article 1 is taken suddenly ill while temporarily resident in or while travelling through one of the other countries and needs medical attention or hospital care, it shall be the duty of the sick fund at the place where he receives such attention or care to provide sickness benefit in accordance with the following provisions.

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 to the fund mentioned in the first paragraph.

*Article 6*

The following general conditions for the receipt of sickness benefit shall apply in addition to what is provided for in article 5 :

1. The insured person must as soon as possible, and in no case later than fourteen days after seeking medical attention or being admitted to hospital, report his illness to a sick fund as prescribed in article 5. This time limit may, however, be extended where it is shown that the insured person was not in a condition to report earlier.

2. The insured person shall give evidence of his membership in a sick fund by producing a membership book or other insurance certificate or, if he has neither document, by submitting a written attestation. In the case of children who are insured for sickness benefit in a country covered by the Agreement, the foregoing provision shall apply only to the extent that the sick fund concerned considers this necessary.

3. If the insured person himself pays the medical or hospital costs, he shall, where possible before leaving the country and in any case within six weeks after paying the bill, submit a receipted copy of the bill to the sick fund to which the illness was reported.

*Article 7*

Save as otherwise provided in this Agreement, sickness benefit under this chapter shall be provided in accordance with the provisions applying to the sick fund concerned. The sickness benefit shall not, however, include cash or similar allowances.

Sickness 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. The provi-

sion of such benefit should not, however, be refused in circumstances where it appears unreasonable to direct the insured person to seek medical or hospital care in the country in which he is insured.

Hospital care or compensation for the cost thereof shall be provided irrespective of any earlier periods of sickness.

No qualifying period shall apply to sickness benefit under this chapter.

#### *Article 8*

1. In cases of accident during employment, sickness benefit shall be furnished only to the extent that there is no entitlement to sickness benefit under the relevant 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 relevant legislation on seafarers.

#### *Article 9*

If an insured person is entitled in respect of an illness to damages, he shall, if so requested by the sick fund, assign to the fund his right to such damages up to the amount paid by the fund in connexion with the illness.

#### *Article 10*

A sick fund which has provided sickness benefit under this chapter shall not be entitled to a refund from the sick fund with which the person is insured or to demand a contribution from the insured person.

### CHAPTER IV

#### GENERAL PROVISIONS

#### *Article 11*

A sick fund within the meaning of this Agreement shall be entitled to obtain particulars of an insured person from any other such fund. Such particulars may not be withheld unless their disclosure is prohibited by law.

If hospital care has been provided in accordance with chapter III, the sick fund shall, where such care ceases, inform the sick fund with which the person is insured of the sick benefit which has been provided.

*Article 12*

Any disagreement concerning the application of this Agreement shall be settled by the authorities which, under the legislation of the country to which the insured person removes or in which he is temporarily resident, are competent to determine such questions.

The decision of the central authorities shall be notified to the corresponding authorities of the other country.

*Article 13*

Such regulations as may be required for giving effect to this Agreement shall be made, in the case of Sweden by the State Insurance Office, in the case of Denmark by the Sick Funds Board and in the case of Iceland and Norway by their respective State Insurance Offices, after consultation between them and with the central organizations of the sick funds.

*Article 14*

This Agreement shall enter into force on 1 January 1957.

*Article 15*

If any of the contracting countries wishes to denounce the Agreement, written notification to that effect shall be given to the Danish Government, which shall forthwith inform the other contracting countries, specifying the date on which the notification was received.

The denunciation shall operate only as regards the country effecting it and shall take effect as from 1 January of the year commencing not less than six months after the date on which the notification is received by the Danish Government.

If the Agreement is denounced, any rights acquired by virtue of its provisions shall be retained.

*Article 16*

Upon the entry into force of this Agreement, the Convention of 20 July 1953<sup>1</sup> between Sweden, Denmark, Iceland and Norway respecting transfers of insured persons from one sick fund to another and respecting sickness benefit during temporary residence, and the Supplementary Agreement of 30 December 1954<sup>1</sup> to that Convention, shall cease to apply.

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<sup>1</sup> United Nations, *Treaty Series*, Vol. 227, p. 217.

The Agreement shall be deposited in the archives of the Danish Ministry of Foreign Affairs, and certified copies shall be delivered to the Government of each contracting country by the Danish Ministry of Foreign Affairs.

IN WITNESS WHEREOF the respective plenipotentiaries have signed this Agreement.

DONE at Copenhagen on 19 December 1956 in one copy, in the Swedish, Danish, Icelandic and Norwegian languages.

Carl BERGENSTRÅHLE

[L. s.]

H. C. HANSEN

[L. s.]

Sigurður NORDAL

[L. s.]

Paul KOHT

[L. s.]