

No. 6843

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**ROMANIA  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Convention (with Protocol) on co-operation in the field of  
social security. Signed at Bucharest, on 24 December  
1960**

*Official texts: Romanian and Russian.*

*Registered by Romania on 1 August 1963.*

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**ROUMANIE  
et  
UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES**

**Accord de coopération en matière de sécurité sociale  
(avec Protocole). Signé à Bucarest, le 24 décembre 1960**

*Textes officiels roumain et russe.*

*Enregistré par la Roumanie le 1<sup>er</sup> août 1963.*

## [TRANSLATION — TRADUCTION]

No. 6843. CONVENTION<sup>1</sup> BETWEEN THE ROMANIAN PEOPLE'S REPUBLIC AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON CO-OPERATION IN THE FIELD OF SOCIAL SECURITY. SIGNED AT BUCHAREST, ON 24 DECEMBER 1960

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The Presidium of the Grand National Assembly of the Romanian People's 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 the two States in the field of social security as in others, have decided to conclude this Convention and for this purpose have appointed as their plenipotentiaries :

The Presidium of the Grand National Assembly of the Romanian People's Republic : Dr. Octavian Berlogea, Deputy Minister for Health and Social Welfare of the Romanian People's Republic;

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics : Mr. G. E. Chebotarev, Acting Chargé d'Affaires of the USSR in the Romanian People's Republic;

Who, having exchanged their full powers, found in good and due form, have agreed as follows :

## PART I

## GENERAL PROVISIONS

*Article 1*

1. This Convention shall apply to all forms of social security for citizens provided or hereafter to be provided under the law of the Contracting Parties.

2. "Social security" shall be understood to mean all types of benefits (in cash and in kind) awarded to citizens in respect of old age, sickness, maternity and invalidity, as well as in connexion with the loss of a breadwinner and in other contingencies covered by the law of the Contracting Parties.

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<sup>1</sup> Came into force on 1 August 1961, the first day of the month following the exchange of the instruments of ratification, which took place at Moscow on 27 July 1961, in accordance with the provisions of article 18 (1).

*Article 2*

Citizens of one Contracting Party and members of their families permanently resident in the territory of the other Contracting Party shall in all respects enjoy equality of treatment with citizens of the latter Contracting Party in all matters pertaining to social security and labour relations.

## PART II

## ADMINISTRATION OF SOCIAL SECURITY

*Article 3*

1. Save as otherwise provided in this Convention, the administration of social security shall be governed by the law of the Contracting Party in whose territory the citizen concerned resides.
2. Save as otherwise provided in this Convention, social security shall be provided by the competent authorities of the Contracting Party in whose territory he citizen applying for social security resides.

*Article 4*

1. In the award of pensions and benefits, full credit shall be given for periods of employment and periods of activity equivalent thereto, including any periods entitling a person to the award of a pension on preferential terms and in preferential amounts, completed in the territory of either Contracting Party and certified by the competent authorities of the Contracting Party in whose territory the periods were completed.
2. Employment periods completed in the territory of each Contracting Party shall be calculated in accordance with the law of the Contracting Party in whose territory the work or equivalent activity was performed.

*Article 5*

1. Pensions shall be awarded and paid by the competent authorities of the Contracting Party in whose territory the citizens entitled to pension are permanently resident at the time they apply for pension, and in accordance with the law of that Contracting Party.
2. If a pensioner leaves the territory of one Contracting Party to settle in the territory of the other Contracting Party, the social security authority which has been paying the pension shall discontinue payment thereof as from the end of the month of the pensioner's resettlement. The competent authorities of the Contract-

ting Party in whose territory the pensioner has settled shall thereafter provide him with a pension in accordance with the law of their State, as from the first day of the month following that of the resettlement. In such a case, entitlement to pension shall not be reviewed if the law of that Contracting Party provides for the same type of pension.

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 resume payment of the pension as from the first day of the month following his return.

4. In the case of citizens who left the territory of one Contracting Party and settled in the territory of the other Contracting Party and thereafter had gainful employment, the amount of their pension and benefits shall be calculated on the basis of the average wage rate (average monthly earnings) in accordance with the law of the Contracting Party in whose territory they have settled.

In the case of citizens who left the territory of one Contracting Party and settled in the territory of the other Contracting Party and thereafter were not employed, the amount of their pension and benefits shall be calculated on the basis of the average wage rate (average monthly earnings) of an employed person of similar qualifications and occupation, at the time the pension or benefits are awarded, in the country in which the entitled person has settled.

#### *Article 6*

1. Temporary disability benefits, benefits for the maintenance and education of children, maternity benefits, allowances payable on the birth of a child, and other benefits shall be awarded and paid, by the competent authorities of the Contracting Party in whose territory the citizen concerned is permanently resident, in accordance with the law of that Contracting Party.

2. If a citizen 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 as from the day of his departure. In such a case, the competent authorities of the Contracting Party in whose territory he has settled shall award him a benefit in accordance with the law of their State, as from the day on which payment of the benefit ceases.

#### *Article 7*

Citizens of one Contracting Party permanently resident in the territory of the other Contracting Party shall be provided by the competent authorities of the latter Party with such assistance and social security as they may require to the same extent and under the same conditions as in the case of that Party's own citizens.

*Article 8*

1. Citizens of one Contracting Party who are in the territory of the other Contracting Party shall be given medical assistance under the same conditions as the latter's own citizens.
2. The conditions for sending citizens of one Contracting Party to medical institutions of the other Contracting Party for treatment shall be regulated by special agreements.

*Article 9*

All expenditure connected with the provision of social security under this Convention shall be borne by the Contracting Party providing the benefits, and there shall be no accounting between the Contracting Parties in respect thereof.

*Article 10*

1. Employees of diplomatic, consular and commercial missions and other agencies of one State established in the territory of the other State shall be granted social security under the law and by the competent authorities of the sending State if they are citizens thereof. The same rule shall apply in respect of the social security of manual and non-manual workers in the service of employees of such agencies if the said workers are citizens of the sending State.

Employees of undertakings of one State who are sent to work in the territory of the other State shall be granted social security under the law and by the competent authorities of the State in whose territory the administrative organs of these undertakings are situated.

2. Medical assistance to the persons referred to in paragraph 1 of this article shall be governed by the provisions of article 8 above.
3. Special pensions awarded for distinguished service shall be paid by the Contracting Party which awarded them.

*Article 11*

Applications and other documents submitted to competent authorities or agencies of one of the Contracting Parties within the legal time-limit shall be deemed to have been submitted in good time to the competent authorities or agencies of the other Contracting Party.

In such cases, the documents shall be transmitted without delay to the competent authority of the other Contracting Party.

## PART III

## CO-OPERATION BETWEEN SOCIAL SECURITY AUTHORITIES

*Article 12*

1. The Contracting Parties shall co-operate in all matters pertaining to the administration of social security.

For this purpose, the central agencies and authorities of the Contracting Parties which are competent to administer social security shall exchange experience by :

- (a) Exchanging specialized literature and periodicals;
- (b) Exchanging publications dealing with labour legislation;
- (c) Publishing material on progress and achievements in the field of social security by the other Contracting Party;
- (d) Arranging for exchange visits by experts in the field of social security;
- (e) Exchanging information on results achieved in scientific research work.

2. The competent central agencies and authorities of the Contracting Parties shall keep each other informed of existing legislation on social security questions and subsequent changes therein.

*Article 13*

1. In the administration of social security, the competent authorities and agencies of one Contracting Party shall afford free legal assistance to the authorities and agencies of the other Contracting Party to the same extent as in the administration of social security in their own State.

These authorities shall provide each other with any necessary information concerning facts of material importance for the award of pensions or benefits to citizens and shall take the requisite measures to establish such facts.

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

3. Documents and records required for the award of pensions or benefits under this Convention shall be made available upon request to the competent social security authorities of the other Contracting Party.

*Article 14*

Consuls of one Contracting Party shall be entitled, either personally or through the intermediary of other persons empowered for the purpose, to represent citizens of their State in social security matters before the social security authorities, courts and other agencies of the other Contracting Party.

*Article 15*

1. For the purposes of the application of this Convention, the social security authorities of the Contracting Parties shall communicate with each other through their central authorities, the names of which shall be exchanged by the Contracting Parties upon the entry into force of the Convention.

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

*Article 16*

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

## PART IV

## FINAL PROVISIONS

*Article 17*

1. In awarding pensions and benefits under this Convention, the competent authorities shall take account of periods of employment completed in both States before the entry into force of the Convention.

2. The provisions of article 5 of this Convention shall also apply to cases in which entitlement to pension was acquired before the entry into force of the Convention. However, the award and payment of pensions shall be in accordance with the law of the Contracting Party in whose territory the applicant resides.

3. Pensions which were awarded by the competent authorities of one Contracting Party before the entry into force of this Convention and which were remitted to the territory of the other State shall continue and shall be paid by the competent authorities of the Contracting Party in whose territory the pensioner resides.

*Article 18*

1. This Convention shall be subject to ratification and shall enter into force on the first day of the month following the exchange of the instruments of ratification, which shall take place at Moscow.

2. This Convention has been concluded for a term of five years. It shall be extended for successive five-year terms unless one of the Contracting Parties denounces it at least six months before the expiry of its current term.

3. If this Convention is denounced, pensions awarded and paid on the basis of the Convention shall be treated as pensions awarded under the law of the Contracting Party in whose territory the pensioner resides.

Rights acquired under the provisions of this Convention shall not be extinguished if it is denounced.

This Convention has been drawn up at Bucharest on 24 December 1960, in duplicate in the Romanian and Russian languages, both texts being equally authentic.

For the Presidium  
of the Grand National Assembly  
of the Romanian People's Republic :  
Octavian BERLOGEA

For the Presidium  
of the Supreme Soviet of the Union  
of Soviet Socialist Republics :  
G. E. CHEBOTAREV

PROTOCOL TO THE CONVENTION BETWEEN THE ROMANIAN PEOPLE'S REPUBLIC AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON CO-OPERATION IN THE FIELD OF SOCIAL SECURITY.<sup>1</sup> SIGNED AT BUCHAREST, ON 24 DECEMBER 1960

On signing this Convention,<sup>1</sup> the Contracting Parties have agreed on the following :

## I

Ad *article 1*

The provisions of the Convention shall also apply to all forms of social security afforded under the law of the Parties to persons who fought against fascism and to persons who have served in the armed forces of the Romanian People's Republic or the Union of Soviet Socialist Republics.

<sup>1</sup> See p. 262 of this volume.

## II

*Ad articles 5 and 6*

A person leaves the territory of one Contracting Party to settle in the territory of the other Contracting Party within the meaning of articles 5 and 6 when he settles in the territory of the other Contracting Party with the consent of the competent authorities of the two Contracting Parties. In cases where the resettlement took place before the entry into force of this Convention, it shall be assumed, in the absence of evidence to the contrary, that consent was granted.

## III

*Ad Article 17, paragraph 3*

1. Within a period of one month following the entry into force of the Convention each Contracting Party shall communicate to the other a list of the pensioners who, prior to the entry into force of the Convention, were in receipt of pensions awarded by its competent social security authorities and remitted to the territory of the other Contracting Party. The competent social security authorities of one Contracting Party which remit pensions to citizens residing in the territory of the other Contracting Party shall cease to do so at the end of the third calendar month after the exchange of the lists of pensioners. The competent social security authorities of the Contracting Party in whose territory the said citizens reside shall, as from the fourth calendar month 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 would be awarded under Article 5 of the Convention. However, the amount of the pension may not be greater than the maximum or smaller than the minimum amount provided for the same type of pension by the law of the country in which the pensioner resides.

2. The provisions of article 9 of the Convention whereby there is no accounting between the Parties in respect of expenditure connected with social security, shall also apply in the cases specified in paragraph 1 above.

This Protocol is an integral part of the Convention between the Romanian People's Republic and the Union of Soviet Socialist Republics on co-operation in the field of social security.

DONE at Bucharest on 24 December 1960, in duplicate in the Romanian and Russian languages, both texts being equally authentic.

For the Presidium  
of the Grand National Assembly  
of the Romanian People's Republic :  
Octavian BERLOGEA

For the Presidium  
of the Supreme Soviet of the Union  
of Soviet Socialist Republics :  
G. E. CHEBOTAREV