

No. 11778

**UNITED STATES OF AMERICA
and
POLAND**

**Exchange of notes constituting an agreement for United States
Government participation in the Polish social insurance
system. Warsaw, 15 June and 30 September 1971**

Authentic texts: English and Polish.

Registered by the United States of America on 24 April 1972.

**ÉTATS-UNIS D'AMÉRIQUE
et
POLOGNE**

**Échange de notes constituant un accord sur la participation du
Gouvernement des États-Unis au régime polonais d'as-
surances sociales. Varsovie, 15 juin et 30 septembre 1971**

Textes authentiques: anglais et polonais.

Enregistré par les États-Unis d'Amérique le 24 avril 1972.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
POLAND FOR UNITED STATES GOVERNMENT PARTI-
CIPATION IN THE POLISH SOCIAL INSURANCE SYSTEM

I

The American Embassy to the Polish Ministry of Foreign Affairs

No. 43

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to refer to the Ministry's Aide Memoire of December 6, 1966, and the Embassy's Aide Memoire of February 11, 1969* on the subject of United States Government participation in the Polish social insurance system for Polish national employees of the United States Government in Poland.

The United States Government, with respect to its eligible employees, is prepared to agree to participate voluntarily in the Polish social insurance system for all social benefits for its Polish national employees under the following conditions:

1. From the effective date of this Agreement, all Polish national employees of the United States Government in Poland who, prior to entry of this agreement into force, are not covered under the U.S. Civil Service Retirement System and all Polish nationals hired after that date by the United States Government shall be enrolled into the Polish social security system for all of the social benefits enjoyed by other nationals of Poland under Polish law.

2. As a result of this Agreement, the United States Government, with respect to the provisions of applicable Polish social insurance law as they relate to eligible employees:

- (a) shall pay contributions, as appropriate, as an employer for all benefits under Polish law for employees mentioned under Paragraph 1 of this Agreement;
- (b) shall withhold contributions, as appropriate, from the salaries of employees mentioned under Paragraph 1 of this Agreement;
- (c) shall remit to officials of the Polish Social Insurance Organization said contributions;

* Not printed.

¹ Came into force on 30 September 1971, the date of the note in reply, in accordance with the provisions of the said notes.

- (d) shall make returns on forms provided by the Polish Social Insurance Organization for eligible employees; and
- (e) shall provide self-audit and self-inspection of its accounts and financial records in lieu of audit and inspection required by any Polish law for private employers.

3. From the effective date of this Agreement, all Polish national employees of the United States Government in Poland who are covered by the United States Civil Service Retirement System shall be entitled to medical benefits, including medical benefits after their retirement, commensurate with those enjoyed by other nationals of Poland under Polish law. Entitlement to medical benefits for employees described above will be contingent upon payment of the legally established employee contribution directly to the retirement fund.

4. The appropriate officials of the Polish Social Insurance Organization and the United States Government shall jointly conclude administrative arrangements regulatory in nature for the future implementation of this Agreement. Amendments, modifications, additions and deletions of provisions in such administrative arrangements may be made by mutual consent throughout the currency of this Agreement.

5. Nothing in this Agreement is to be construed as a waiver of the sovereign immunity of the United States Government or as a modification of the privileges and immunities derived from generally accepted principles of international law and practice and from the treaties and agreements in force between our respective governments. Nor shall this Agreement subject the United States, its departments or establishments or its officers or employees who are not Polish nationals to any judicial or administrative action, whether civil or penal in nature, provided by the legislation governing the social insurance system of Poland or any other law.

6. Either party may terminate this Agreement on the thirty-first (31st) day of December of any year by giving notice in writing to the other party on or before the thirtieth (30th) day of the preceding June.

The Embassy proposes that, if these conditions are acceptable to the Ministry, this note and the Ministry's reply concurring therein shall constitute an Agreement between our two governments and shall enter into force on the date of the Ministry's note.

The Embassy of the United States of America avails itself of this opportunity to renew the Ministry of Foreign Affairs the assurances of its highest considerations.

Embassy of the United States of America

Warsaw, June 15, 1971

II

[POLISH TEXT — TEXTE POLONAIS]

Nr PD 101-13-71-SZ

Ministerswo Spraw Zagranicznych Polskiej Rzeczypospolitej Ludowej przesyła wyrazy szacunku Ambasadzie Stanów Zjednoczonych Ameryki i w związku z notą Ambasady Nr 43 z dnia 15 czerwca 1971 r. ma zaszczyt potwierdzić, że udział Rządu Stanów Zjednoczonych Ameryki w polskim systemie ubezpieczeń społecznych na warunkach określonych w wymienionej nocie został uzgodniony między oboma naszymi rządami.

Ministerstwo Spraw Zagranicznych Polskiej Rzeczypospolitej Ludowej korzysta z okazji, by ponowić Ambasadzie Stanów Zjednoczonych Ameryki wyrazy wysokiego poważania.

Warszawa, dnia 30 września 1971 roku

Ambasada Stanów Zjednoczonych Ameryki
w miejscu

[TRANSLATION¹ — TRADUCTION²]

No. PD 101-13-71-SZ

The Ministry of Foreign Affairs of the Polish People's Republic presents its compliments to the Embassy of the United States of America and, in reference to Embassy's Note No. 43 of June 15, 1971, has the honor to confirm that an agreement has been reached between our two governments on participation of the Government of the United States of America in the Polish social insurance system under the conditions defined in the above mentioned note.

The Ministry of Foreign Affairs of the Polish People's Republic avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its high consideration.

Warsaw, September 30, 1971

Embassy of the United States
of America
Warsaw

¹ Translation supplied by the Government of the United States of America.

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.