

No. 13284

**BRAZIL
and
ITALY**

**Agreement on migration. Signed at Rome on 9 December
1960**

**Administrative Agreement concerning the application of
articles 37 to 43 of the above-mentioned Agreement.
Signed at Brasília on 19 March 1973**

Authentic texts: Portuguese and Italian.

Registered by Brazil on 8 May 1974.

**BRESIL
et
ITALIE**

**Accord relatif à l'émigration. Signé à Rome le 9 décembre
1960**

**Accord administratif concernant l'application des articles 37
à 43 de l'Accord susmentionné. Signé à Brasília le
19 mars 1973**

Textes authentiques : portugais et italien.

Enregistrés par le Brésil le 8 mai 1974.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON MIGRATION BETWEEN THE REPUBLIC OF
THE UNITED STATES OF BRAZIL AND THE ITALIAN
REPUBLIC

The President of the Republic of the United States of Brazil and the President of the Italian Republic,

Convinced of the need to regulate co-operation between the two countries in the matter of migration and to organize and assist migration in a manner compatible with their respective interests,

Aware that the application of an objective and appropriate policy, based on the spirit of international co-operation and having as its aim the economic development of Brazil through the utilization of Italian technology and manpower, will serve to strengthen the ties of traditional friendship uniting them,

Have decided to conclude an agreement on migration and have for this purpose appointed as their plenipotentiaries:

The President of the Republic of the United States of Brazil:

His Excellency Mr. Horácio Láfer, Minister of State for External Relations;

The President of the Italian Republic:

His Excellency Mr. Ferdinando Storch, Under-Secretary for Foreign Affairs;

Who have agreed as follows:

PURPOSES

Article 1. The purpose of this Agreement is to direct, assist and organize the flow of Italian migrants to Brazil through the joint efforts of both High Contracting Parties, so that migration and settlement problems affecting the two countries may be solved in a practical, speedy and efficacious manner, bearing in mind the desirability of preserving the unity of the family.

Article 2. Italian migration to Brazil may be either assisted or spontaneous, and both forms shall enjoy the full support and protection of the High Contracting Parties.

The latter may avail themselves of the co-operation and assistance of the Intergovernmental Committee for European Migration or of other international bodies within the framework of programmes agreed upon beforehand.

SPONTANEOUS MIGRATION

Article 3. Spontaneous migration is that undertaken on the initiative and at the expense of the migrants whether singly or collectively as a family or group of families.

¹ Came into force on 26 February 1965 by the exchange of the instruments of ratification, which took place at Rio de Janeiro, in accordance with article 51.

Article 4. The Governments of the High Contracting Parties may, through an exchange of notes, increase and facilitate the spontaneous migration of Italians to Brazil, undertaking, for that purpose, to furnish all information necessary for their guidance and to promote all measures which may be to their advantage.

ASSISTED MIGRATION

Article 5. Assisted migration shall take place according to programmes drawn up by agreement between and with the assistance of the High Contracting Parties.

Article 6. The assisted migration of Italians to Brazil shall include the following categories:

- (a) Technicians, craftsmen and specialized, skilled and semi-skilled workers, subject to the requirements of the Brazilian labour market and of the relevant Brazilian legislation;
- (b) Industrial or technical production units or enterprises likely to advance the economic development of Brazil, as determined beforehand by the competent Brazilian authorities;
- (c) Farmers, technicians specializing in rural industries and related activities, agricultural workers, farm labourers, cattle-breeders and peasants in general who migrate with the intention of settling forthwith, whether as farm owners or not;
- (d) Associations or co-operatives of farmers, farm labourers or agricultural workers who emigrate collectively with the intention of settling, as farm owners or otherwise, on estates or farming enterprises or in settlement units already existing or to be established in Brazil;
- (e) Members of migrants' families who accompany them under the system of assisted migration or are sent for by nationals who have migrated to and are domiciled in Brazil.

Article 7. Italian migrants who settle in Brazil under the system of assisted migration shall enjoy all facilities provided for in this Agreement or subsequently granted by special agreement concluded by an exchange of notes between the two Governments.

Article 8. The Italian Government shall, pursuant to existing legislation on the subject and without exchange control restrictions, authorize the duty-free export of the following goods belonging to migrants intending to settle in Brazil:

- (a) Working tools and small machines used by craftsmen and skilled workers;
- (b) One bicycle, motor cycle or motor scooter; one used sewing-machine and one used manual knitting machine;
- (c) Agricultural equipment, implements and machinery, including, in the case of farmers, agricultural workers or technicians specializing in rural industries, tractors and machinery for the processing of agricultural and animal products;
- (d) Selected breeding stock or seed and plant varieties which are of scientific or economic value.

Article 9. The Brazilian Government shall exempt the goods mentioned in the preceding article from prior licensing, import duties, consumption taxes, customs fees and any other charges applicable to goods entering the country.

Sole paragraph. Goods exempted under this article shall not be sold within two years of the date of their entry into Brazil. If the migrant is obliged to leave the country before the two years have expired, he shall be entitled to take his goods back with him.

Article 10. The concessions mentioned in articles 8 and 9 above shall be restricted to items associated with the qualifications of the migrant, and the quantity of such items shall be commensurate with his economic circumstances and sufficient to enable him to begin work in Brazil.

RECRUITMENT AND SELECTION

Article 11. The competent Italian authorities shall carry out the recruitment and preliminary selection of assisted migrants on the basis of the data and requests of the Brazilian Government and shall prepare lists containing the names of candidates and all information required for the process of final selection.

The Brazilian authorities shall furnish detailed up-to-date information on the general living conditions, social environment and working conditions prevailing in Brazil for the occupational categories being sought.

The Italian authorities shall ensure satisfactory dissemination of such information so that prospective migrants may be fully informed.

Article 12. The Brazilian authorities shall make the final selection of assisted migrants from among those candidates who have been recruited and pre-selected in accordance with article 11 and who satisfy the requirements of the Brazilian legislation in force.

1. The Brazilian Government shall maintain a Technical Selection Service in Italy for the purposes of this article.

2. The costs of the operation and activities of this Service shall be borne by the Brazilian Government.

3. The Italian Government shall give the Service in question every assistance in the performance of its functions, and shall also facilitate the holding of any practical tests necessary to check the occupational qualifications of migrants.

4. The details of the selection operations shall be established in advance by the Brazilian Technical Service and the Italian Ministry of Labour and Social Insurance, taking into account the characteristics and requirements of the categories to be selected.

Article 13. After the Brazilian consular authorities in Italy have verified that the legal requirements mentioned in the preceding article have been fulfilled, the migrant shall be granted without charge a visa and a permit to bring in the goods referred to in articles 8 and 9.

TRAVEL AND TRANSPORT

Article 14. The Italian Government shall, except in special cases, bear all the transport and subsistence expenses of prospective migrants during the preliminary selection and selection operations.

The Italian Government shall also bear the cost of transporting the emigrants and their baggage to the port of embarkation and the cost of transporting the goods listed in article 8 to that port.

Article 15. The two Governments shall request assistance from the Intergovernmental Committee for European Migration (ICEM) or other specific international bodies recognized by the two Governments for the transport to Brazil of the migrants and their goods.

If such assistance should be unobtainable, the High Contracting Parties shall establish by an exchange of notes the most suitable method and conditions for such transport.

RECEPTION, TRANSPORT TO DESTINATION AND PLACEMENT

Article 16. From the time of disembarkation of assisted migrants until their arrival at their final destination, the Brazilian Government shall be responsible for:

- I. their reception, lodging, feeding and medical attention;
- II. the clearance and storage of their goods;
- III. the issue of the required residence and work documents;
- IV. the transport to their destination of the migrants and their goods and the placement of migrants;
- V. the stabling of their livestock and veterinary services for them.

1. The ports and dates of disembarkation of the migrants and their goods shall be established by special agreement between the Brazilian and Italian authorities with a view to avoiding unnecessary delays and expenditure.

2. The inspection of the migrants and of their goods and livestock on entry into Brazilian territory shall be in conformity with the legislation governing the matter, subject, in the case of goods, to the provisions of article 9.

Article 17. The Brazilian Government shall grant facilities for the establishment and the activities of welfare associations composed of Brazilians and Italians residing in Brazil the purpose of which is to encourage and assist Italian migration.

The statutes and membership of such associations shall require the approval of the Brazilian authorities after consultation with the diplomatic mission of Italy. Such associations shall be empowered to make representations to the competent authorities of both Parties on all matters relating to the welfare of emigrants and respect for the rights guaranteed to them.

Article 18. Except in the cases provided for in article 19, paragraphs 1 and 2, the responsibility of the Brazilian Government in respect of the obligations specified in article 16 shall cease with the placement of a migrant and his goods at his final destination.

Article 19. A migrant's placement shall be deemed to be completed when he has been received at his destination and has begun to work in his occupation or, if appropriate, completed his probationary period.

1. A migrant who, although he has begun to work in his occupation, finds that the environment and working conditions are not those previously described to him, may apply to the competent Brazilian authorities for placement elsewhere.

2. Consideration may be given to other applications for a change of placement or for assistance to a migrant and his family within one year of his arrival.

SETTLEMENT AND ESTABLISHMENT

Article 20. The High Contracting Parties shall encourage the preparation of settlement plans and to that end shall adopt administrative, technical and financial measures to facilitate their implementation.

Article 21. The programmes for the preliminary and final selection of migrants who are to settle in settlement units shall be approved in advance by the competent Brazilian and Italian authorities. In addition to their economic, financial and technical aspects, these programmes shall provide information on general living and working conditions and, in particular, on the housing situation and the assistance and financing available to settlers.

Article 22. Settlement programmes shall be implemented in the areas of Brazilian territory best suited to the development of the country and the prosperity of the Italian settlers, in accordance with the general plan for the control of migration and settlement drawn up by the Brazilian Government.

Article 23. The High Contracting Parties shall consider as a settler any farmer, whether or not he is the owner of a farm, who, on the initiative of a public or private body, settles permanently in the rural zone and there engages in an occupation typical of the rural environment.

Article 24. For this purpose the rural zone comprises regions the population of which works predominantly in occupations typical of the rural environment.

Article 25. Settlement of the category (c) and category (d) migrants referred to in article 6 shall be subject to compliance with the provisions of article 22.

Article 26. Migrants who are intended to work in settlement schemes under the assisted migration system shall remain in the rural zone for at least three years on penalty of forfeiting the concessions granted under this Agreement to the category (c) and category (d) migrants referred to in article 6, except when prior authorization has been granted by the competent Brazilian authorities.

Article 27. When land is made available by a state government or municipal authority, its price shall be determined in conformity with the relevant legislation, and the Federal Government of Brazil shall be bound to use its good offices to secure the lowest price consonant with prevailing local valuations and to obtain satisfactory payment arrangements.

Article 28. The Brazilian Government shall endeavour, in conjunction with state governments and municipal authorities, to have Italian settlers exempted

during the first three years of their settlement on rural land from all taxes and charges levied or to be levied on their plots, on crops, on vehicles for the transport of crops and products thereof and on equipment for the processing and marketing of such products and from land tax on the transfer *inter vivos* or *mortis causa* of plots for which payment in full has been made.

Article 29. The competent Brazilian authorities shall be responsible for school, medical and social services.

Sole paragraph. In settlement units in which Italian settlers have been installed, organizations duly recognized by the High Contracting Parties may provide medical services and, in exceptional cases, primary school facilities, on condition that the teachers, who shall be of Brazilian nationality, are duly qualified as provided by law.

Article 30. The Brazilian Government shall reach agreement with the state governments concerning the construction, at their expense, of access roads to Italian settlement units and, if possible, of roads serving rural plots the boundaries of which have already been marked.¹

REPATRIATION

Article 31. The Italian authorities shall, pursuant to existing legislation on the matter, grant consular repatriation to migrants who are found to be entirely incapable of adapting themselves to the Brazilian environment and have no means of their own. In special cases, the opinion of the Joint Commission mentioned in article 45 shall be sought.

Sole paragraph. The Brazilian Government shall be responsible for the maintenance of such migrants in Brazil until the time of their departure, and the Italian Government shall be responsible for their transport.

FINANCING AND ASSISTANCE

Article 32. The High Contracting Parties shall make financing available to migrants, co-operatives and duly recognized organizations through credit institutions.

1. The grant of financing under this article shall be subject to the preparation in advance of a specific plan approved by the financing institution.

2. The Brazilian Government shall exempt from all fiscal charges the financial transfers made in pursuance of this article.

INSURANCE

Article 33. The High Contracting Parties recommend that special insurance be provided for each migrant which will guarantee that he will be paid compensation if, during the voyage, he should sustain an irreparable accident or be affected by any other fortuitous circumstance which renders him wholly or partially unable to work, and will ensure that his beneficiaries will be paid a sum of money in the event of his death.

¹ The last part of this sentence, starting with the word "serving", does not appear in the authentic Italian text.

Article 34. The High Contracting Parties shall recommend that settlement agencies insure their agricultural enterprises against the risks and losses arising from natural phenomena.

VOCATIONAL TRAINING AND RECOGNITION OF EDUCATIONAL CERTIFICATES

Article 35. The High Contracting Parties agree to promote the basic and supplementary vocational training of migrants through basic and advanced training courses.

Article 36. The High Contracting Parties undertake to review, by agreement, the possibility of adopting standards, methods and criteria for facilitating the reciprocal recognition of degrees, educational certificates and technical and vocational training diplomas issued in the two countries by the respective officially recognized educational bodies.

SOCIAL INSURANCE

Article 37. Nationals of each Contracting Party shall enjoy the benefits conferred by the social insurance legislation of the other on the same terms as nationals of the latter.

Article 38. Brazil and Italy agree, each within the limits of the benefits established for nationals by its legislation, to guarantee to migrant workers social insurance entitlements previously acquired in their country of origin, even when they have not completed in the host country the minimum waiting periods required for the granting of each type of social insurance benefit mentioned in articles 39 and 40.

1. If the migrant has not completed the waiting period in his country of origin, the period of prior contribution shall be taken into account for the purposes of the legislation in force in the host country.

2. The granting of the benefits mentioned in this article shall not be contingent upon the transfer of the individual reserves resulting from the contributions paid in the country of origin by migrant workers.

Article 39. The social insurance institutions of the country of origin shall grant sickness insurance benefits in kind for not more than 12 months to the beneficiaries of the migrant who remain in the country of origin, in accordance with the legislation of the host country and for its account.

Article 40. The benefits provided for in articles 38 and 39 shall be guaranteed as from the date on which the migrant worker begins work in an occupation covered by the social insurance institutions of the host country and shall apply solely to the risks of sickness, disability and death and to maternity and funeral allowances. In the interim, and in so far as disability and death are concerned, the relevant legislation shall apply in each country.

Article 41. If within a period of three years—considered as a period of adaptation in the host country—a migrant worker returns to his country of origin and resumes an activity covered by social insurance, the latter country shall guarantee him the rights deriving from earlier contributions made by him in that country.

Sole paragraph. This article shall not necessarily apply to more favourable provisions contained in the legislation in force in the country of origin.

Article 42. The temporary absence of a migrant or his beneficiaries from the host country shall not jeopardize the payment to them of cash benefits to which they are entitled. In the event of the migrant's death, such benefits shall also be granted to his beneficiaries, wherever they may be.

Article 43. The competent authorities of the two countries shall agree on the practical rules necessary for the implementation of the provisions of this Agreement relating to social insurance.

TRANSFER OF FUNDS

Article 44. Workers who have emigrated to Brazil shall be guaranteed the right and opportunity to transfer their savings to Italy for the benefit of their families or dependants, on the most favourable conditions provided for in the Brazilian exchange legislation in force, for the maintenance of the family and similar categories of persons, or as may be provided in payments agreements between Brazil and Italy.

JOINT COMMISSION

Article 45. With a view to the practical and efficient fulfilment of the purposes of this Agreement, a Joint Commission shall be established and shall be composed of six representatives, three being appointed by the Brazilian Government and three by the Italian Government.

1. One of the Brazilian representatives on the Joint Commission shall be nominated by the Ministry of External Relations, one by the National Institute of Immigration and Settlement (INIC) and one by the Advisory Council of that Institute.

2. The Italian representatives shall be appointed by the Ministry of Foreign Affairs, with the agreement of the Ministry of Labour and Social Insurance.

3. If so deemed appropriate, each High Contracting Party may appoint one of its representatives as Chief Representative.

4. In addition to the aforementioned representatives, not more than three technical advisers may also be appointed for each delegation.

Article 46. The Joint Commission shall have its headquarters in the federal capital of Brazil and may meet anywhere in Brazilian or Italian territory, as may be required for the purposes of this Agreement.

Article 47. In addition to the regular meetings of the Joint Commission, special meetings may be convened at the request of either of the delegations.

Article 48. The Joint Commission shall at all times act in co-ordination with the competent authorities of the two Governments in both countries and shall have the following principal functions:

(a) To propose to the competent bodies of the two Governments such policy directives, recommendations and administrative measures relating to migra-

tion, settlement and social insurance as may be necessary for the satisfactory implementation of this Agreement, and, in particular, of the programmes provided for in article 5;

- (b) To suggest to the Brazilian Government the adoption of the necessary measures for instituting the services provided for in article 29 and to ascertain, for the purposes of the sole paragraph of that article, whether the organizations are in a position to provide them;
- (c) To give an opinion, when consulted, on the repatriation of migrants, in conformity with the provisions of article 31;
- (d) To recommend to the competent authorities of the two countries, in the matter of social insurance, any revision and updating of the provisions of articles 37, 38, 39, 40, 41, 42 and 43;
- (e) To resolve doubts, take decisions regarding omissions and settle disputes arising out of the application of this Agreement;
- (f) To draw up rules for the operation of the Commission;
- (g) To deal with any other matters referred to it by the two Governments.

Article 49. When the Joint Commission is unable to come to a satisfactory decision on any matter submitted to it, it shall refer the issue to the respective Governments.

REVISION

Article 50. The High Contracting Parties, acting on their own initiative or that of the Joint Commission, shall periodically consult each other in order to bring up to date and improve this Agreement or any special arrangements concluded by virtue thereof.

PERIOD OF VALIDITY AND DENUNCIATION

Article 51. This Agreement shall be ratified as soon as the required legal formalities of each of the High Contracting Parties have been complied with.

It shall enter into force on the date of the exchange of the instruments of ratification and shall remain in force unless it is denounced by either Contracting Party with six months' prior notice.

The exchange of instruments of ratification shall take place in the capital of Brazil as soon as possible.

Sole paragraph. Denunciation shall in no way affect any measures taken earlier, any projects already being carried out or any commitments properly entered into before the date of the notice of denunciation, and such measures, projects and commitments shall remain in being automatically, unless denounced by the High Contracting Parties.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed this Agreement and have thereto affixed their seals.

DONE at Rome in duplicate, in the Portuguese and Italian languages, both texts being equally authentic, on the ninth of December one thousand nine hundred and sixty.

For the Government
of the Italian Republic:

FERDINANDO STORCHI

For the Government
of the Republic
of the United States of Brazil:

HORÁCIO LÁFER

[TRANSLATION — TRADUCTION]

ADMINISTRATIVE AGREEMENT¹ CONCERNING THE APPLICATION OF ARTICLES 37 TO 43 OF THE AGREEMENT ON MIGRATION BETWEEN THE FEDERATIVE REPUBLIC OF BRAZIL AND THE ITALIAN REPUBLIC, OF 9 DECEMBER 1960²

In pursuance of article 43 of the Agreement on migration between the Federative Republic of Brazil and the Italian Republic of 9 December 1960,² the two Contracting Governments have agreed to the following provisions:

Article 1. The competent authorities for the implementation of this Agreement are:

For the Federative Republic of Brazil:

The Ministry of Labour and Social Insurance;

For the Italian Republic:

The Ministry of Labour and Social Insurance.

Article 2. 1. This Agreement shall be implemented, in accordance with the following provisions, by:

(a) In Italy, in addition to the social insurance agencies competent for specific categories of workers:

—The National Social Insurance Institute (INPS), with respect to disability insurance, benefits payable to dependants and insurance against tuberculosis;

—The National Sickness Insurance Institute (INAM), with respect to sickness insurance and the physical and economic welfare of working mothers;

(b) In Brazil:

—The National Social Insurance Institute (INPS).

2. In order to facilitate the implementation of the provisions of the Agreement relating to social insurance, the following liaison agencies are instituted:

In Brazil:

—The National Social Insurance Institute (INPS);

In Italy:

—The National Social Insurance Institute (INPS), with respect to sickness and survivors' insurance and insurance against tuberculosis;

¹ Came into force on 19 March 1973 by signature, with retroactive effect from 26 February 1965, the date of entry into force of the Agreement on migration of 9 December 1960, in accordance with article 11.

² See p. 22 of this volume.

—The National Sickness Insurance Institute (INAM), with respect to sickness insurance and the physical and economic welfare of working mothers.

Article 3. 1. For the purpose of granting the sickness, disability and death (pension) benefits and maternity and funeral benefits established for insured workers and their dependants, the host country shall take into account, if necessary, insurance periods completed in the country of origin. In this event, if the legislation of the host country provides that benefits are to be computed on the basis of total wages or contributions or on the basis of an average wage or contribution, the wages and contributions to be taken into account by the competent social security agency in the said country in relation to insurance periods completed under the legislation of the country of origin shall be established on the basis of the average of wages received or contributions due for the insurance periods completed under the legislation of the host country.

2. If prior to migrating the migrant worker was entitled under the legislation of the country of origin to sickness and maternity benefits and to the funeral allowance in favour of dependants, he may claim such entitlement from the social insurance agency of the host country until such time as he acquires entitlement to those same benefits under the legislation of that country, taking into account the aggregation of insurance periods provided for in paragraph 1 of this article.

In the cases provided for in paragraph 2 of this article the benefits shall be paid in accordance with the procedures and within the limits of the maximum periods laid down by the legislation of the host country.

3. Disability and death benefits shall be granted and paid to migrant workers or their eligible dependants by the competent social insurance agency of each of the contracting countries in accordance with the provisions of its national legislation, taking into account, if necessary, the provisions of paragraph 1 of this article.

4. The competent agencies of each contracting country shall be responsible for the additional obligation resulting from the ratio established between the total period considered for the computation of the benefit and the period of insurance completed under the auspices of its legislation alone.

Article 4. 1. Dependants of a migrant worker who reside in the country of origin shall be entitled to medical treatment benefits at the expense of the social insurance agency of the host country for a period of not more than 12 months from the date on which the migrant worker starts work in an occupation covered by the social insurance regulations of the host country. Such benefits shall be furnished by the social insurance agency of the country of origin in accordance with the procedures laid down by it for its own insured workers.

2. For the purposes of this article the dependants of a migrant shall be considered to be those entitled to treatment under the social insurance legislation of the host country.

3. For the purposes of the recognition of this right, the liaison agency of the host country shall transmit without delay to the liaison agency of the place of residence of the dependants a special certificate specifying the date on which

entitlement to benefits began, the names of eligible dependants and their place of residence in the country of origin.

4. The reimbursement of expenditure for medical treatment benefits furnished to the dependants of a migrant who are resident in the country of origin shall be based on a fixed monthly amount *per capita* to be computed, according to the procedures in force on the basis of actual or estimated claims and of the costs prevailing in each country.

5. Through the respective liaison agencies, a social insurance agency which has furnished medical treatment benefits to the dependants of migrants in the country of origin shall, at the end of each financial year, transmit to the competent social insurance agency in the host country a statement of account with respect to those benefits showing the amount to be reimbursed.

6. The amount due according to such document shall be payable by the social insurance agency to which the migrant is affiliated in the host country and the relevant payment shall be made on the basis of the rate of exchange prevailing on the date of payment.

Article 5. A migrant worker shall be entitled to the benefits referred to in paragraphs 1 and 2 of article 3 of this Agreement as from the date on which he starts work in the host country in an occupation covered by the social insurance regulations of that country.

Article 6. In the event of the application of the provision referred to in article 41 of the Agreement on migration, if a migrant worker returns to his country of origin within three years of the date of migration and there resumes work in an occupation subject to the social insurance legislation, the period spent in the host country shall be considered neutral for the purposes of granting the benefits provided under the legislation of the country of origin.

Article 7. 1. Before leaving the country of origin migrants shall obtain from the liaison agency a certificate stating the insurance periods completed in that country and the entitlements already acquired to the benefits referred to in paragraphs 1 and 2 of article 3 of this Agreement.

2. The validity in the host country of certificates furnished by the liaison agency of the country of origin shall not be subject to legalization of signature or any consular formality.

3. Should a migrant or one of his dependants need the benefits in question before the expiry of the waiting period laid down by the legislation of the host country, he shall be required to submit the certificate to the social insurance agency with which he is affiliated.

Should a migrant or one of his dependants be unable to submit the certificate, the said agency shall request the certificate in question from the competent social insurance agency of the country of origin through the respective liaison agencies.

4. For the purpose of computing the benefits for which the social insurance agency of the host country is liable, in the event of the circumstances referred to in paragraph 2 of article 3 of this Agreement, the amount of the wages or contributions applicable by virtue of the legislation of the country of origin shall be converted into the national currency of the host country on the basis of the

official rate of exchange prevailing on the date on which the migrant worker applies for benefits.

Should the amount resulting from the currency conversion exceed the maximum limit laid down in the legislation of the host country for its own citizens, the amount of the benefit shall be equal to that maximum limit.

Article 8. When the waiting period laid down by the legislation of the host country for each of the benefits referred to in paragraphs 1 and 2 of article 3 of this Agreement has been completed, migrant workers shall receive the same treatment as is given to citizens of that country.

Article 9. 1. Payment of cash benefits shall not be suspended should the migrant or his eligible dependants leave the host country after the benefits have been awarded, the provisions of paragraph 2 being applied in cases in which payment is subject to medical examination to verify the continuation of the illness which caused the incapacity for work.

2. The continuation of the illness or disability which caused the incapacity for work shall be verified, if necessary, at the expense of the social insurance agency of the country of origin competent for that purpose. In such event expenditure arising out of forensic examinations or opinions shall be advanced by the agency responsible for them and reimbursed to it by the agency for whose account the examinations and opinions were commissioned.

The competent authorities may agree on special arrangements for compensation for additional financial burdens arising out of the application of this paragraph.

3. In the event of a migrant's return to his country of origin, the benefits to him and his dependants shall be paid directly to the beneficiary at his home by the social insurance agency of the country of origin, which shall, in conformity with the notification received from the liaison agency of the host country, take steps to transmit to the latter agency at the end of each financial year a statement of account relating to the benefit granted, the amount due being reimbursed on the basis of the official exchange rate in force on the date of payment.

Article 10. The certificates and documents mentioned in this Agreement shall be issued by the liaison agencies referred to in article 2, paragraph 2.

Article 11. This Administrative Agreement shall enter into force as from the date of signature, with effect from 26 February 1965, the date of the entry into force of the Agreement on migration, and shall have the same duration as the latter Agreement.

DONE at Brasília on 19 March 1973, in quadruplicate, two copies in Italian and two in Portuguese, all copies being equally authentic.

For the Government
of the Federative Republic
of Brazil:

JÚLIO DE CARVALHO BARATA

For the Government
of the Italian Republic:

DIONIGI COPPO