

No. 14148

**BRAZIL
and
PARAGUAY**

Administrative Agreement regulating the provision of medical services to the workers engaged by ITAIPU, its building contractors and subcontractors and its services contractors and subcontractors. Signed at Brasília on 8 January 1975

Authentic texts: Portuguese and Spanish.

Registered by Brazil on 8 August 1975.

**BRÉSIL
et
PARAGUAY**

Accord administratif portant réglementation de la prestation de soins médicaux aux travailleurs engagés par l'ITAIPU et par ses entrepreneurs et sous-traitants de travaux et loueurs et sous-loueurs de services. Signé à Brasília le 8 janvier 1975

Textes authentiques : portugais et espagnol.

Enregistré par le Brésil le 8 août 1975.

[TRANSLATION — TRADUCTION]

ADMINISTRATIVE AGREEMENT¹ REGULATING THE PROVISION OF MEDICAL SERVICES TO THE WORKERS ENGAGED BY ITAIPU, ITS BUILDING CONTRACTORS AND SUBCONTRACTORS AND ITS SERVICES CONTRACTORS AND SUBCONTRACTORS

The Government of the Federative Republic of Brazil and
The Government of the Republic of Paraguay,

Considering the provisions of article 11 of the Protocol on labour relations and social security² for workers engaged by ITAIPU and those of article 9 of the Additional Protocol concerning employment relations and social security in connexion with the work contracts of workers engaged by contractors and subcontractors and employers and subemployers,³

Have resolved to conclude this Administrative Agreement and have agreed as follows:

Article 1. This Agreement shall apply:

- I. In Brazil, to the rights and obligations provided for in the general social insurance scheme with respect to the benefits referred to in article 2 of this Agreement.
- II. In Paraguay, to the rights and obligations provided for in the legislation governing the Institute of Social Insurance with respect to the benefits referred to in article 2 of this Agreement.

Article 2. The medical, surgical, odontological, pharmaceutical, hospitalization, maternity and occupational accident units of the social insurance institutions of the Federative Republic of Brazil and the Republic of Paraguay shall treat workers and in emergencies their dependants, employed by the binational agency ITAIPU, its building contractors and subcontractors and its services contractors and subcontractors, regardless of where the respective employment contracts were concluded.

The social insurance institutions referred to in this article shall take all necessary measures to provide the above-mentioned services satisfactorily in the ITAIPU area or its vicinity.

Article 3. The scope and form of the services referred to in article 2 provided by the social insurance institution of either High Contracting Party shall be determined in accordance with the social insurance legislation of the country in which the services are provided.

Article 4. In order to facilitate the application of this Agreement, the competent social insurance authorities of the High Contracting Parties shall appoint as

¹ Came into force on 8 January 1975 by signature, in accordance with article 14.

² United Nations, *Treaty Series*, vol. 972, No.1-14089.

³ See p. 426 of this volume.

liaison agencies, in Brazil, the National Institute of Social Insurance (INPS) and, in Paraguay, the Institute of Social Insurance (IPS).

Paragraph 1: The liaison agencies shall notify each other of any amendments made to their social insurance legislation.

Paragraph 2: It shall be the responsibility of the liaison agencies to notify each other of measures adopted to apply and carry out this Agreement.

Paragraph 3: The liaison agencies shall record all expenditures arising out of medical services provided to workers covered by the social insurance of the other High Contracting Party and shall generally monitor costs, expenditures and arrangements for their reimbursement.

Article 5. Identity and entitlement documents specified by the liaison agencies and submitted by workers or their dependants to the authorities of the other High Contracting Party when seeking the services covered by this Agreement shall be treated as if they had been submitted to the authorities of the High Contracting Party of the place where the employment contract was concluded.

Article 6. For the purposes of this Agreement documents recognized, on the basis of reciprocity, by the liaison agencies shall produce the required effects when submitted by the persons concerned.

Article 7. The provision of the services referred to in this Agreement shall, except in emergencies, be subject to the submission of the respective documents referred to in article 5.

Article 8. Expenditure arising out of the services provided by one of the High Contracting Parties to a worker covered by the social insurance of the other Party or, in emergencies, to his dependants, and travel and other related costs shall be paid by the agency responsible for such services and shall be reimbursed by the social insurance agency with which the worker is affiliated in accordance with schedules of costs established by agreement between the liaison agencies.

Article 9. At the end of each quarter, the liaison agency which has provided the benefit shall transmit to the agency with which the insured person is affiliated a statement of account specifying the names of insured persons to whom services were provided and their dependants, the services provided and their cost. Reimbursement shall be effected by means of a balancing of accounts, when any debit balance shall be paid in the manner specified in the following article and in the currency of the High Contracting Party to which it is owed.

Article 10. At the end of each financial year the liaison agencies shall forward to each other documents specifying the total expenditures incurred during the year with a view to the payment of the respective balance.

Sole paragraph: The payment referred to in this article shall be made at the rate of exchange ruling on the last day of the year preceding the year in which the payment is made, as determined by the competent authority of the High Contracting Party concerned.

Article 11. The liaison agencies of the High Contracting Parties may conclude agreements with ITAIPU, the building contractors and subcontractors or the service contractors and subcontractors on the subject of any of the services to which article 2 of this Agreement refers.

Article 12. The liaison agencies shall, through designated representatives, jointly adopt any uniform administrative rules required for the application of this Agreement.

Article 13. ITAIPU shall include in the contracts for construction work and for the provision of services a guarantee clause safeguarding the rights of the liaison agencies and guaranteeing the collection of the compulsory social insurance contributions.

Article 14. This Agreement shall enter into force on the date of its signature and shall remain in force until such time as the High Contracting Parties adopt by agreement any other decisions they deem desirable.

DONE at Brasília on 8 January 1975, in two copies, in Portuguese and Spanish, both texts being equally authentic.

For the Government
of the Federative Republic
of Brazil:

ANTONIO F. AZEREDO DA SILVEIRA
LUIZ GONZAGA DO NASCIMENTO SILVA

For the Government
of the Republic of Paraguay:

RAÚL SAPENA PASTOR
EDGARDO OSVALDO OVIEDO ZARACHO
