

No. 15066

**NORWAY, DENMARK, FINLAND,
ICELAND and SWEDEN**

Agreement regarding rules for recognition of qualifying periods and the like in connexion with the right of persons covered by unemployment insurance to unemployment benefits (with final protocol and a reservation by Norway). Signed at Oslo on 28 June 1976

Authentic texts: Danish, Finnish, Swedish (for Finland), Icelandic, Norwegian and Swedish (for Sweden).

Registered by Norway on 21 October 1976.

**NORVÈGE, DANEMARK, FINLANDE,
ISLANDE et SUÈDE**

Accord concernant les règles relatives à la validation des périodes d'affiliation et autres conditions déterminant l'ouverture du droit à indemnité des personnes assurées contre le chômage (avec protocole final et une réserve de la Norvège). Signé à Oslo le 28 juin 1976

Textes authentiques : danois, finnois, suédois (pour la Finlande), islandais, norvégien et suédois (pour la Suède).

Enregistré par la Norvège le 21 octobre 1976.

RESERVATION

RÉSERVE

NORWAY

NORVÈGE

[NORWEGIAN TEXT — TEXTE NORVÉGIEN]

“De norske myndigheter fastsetter om og i hvilken utstrekning denne overenskomst kommer til anvendelse for den som oppholder seg på Svalbard, Jan Mayen eller i norske biland.”

[TRANSLATION¹—TRADUCTION²]

[TRADUCTION—TRANSLATION]

The Norwegian authorities shall decide whether, and to which extent, this Agreement shall apply to persons residing at Spitzbergen, Jan Mayen or in Norwegian dependencies.

La décision d'appliquer ou non et pour tout ou partie le présent Accord aux personnes résidant au Spitzberg, à Jan Mayen ou dans des territoires dépendants de la Norvège sera du ressort des autorités norvégiennes.

¹ Translation supplied by the Government of Norway.

² Traduction fournie par le Gouvernement norvégien.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN NORWAY, DENMARK, FINLAND, ICELAND AND SWEDEN REGARDING RULES FOR RECOGNITION OF QUALIFYING PERIODS AND THE LIKE IN CONNECTION WITH THE RIGHT OF PERSONS COVERED BY UNEMPLOYMENT INSURANCE TO UNEMPLOYMENT BENEFITS

The Governments of Norway, Denmark, Finland, Iceland and Sweden, which have acceded to the Convention respecting social security, concluded between these countries on 15 September 1955,² have decided to conclude the following Agreement:

Article 1. This Agreement shall apply to the compulsory unemployment insurance systems in Norway and Iceland, the approved unemployment funds in Sweden and the approved unemployment funds in Denmark and Finland which have acceded to the Agreement. The aforesaid insurance systems and funds are hereinafter referred to jointly as the “unemployment insurance systems”.

In the case of seamen employed on ships belonging to the contracting countries and engaged in foreign navigation, the Agreement shall apply where the person concerned is a national or a resident or one of the contracting countries.

Article 2. For the purposes of this Agreement the term “qualifying periods” means periods of employment and contribution periods which can be recognized for unemployment insurance purposes in the country under whose legislation such periods have been completed or are deemed to have been completed, and all equivalent periods provided that they can be recognized as qualifying periods under such legislation.

The term “frontier worker” means an employed person who works in one of the contracting countries but is resident in another country, to which he usually returns at least once a week. If a frontier worker is temporarily assigned by his employers to a duty station from which he cannot return to his place of residence at least once a week, he shall nevertheless be considered a frontier worker for a period not exceeding four months. This provision shall also apply if the work is performed in the country of residence.

Article 3. An employed person who has been covered by an unemployment insurance system as an employed person in one contracting country shall, upon removing to another contracting country, be entitled to participate in the unemployment insurance system of that country as soon as he has obtained gainful employment in a field of activity covered by the aforesaid system.

Each contracting country may determine the extent to which groups other than employed persons shall be covered by the provisions of the foregoing paragraph in terms of the country's own legislation.

Any contracting country may make an exception to the first paragraph in the case of its own nationals.

¹ Came into force on 1 July 1976, in accordance with article 12.

² United Nations, *Treaty Series*, vol. 254, p. 55.

Article 4. The unemployment insurance system of each contracting country, under whose legislation entitlement to unemployment benefits is subject to the completion of qualifying periods, shall, to the extent necessary to establish the entitlement of the person concerned, count periods completed in each of the other Nordic countries as valid qualifying periods, provided that such periods would be valid under the legislation of the country in which the claim for benefits is made.

The foregoing provisions apply only on condition that the person concerned completed his latest qualifying period in accordance with the legislation of the country in which the claim for benefits is made.

Each contracting country shall determine whether and to what extent the condition stipulated in the foregoing paragraph shall apply, but may not require qualifying periods exceeding four weeks in all.

Article 5. If the legislation of one contracting country provides that benefits shall be calculated on the basis of previous salary or other earned income, the income earned in another contracting country shall be assimilated to the income earned in the country of residence according to the rules in force in the country concerned.

Article 6. In calculating the duration of the entitlement to unemployment benefits in a particular case, the length of time for which the insured person received unemployment benefits in the other contracting countries shall be taken into account.

Article 7. A frontier worker who becomes wholly or partly unemployed without termination of employment shall be entitled to unemployment benefits from the unemployment insurance system of the country in which he is employed, as if he were a resident of that country.

A frontier worker who becomes unemployed shall be entitled, if the employment is terminated, to the same benefits from the unemployment insurance system of the country of which he is a resident as if he had been covered by the legislation of that country when last employed.

Article 8. As long as an unemployed person is entitled to benefits under the unemployment insurance system of one contracting country, he may not claim benefits under the unemployment insurance system of one of the other countries.

Article 9. Where no specific provision is made in this Agreement the national regulations of each individual country shall apply.

Article 10. The supervisory authorities for unemployment funds shall keep each other and the supervisory authorities of the compulsory unemployment insurance systems informed of the unemployment funds which at any given time have acceded to this Agreement.

Article 11. The supervisory authorities for unemployment funds and for the compulsory unemployment insurance systems shall make such specific regulations as may be required to give effect to this Agreement.

The aforesaid authorities shall also keep each other informed of amendments to the laws and regulations concerning unemployment insurance.

Article 12. This Agreement shall enter into force on 1 July 1976.

As from the same date the Agreement of 8 September 1959¹ between Norway, Denmark, Finland, Iceland and Sweden regarding rules for recognition of contribution periods and periods of employment in the case of persons covered by unemployment insurance who remove from one country to another shall cease to have effect.

Subject to not less than 12 months' notice, the Agreement may be terminated with effect from 1 January of the following year.

The same time-limit shall apply in the case of an unemployment fund wishing to withdraw from the Agreement.

The Agreement shall be deposited in the archives of the Norwegian Ministry of Foreign Affairs and certified copies shall be sent by the Norwegian Ministry of Foreign Affairs to the Governments of each of the contracting countries.

IN WITNESS WHEREOF the respective plenipotentiaries have signed this Agreement.

DONE at Oslo in one copy in the Norwegian, Danish, Finnish, Icelandic and Swedish languages, there being two texts in the Swedish language, one for Finland and one for Sweden.

Oslo, 28 June 1976.

For the Government of Denmark:

[Signed]

ERIK THRANE

For the Government of Finland:

[Signed]

TOIVO TUOMAINEN

For the Government of Iceland:

[Signed]

ARNA TRYGGVASON

For the Government of Norway:

[Signed]

LEIF AUNE

For the Government of Sweden:

[Signed]

YNGVE MÖLLER

¹ United Nations, *Treaty Series*, vol. 383, p. 203.

FINAL PROTOCOL

TO THE AGREEMENT BETWEEN NORWAY, DENMARK, FINLAND, ICELAND AND SWEDEN REGARDING RULES FOR RECOGNITION OF QUALIFYING PERIODS AND THE LIKE IN CONNEXION WITH THE RIGHT OF PERSONS COVERED BY UNEMPLOYMENT INSURANCE TO UNEMPLOYMENT BENEFITS

In connexion with the signature of the Agreement concluded this day between Norway, Denmark, Finland, Iceland and Sweden regarding rules for recognition of qualifying periods and the like in connexion with the right of persons covered by unemployment insurance to unemployment benefits, the plenipotentiaries of the contracting States declare that agreement has been reached on the following:

The contracting countries themselves shall determine the conditions and limitations subject to which an unemployed person, who fulfils the requirements prescribed by the legislation of one contracting country for entitlement to unemployment benefits and who travels to one or more of the other contracting countries for the purpose of seeking employment, may keep his entitlement to unemployment benefits.

The application of this provision is subject to the requirement that the contracting countries implement the necessary control measures in respect of persons seeking work, on behalf of the country of departure.

This Final Protocol constitutes part of the Agreement between Norway, Denmark, Finland, Iceland and Sweden regarding rules for recognition of qualifying periods and the like in connexion with the right of persons covered by unemployment insurance to unemployment benefits and shall apply on the same conditions and for the same period as the Agreement.

IN WITNESS WHEREOF the respective plenipotentiaries have signed this Protocol.

DONE at Oslo on 28 June 1976.

For the Government of Denmark:

[Signed]
ERIK THRANE

For the Government of Finland:

[Signed]
TOIVO TUOMAINEN

For the Government of Iceland:

[Signed]
ARNA TRYGGVASON

For the Government of Norway:

[Signed]
LEIF AUNE

For the Government of Sweden:

[Signed]
YNGVE MÖLLER