

No. 20694

**SWEDEN
and
PORTUGAL**

Convention on social security (with administrative arrangement). Signed at Lisbon on 25 October 1978

*Authentic texts: Portuguese, Swedish and English.
Registered by Sweden on 26 January 1982.*

**SUÈDE
et
PORTUGAL**

Convention en matière de sécurité sociale (avec arrangement administratif). Signée à Lisbonne le 25 octobre 1978

*Textes authentiques : portugais, suédois et anglais.
Enregistrée par la Suède le 26 janvier 1982.*

CONVENTION¹ ON SOCIAL SECURITY BETWEEN THE REPUBLIC OF PORTUGAL AND THE KINGDOM OF SWEDEN

The Republic of Portugal and the Kingdom of Sweden, desirous to regulate the relations between the two states in the field of social security, have agreed to conclude the following convention.

TITLE I. GENERAL PROVISIONS

Article 1. 1. For the purpose of the present Convention,

(1) “Portugal” means the Republic of Portugal and “Sweden” the Kingdom of Sweden;

(2) “Legislation” means current laws, ordinances and administrative regulations as specified in Article 2;

(3) “Competent authority” means the Government or the authority nominated by the Government;

(4) “Insurance institution” means the body or authority responsible for the implementation of the legislation (or a portion thereof) specified in Article 2;

(5) “Competent insurance institution” means the insurance institution which is competent under the applicable legislation;

(6) “Liaison body” means an institution for liaison and information between the insurance institutions of the two Contracting Parties with a view to simplifying the implementation of this Convention and for the information of the persons affected concerning their rights and obligations under the Convention;

(7) “Member of the family” means a member of the family according to the legislation of the Contracting Party, in whose territory the institution has its seat, at the charge of which the benefits are granted;

(8) “Periods of insurance” means contribution periods, periods of employment or other periods recognized as periods of insurance or comparable periods by the legislation under which they were completed, including calendar years for which pension points have been credited under the Swedish social insurance scheme for purposes of supplementary pension on the basis of employment or other economic activity during the year in question or a portion thereof;

(9) “Cash benefit”, “pension”, “annuity” or “compensation” mean a cash benefit, pension, annuity or compensation under the applicable legislation, including all the constituent parts thereof which are financed out of public funds as well as all increases and supplements.

2. Other terms used in this Convention shall have the meaning which is given to them under the applicable legislation.

¹ Came into force on 1 December 1979, i.e., the first day of the second month following the date of the exchange of the instruments of ratification, which took place at Stockholm on 15 October 1979, in accordance with article 43.

Article 2. 1. This Convention shall apply,

- A. In relation to Portugal, to
- (a) The Social Welfare and family allowance general scheme in reference to sickness, maternity, disablement, old age, survivors, family allowance and complementary benefits;
 - (b) The Social Welfare or family allowance special schemes;
 - (c) Social Pension;
 - (d) Work injury and professional diseases;
 - (e) Unemployment benefits.
- B. In relation to Sweden, to the legislation on
- (a) Health insurance and parental insurance;
 - (b) Basic pension;
 - (c) Supplementary pension;
 - (d) General children's allowances;
 - (e) Industrial injury insurance;
 - (f) Unemployment insurance and assistance.

2. Except where otherwise indicated by the provision in point 4, this Convention shall also apply to legislation codifying, amending or supplementing the legislation specified in paragraph (1) of this Article.

3. This Convention shall apply to legislation concerning a new system or a new branch of social security in excess of that specified in paragraph (1) of this Article only if so agreed between the Contracting Parties.

4. This Convention shall not apply to legislation extending the application of the legislation specified in paragraph (1) of this Article to new groups of beneficiaries if the competent authority in the state concerned notifies, within three months counted from the date of the official publication of the new legislation, the competent authority in the other state that no such extension of the Convention is intended.

Article 3. Insofar as it does not contain provision to the contrary, this Convention shall apply to citizens of the Contracting Parties, to persons who are or have been covered by the legislation of either of the Contracting Parties and to persons deriving their rights from such persons.

Article 4. Save as otherwise provided in this Convention, the following persons who are resident in the territory of a Contracting Party shall be equated with citizens of the Contracting Party in the implementation of the Contracting Party's legislation:

- (a) Citizens of the other Contracting Party;
- (b) Refugees and stateless persons as referred to in the Convention of 28th July 1951 Relating to the Status of Refugees¹ and the Protocol of 31st January 1967 to the said Convention,² as well as the Convention of 28th September 1954 Relating to the Status of Stateless Persons;³
- (c) Other persons with regard to rights which they derive from a citizen of a Contracting Party or from a refugee or stateless person referred to in this Article.

¹ United Nations, *Treaty Series*, vol. 189, p. 137.

² *Ibid.*, vol. 606, p. 267.

³ *Ibid.*, vol. 360, p. 117.

Article 5. Save as otherwise provided in this Convention, pensions and other cash benefits except benefits in case of unemployment may not be reduced, modified, suspended or withdrawn on account of the recipient residing in the territory of the other Contracting Party.

Article 6. Save as otherwise provided in this Convention, benefits payable by one of the Contracting Parties shall be paid to nationals of the other Contracting Party, who are resident in a third state, on the same terms and to the same extent as to nationals of the first Contracting Party resident in this third state.

TITLE II. PROVISIONS CONCERNING APPLICABLE LEGISLATION

Article 7. Save as otherwise provided in Articles 8 and 9, the persons covered by this Convention shall be subject to

- (1) Portuguese legislation if they are resident or employed in Portugal,
- (2) Swedish legislation if they are resident in Sweden or, as regards industrial injury insurance for persons in employment, if they are employed in Sweden.

Article 8. 1. If a person employed in the territory of a Contracting Party is posted by his employer to the territory of the other Contracting Party to perform work on behalf of the same employer, he shall continue to be subject to the legislation of the former Party until the expiry of the twenty-fourth month after his posting as if he were still employed in the territory of that Party.

2. Travelling personnel employed by railway or road traffic undertakings or by air lines and working in the territories of both the Contracting Parties shall come under the legislation of the Contracting Party in whose territory the undertaking has its head office. If, however, the employee is resident in the territory of the other Contracting Party, the legislation of that Contracting Party shall apply.

3. The legislation of the Contracting Party, whose flag a vessel is flying, shall apply in relation to the crew of the vessel and the other persons who are employed on board on a permanent basis. If a person has been employed for the purpose of loading, unloading, carrying out repair work or performing guard duty on board a vessel flying the flag of one Contracting Party during the vessel's stay in the territory of the other Contracting Party, the legislation of the latter Party shall apply in relation to the said person.

4. An employee who is to be subject to Swedish law under the provisions of this Article shall for such purposes be deemed resident in Sweden.

Article 9. 1. The Vienna Convention on Diplomatic Relations¹ and the Vienna Convention on Consular Relations² shall apply to diplomatic representatives and career consuls, to the administrative and technical personnel of diplomatic missions and consulates led by career consuls, and also to members of the service staff of diplomatic missions and consulates and persons exclusively employed in a private capacity in the households of diplomatic representatives, career consuls and members of consulates led by career consuls, insofar as they are covered by these conventions.

¹ United Nations, *Treaty Series*, vol. 500, p. 95.

² *Ibid.*, vol. 596, p. 261.

2. The provisions of paragraph (1) of Article 8 shall apply to government employees other than those referred to in paragraph (1) of this Article when they are posted to the territory of the other Contracting Party.

Article 10. 1. At the mutual request of employer and employee or at the request of a self-employed person, the competent authorities of the two Contracting Parties may agree on the exemption of certain persons or groups of persons from the provisions of Articles 7-9. Even without such request, the competent authorities may agree on such exemption after consulting the persons concerned.

2. The provisions of paragraph (4) of Article 8 shall apply, *mutatis mutandis*, to cases referred to in this Article.

TITLE III. SPECIAL PROVISIONS

CHAPTER 1. SICKNESS, MATERNITY AND CHILDBIRTH

Article 11. If any person has completed periods of insurance according to the legislation of both Contracting Parties, these periods shall be added together for the acquisition of rights to a benefit, insofar as they do not coincide.

Article 12. 1. A person resident in the territory of one Contracting Party and entitled under the legislation of that Contracting Party to medical benefits shall, during temporary stay in the territory of the other Contracting Party, receive medical benefits if by reason of his condition he is in immediate need of such benefits.

2. Benefits are provided according to the legislation applying to insurance institutions in the beneficiary's place of temporary residence.

Article 13. Members of the families of persons resident in the territory of a Contracting Party and insured under its legislation shall, if resident in the territory of the other Contracting Party, receive medical benefits in accordance with the legislation applicable by the insurance institution in their place of residence.

Article 14. A person receiving a pension under the legislation of both Contracting Parties or under the legislation of one of them is entitled to medical benefits for himself and for members of his family in accordance with the legislation of the Contracting Party in whose territory they are resident.

The benefits shall be provided by the insurance institution of the place of residence.

CHAPTER 2. OLD AGE, INVALIDITY AND SURVIVORS

Implementation of Portuguese legislation

Article 15. Where periods of insurance have been completed in accordance with the legislation of both the Contracting Parties, the periods shall be added together if necessary for the acquisition of the right to benefits under Portuguese legislation, insofar as they do not coincide.

Article 16. If entitlement to disablement, old age or survivors pension exists without applying Article 15, the competent Portuguese institution determines directly and exclusively, in accordance with its own legislation, the amount of the benefit which corresponds to the insurance periods or equivalents to be considered in accordance with the same legislation.

Article 17. When a person satisfies the conditions required by the Portuguese legislation to be entitled to disablement, old age or survivors pension only by means of the totalisation foreseen in Article 15, the competent institution computes the amount of the benefit, to which the beneficiary is entitled, exclusively on the basis of insurance periods or equivalents completed in accordance with Portuguese legislation.

Article 18. The following rules shall be observed by the competent Portuguese insurance institutions in their implementation of Articles 15 to 17.

1. Periods of insurance under the Swedish supplementary pension insurance scheme and years of residence before 1960 for which the person in question has had income assessed for national income tax are to be regarded as periods of insurance completed in accordance with Swedish legislation.

2. In applying of Article 15, Swedish periods of insurance are to be taken into account even if they are not regarded as periods of insurance under Portuguese legislation.

Article 19. If the total of the benefits granted by the competent institutions of both Contracting Parties is less than the minimum amount fixed by the Portuguese legislation, the person concerned who has his residence in Portugal is entitled to a complement equal to that difference, at the cost of the competent Portuguese institution.

Application of Swedish legislation

Article 20. 1. Under this Convention, basic pensions will be paid in accordance with Swedish legislation exclusively as provided in Articles 21–23.

2. In the computation of basic pension and supplementary benefits, Portuguese pensions will be equated with Swedish supplementary pensions.

Article 21. 1. A Portuguese national resident in Sweden is entitled to basic pension on the same conditions, at the same rate and with the same supplementary benefits as a Swedish national.

(a) In the form of old age pension, if he has been resident in Sweden for at least the last five years and for a total of at least ten years after attaining sixteen years of age;

(b) In the form of disability pension, if he

(aa) Has been resident in Sweden for at least the last five years, or

(bb) Is resident in Sweden and during his residence there has been normally employable for at least one year without interruption;

(c) In the form of widow's or child pension

(aa) If immediately prior to his death the deceased had been resident in Sweden for not less than five years and the survivor was resident in Sweden at the time of the death or

(bb) If the survivor has been resident in Sweden for at least the last five years and the survivor or the deceased was resident in Sweden at the time of the death.

2. Disability pension or widow's pension to which a beneficiary is entitled according to paragraph (1) of this Article shall be automatically replaced by old age pension when the beneficiary reaches the general retiring age.

3. Section (b) of paragraph (1) of this Article shall apply, *mutatis mutandis*, concerning the right to disability benefit.

4. A care grant for a handicapped child shall be payable to the father or mother of the child if he or she has been resident in Sweden for at least one year.

Article 22. 1. A Portuguese national not satisfying the conditions stated in Article 21 but entitled to supplementary pension is, whether resident in Sweden or abroad save as otherwise provided in paragraph (3) of this Article, entitled to basic pension with supplementary benefits in relation to the number of calendar years for which he or— in the case of widow's pension and child pension—the deceased has been credited with pension points under the supplementary pension insurance scheme. If sufficient points have accrued for full supplementary pension, basic pension will be paid without any reduction. Otherwise basic pension will be correspondingly reduced.

2. Widow's pension as mentioned in paragraph (1) of this Article shall be automatically replaced by old age pension when the widow reaches the general retiring age. Should the periods of insurance completed by the widow personally entitle her to a higher old age pension, her pension shall be paid at the higher rate.

3. Disability benefit not paid as a supplement to basic pension, care grants for handicapped children, pension supplements and income-tested pension benefits are only paid for as long as the beneficiary remains resident in Sweden.

4. In cases where both husband and wife are entitled to basic pension if the combined pensions of both spouses fall short of the pension which would be payable if only one spouse were entitled to a pension, the difference will be added to their pensions. This additional amount will be proportionally divided between the two pensions.

Article 23. 1. The condition specified in paragraph (1) of Article 22 that there exists an entitlement to supplementary pension shall be deemed to have been satisfied if the insured or, as regards widow's or child pension, the deceased, had an income assessed for national income tax for calendar years before 1960. This, however, is conditional upon the number of such years, combined if necessary with years for which pension points have been credited under the supplementary pension insurance scheme and also with periods of insurance under a Portuguese pension insurance scheme, totalling at least three. For this purpose, twelve months of insurance completed under a Portuguese pension insurance scheme will be equated with one year for which income has been assessed for national income tax.

2: In applying the provisions of paragraph (1) of Article 22 concerning the computation of basic pension, years before 1960 for which income has been assessed for national income tax will be equated with years for which pension points have been credited under the supplementary pension insurance scheme.

Article 24. For the disbursement of supplementary pension the following rules apply:

1. A person who is not a Swedish national can only be credited with pension points by virtue of gainful employment while resident in Sweden or by virtue of employment on board Swedish vessels.

2. Where periods of insurance have been completed both under the Swedish supplementary pension insurance scheme and under a Portuguese pension insurance

scheme, these periods shall be combined to the extent necessary for the acquisition of a right to supplementary pension, insofar as they do not coincide. For this purpose, twelve months of insurance completed under a Portuguese pension insurance scheme will be equated with a calendar year for which pension points have been credited.

3. When computing the amount of supplementary pension, only periods of insurance as provided in Swedish legislation will be taken into account.

4. The transitional provisions of Swedish legislation concerning the computation of supplementary pensions for persons born before 1924 are not affected by this Convention.

CHAPTER 3. INDUSTRIAL INJURIES

Article 25. 1. The right to benefits in connection with an accident at work shall be determined according to the legislation applying to the beneficiary at the time of the accident, as provided in Articles 7-10.

2. Compensation for a new accident at work shall be established by a competent authority according to the reduction of work capacity which has been caused by the new accident and in accordance with the legislation which the said authority has to apply.

Article 26. 1. Benefits in connection with occupational disease are determined according to the legislation of the Contracting Party whose legislation was applicable when the beneficiary held the employment entailing the risk of the occupational disease, even if the disease was first established in the territory of the other Contracting Party.

2. Should the beneficiary have held such employment in the territories of both Contracting Parties, the legislation of the Party in whose territory he was most recently employed shall be applied.

3. If an occupational disease has occasioned the award of a benefit under the legislation of a Contracting Party, compensation for an aggravation of the disease occurring in the territory of the other Contracting Party shall also be paid according to the legislation of the former Party. This shall not apply, however, if the aggravation is attributable to activity in the territory of the other Contracting Party in work entailing a risk of the disease.

Article 27. 1. A person who is entitled to benefits in kind due to an accident at work or an occupational disease according to the legislation of one Contracting Party may, whilst staying in the territory of the other Contracting Party, claim benefits in kind from the insurance institution in the place where he is staying, according to the legislation applicable by that institution.

2. The provisions of paragraph (1) shall apply, *mutatis mutandis*, when a person transfers his place of residence from one Contracting Party to the other.

CHAPTER 4. UNEMPLOYMENT

Article 28. 1. If the legislation of both Contracting Parties has been applied to a person, then the periods of insurance or employment, which are to be taken into consideration according to both Parties' legislation, shall be computed together for the acquisition of the right to receive unemployment benefits, insofar as they do not coincide.

2. The application of paragraph (1) presupposes that the person concerned has been employed in the territory of the Contracting Party, under the legislation of which he is claiming the benefit, for at least four weeks in total during the last twelve months before submitting the claim. Paragraph (1) applies, however, even when his employment has terminated before the expiration of four weeks, if it was terminated through no fault of the employee and had been intended to last for a longer period.

Article 29. The duration of the period for payment of benefits, for which a claim exists under the legislation of one of the Contracting Parties pursuant to Article 28, is reduced with regard to the time for which benefits have been paid to the unemployed person by an institution in the territory of the other Contracting Party during the last twelve months immediately before the application was filed.

CHAPTER 5. FAMILY BENEFITS

Article 30. 1. Family benefits are payable in accordance with Portuguese legislation for family members of persons who are not Portuguese nationals, provided that the family members have their residence in Portuguese territory.

2. General children's allowance is payable under Swedish legislation with respect to a child resident in Sweden and not being a Swedish national if the child or either of its parents has been resident in Sweden for at least six months or if the child is being cared for by a person residing and registered in Sweden.

TITLE IV. MISCELLANEOUS PROVISIONS

Article 31. The supreme administrative authorities may agree on provisions for the implementation of this Convention. Furthermore they shall take steps to ensure that the requisite liaison bodies are set up in their respective territories to facilitate the implementation of this Convention.

Article 32. 1. For the purposes of applying this Convention, the authorities and institutions of the Contracting Parties shall lend their good offices as though applying their own legislation. Such mutual administrative assistance shall be provided free of charge.

2. The correspondence of authorities and institutions, as well as communication from individual persons, may be in Portuguese, Swedish, French or English.

3. The diplomatic and consular representations may request information direct from authorities and institutions in the territory of the other Contracting Party in order to safeguard the interests of their own nationals.

Article 33. The supreme administrative authorities of the two Contracting Parties shall inform each other with all possible dispatch of any amendments to the legislation specified in article 2 of this Convention.

Article 34. The supreme administrative authorities of the two Contracting Parties shall keep each other informed of the measures taken to apply this Convention within their territories.

Article 35. Any exemption granted in the territory of one of the Contracting Parties from stamp duty, notarial or registration fees in respect of certificates and documents required to be submitted to authorities and institutions in the same ter-

ritory shall also apply to certificates and documents which for the purposes of this Convention have to be submitted to authorities and institutions in the territory of the other Contracting Party. Documents and certificates required to be produced for purposes of this Convention shall be exempt from authentication by diplomatic or consular authorities.

Article 36. 1. Applications, appeals and other documents which according to the legislation of a Contracting Party have to be submitted to a competent authority or institution within a specified period shall be admissible if they are submitted within the same period to a corresponding authority or institution of the other Contracting Party.

2. An application for a benefit submitted in accordance with the legislation of one Contracting Party shall be considered as an application for the corresponding benefit under the legislation of the other Contracting Party. With respect to old age pensions, however, this shall not apply if the applicant states that the application refers solely to pension benefits under the legislation of the former Contracting Party.

Article 37. 1. Payments under this Convention may legitimately be made in the currency of the Contracting Party making the payment.

2. Should currency restrictions be introduced by either of the Contracting Parties, the two Governments shall immediately and conjointly take steps to safeguard transfers between their territories of necessary amounts of money for the purposes of this Convention.

Article 38. 1. If an insurance institution in the territory of one of the Contracting Parties has made an advance payment, an amount accruing for the same period as the advance payment according to the legislation of the other Contracting Party may be withheld. If an insurance institution of one of the Contracting Parties has paid an excessive rate of benefit for a period for which an insurance institution of the other Contracting Party is to pay a corresponding amount of compensation, the excess payment may similarly be withheld.

2. The advance payment or the excess amount shall be deducted from compensation referring to the same period and paid subsequently. If there is no such subsequent payment, or if the payment is not sufficient for the clearance required, full clearance or deduction for the remaining amount can be made from current benefit payments, though in the manner and subject to the restrictions laid down by the legislation of the Contracting Party which is to perform the clearance.

Article 39. 1. Disputes arising in connection with the application of this Convention are to be resolved by mutual agreement between the supreme administrative authorities of the Contracting Parties.

2. Should an agreement fail to materialize, the dispute shall be determined by arbitration as agreed by the supreme administrative authorities of the two Contracting Parties. The arbitration shall be based on the spirit and substance of this Convention.

Article 40. For the purposes of this Convention, "supreme administrative authority" means:

- in Portugal, the Minister for Social Affairs; and
- in Sweden, the Government or the authority designated by the Government.

Article 41. 1. This Convention shall also apply to contingencies arising prior to its entry into force. However, no benefits shall be payable under this Convention with respect to any period prior to its entry into force, though periods of insurance or residence completed before the said entry into force shall be taken into account in the determination of benefits.

2. Any benefit which has not been awarded on account of the nationality of the person concerned or which has been withdrawn on account of his residence in the territory of the other Contracting Party shall, upon application, be awarded or resumed with effect from the date of entry into force of this Convention.

3. Upon application being received, a benefit granted prior to the entry into force of this Convention shall be recalculated in compliance with the provisions of the same. Such benefits may also be recalculated without any application being made. This recalculation may not result in any reduction of the benefit paid.

4. Provisions in the laws of the Contracting Parties concerning prescription and the termination of the right to benefits shall not apply to rights arising out of the provisions of paragraphs (1)–(3) of this Article, always provided that the beneficiary submits his application for benefit within two years after the date of entry into force of this Convention.

Article 42. 1. This Convention may be revoked by either of the two Contracting Parties. Notice of revocation shall be given not less than three months before the expiry of the current calendar year, whereupon the Convention shall cease to be in force at the expiry of the calendar year in which it is revoked.

2. If the Convention is revoked, its provisions shall continue to apply to benefits which have already been acquired, notwithstanding any provision that may have been enacted in the legislation of the two Contracting Parties concerning restrictions of the right to benefits in connection with residence in or citizenship of other countries. Any right to future benefits which may have been acquired by virtue of the Convention shall be settled by special agreement.

Article 43. This Convention shall be ratified and the instruments of ratification shall be exchanged in Stockholm.

The Convention shall enter into force on the first day of the second month after the exchange of the instruments of ratification.

EM FÉ DO QUE, os abaixo assinados, devidamente autorizados pelos respectivos Governos, assinaram a presente Convenção.

FEITA em duplicado em Lisboa, aos 25 de Outubro d 1978, nas línguas portuguesa, sueca e inglesa, cada um dos textos fazendo igualmente fé.

TILL BEVIS HÄROM har de båda fördragsslutande staternas befullmäktigade ombud undertecknat denna konvention.

SOM SKEDDE i Lissabon, den 25 oktober 1978, i två exemplar på portugisiska, svenska och engelska språken, vilka texter äger lika vitsord.

IN WITNESS WHEREOF the undersigned, duly authorised by their respective Governments, have signed this Convention.

DONE in duplicate in Lisbon, this 25th day of October, 1978, in the Portuguese, Swedish and English languages, each version being equally authoritative.

Pelo Governo Português:
För den portugisiska regeringen:
For the Portuguese Government:

[Signed — Signé]

PAULO ENNES

För den svenska regeringen:
Pelo Governo Sueco:
For the Swedish Government:

[Signed — Signé]

HERMAN KLING

ADMINISTRATIVE ARRANGEMENT FOR THE APPLICATION OF THE
CONVENTION ON SOCIAL SECURITY BETWEEN THE REPUBLIC OF
PORTUGAL AND THE KINGDOM OF SWEDEN

Pursuant to Article 31 of the Convention on Social Security concluded this day between Portugal and Sweden, the Supreme Administrative Authorities of the two States have agreed on the following provisions for the application of the Convention.

PART I. GENERAL PROVISIONS

Article 1. LIAISON BODIES

1. Liaison bodies according to Article 1, (6) of the Convention are

— In Portugal:

— The Central Board of Social Security for Migrant Workers,

— In Sweden:

— The National Social Insurance Board,

— The Labour Market Board (for unemployment insurance and assistance).

2. The duties of the liaison bodies are stated in this Arrangement. For the application of the Convention the liaison bodies can communicate directly with each other as well as with the persons concerned or their representatives. They shall aid each other in the application of the Convention.

PART II. APPLICATION OF THE PROVISIONS
ON APPLICABLE LEGISLATION

Article 2. SECONDMENT

In cases referred to in Article 8, paragraph 1 of the Convention, the continued application of the legislation of the seconding State shall be proved by a certificate. This certificate shall be issued:

— in Portugal by the Social Welfare Fund where the worker is registered,

— in Sweden by the National Social Insurance Board.

PART III. APPLICATION OF THE PROVISIONS
ON PARTICULAR KINDS OF BENEFITS

CHAPTER 1. SICKNESS, MATERNITY AND CHILDBIRTH

Article 3. ADDING TOGETHER OF QUALIFYING PERIODS

For the application of Article 11 of the Convention by the insurance institution of one of the Contracting Parties to the Convention, a person shall submit to this institution a certificate showing the qualifying periods to be taken into account according to the legislation of the other State. At the request of the person concerned, this certificate shall be issued:

— in Portugal by the Social Welfare Fund, where the person concerned was last registered,

— in Sweden by the National Social Insurance Board.

Article 4. PROVISION OF SICKNESS BENEFITS IN KIND

1. In cases referred to in Article 12 of the Convention, a certificate issued by the competent insurance institution and proving the entitlement of the person concerned to benefits shall be submitted to the insurance institution referred to in paragraph 2 of that Article.

Insurance cards issued by the competent insurance institutions are valid as such certificates.

2. In cases referred to in Article 13 of the Convention, family members shall register with the insurance institution referred to in that Article. They shall submit to this institution a certificate issued by the competent insurance institution, proving that the person through whom they derive their rights is entitled to sickness benefits in kind in the other State. Such a certificate is valid until the insurance institution, with which the family member is registered, has been informed that it has been revoked.

3. In cases referred to in Article 14 of the Convention, the pensioner shall register with the insurance institution referred to in that Article and submit to this institution a certificate issued by the competent insurance institution and showing that he is in receipt of a pension from the other State. The pensioner or the members of his family shall inform the insurance institution with which they are registered, of any changes in their circumstances which may influence their entitlement to sickness benefits in kind and, in particular, of any suspension or withdrawal of the pension. The competent insurance institution shall also inform the insurance institution with which they are registered of any such changes.

CHAPTER 2. OLD AGE, INVALIDITY AND DEATH (PENSIONS)

Article 5. PROCEDURE OF APPLICATIONS FOR PENSIONS

1. The competent insurance institutions shall inform each other immediately of any application for a pension, to which Title III, Chapter 2 and Article 36 of the Convention are applicable.

2. The competent insurance institutions shall further inform each other of circumstances which are of importance when deciding on a pension, enclosing relevant medical documents.

3. The competent insurance institutions shall inform each other of decisions which are taken during the process of settling a pension claim.

Article 6. PAYMENT OF PENSIONS

Pensions shall be paid out directly to the beneficiaries.

Article 7. STATISTICS

The competent insurance institutions shall send their respective liaison bodies annual statistical data on payments which have taken place in the territory of the other Contracting Party. The liaison bodies shall exchange these data.

CHAPTER 3. INDUSTRIAL INJURIES

Article 8. BENEFITS IN KIND

1. In cases referred to in Article 27 of the Convention, the benefits in kind are granted:

- in Portugal by the National Insurance Fund for Occupational Diseases and
- in Sweden by the Public Insurance Office.

2. A certificate issued by the competent insurance institution proving the entitlement of the person concerned shall be submitted to the insurance institution referred to in paragraph 1. With regard to Portugal, the National Insurance Fund for Occupational Diseases shall issue such certificates.

Article 9. PAYMENT OF ANNUITIES, STATISTICS

Articles 6 and 7 shall apply with regard to annuities.

CHAPTER 4. UNEMPLOYMENT

Article 10. PROCEDURE

Where a person, referring to Title III, Chapter 4 of the Convention, applies for cash benefits in the event of unemployment in one State, Party to the Convention, information shall be obtained from the liaison body of the other State when necessary.

PART IV. FINAL PROVISIONS

Article 11. FORMS

1. Forms for certificates and other communications according to this Arrangement shall be decided on by the liaison bodies.

2. If it is not possible for the beneficiary to submit the required certificate, the insurance institution requiring the certificate shall address itself to the liaison body of the other Contracting Party in order to obtain the certificate.

Article 12. LANGUAGE OF CORRESPONDENCE

1. The liaison bodies and other institutions of the two Contracting Parties shall correspond in English or French.

2. The liaison bodies shall assist each other in translating applications and other documents, written in their respective official languages, into English or French if necessary.

Article 13. ENTRY INTO FORCE

This Arrangement enters into force concurrently with the Convention.

EM FÉ DO QUE, os abaixo assinados, devidamente autorizados pelos respectivos Governos, assinaram o presente Acordo.

FEITO em duplicado em Lisboa, aos 25 de Outubro de 1978, nas línguas portuguesa, sueca e inglesa, cada um dos textos fazendo igualmente fé.

TILL VITTNE HÄROM har undertecknade, härtill befullmäktigade av sina regeringar, undertecknat denna överenskommelse.

SOM SKEDDE i Lissabon, den 25 oktober 1978, i två exemplar på svenska, portugisiska och engelska språken, vilka tre texter äger lika vitsord.

IN WITNESS WHEREOF the undersigned, duly authorised by their respective Governments, have signed this Arrangement.

DONE in duplicate in Lisbon, this 25th day of October, 1978, in the Portuguese, Swedish and English languages, each version being equally authoritative.

Pelo Governo Português:
För den portugisiska regeringen:
For the Portuguese Government:

[Signed — Signé]

PAULO ENNES

För den svenska regeringen:
Pelo Governo Sueco:
For the Swedish Government:

[Signed — Signé]

HERMAN KLING
