

No. 21767

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

**Nordic Convention on social security (with annex). Con-
cluded at Copenhagen on 5 March 1981**

*Authentic texts: Danish, Finnish, Icelandic, Norwegian and Swedish.
Registered by Denmark on 28 March 1983.*

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

**Convention relative à la sécurité sociale dans les pays
nordiques (avec annexe). Conclue à Copenhague le
5 mars 1981**

*Textes authentiques : danois, finnois, islandais, norvégien et suédois.
Enregistrée par le Danemark le 28 mars 1983.*

[TRANSLATION — TRADUCTION]

NORDIC CONVENTION¹ ON SOCIAL SECURITY

The Governments of Denmark, Finland, Iceland, Norway and Sweden,

Considering that Nordic nationals working or staying in a Nordic country other than their own should have the same social security coverage as that country's own nationals,

Noting that the legislations of the Nordic countries largely guarantee such equality of status,

Considering, however, that in certain areas there is a need for more comprehensive rules, either to provide satisfactory protection for persons working or staying in a country other than their home country or to harmonize the legislations of the different countries,

Finding that the 1955 Nordic Convention respecting social security² has been of great importance in this respect, but that in view of developments it now needs to be replaced by new rules,

Have agreed to conclude a new Nordic Convention on social security, reading as follows:

TITLE I. GENERAL PROVISIONS

Article 1. For the purposes of this Convention:

(a) "Nordic country" means each of the contracting countries;

(b) "Nordic national" means a national of a Nordic country;

(c) "Legislation" means laws, ordinances and other statutes concerning the branches of social security referred to in article 2, paragraph 1, but not in so far as relations between one or more Nordic countries, on the one hand, and one or more other countries, on the other hand, are governed thereby;

(d) "Competent authority" means

—In the case of Denmark, the Ministry of Social Affairs,

—In the case of Finland, the Ministry of Social Affairs and Health,

—In the case of Iceland, the Ministry of Health and Social Insurance,

—In the case of Norway, the Ministry of Social Affairs,

—In the case of Sweden, the Government or such authority as the aforesaid authorities may designate;

(e) "Agency" means an agency or institution providing a benefit;

¹ Came into force on 1 January 1982, i.e., the first day of the second month following the deposit with the Government of Denmark of the instruments of ratification of all the Parties, in accordance with article 37 (2).

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>	<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Denmark	10 September 1981	Norway	27 November 1981
Finland	20 August 1981	Sweden	2 October 1981
Iceland	27 May 1981		

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

(f) “Care benefit” means either exemption from payment, reduced charges or reimbursement of charges for medical care, including dental care, obstetrical care during pregnancy and confinement, medications, prosthetic appliances and other aids, or reimbursement of travel expenses in connection with such medical care;

(g) “Daily benefits” means cash benefits calculated on a daily or weekly basis and payable in the event of sickness or parenthood (birth or adoption);

(h) “Basic pension” means a general pension which is not calculated on the basis of completed periods of gainful activity, earlier earned income or paid contributions, or supplementary benefits to such a pension;

(i) “Supplementary pension” means a general pension calculated on the basis of completed periods of gainful activity, earlier earned income or paid contributions, and supplementary benefits to such a pension;

(j) “Contribution” means a contribution for a year or other specific period, from a person covered by this Convention or his employer, for the financing of benefits of the kind provided for in this Convention;

(k) “Normally resident” means that a person is officially registered as normally residing in a country unless there are any particular indications to the contrary.

Article 2. 1. This Convention shall apply to all legislation in force at the time in the Nordic countries concerning the following branches of the social security system:

- (a) Sickness and parenthood (birth and adoption) benefits;
- (b) Invalidity, old-age and death benefits;
- (c) Employment injury benefits;
- (d) Unemployment benefits;
- (e) Public cash benefits for children;
- (f) Social assistance.

2. Upon ratifying this Convention, each Nordic country shall provide a list of legislative enactments governing the branches of social security referred to in paragraph 1 of this article. Each country shall thereafter notify the Danish Ministry of Foreign Affairs, before the end of February each year, of any changes in the list resulting from legislation enacted during the previous calendar year.

3. Special provisions for each country concerning the application of the Convention in particular cases are annexed to this Convention.

Article 3. This Convention shall apply to:

- (a) Nordic nationals;
- (b) Refugees covered by article 1 of the Convention of 28 July 1951 relating to the Status of Refugees¹ and the Protocol of 31 January 1967² to that Convention;
- (c) Stateless persons covered by article 1 of the Convention of 28 September 1954 relating to the Status of Stateless Persons;³

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

² *Ibid.*, vol. 606, p. 267.

³ *Ibid.*, vol. 360, p. 117.

- (d) Other persons who are or have been covered by the legislation of a Nordic country;
- (e) Persons who derive their rights from a person of the kind referred to in subparagraphs (a) to (d).

Article 4. For the purpose of applying the legislation of one Nordic country, except as otherwise provided in title III of this Convention, nationals of another Nordic country shall be assimilated to that country's own nationals.

Article 5. Where under the legislation of one Nordic country a benefit is reduced if it coincides with other benefits, the same rule may be applied also where the benefit coincides with similar benefits payable under the legislation of another Nordic country.

TITLE II. PROVISIONS CONCERNING THE APPLICABILITY OF LEGISLATION

Article 6. 1. A person normally resident in a Nordic country shall, except as otherwise provided in this title, be covered by the legislation of the country of normal residence.

2. A Nordic national employed on board a vessel flying the flag of a Nordic country shall be deemed to be normally resident and employed in the country whose flag the vessel flies.

3. If a vessel flying the flag of a Nordic country is chartered, mainly unmanned, by a shipowner in another Nordic country, the provisions of paragraph 2 of this article shall apply only to persons who are employed by the owner of the vessel or by a person representing such owner. A Nordic national employed on board by the shipowner or by a person representing him shall be deemed to be permanently resident and employed in the last-mentioned country.

Article 7. 1. A person who is assigned to work in a Nordic country other than the country of normal residence shall be covered in respect of such work by the legislation of the country of employment in so far as entitlement to benefits based on gainful employment or income from such employment is concerned.

2. A person who is assigned to work in two or more Nordic countries shall be deemed to be employed in the place where the employer is normally resident or where the enterprise has its principal place of business.

3. Members of the travelling personnel of an airline or land transport enterprise shall be deemed to be employed at the place where they are normally stationed.

4. "Work in a Nordic country" shall also mean work in connection with the exploration and extraction of natural resources on that country's continental shelf, as defined in the Geneva Convention of 29 April 1958 on the continental shelf.¹

Article 8. 1. If an employer sends an employee from one Nordic country to another Nordic country to work for the employer on an assignment expected to last no more than 12 months, the person concerned shall continue to be covered by the legislation of the first-mentioned country with respect to entitlement to the benefits referred to in article 7.

¹ United Nations, *Treaty Series*, vol. 499, p. 311.

2. If the assignment in the country to which the employee is sent lasts longer than expected and more than 12 months, the provisions of paragraph 1 of this article may continue to apply until the assignment is completed, provided that the competent authorities of the countries concerned give their consent thereto.

3. For the purpose of applying the provisions of this article, the provisions of article 7, paragraph 4, shall apply.

Article 9. This Convention shall not affect the provisions of the Vienna Convention of 18 April 1961 on Diplomatic Relations¹ or of the Vienna Convention of 24 April 1963 on Consular Relations² which relate to the legislation referred to in article 2, paragraph 1. Special rules concerning entitlement to care benefits are laid down in title III, chapter I.

Article 10. Contributions for benefits governed by this Convention shall be paid in the country whose legislation is applicable with respect to entitlement to benefits based on gainful employment or income from such employment. Such contributions shall not be payable in another country.

Article 11. The competent authorities of two or more Nordic countries may, in the case of particular groups of persons or individuals, agree on exceptions to the provisions of this title. Notification of such agreements shall be given to the Danish Ministry of Foreign Affairs which, in turn, shall notify the competent authorities of the countries which did not participate in the agreement.

TITLE III. SPECIAL PROVISIONS CONCERNING ENTITLEMENT TO BENEFITS

Chapter I. SICKNESS AND PARENTHOOD (BIRTH OR ADOPTION) BENEFITS

Article 12. 1. A person who moves from one Nordic country to another may, for the purpose of entitlement to sickness and parenthood benefits in the new country of residence, invoke the conditions prevailing during the period when he was covered by the legislation of the country of former residence. In the granting of benefits in the new country of residence account shall be taken of benefits paid in the country of former residence.

2. Entitlement to benefits under this article shall also exist in respect of sickness, pregnancy or confinement occurring before the taking up of residence in the new country of residence. This Convention shall not, however, confer entitlement to benefits where there is reason to believe that the purpose of removal to a country is to obtain such benefits there.

3. If at the time of the removal daily benefits were being paid by the country of former residence, daily benefits shall continue to be paid by the new country of residence under the legislation of that country. Where necessary, account shall be taken of income from gainful employment in the country of former residence.

4. The provisions of this article shall apply *mutatis mutandis* to persons who, on grounds other than removal, are entitled under the provisions of title II of this Convention to sickness or parenthood benefits from a Nordic country other than the country by whose legislation they were previously covered.

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

² *Ibid.*, vol. 596, p. 261.

Article 13. A person who is assigned to work in a Nordic country other than the country of normal residence shall be entitled, in the event of sickness, to daily benefits from the country of employment for the duration of the assignment, but for at least 90 days. After that period, continued daily benefits shall be paid by the country of normal residence and the provisions of article 12 shall apply.

Article 14. 1. If a person who is normally resident in one Nordic country and entitled to care benefits in that country requires medical care during temporary residence in another Nordic country, he shall receive care benefits from the country of temporary residence in accordance with its legislation. The same shall apply to persons who are not Nordic nationals but are entitled to care benefits in a Nordic country on the basis of employment on board a vessel flying the flag of a Nordic country.

2. Entitlement to benefits under this article shall not arise where there is reason to believe that the purpose of temporary residence in a country is to obtain care benefits there. A person temporarily residing in a country for reasons other than work or study shall be entitled to care benefits in connection with confinement only where it could not reasonably have been foreseen that the confinement would take place during such temporary residence.

3. Entitlement to benefits under this article shall lapse when the condition of the person receiving care is such as to permit him to travel to his country of normal residence. Continued benefits shall, however, be provided in cases where it would not be reasonable under the circumstances to refer the patient for treatment in his country of residence.

4. The country of temporary residence shall defray the additional costs incurred by a person who, on account of sickness, is obliged to employ a more costly method of travel when returning to his country of normal residence than he would otherwise have employed.

Article 15. Persons who, under the Conventions referred to in article 9, are not to be covered by the legislation of the country in which they serve shall nonetheless be entitled to sickness and parenthood care benefits under the legislation of the country of service. Contributions shall not be payable in the country of service.

Article 16. The provisions of the legislation of one Nordic country concerning restrictions on the payment of daily benefits to persons temporarily residing abroad shall not apply in cases where the person entitled to daily benefits is temporarily resident in another Nordic country.

Article 17. If an employer in a Nordic country is providing pay during absence from work due to sickness or parenthood to an employee who, for the same period and on the basis of the same income, is receiving daily benefits from another Nordic country, the employer shall be entitled to receive such daily benefits instead of the employee as if the daily benefits had been paid by the country of employment.

Chapter 2. INVALIDITY, OLD-AGE AND DEATH BENEFITS BASIC PENSION

Article 18. 1. A national of one Nordic country shall be entitled, while normally resident in another Nordic country, to a basic pension from the

country of normal residence, subject to the requirements applied to that country's own nationals and to the other conditions specified in this article.

2. In the cases referred to in paragraph 1 of this article, a basic pension shall be payable:

- (1) In the case of an old-age pension, if the applicant has been continuously resident in the country for at least three years;
- (2) In the case of an invalidity pension, if the applicant:
 - (a) Has been continuously resident in the country for at least three years, or
 - (b) Has been continuously resident in the country for at least one year and during that time has, for a continuous period of at least one year, engaged in or been physically and mentally fit for normal gainful activity;
- (3) In the case of a survivor's pension:
 - (a) If the survivor has been continuously resident in the country for at least three years, or
 - (b) If the deceased at the time of death was receiving an invalidity pension from that country or fulfilled the requirements listed in paragraph 2 (a) or (b) of this article, provided that at the time of the death the survivor was normally resident in the country.

3. In the case of a person receiving an invalidity pension or survivor's pension under this article, the pension shall, irrespective of length of residence, be replaced by an old-age pension when the person concerned attains the general pension age applicable in the country of normal residence.

4. In determining whether the requirement laid down in paragraph 2 of this article, concerning a specific period of continuous residence, has been fulfilled, temporary absences shall not be taken into account. Absences not exceeding four months at a time, or one month in the case of the requirement concerning continuous residence for one year, shall in any case be deemed to be temporary absences. Periods of temporary absence shall not be counted as residence periods.

Article 19. 1. A basic pension in accordance with article 18 shall be paid on the basis of the prospective pensioner's total period of normal residence in one or more Nordic countries.

2. If the period of residence referred to in paragraph 1 of this article amounts to at least 40 years, a basic pension shall be payable without any reduction based on length of residence. In other cases the basic pension shall be at least one fortieth for each year of residence. Periods prior to the age of 16 years and subsequent to the attainment of the general pension age applicable in the country of normal residence shall not be taken into account in the calculation. If pension payments begin before the person entitled to the pension attains the general pension age, the time remaining until attainment of the pension age shall also be taken into account.

3. A survivor's pension payable to a spouse shall likewise be calculated on the basis of the period of residence of the deceased, where it is longer than that of the person entitled to the pension. The same shall apply to an old-age pension payable to a surviving spouse who would have been entitled to a survivor's pension if such person had not attained the pension age. Survivor's pensions for children shall be payable without any reduction based on length of residence.

4. Where, under the legislation of one Nordic country, a basic pension is calculated, on the basis of length of residence in that country, a period of residence spent by a national of that country in another Nordic country shall count as a period of residence in the home country.

5. If a Nordic national receiving a basic pension from the country of normal residence is simultaneously entitled to a basic pension from another Nordic country under its legislation, the pension shall be paid from the last-mentioned country only in the amount whereby it exceeds the pension from the country of normal residence. This, however, shall not apply if both pensions are calculated exclusively on the basis of length of residence in the country in question and the period of residence taken as a basis for calculation of the pension from the country of normal residence amounts to less than 40 years.

Article 20. 1. If a national of a Nordic country removes from such a country to another and becomes eligible for a pension before sufficient time has elapsed for a basic pension to become payable from the new country of residence, the pension shall be paid from the country in which the time requirement for entitlement to a basic pension was last fulfilled, as if he continued to reside there. This shall apply on condition that application for a pension is submitted within three years from the time of leaving the last-mentioned country.

2. If a national of a Nordic country who is receiving a basic pension from such a country removes from that country to another Nordic country, he shall retain entitlement to a basic pension from the country paying the pension.

3. A basic pension under the provisions of paragraph 1 or 2 of this article shall be payable until the person entitled to the pension receives a basic pension from the new country of residence or has resided there long enough to fulfil the requirement concerning a specific period of residence in the country for entitlement to a basic pension of the kind in question, but not for more than three years. In the case of a person removing to his home country, entitlement to such a pension shall cease in any case when he attains the pension age applicable in his home country.

4. If, under the legislation of the new country of residence, a person is entitled to a basic pension calculated exclusively on the basis of length of residence in that country, such pension shall not prevent payment of a pension from the country of former residence in accordance with the provisions of this article. The pension from the country of former residence shall, however, be payable only in the amount whereby it exceeds the pension from the new country of residence.

SUPPLEMENTARY PENSION

Article 21. Insurance periods completed under the legislation of more than one Nordic country concerning supplementary pension insurance shall, if necessary for fulfilment of the conditions concerning entitlement to a supplementary pension from one such country, be aggregated in so far as they do not overlap.

Article 22. Only in the cases mentioned in article 23 may a supplementary pension be affected by the fact that the person concerned is also entitled to a supplementary pension from another Nordic country.

Article 23. 1. If the conditions for calculating a supplementary pension also on the basis of presumed insurance periods that would have been completed

if the pension had not become payable have been fulfilled in more than one Nordic country, such calculation shall be made only in the country where the increase in the pension resulting from the calculation is greatest.

2. If a new or different decision is taken in one country in a particular pension case, the question of the country from which a supplementary pension calculated on the basis of the presumption referred to in paragraph 1 of this article is payable shall be reviewed.

3. The provisions of this article shall not apply in cases where the person concerned has earned a pension entitlement in more than one country simultaneously during the two years immediately preceding the date of eligibility for the pension.

Chapter 3. EMPLOYMENT INJURY BENEFITS

Article 24. 1. Entitlement to employment injury benefits may not be affected by the fact that the person entitled to benefits is normally or temporarily resident in a Nordic country other than the one under whose legislation the case is to be settled in accordance with title II of this Convention.

2. The provisions of this Convention concerning entitlement to care benefits in the country of normal or temporary residence shall also apply to employment injuries.

Article 25. 1. If an occupational disease benefit is payable under the legislation of more than one Nordic country, the benefit shall be paid only in accordance with the legislation of the country in which the activity hazardous to health was last engaged in prior to detection of the occupational disease.

2. In the event of aggravation of an occupational disease giving rise to compensation under the legislation of one Nordic country, that country shall also be liable for such aggravation unless it can be attributed to work in another Nordic country.

Chapter 4. UNEMPLOYMENT BENEFITS

Article 26. Detailed provisions concerning entitlement to unemployment benefits are contained in the Agreement of 28 June 1976 between Denmark, Finland, Iceland, Norway and Sweden regarding rules for recognition of qualifying periods and the like in connexion with the right of persons covered by unemployed insurance to unemployment benefits.¹

TITLE IV. MISCELLANEOUS PROVISIONS

Article 27. The competent authorities shall jointly establish such provisions as are necessary to ensure uniform Nordic application of this Convention.

Article 28. For the purpose of applying this Convention, authorities and agencies shall assist one another in so far as necessary. In each Nordic country there shall be a special liaison office designated by the competent authority.

Article 29. 1. If an application is made to an agency in one Nordic country for a benefit under the legislation of another Nordic country, the agency shall immediately forward the application document to the competent agency in the

¹ United Nations, *Treaty Series*, vol. 1026, p. 3.

country concerned. Application shall be deemed to have been made on the date on which the application document is submitted in the first-mentioned country.

2. If an appeal or application of a kind other than that provided for in paragraph 1 of this article is required, under the legislation of one Nordic country, to be submitted within a specific time-limit in order to qualify for consideration, the application shall be deemed to have been received in time if such document is submitted to an agency in another Nordic country within the same time-limit. Such agency shall immediately forward the document to the competent agency.

Article 30. 1. If an agency in one Nordic country pays a benefit under such circumstances that reimbursement becomes necessary, the amount paid in excess may be withheld from a benefit from another Nordic country, in so far as the legal rules of that country permit.

2. If an agency in one Nordic country pays a benefit on a provisional basis pending a final decision and the beneficiary is subsequently found not to be entitled to the benefit or to be entitled to a smaller benefit, a corresponding benefit from another Nordic country for the same period may be wholly or partly withheld. The same shall apply where a benefit is paid without regard for the provisions of this Convention or where as a result of the subsequent application of the Convention it is found that a benefit from the first-mentioned country should not have been paid or should have been paid in a smaller amount.

3. A sum withheld in pursuance of paragraph 1 or 2 of this article shall be remitted to the agency which should not have paid a benefit or should have paid a benefit in a smaller amount.

Article 31. 1. A document concerning entitlement to a maintenance allowance, drawn up in one Nordic country, shall be deemed to constitute a valid basis for an advance payment of the allowance also in another Nordic country. If the document is not a decision of a court or other public authority, such document shall be furnished with an attestation that in the country of issue it may serve as a basis for recovery proceedings against the person liable to pay the allowance.

2. An advance payment of an allowance may be withheld in so far as a maintenance advance has been paid from another Nordic country for the same period.

Article 32. A Nordic country which is permanently providing a national of another Nordic country with his main support or other social assistance may not on that ground require that he should be admitted to his home country if his family circumstances, ties with the country of normal residence, or circumstances in general make it advisable for him to remain there, and in any case not if he has been normally resident in the country for at least five years.

Article 33. This Convention shall not confer entitlement to payment of a basic pension to a person who is not normally resident in a Nordic country. Nor may the Convention confer entitlement to the acquisition of rights outside the Nordic countries.

Article 34. 1. This Convention shall not apply to benefits and contributions for periods prior to its entry into force.

2. For the purpose of determining entitlement to benefits on the basis of this Convention, insurance, employment and residence periods completed before the entry into force of the Convention shall also be taken into account.

3. Article 23 of this Convention shall also apply to pensions which, at the time of entry into force of the Convention, are being paid in accordance with article 5 (b) of the Convention of 15 September 1955.

Article 35. This Convention shall not result in any reduction in benefits payable at the time of entry into force of the Convention.

Article 36. 1. Any country wishing to denounce the Convention shall give written notice to that effect to the Danish Ministry of Foreign Affairs, which shall so notify the Governments of the other Nordic countries.

2. Such denunciation shall apply only as regards the country giving notice thereof, and shall take effect from the beginning of the calendar year following the expiration of not less than six months from the date on which notice of denunciation is received by the Danish Ministry of Foreign Affairs.

3. The denunciation of the Convention shall not affect rights acquired under the Convention.

Article 37. 1. This Convention shall be ratified, and the instruments of ratification shall be deposited with the Danish Ministry of Foreign Affairs.

2. The Convention shall enter into force on the first day of the second month following the deposit of the instruments of ratification of all the countries.

Article 38. Upon the entry into force of this Convention, the Convention of 15 September 1955 between Denmark, Finland, Iceland, Norway and Sweden respecting social security, with subsequent amendments and supplements, shall cease to have effect as shall the Agreement of 6 February 1975 between the aforesaid countries concerning sickness benefits and benefits in respect of pregnancy and confinement.¹

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Agreement.

DONE at Copenhagen on 5 March 1981, in one copy in the Danish, Finnish, Icelandic, Norwegian and Swedish languages, all the texts being equally authentic.

For Denmark:
LISE ØSTERGAARD

For Finland:
KATRI-HELENA ESKELINEN

For Iceland:
SVAVAR GESTSSON

For Norway:
ARNE NILSEN

For Sweden:
KARIN SÖDER

¹ United Nations, *Treaty Series*, vol. 982, p. 243.

ANNEX TO THE CONVENTION BETWEEN DENMARK, FINLAND, ICELAND,
NORWAY AND SWEDEN ON SOCIAL SECURITY

PROVISIONS CONCERNING THE APPLICABILITY OF LEGISLATION

A. DENMARK

1. Ad article 6

Entitlement to sickness or confinement care benefits in Denmark in the case of a person who is normally resident in Denmark shall not be affected by the provisions of article 6, paragraphs 2 and 3.

2. Ad article 14

Funeral benefits under the National Health Insurance Act shall not be covered by the provisions concerning sickness care benefits.

3. Ad article 18

Where the conditions for entitlement to a survivor's pension under article 18, paragraph 2, sub-paragraph (3) (b), have been fulfilled, a period of normal residence in another Nordic country shall be assimilated to a period of normal residence in Denmark for the purpose of determining whether the requirement of at least one year's normal residence in Denmark after attaining the minimum age for entitlement to a pension on the basis of length of residence has been fulfilled. This provision shall apply *mutatis mutandis* to Danish nationals.

4. Ad article 19

(a) Nationals of the other Nordic countries shall be entitled to a full Danish old-age pension under the provisions of the National Pension Act concerning entitlement to a full pension for persons who have been normally resident in Denmark for at least 10 years within the age-limits applicable for eligibility for a pension on the basis of length of residence, including at least five years immediately prior to the normal pension age. No account shall be taken of periods of residence in the other Nordic countries in determining whether a full pension may be granted in accordance with the aforesaid provision.

(b) For the purpose of applying article 19, paragraph 2, third sentence, in calculating the pension for a person who is entitled, under the Convention, to receive a pension from Denmark, account shall be taken of periods of residence in the Nordic countries after attainment of the minimum age specified in the Danish pension legislation for eligibility for a pension on the basis of length of residence.

(c) The provisions of article 19, paragraph 3, shall apply *mutatis mutandis* to invalidity pensions under the Danish Act on Invalidity Pensions, etc., subject to the conditions laid down in that Act.

(d) For the purpose of calculating a widow's pension, invalidity pension or old-age pension under Danish legislation for a person whose spouse is deceased, on the basis of length of residence of the deceased spouse in the Nordic countries, the conditions specified in the Invalidity Pension Act, the Widow's Pension Act and the National Pension Act shall be fulfilled. In calculating the period of residence from the date on which pension payments begin and up to the pension age applicable in the country of normal residence, the age of the surviving spouse at the time when the pension becomes payable shall be taken as the basis.

5. Ad article 20

(a) A Nordic national who is normally resident in a Nordic country other than Denmark may not receive an early old-age pension under article 20, paragraph 1, by dispensation from the age requirements on the basis of unemployment or similar lack of employment opportunities.

(b) In the case of a single woman who has reached the age of 62 years, an old-age pension from Denmark shall be payable under article 20, paragraph 2, beyond the three-year time-limit from the date of removal as specified in paragraph 3 of that article so long as the pensioner has not attained the general pension age in the country of normal residence.

(c) In the case of persons receiving an early old-age pension from Denmark, on the basis of dispensation from the age requirements, after removing to another Nordic country prior to 1 January 1978, the pension shall be paid beyond the three-year time-limit from the date of removal as specified in article 20, paragraph 3, so long as the pensioner has not attained the general pension age in the country of normal residence.

6. *Ad article 21*

For the purpose of applying article 21, members of the Labour Market Supplementary Pension Scheme for whom the necessary number of contributions required to attain full seniority have been paid over one calendar year, shall be deemed to have completed an insurance period of one whole year. Members for whom a small number of contributions has been paid shall be deemed to have completed an insurance period amounting to such portion of a year as corresponds to the ratio of the number of paid contributions to the number required to attain full seniority.

B. FINLAND

1. *Ad article 5*

For the purpose of establishing entitlement to a maternity allowance under Finnish legislation, account shall also be taken of daily benefits paid under the legislation of another Nordic country, on the basis of the same birth or adoption, to the other parent.

2. *Ad articles 18-20*

(a) In granting a national pension to a person normally resident in a Nordic country other than Finland, the pension and supplements thereto shall be calculated in accordance with the rules applicable to pensioners normally resident in a commune belonging to the least expensive of the commune categories referred to in article 27 of the National Pension Act.

(b) For the purpose of establishing entitlement to a housing allowance under the Act on Housing Allowances for Pensioners, only housing costs in Finland shall be taken into consideration.

(c) The unemployment pension provided for in articles 20 and 22 c) of the National Pension Act shall, for the purpose of applying article 18, be regarded as an invalidity pension.

(d) The provisions of article 20 shall not apply to the unemployment pension provided for in articles 20 and 22 c) of the National Pension Act.

3. *Ad article 21*

For the purpose of applying article 21, a person who has been insured under the Act on Pensions for Short-term Employees shall be credited with an insurance period of one month for each calendar month in respect of which a contribution has been paid for him into the work pension fund.

C. ICELAND

1. *Ad articles 18-20*

When the period of temporary residence referred to in article 18, paragraph 2, has ended, for the purpose of establishing insurance periods in Iceland, a period of normal residence in another Nordic country shall be assimilated to a period of normal residence in Iceland. This shall apply whether the person taking up residence in Iceland is an Icelandic national or a national of another Nordic country. In the case of Icelandic nationals

taking up residence in Iceland, a period of normal residence in another Nordic country shall be assimilated to a period of residence in Iceland, when such person has attained the statutory pension age, even if the minimum residence requirement specified in article 18, paragraph 2, has not been fulfilled.

2. *Ad article 19*

For the purpose of applying article 19, children's supplements for old-age and invalidity pensioners under the regulations laid down in article 14 of the Icelandic National Insurance Act shall be paid in full irrespective of length of residence.

3. *Ad article 21*

For the purpose of applying article 21, members of Icelandic pension funds established by law or recognized by the Ministry of Finance shall be deemed to have completed a full year's insurance period if for a period of one calendar year the contributions paid for them amount to at least 10 per cent of six months' pay according to the wage scale applied for the determination of the daily benefit rates for unemployment insurance.

4. *Ad article 22*

For the purpose of calculating a pension under the Old-age Pension Act, a supplementary pension from another Nordic country shall be deducted in a same way as a pension from an Icelandic pension fund.

D. NORWAY

1. *Ad article 5*

For the purpose of determining one parent's entitlement to daily birth benefits under Norwegian legislation, account shall be taken of daily benefits paid to the other parent under the legislation of another Nordic country.

2. *Ad article 6*

Notwithstanding the provisions of article 6, nationals of Denmark, Finland, Iceland and Sweden who are employed on a Norwegian foreign-going vessel shall be covered by the Seamen's Pension Insurance Act only if they are actually resident in Norway.

3. *Ad article 10*

The provision of the National Insurance Act to the effect that employers' contributions shall be paid on remuneration to a foreign national for work performed abroad only if such person is normally resident in Norway, or employed on a Norwegian foreign-going vessel, shall not apply for the purpose of implementing articles 7 and 8.

4. *Ad articles 12-17*

The provisions of articles 12 to 17 shall not apply to benefits for unmarried, divorced or separated parents under chapter 12 of the National Insurance Act.

5. *Ad article 18*

When the period of residence referred to in article 18, paragraph 2, has ended, for the purpose of determining an insurance period in Norway, a period of residence in another Nordic country shall be assimilated to a period of residence in Norway. This shall apply both to Norwegian nationals taking up residence in Norway and to nationals of another Nordic country. In the case of Nordic nationals taking up residence in Norway, when they have attained the statutory pension age a period of residence in another Nordic country shall be assimilated to a period of residence in Norway even if the minimum residence requirement stipulated in article 18, paragraph 2, has not been fulfilled.

6. *Ad article 19*

(a) The following national insurance benefits shall be paid in full irrespective of length of residence:

1. A children's supplement to a national insurance pension;

2. Basic grants under article 8-2, paragraph 1 (a), of the National Insurance Act;
3. Assistance grants under article 8-2, paragraph 1 (b), of the National Insurance Act;
4. Child care benefits under article 10-2 of the National Insurance Act.

(b) For the purpose of applying article 19, paragraph 2, the calendar year in which the person concerned attains the age of 67, 68 or 69 years and has earned pension points shall also be included in the period of residence.

(c) A children's pension paid to the first child where both parents are deceased and amounting to the same as a survivor's pension for the parent who, if the case had arisen, would have received the largest such pension, shall be calculated in accordance with the rules laid down in article 19, paragraph 1 (cf. paragraphs 2 to 4).

7. *Ad article 20*

(a) A compensation supplement to benefits from the national insurance scheme under the Act of 19 December 1969 shall be paid only to persons normally resident in Norway.

(b) Basic benefits, assistance benefits and child care benefits shall be paid to Norwegian nationals normally resident in a Nordic country other than Norway only to the extent compatible with Norwegian legislation.

8. *Ad articles 21-23*

For the purpose of entitlement to a supplementary pension for Nordic nationals, temporary or permanent residence in another Nordic country shall be assimilated to temporary or permanent residence in Norway.

E. SWEDEN

1. *Ad article 5*

For the purpose of determining a parent's entitlement to parent's benefits under Swedish legislation, daily benefits in connection with parenthood under the legislation of another Nordic country shall be deducted in the same way as parent's benefits paid to the other parent.

2. *Ad article 6*

(a) A person who, according to the provisions of article 6, paragraph 2, is to be covered by Swedish legislation concerning parent's benefits on the basis of employment on board a Swedish vessel, shall be entitled to receive parent's benefits also in respect of children normally resident in a Nordic country other than Sweden.

(b) Entitlement to sickness benefits acquired by a person on the basis of inclusion in the Swedish seamen's register shall not be affected by the provisions of article 6.

3. *Ad article 7*

A person who, under the provisions of article 7, is to be covered by Swedish legislation concerning parent's benefits without being normally resident in Sweden shall be entitled to receive such benefits also in respect of children normally resident in the same country as the insured person in question.

4. *Ad article 12*

Parent's benefits under Swedish legislation which do not exceed the guaranteed level shall be paid if, immediately before the birth of the child or expected date thereof, the person taking up residence has been entitled to care benefits in the Nordic countries for a total period of at least 180 days.

5. *Ad article 15*

Care benefits under article 15 shall, in so far as Sweden is concerned, be paid to all persons who are not covered by Swedish sickness insurance on the basis of connections with the embassy or consulate of a Nordic country in Sweden.

6. *Ad article 18*

An early retirement pension under Swedish legislation shall be regarded as an invalidity pension for the purpose of applying article 18.

7. *Ad article 19*

(a) The provisions of article 19 shall not apply to a Nordic national who is normally resident in Sweden and who fulfils the requirements of Swedish legislation for entitlement to a Swedish national basic pension.

(b) A children's supplement to a national basic pension, a care allowance or a disability benefit which is not paid as a supplement to a national basic pension shall be payable in full irrespective of length of residence.

8. *Ad article 20*

A Nordic national who is normally resident in a Nordic country other than Sweden may not, on the basis of article 20, be paid an old-age pension for a period prior to the general pension age applicable in Sweden, a care allowance or disability benefits which are not payable as a supplement to a national basic pension.

9. *Ad article 21*

Article 21 shall not apply to seamen's pensions under Swedish legislation.
