

**No. 25646**

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

**Nordic Agreement on unemployment benefits (with annex).  
Signed at Mariehamn, Finland, on 12 November 1985**

*Authentic texts: Danish, Finnish, Icelandic, Norwegian and Swedish.  
Registered by Norway on 12 February 1988.*

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

**Accord nordique relatif aux prestations chômage (avec an-  
nexe). Signé à Mariehamn (Finlande) le 12 novembre  
1985**

*Textes authentiques : danois, finnois, islandais, norvégien et suédois.  
Enregistré par la Norvège le 12 février 1988.*

## [TRANSLATION — TRADUCTION]

NORDIC AGREEMENT<sup>1</sup> ON UNEMPLOYMENT BENEFITS

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

Noting that the provisions of the Nordic Convention of 5 March 1981 on social security<sup>2</sup> also apply, where appropriate, to unemployment benefits,

Have accordingly concluded the following agreement on such benefits:

*Article 1.* This Agreement shall apply to the legislation in force at the time in the Nordic countries concerning unemployment insurance and other cash benefits for the unemployed, specified in the Annex to this Agreement.

If the legislation referred to in the first paragraph of this article is replaced by legislation of a similar nature, the Agreement shall also apply to the new legislation.

*Article 2.* For the purposes of this Agreement:

(a) The term “qualifying periods” means periods of employment and contribution periods which can be recognized under the legislation of the country in which they have been completed and all periods equivalent thereto.

(b) The term “frontier workers” means employed persons who work in one of the Nordic countries but are residents in another Nordic country, to which they usually return every day. Frontier workers who are temporarily assigned, by the enterprise in which they are permanently employed, to a duty station from which they cannot return to their place of residence every day, shall nevertheless be considered frontier workers for a period not exceeding four months. This provision shall also apply if the work is performed during that period in the country of residence.

*Article 3.* Persons who move from one Nordic country to another shall be entitled to recognition in respect of qualifying periods completed in the other Nordic countries. This provision shall apply, however, only if the periods can be recognized as valid under the legislation of the country in which the claim for benefits is made.

The same right shall also be accorded to persons who are entitled to unemployment benefits under articles 6 and 7.

*Article 4.* Persons seeking the recognition of qualifying periods under the first paragraph of article 3 shall, immediately prior to unemployment, have performed work in the country in which the claim for benefits is made. Such work must infer

<sup>1</sup> Came into force on 1 December 1987, i.e., the first day of the month following the expiration of two full calendar months from the date on which the instruments of ratification of all the Contracting Parties had been deposited with the Ministry of Foreign Affairs of Norway, in accordance with article 17:

State	Date of deposit of the instrument of ratification
Denmark* .....	16 January 1987
Finland .....	30 January 1987
Iceland .....	15 September 1987
Norway* .....	27 November 1986
Sweden .....	17 July 1986

\* For the text of the reservations, see p. 121 of this volume.

<sup>2</sup> United Nations, *Treaty Series*, vol. 1306, p. 59.

eligibility for benefits under the legislation of that country. However, no more than four weeks of continuous gainful employment may be claimed.

If the employment is discontinued through no fault of the recipient of the benefits, he or she may nevertheless be granted recognition in respect of qualifying periods provided that the employment was meant to be of longer duration.

*Article 5.* The requirement concerning work set forth in the first paragraph of article 4 shall not apply to a person who, in the country in which the claim for benefits is made, has either worked to such an extent that he or she is covered by the legislation of that country concerning unemployment benefits or has received unemployment benefits. However the work shall have been performed or the unemployment benefits received within five years from the date of registering at the public employment office as an applicant for work and, as appropriate, of applying for membership in the unemployment benefit society concerned.

The requirement shall likewise not apply to a person who has moved with his or her spouse, if the spouse has obtained employment for at least two years in the country in which the claim for benefits is made. In that connexion, cohabiting couples shall be treated as spouses to the extent allowed by national legislation or practice.

*Article 6.* Frontier workers who become wholly or partly unemployed without termination of employment shall receive unemployment benefits under the legislation of the country of employment as if they were residents there, provided that they have registered with the public employment office in the country of employment.

This provision shall also apply to other employed persons who, while employed, have been residents of a country other than the country of employment, if they are staying in the country of employment.

*Article 7.* Frontier workers whose employment is terminated shall receive unemployment benefits under the legislation of the country of residence as if they had been covered by that country's legislation while employed. However, this shall apply only if the frontier worker registers at the public employment office in the country of residence as an applicant for work.

The same provision shall also apply to other employed persons who, while employed, have been residents of a country other than the country of employment, but only if they have lived there continuously during the two years preceding the commencement of unemployment.

*Article 8.* As a requirement for the application of these provisions, the applications for work and registrations referred to in articles 5 and 7 must be made within eight weeks reckoned from:

- (a) The date of removal in the cases referred to in article 5, and
- (b) The commencement of unemployment in the cases referred to in article 7.

The gainful employment referred to in article 4 shall have commenced within eight weeks from the date on which the recipient of the benefits ceases to be covered by the legislation on unemployment benefits of the country from which he or she has moved.

*Article 9.* This Agreement shall not prevent any Nordic country from applying in respect of recipients of benefits any provisions concerning entitlement to benefits that are more favourable than those set forth in articles 4 to 8.

*Article 10.* Benefits paid in one Nordic country shall be aggregated to benefits paid in the other Nordic countries.

*Article 11.* Where the legislation of one Nordic country stipulates that unemployment benefits shall be calculated on the basis of earlier earned income, the income received in other Nordic countries shall be assimilated to income in the country in which the claim for benefits is made. The calculation shall be made in accordance with the rules of that country.

*Article 12.* Benefits in respect of the same period of unemployment may not be paid simultaneously from more than one Nordic country.

*Article 13.* Special agreements on the payment of unemployment benefits to employed persons returning to their country of residence after they have become wholly or partly unemployed without termination of employment may be concluded between two or more of the contracting countries. Before such an agreement is concluded between the countries concerned, the other contracting countries shall be given an opportunity to state their views.

*Article 14.* This Agreement shall not apply to benefits pertaining to the period preceding its entry into force.

For the purpose of determining entitlement to benefits under this Agreement, benefit periods and qualifying periods prior to the entry into force of the Agreement shall also be taken into account.

*Article 15.* The liaison agencies for the application of this Agreement shall be:

- In Denmark: the Directorate for Unemployment Insurance (Direktoratet for Arbejdsløshedsforsikringen);
- In Finland: the Ministry of Social Affairs and Health (Sosiaali- ja terveystieteiden ministeriö);
- In Iceland: the Unemployment Insurance Fund (Atvinnuleysisstryggingasjóður);
- In Norway: the Directorate of Labour (Arbeidsdirektoratet), and
- In Sweden: the National Labour Market Board (Arbetsmarknadstyrelsen).

*Article 16.* Any contracting country wishing to denounce the Agreement shall give written notice to that effect to the Norwegian Ministry of Foreign Affairs, which shall so notify the Governments of the other Nordic countries.

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 Norwegian Ministry of Foreign Affairs.

The denunciation of the Agreement shall not affect rights acquired under the Agreement.

*Article 17.* This Agreement shall be ratified, and the instruments of ratification shall be deposited with the Norwegian Ministry of Foreign Affairs.

The Agreement shall enter into force on the first day of the month following the expiration of two full calendar months from the date on which the instruments of ratification of all the countries have been deposited.

*Article 18.* Upon the entry into force of this Agreement, the Agreement of 28 June 1976 between Denmark, Finland, Iceland, Norway 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, with annexed final protocol,<sup>1</sup> shall cease to have effect.

In the case of a person who, at the time of entry into force of the Agreement, has begun to receive benefits under the second paragraph of article 2, of the abrogated Agreement, the provisions of that section shall continue to apply for the remainder of the benefit period.

IN WITNESS WHEREOF the undersigned, being duly authorized for the purpose, have signed this Agreement.

DONE at Mariehamn on 12 November 1985, in one copy in the Danish, Finnish, Icelandic, Norwegian and Swedish languages, all the texts being equally authentic.

## ANNEX

### LIST OF LEGISLATIVE ENACTMENTS REFERRED TO IN ARTICLE 1

#### *Denmark*

Act (Notice No. 444 of 28 July 1982) concerning employment services and unemployment insurance, etc.

#### *Finland*

Act on protection for the unemployed (602/24.8.1984).

Act on unemployment funds (603/24.8.1984) and related legislation.

#### *Iceland*

Act No. 64 of 2 June 1981 on unemployment insurance.

#### *Norway*

Act No. 12 of 17 June 1966 on national insurance, chapter 4, Benefits during unemployment, etc., Section 4-1 (a).

#### *Sweden*

Act of 5 June 1973 (No. 370) concerning unemployment insurance.

Act of 5 June 1973 (No. 371) on labour market cash benefits.

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<sup>1</sup> United Nations, *Treaty Series*, vol. 1026, p. 3.

For the Government of Denmark:

With attached reservation

[GRETHE FENGER MOELLER]

For the Government of Finland:

[MATTI PUHAKKA]

For the Government of Iceland:

[HALLGRIMUR DALBERG]

For the Government of Norway:

With attached reservation

[KJELL STAHL]

For the Government of Sweden:

[ANNA-GRETA LEIJON]

## RESERVATIONS MADE UPON SIGNATURE AND CONFIRMED UPON RATIFICATION

## RÉSERVES FAITES LORS DE LA SIGNATURE ET CONFIRMÉES LORS DE LA RATIFICATION

*DENMARK**DANEMARK*

[DANISH TEXT — TEXTE DANOIS]

“Ved noteveksling kan den danske regering på grundlag af beslutninger truffet af det færøske hjemmestyre eller det grønlandske hjemmestyre under Forudsætning af gensidighed tilslutte seg den i dag daterede overenskomst for henholdsvis Færøernes og Grønlands vedkommende.”

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

By an exchange of notes the Danish Government, pursuant to decisions taken by the Home Government of the Faroe Islands or the Home Government of Greenland, may accede on a basis of reciprocity to the Agreement of today's date on behalf of the Faroe Islands and Greenland respectively.

[TRADUCTION — TRANSLATION]

Conformément aux décisions prises par le Gouvernement autonome des îles Féroé ou le Gouvernement autonome du Groenland, le Gouvernement danois pourra, par échange de notes, adhérer sur la base de la réciprocité à l'Accord en date de ce jour au nom des îles Féroé et du Groenland respectivement.

*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.”

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

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

[TRADUCTION — TRANSLATION]

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

<sup>1</sup> Translation supplied by the Government of Norway.

<sup>2</sup> Traduction fournie par le Gouvernement norvégien.