

**No. 30669**

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**FINLAND  
and  
AUSTRALIA**

**Agreement on medical treatment for temporary visitors.  
Signed at Canberra on 6 August 1992**

*Authentic texts: Finnish and English.*

*Registered by Finland on 26 January 1994.*

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**FINLANDE  
et  
AUSTRALIE**

**Accord relatif à la fourniture de soins médicaux aux visiteurs  
temporaires. Signé à Canberra le 6 août 1992**

*Textes authentiques : finnois et anglais.*

*Enregistré par la Finlande le 26 janvier 1994.*

## AGREEMENT<sup>1</sup> ON MEDICAL TREATMENT FOR TEMPORARY VISITORS BETWEEN THE REPUBLIC OF FINLAND AND AUSTRALIA

The Government of the Republic of Finland and the Government of Australia

Desirous of facilitating the provision of immediately necessary medical treatment for residents of the territory of one Party temporarily in the territory of the other Party.

Have agreed as follows:

### Article 1

(1) For the purpose of this Agreement.

(a) "medical treatment" means:

(i) in relation to Australia, medical and hospital services provided, or in respect of which a benefit is payable, under the Health Insurance Act 1973, the National Health Act 1953 and any Agreements or determinations made under the Health Insurance Act 1973 in relation to the provision in the States and Territories of Australia of hospital services and other health services; and

(ii) in relation to Finland, medical and hospital services provided, or in respect of which a benefit is payable under the general Hospital and Public Health legislation and Sickness Insurance legislation;

(b) "resident" means:

(i) in relation to Australia, a person who is an Australian resident for the purposes of the Health Insurance Act 1973 and holds either a current Australian passport or any other current passport endorsed to the effect that the holder is entitled to reside indefinitely in Australia; and

(ii) in relation to Finland, a person who is resident in Finland and holds either a current Finnish passport or a sickness insurance card issued by the Social Insurance Institution;

(c) "territory" means:

(i) in relation to Australia, the territory of Australia, excluding all external territories other than the territories

of Cocos (Keeling) Island and Christmas Island; and

(ii) in relation to Finland, its territory;

(d) "temporarily in the territory" means: lawfully present but not ordinarily resident in that territory.

(e) "public patient" means:

in relation to Australia, a person in respect of whom the hospital provides comprehensive care, including all necessary medical, nursing and diagnostic services and, if they are available at the hospital, paramedical services, by means of its own staff or by other agreed arrangements.

(2) For the purpose of this Agreement, unless the context otherwise requires, other words and expressions used in the Agreement have the meanings assigned to them respectively under the legislation referred to in paragraph (1)(a) of this Article.

(3) This Agreement shall apply also to any legislation which replaces, amends, supplements or consolidates the legislation referred to in paragraph (1)(a) of this Article.

### Article 2

(1) This Agreement applies to a resident of the territory of one Party who is either:

(a) temporarily in the territory of the other Party; or

(b) in the territory of the other Party as the head or a member of the staff of a diplomatic mission or consular post established there by the first mentioned Party or a member of the family of that person, being a member who forms part of the household of that person.

(2) This Agreement does not apply to a resident of the territory of one Party who enters the territory of the other Party for the specific purpose of seeking medical treatment unless that person is a member of the crew or passenger on any ship, vessel or aircraft travelling to, leaving from, or diverted to the

<sup>1</sup> Came into force on 1 September 1993, i.e., the first day of the second month following the month in which the Parties had notified each other (on 26 July 1993) of the completion of the legal and constitutional requirements, in accordance with article 6 (1).

territory of the other Party and the need for the treatment arose during the voyage or flight.

#### Article 3

(1) A person to whom paragraph (1)(a) of Article 2 applies, who needs immediately necessary medical treatment, that is, treatment for any episode of ill-health which requires prompt medical attention, while in the territory of the other Party, shall be provided with such medical treatment on terms no less favourable than would apply to a resident of that territory.

(2) In relation to paragraph (1), for Australia, medical treatment shall be available as a public patient within the public health care system.

(3) A person to whom paragraph (1)(b) of Article 2 applies, shall be provided with medical treatment whether or not immediately necessary and regardless of the length of the stay in the territory of the Party in which the treatment is provided.

#### Article 4

(1) Neither Party shall be liable to make any payment to the other Party in respect of medical treatment provided in accordance with this Agreement.

(2) Any amount which is payable in respect of medical treatment provided in the territory of a Party by virtue of this Agreement shall be borne by the person in respect of whom the medical treatment is provided.

#### Article 5

(1) The competent authorities for the application of this Agreement in respect of matters of principle are:

- (a) in relation to Australia, the Department of Health, Housing and Community Services, and
- (b) in relation to Finland, the Ministry of Social Affairs and Health.

(2) The liaison agencies for the application of this Agreement in respect of operational matters are:

(a) in relation to Australia, the Department of Health, Housing and Community Services, and

(b) in relation to Finland, the Social Insurance Institution.

(3) The competent authorities shall send to each other as soon as possible details of any changes in laws or regulations in force in their respective territories which may significantly affect the nature and scope of services provided under this Agreement.

(4) Matters relating to the interpretation or application of this Agreement shall be resolved by consultation between the competent authorities or the liaison agencies as appropriate.

#### Article 6

(1) This Agreement shall enter into force on the first day of the second month following the month in which each Party has notified the other through the diplomatic channel that its legal and constitutional requirements for the entry into force have been fulfilled.

(2) This Agreement shall remain in force until the expiration of 12 months from the date on which either Party receives from the other written notice through the diplomatic channel of the other Party's intention to terminate this Agreement.

(3) In the event that this Agreement is terminated in accordance with paragraph (2), the Agreement shall continue to have effect in relation to medical treatment which had been or was being provided prior to or at the expiry of the period of the notice referred to in that paragraph.

IN WITNESS WHEREOF the undersigned, duly authorized thereto by their respective Governments, have signed this Agreement

DONE in duplicate at Canberra this sixth day of August, 1992, in the Finnish and English languages, both texts being equally authoritative.

For the Government  
of the Republic of Finland:

TIMO KARMAKALLIO

For the Government  
of Australia:

BRIAN HOWE