

N° 3367.

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**ROUMANIE  
ET YOUGOSLAVIE**

Convention relative aux assurances  
sociales. Signée à Beograd, le  
30 janvier 1933.

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**ROUMANIA  
AND YUGOSLAVIA**

Convention regarding Social Insur-  
ance. Signed at Belgrade, January  
30th, 1933.

<sup>1</sup> TRADUCTION. — TRANSLATION.No. 3367. — CONVENTION<sup>2</sup> BETWEEN THE KINGDOM OF ROUMANIA AND THE KINGDOM OF YUGOSLAVIA REGARDING SOCIAL INSURANCE. SIGNED AT BELGRADE, JANUARY 30TH, 1933.

*French official text communicated by the Permanent Delegate of the Kingdom of Yugoslavia accredited to the League of Nations. The registration of this Convention took place March 3rd, 1934.*

HIS MAJESTY THE KING OF YUGOSLAVIA

and

HIS MAJESTY THE KING OF ROUMANIA,

Being desirous of reaching an agreement in regard to social insurance,  
Have resolved to conclude a Convention for this purpose and have appointed as their respective Plenipotentiaries :

HIS MAJESTY THE KING OF YUGOSLAVIA :

Monsieur Bogoljub D. JEVTIĆ, Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF ROUMANIA :

Monsieur Alexandre N. IAKOVAKY, Minister Plenipotentiary, Director in the Ministry of Foreign Affairs ;

Who, having exchanged their full powers, found in good and due form, have agreed upon the following provisions :

## I. GENERAL PROVISIONS.

*Article 1.*

The Kingdom of Yugoslavia and the Kingdom of Roumania undertake to grant to each other's nationals the same treatment as is enjoyed by their own nationals with respect to the rights and obligations arising from the laws in force concerning social insurance in case of sickness, accident, invalidity, old age and death.

The same equality of treatment shall be granted likewise with respect to voluntary social insurance in connection with compulsory insurance. Nevertheless, if a person is compulsorily insured in one of the two States, he shall not be entitled to enter into or prolong voluntary insurance in the other State unless the laws of that State authorise the concurrence of voluntary and compulsory insurance.

<sup>1</sup> Traduction du Bureau international du Travail.      <sup>2</sup> Translation of the International Labour Office.

<sup>2</sup> The exchange of ratifications took place at Bucharest, September 26th, 1933.

*Article 2.*

The competent superior administrative authorities of the two countries shall have power to apply the principles of equality of treatment laid down in this Convention to other cases of insurance also by means of special agreements.

*Article 3.*

The superior administrative authority competent for this purpose shall be in the Kingdom of Yugoslavia the Ministry of Social Affairs and Public Health and in the Kingdom of Roumania the Ministry of Labour, Co-operation and Social Insurance.

## II. SPECIAL PROVISIONS RESPECTING SICKNESS INSURANCE.

*Article 4.*

For the purpose of sick benefit, the insurance of nationals of the two States with the insurance carriers of one of the two States shall be deemed to be a continuation of insurance with the insurance carriers of the other State, provided that not more than three months have elapsed between the cessation of the first insurance and the beginning of the new insurance. The interval between the two insurances shall not be deemed to be an insurance period.

Nevertheless, the legislation of the insuring State shall alone apply with respect to maternity benefit.

*Article 5.*

Insured persons who work in the frontier district of one of the two States but who are resident in the adjacent frontier district of the other State shall be entitled in case of sickness to receive from the insurance carrier at their residence the same benefit as is due to nationals who are resident in the territory of the insuring State. The same benefits shall likewise be due to the family of the insured person if the said family is resident in the frontier district of the other of the two States.

The provisions of the preceding paragraph of this Article shall apply likewise with respect to the medical treatment for which the invalidity, old age and death insurance system is liable.

For this purpose the medical practitioners, midwives and employees of the competent insurance carrier shall be authorised to carry out their duties of attendance, inquiry and supervision in the territory of the other State in which the beneficiaries are resident. The insurance carrier shall be bound to supply the list of the said medical practitioners, midwives and employees at any time at the request of the competent authority.

The above-mentioned authority may raise objections to particular persons for sufficient reasons. Such objections shall be given consideration.

The above-mentioned medical practitioners shall have the right to give their prescriptions in the frontier district of the other State and to have them made up in the pharmacies affiliated to the insurance carrier of the other State at the prices fixed for the latter but at the expense of the insurance carrier.

## III. SPECIAL PROVISIONS RELATING TO ACCIDENT INSURANCE.

*Article 6.*

The preceding provisions respecting sickness insurance shall apply likewise with respect to accident insurance during the whole period when the insured person is entitled to medical attendance in conformity with the laws of the insuring State.

*Article 7.*

The initial medical reports on accidents, until the first payment of benefit or the first decision of the insurance carrier, shall be effected by the said carrier even if the injured person is resident in the territory of the other State.

If after the period specified in the preceding paragraph the injured person is in the territory of the State of which he is a national, the insurance carrier competent for this branch of insurance shall continue to ascertain whether the right to receive benefits still subsists, if so requested by the insurance carrier of the other State. The expenses incurred shall be defrayed by the insurance carrier which makes the request.

The provisions of this Article shall apply likewise with respect to medical reports and supervision of the pension in cases of invalidity insurance.

## IV. MISCELLANEOUS PROVISIONS.

*Article 8.*

The administrative authorities and insurance carriers of the two States shall give one another, even in inquiries, the same assistance as they are bound to give for the purpose of the administration of the social insurance laws of their own State.

The insurance carriers of the two States shall assist one another in particular with respect to the payment of allowances, pensions and annuities, supervision, the granting of attendance to sick, injured and disabled persons and the admission of such persons to sanatoria.

Such mutual assistance shall be given free of charge, provided that the expenses actually incurred and the general expenses for medical attendance and medicaments shall be refunded.

The insurance carriers concerned shall conclude special agreements with respect to the refund of these general expenses.

*Article 9.*

Special contracts and agreements concluded between medical practitioners, midwives, hospitals, sanatoria, convalescent homes and pharmacies, on the one hand, and an insurance carrier of one of the two States, on the other hand, with respect to the benefit which is due from or supplied by the latter to its own insured persons, or to which the insured persons are entitled in any way whatever, shall apply likewise to the benefit which the insurance carrier is bound to grant to insured persons belonging to insurance carriers of the other State in pursuance of this Convention.

The preceding provision shall apply likewise to contracts and agreements for admission to and treatment in retraining establishments, attendance at home, curative treatment and the supply of orthopedic appliances.

*Article 10.*

The insurance carriers and institutions of the two States shall have the right to communicate with one another directly without having recourse to the diplomatic authorities.

Without prejudice to the provision laid down in Article 11, correspondence relating to the payment of annuities and pensions shall as a rule be carried on through the carrier which undertakes the insurance concerned.

Communications made by or to the intermediary carrier shall have the same effect as if they were made by or to the competent insurance carrier.

*Article 11.*

Roumanian insurance carriers and authorities which, in conformity with the Roumanian social insurance laws, must make notifications which involve forfeiture of rights to Yugoslav nationals resident outside the territory of the Kingdom of Roumania who do not yet receive a pension or annuity through a Yugoslav carrier and whose address is known shall be bound to make the notifications in question through the Yugoslav consular authorities.

Within a week reckoned from the date of the receipt of the document to be communicated, the consular authority shall transmit to the carrier or authority which sent to it the said document a receipt in proof of the despatch of the document by post.

If the consular authority is unable to serve the document or if the post office returns it to the consular authority without having delivered it to the addressee, the consular authority shall be bound to return it without delay to the carrier or authority concerned, accompanied if necessary by the statement of the post office ; when a Roumanian carrier or authority has unsuccessfully had recourse to the consular authority for the communication of a document, it shall take steps to have this done by other legal procedure.

The carriers and authorities of the Kingdom of Yugoslavia shall be bound to adopt the same procedure and shall have the same obligations with respect to Roumanian nationals who are resident outside the territory of the Kingdom of Yugoslavia.

*Article 12.*

The time-limits for the claiming of rights shall be deemed to have been observed if the claim has been received in due time by a social insurance carrier, authority or court of the other Contracting State. In such cases, the competent carriers of the two Contracting States shall be notified within a time-limit of a fortnight.

*Article 13.*

Unless an agreement to the contrary is concluded between the insurance carriers concerned, expenditure on sick benefit and pensions and annuities paid in pursuance of this Convention by the carriers of one of the two States on account of a carrier of the other State shall be refunded within ten days of the end of each calendar quarter in the currency of the other State at the rate of exchange on the last day of the quarter.

In case of delay, the debtor carrier shall pay interest at the rate of six per cent per annum.

*Article 14.*

The insurance carriers of each of the two States shall not be entitled to suspend the payment of annuities, pensions and supplements and cost-of-living bonuses thereon to insured persons who are nationals of the other State on the ground that the insured persons or their surviving dependants are resident in or remove their residence to the territory of the other State.

Similarly, the insurance carriers of each of the two States shall not be entitled to commute the above-mentioned benefit when due to insured persons who are nationals of the other State for a lump sum by way of a definitive settlement on the ground that the insured persons or their surviving dependants are resident in or remove their residence to the territory of the other State.

Nevertheless, a lump sum may be paid by way of a definitive settlement :

(a) With the consent of the insured person if the incapacity for work does not exceed 30 % ;

(b) At the request of the insured person and with the consent of the commune which will be finally liable for the relief of the injured person if the incapacity for work exceeds 30 %.

The provisions of this Article, with the exception of the provision laid down in the third paragraph under (b), shall apply even in cases where the surviving dependants remove their residence to a third State with which the two Contracting States have concluded or hereafter conclude a similar Convention. The family of a deceased insured person shall not forfeit the right to a pension or other benefit because it is not in the territory of the insuring State at the time of the death of the insured person.

*Article 15.*

The following persons shall not be subject to the social insurance laws of the State in which they are sojourning :

(a) Nationals of one of the two States who are employed in connection with the diplomatic and consular services and the railway and Customs administrative offices situated in the territory of the other State ;

(b) Employees of public transport undertakings of one of the two States who are employed in transit or temporarily in the territory of the other State.

The said persons shall remain subject both to the social insurance laws and to the laws respecting the civil liability for accidents of persons carrying on undertakings which are in force in the State to which the above-mentioned diplomatic and consular services, administrative offices and undertakings belong.

The competent superior administrative authorities of the two States may, by mutual agreement, specify other cases of exemption in addition to those mentioned above and provide for exemptions in special cases.

*Article 16.*

The nationals of one of the two States shall not be called upon to become members of a social insurance administrative or jurisdictional body in the other State.

*Article 17.*

The provisions in force in each of the two States in respect of exemptions or reductions in connection with the payment of fees and charges under the social insurance system shall likewise apply in that State to insured persons of the other State.

V. FINAL PROVISIONS.

*Article 18.*

The competent superior administrative authorities of the two States shall draw up, by mutual agreement, any rules which may be requisite for the carrying out of this Convention.

*Article 19.*

All or part of this Convention may be denounced by either of the two States at any time, but it shall continue in operation, notwithstanding the denunciation, for one year reckoned from the date of the denunciation.

Every claim to a pension which was acquired when this Convention was in operation shall be satisfied in conformity with the principles laid down in the Convention until the claim in question lapses naturally.

*Article 20.*

This Convention shall come into operation on the first day of the month following the month in which the instruments of ratification are exchanged.

In faith whereof the Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done at Belgrade, in two original copies in French, January 30th, one thousand nine hundred and thirty-three.

(L. S.) B. D. JEVTIĆ, *m. p.*

(L. S.) Alexandre N. IACOVAKY, *m. p.*