

N° 4205.

DANEMARK, FINLANDE,
ISLANDE,
NORVÈGE ET SUÈDE

Convention concernant l'application de la législation d'assurance-accidents des différents pays dans les cas où un employeur de l'un des pays contractants exerce une activité ou occupe des travailleurs dans un autre de ces pays. Signée à Oslo, le 3 mars 1937.

DENMARK, FINLAND,
ICELAND,
NORWAY AND SWEDEN

Convention respecting the Application of the Accident Insurance Laws of the Various States to Cases where an Employer in One of the Contracting States carries on a Business or employs Workers in Another of the said States. Signed at Oslo, March 3rd, 1937.

TEXTE FINNOIS. — FINNISH TEXT.

N^o 4205. — SUOMEN, ISLANNIN, NORJAN, RUOTSIN JA TANSKAN VÄLINEN SOPIMUS¹ ERI MAIDEN TAPATURMAVAKUUTUSLAIN-SÄÄDÄNNÖN SOVELTAMISESTA NIISSÄ TAPAUKSISSA, JOLLOIN JONKIN SOPIMUSMAAN TYÖNANTAJA HARJOITTA TOIMINTAA TAI KÄYTTÄÄ TYÖNTEKIJÖITÄ TOISESSA SOPIMUSMAASSA. ALLEKIRJOITETTU OSLOSSA, MAALISKUUN 3. PÄIVÄNÄ 1937.

Danish, Finnish, Icelandic, Norwegian and Swedish official texts communicated by the Permanent Delegate of Norway to the League of Nations. The registration of this Convention took place October 30th, 1937.

SUOMEN TASAVALLAN PRESIDENTTI, HÄNEN MAJESTEETTINSA TANSKAN JA ISLANNIN KUNINGAS, HÄNEN MAJESTEETTINSA NORJAN KUNINGAS ja HÄNEN MAJESTEETTINSA RUOTSIN KUNINGAS, jotka ovat päättäneet tehdä sopimuksen eri maiden tapaturmavakuutuslainsäädännön soveltamisesta niissä tapauksissa, jolloin jonkin sopimusmaan työnantaja harjoittaa toimintaa tai käyttää työntekijöitä toisessa sopimusmaassa, ovat määränneet valtuutetuikseen :

SUOMEN TASAVALLAN PRESIDENTTI :

Oslossa olevan erikoislähettiläänsä ja täysivaltaisen ministerinsä Hugo Robert Wäinö WUOLIOJON ;

HÄNEN MAJESTEETTINSA TANSKAN JA ISLANNIN KUNINGAS :

Oslossa olevan erikoislähettiläänsä ja täysivaltaisen ministerinsä Henrik Louis Hans KAUFFMANNIN ;

HÄNEN MAJESTEETTINSA NORJAN KUNINGAS ULKOMINISTERINSÄ :

Halvdan KOHTIN ;

HÄNEN MAJESTEETTINSA RUOTSIN KUNINGAS :

Oslossa olevan erikoislähettiläänsä ja täysivaltaisen ministerinsä Torvald Magnusson HÖJERIN ;

jotka, esitettyään toisilleen hyvässä ja asianmukaisessa kunnossa oleviksi havaitut valtakirjansa, ovat sopineet seuraavista määräyksistä :

¹ *Ratifications deposited in Oslo :*

DENMARK	}	October 15th, 1937.
FINLAND		
NORWAY		
SWEDEN		
ICELAND	}	March 16th, 1938.

Came into force October 16th, 1937.

¹ TRANSLATION.

No. 4205. — CONVENTION BETWEEN DENMARK, FINLAND, ICELAND, NORWAY AND SWEDEN RESPECTING THE APPLICATION OF THE ACCIDENT INSURANCE LAWS OF THE VARIOUS STATES TO CASES WHERE AN EMPLOYER IN ONE OF THE CONTRACTING STATES CARRIES ON A BUSINESS OR EMPLOYS WORKERS IN ANOTHER OF THE SAID STATES. SIGNED AT OSLO, MARCH 3RD, 1937.

HIS MAJESTY THE KING OF DENMARK AND ICELAND, THE PRESIDENT OF THE REPUBLIC OF FINLAND, HIS MAJESTY THE KING OF NORWAY, and HIS MAJESTY THE KING OF SWEDEN, having decided to enter into an agreement respecting the application of the accident insurance laws of the various States to cases where an employer in one of the contracting States carries on a business or employs workers in another of the said States, have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF DENMARK AND ICELAND :

M. Henrik Louis Hans KAUFFMANN, His Envoy Extraordinary and Minister Plenipotentiary at Oslo ;

THE PRESIDENT OF THE REPUBLIC OF FINLAND :

M. Hugo Robert Wäinö WUOLIJOKI, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Oslo ;

HIS MAJESTY THE KING OF NORWAY :

M. Halvdan KOHT, His Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF SWEDEN :

M. Torvald Magnusson HÖJER, His Envoy Extraordinary and Minister Plenipotentiary at Oslo ;

Who, having communicated to each other their full powers, found in good and due form, have agreed on the following provisions :

Article I.

If a person who carries on his principal business in one of the five contracting States or who for any other reason must be deemed in that State to be an employer employs workers in any other contracting State on work of a kind which is covered by the accident insurance laws of both the States concerned, the laws of the State where the work is performed shall apply to accident insurance in respect of such work, except as hereinafter provided to the contrary.

¹ Translation of the International Labour Office.

Article II.

The laws of the State where the employer carries on this principal business shall apply to the following work :

(1) Work (business) which is of short duration and is not independent, in so far as workers are concerned who are not domiciled in the State where the work is performed, and

(2) All other work (business) than that mentioned under No. (1), in so far as workers are concerned who are sent out of the country to perform inspections or checking or other special duties.

Work shall be deemed to be of short duration if it is not carried on for more than six months in the State in question.

Article III.

Transport undertakings (land and air traffic) which are carried on regularly for purposes of gain in more than one of the five States shall be covered by the laws of the State where the management of the undertaking has its head offices. Nevertheless, when workers are employed by such an undertaking in another of the said States and are domiciled there, the laws of that State shall apply to them.

The above provision shall apply also to lumber-floating, lumbering, work in quarries and similar undertakings which are carried on by operations in direct connection on both sides of the frontier between two of the States in question.

Article IV.

If workers are engaged from one of the five States, in whose waters a vessel registered in any other of the said States is lying, for the purpose of loading or unloading or repairs on board while the vessel is lying in the said waters, the laws of the former State shall apply to the said workers.

Article V.

The Swedish State Insurance Institution, the Danish Directorate of Accident Insurance, the Finnish State Accident Office, the Icelandic State Accident Insurance Institution and the Norwegian State Insurance Institution, each in its own country, when an accident occurs in that country which is covered by the laws of another of the five States, shall provide the attendance for the injured person and the compensation for him or his surviving dependants, which are due under the said laws, subject to a right to reimbursement by the competent authority in the other State for what is thus expended.

In other matters the authorities mentioned in the first paragraph shall give assistance free of charge in the cases mentioned in this Convention to each other and likewise on request to any private insurance organisations which in accordance with the laws in force administer industrial accident insurance, by furnishing notifications, wages lists and other information, collecting premiums and contributions, and paying compensation.

Article VI.

This Convention shall be ratified as soon as possible, and the instruments of ratification shall be deposited with the Norwegian Department of Foreign Affairs, which shall inform the other Contracting Parties thereof immediately.

This Convention shall come into operation on the day after the instruments of ratification of at least two of the Contracting Parties have been deposited, and for these Parties shall apply

to all accidents occurring on or after the said day. As regards each of the other States, the Convention shall come into operation on the day after the deposit of its instrument of ratification and shall apply to all accidents occurring on or after the said day.

Each of the High Contracting Parties shall be entitled to denounce the Convention in respect of any of the other Parties, subject to twelve months' notice of denunciation, and in such case the Convention shall cease to be operative on the thirty-first day of December of the year in the course of which the said notice of denunciation expires.

Article VII.

The present Agreement shall not affect the Convention of February 14th, 1925, between Finland and Norway regarding timber-floating in the Pasvik river.

In faith whereof the above-named Plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

Done at Oslo in one copy, in Danish, Finnish, Icelandic, Norwegian and Swedish, and, as far as the Swedish language is concerned, in two texts, one for Sweden and one for Finland.

OSLO, *March 3rd*, 1937.

(L. S.) Henrik KAUFFMANN.

(L. S.) W. WUOLIJOKI.

On behalf of Iceland :

(L. S.) Henrik KAUFFMANN.

(L. S.) Halvdan KOHT.

(L. S.) Torvald HÖJER.