

DENMARK



Treaty Series No. 13 (1960)

Convention on Social Security

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Kingdom of Denmark

London, August 27, 1959

[Ratifications were exchanged on January 11, 1960]

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
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The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Denmark,

Being resolved to co-operate in the social field,

Affirming the principle that the nationals of one of the two countries should, as far as possible, receive, under the social security legislation of the other, equal treatment with the nationals of the latter,

Desirous of giving effect to this principle and of making arrangements enabling their nationals who go from one country to the other, as far as possible, either to keep any rights which they have acquired under the legislation of the former country or to enjoy corresponding rights under the legislation of the latter country.

Have agreed as follows :—

PART I.—DEFINITIONS AND SCOPE

ARTICLE 1

For the purpose of the present Convention, unless the context otherwise requires—

- (a) “country” means, according to the context, the United Kingdom or Denmark;
- (b) “United Kingdom” means England, Scotland, Wales, Northern Ireland and the Isle of Man;
- (c) “national” means, in relation to the United Kingdom, a citizen of the United Kingdom and Colonies, and, in relation to Denmark, a Danish subject;
- (d) “legislation” means, according to the context, the laws, orders and regulations specified in Article 2 of the Convention in force in any part of one (or the other) country;
- (e) “competent authority” means, in relation to the United Kingdom, the Minister of Pensions and National Insurance, the Minister of Health, the Secretary of State for Scotland, the Ministry of Labour and National Insurance for Northern Ireland, the Ministry of Health and Local Government for Northern Ireland, the Isle of Man Board of Social Services or the Isle of Man Health Services Board, as the case may require, and, in relation to Denmark, the Minister of Social Affairs

Regeringen i kongeriget Danmark og regeringen i Det forenede Kongerige Storbritannien og Nordirland,

der har besluttet sig til at samarbejde på det sociale område,

som bekræfter princippet om, at statsborgerne i det ene land såvidt muligt skal ligestilles med det andet lands statsborgere, for så vidt angår det sidstnævnte lands sociale lovgivning,

som ønsker at gennemføre dette princip og træffe foranstaltning til, at statsborgere i de to lande, der rejser fra det ene land til det andet, såvidt muligt enten kan bevare de rettigheder, de måtte have erhvervet i henhold til det førstnævnte lands lovgivning, eller kan nyde tilsvarende rettigheder i henhold til det sidstnævnte lands lovgivning,

er blevet enige om følgende:

AFSNIT I.—DEFINITIONER OG OMRÅDE

ARTIKEL 1

I nærværende overenskomst betyder, medmindre andet fremgår af sammenhængen,

- (a) "land": Danmark eller Det forenede Kongerige, alt efter sammenhængen;
- (b) "Det forenede Kongerige": England, Skotland, Wales, Nordirland og øen Man;
- (c) "statsborger": i forhold til Danmark en dansk statsborger og i forhold til Det forenede Kongerige en statsborger i Det forenede Kongerige og kolonierne;
- (d) "lovgivning": de i overenskomstens artikel 2 omhandlede love, anordninger og administrative bestemmelser, der er gældende inden for enhver del af det ene (eller det andet) land, alt efter sammenhængen;
- (e) "vedkommende myndighed": i forhold til Danmark socialministeren og i forhold til Det forenede Kongerige ministeren for pensioner og folkeforsikring (Minister of Pensions and National Insurance), sundhedsministeren (Minister of Health), ministeren for Skotland (Secretary of State for Scotland), arbejds- og folkeforsikringsministeriet for Nordirland (Ministry of Labour and National Insurance for Northern Ireland), ministeriet for sundhed og kommunal forvaltning for Nordirland (Ministry of Health and Local Government for Northern Ireland), det sociale råd for øen Man (Isle of Man Board of Social Services) eller sundhedsrådet for øen Man (Isle of Man Health Services Board), alt efter sammenhængen;

- (f) "sickness fund" means a sickness fund, continuation fund or sickness insurance society, approved by the Government of Denmark for the purpose of the legislation of Denmark concerning sickness insurance;
- (g) "child" means, in relation to any person, a child, within the meaning of the legislation which is being applied, who is treated under that legislation as being a child of that person or included in his family;
- (h) "parent" includes a person who is treated as a parent under the legislation which is being applied;
- (i) "employed person" means a person who comes within the definition of an employed person (or a person who is treated as an employed person) in the legislation which is being applied; "employment" means employment as an employed person, and the words "employ" and "employer" refer to such employment;
- (j) "benefit" means any pension, allowance or other cash benefit payable under the legislation of one (or the other) country and includes any additional allowance payable therewith and any increase payable for a dependant;
- (k) "medical benefit" means, in relation to the United Kingdom, any benefit provided under the legislation specified in sub-paragraph (a) (iii) of paragraph (1) of Article 2 of the Convention, and, in relation to Denmark, any medical benefit provided under the legislation specified in sub-paragraph (b) (i) of that paragraph;
- (l) "old age pension" means, in relation to the United Kingdom, a retirement pension or contributory old age pension, as defined by the legislation of the United Kingdom;
- (m) "assistance" means, in relation to the United Kingdom, assistance provided under the legislation specified in sub-paragraph (a) (iv) of paragraph (1) of Article 2 of the Convention and, in relation to Denmark, public assistance;
- (n) "vessel" means, in relation to the United Kingdom, a ship or vessel which is registered in the United Kingdom and not owned in the Republic of Ireland or any other British ship or vessel which is owned in the United Kingdom, and, in relation to Denmark, a ship or vessel which is registered in Denmark;
- (o) "aircraft" means, in relation to the United Kingdom, an aircraft which is registered and owned in the United Kingdom, and, in relation to Denmark, an aircraft registered in Denmark.

ARTICLE 2

- (1) The provisions of the present Convention shall apply—
 - (a) in relation to the United Kingdom, to—
 - (i) the National Insurance Act, 1946, the National Insurance Act (Northern Ireland), 1946, the National Insurance (Isle of Man) Act, 1948, and the legislation in force before the 5th July, 1948, which was replaced by those Acts;

- (f) "sygekasse": en sygekasse, fortsættelsesygekasse eller sygeforening anerkendt af den danske stat i medfør af den danske lovgivning om sygeforsikring;
- (g) "barn": i forhold til en bestemt person, et barn i den pågældende lovgivnings forstand, som i henhold til denne lovgivning betragtes som et barn af denne person eller som optaget i hans hjem;
- (h) "forsørger": en person, der betragtes som sådan i henhold til den lovgivning, der finder anvendelse;
- (i) "beskæftiget": en person, der omfattes af begrebet en beskæftiget (eller en person, som betragtes som beskæftiget), således som dette er bestemt i den lovgivning, der kommer til anvendelse; "beskæftigelse" betyder beskæftigelse som beskæftiget, og ordene "beskæftige" og "arbejdsgiver" vedrører en sådan beskæftigelse;
- (j) "ydelse": enhver pension, understøttelse eller anden kontant hjælp, der ydes i henhold til det ene (eller det andet) lands lovgivning, og omfatter ethvert tillæg dertil, herunder tillæg for pårørende;
- (k) "sygehjælp": i forhold til Danmark enhver hjælp i sygdomstilfælde, der ydes i henhold til den i overenskomstens artikel 2, stk. (1) (b) (i), omhandlede lovgivning, og i forhold til Det forenede Kongerige enhver ydelse i henhold til den i samme artikels stk. (1) (a) (iii), omhandlede lovgivning;
- (l) "alderspension": i forhold til Det forenede Kongerige, en pension ved afgang eller en forsikringsmæssig alderspension, således som dette begreb er defineret i Det forenede Kongeriges lovgivning;
- (m) "understøttelse": i forhold til Danmark offentlig hjælp og i forhold til Det forenede Kongerige den hjælp, der ydes i henhold til den i overenskomstens artikel 2, stk. (1) (a) (iv), omhandlede lovgivning;
- (n) "skib": i forhold til Danmark et skib eller fartøj, der er indregistreret i Danmark; og i forhold til Det forenede Kongerige et skib eller fartøj, der er indregistreret i Det forenede Kongerige, og som ikke tilhører en reder i den irske republik, eller ethvert andet britisk skib eller fartøj, der tilhører en reder i Det forenede Kongerige;
- (o) "luftfartøj": i forhold til Danmark, et luftfartøj, der er indregistreret i Danmark og, i forhold til Det forenede Kongerige, et luftfartøj, der er indregistreret og ejet i Det forenede Kongerige.

ARTIKEL 2

(1) Nærværende overenskomst finder anvendelse

(a) i forhold til Det forenede Kongerige på

- (i) folkeforsikringsloven (National Insurance Act) af 1946, folkeforsikringsloven for Nordirland (National Insurance Act (Northern Ireland)) af 1946, folkeforsikringsloven for øen Man (National Insurance (Isle of Man) Act) af 1948 samt den lovgivning, der var gældende før 5. juli 1948, og som blev erstattet af de nævnte love;

- (ii) the National Insurance (Industrial Injuries) Act, 1946, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948;
 - (iii) the National Health Service Act, 1946, the National Health Service (Scotland) Act, 1947, the Health Services Act (Northern Ireland), 1948, and the National Health Service (Isle of Man) Act, 1948;
 - (iv) those provisions of the National Assistance Act, 1948, and the National Assistance Act (Northern Ireland), 1948, which concern the giving of assistance to persons who are in need of assistance;
 - (v) those provisions of the National Assistance Act, 1948, and the Welfare Services Act (Northern Ireland), 1949, which concern arrangements for the welfare (other than employment) of persons who are blind, deaf or dumb, and other persons who are substantially and permanently handicapped by illness, injury or congenital deformity;
 - (vi) the Family Allowances Act, 1945, the Family Allowances Act (Northern Ireland), 1945, and the Family Allowances (Isle of Man) Act, 1946;
- (b) in relation to Denmark, to the legislation of Denmark concerning—
- (i) sickness insurance;
 - (ii) old age pensions;
 - (iii) invalidity insurance;
 - (iv) industrial injuries insurance;
 - (v) unemployment insurance;
 - (vi) widows' pensions;
 - (vii) allowances in respect of orphans and the children of widows and widowers;
 - (viii) family allowances;
 - (ix) prophylactic care of mothers and children;
 - (x) maternity aid institutions;
 - (xi) public assistance.

(2) Subject to the provisions of paragraphs (3), (4) and (5) of this Article, the Convention shall apply also to any law, order or regulation which amends, supplements or consolidates the legislation specified in paragraph (1) of this Article.

(3) The Convention shall apply, only if the Contracting Parties so agree, to any law, order or regulation which amends or supplements the legislation specified in paragraph (1) of this Article for the purpose of giving effect to any reciprocal agreement on social security which one (or the other) Party has made with a third party.

- (ii) ulykkesforsikringsloven (National Insurance (Industrial Injuries) Act) af 1946, ulykkesforsikringsloven for Nordirland (National Insurance (Industrial Injuries) Act (Northern Ireland)) af 1946 og ulykkesforsikringsloven for øen Man (National Insurance (Industrial Injuries) (Isle of Man) Act) af 1948;
- (iii) lov om det offentlige sundhedsvæsen (National Health Service Act) af 1946, lov om det offentlige sundhedsvæsen for Skotland (National Health Service (Scotland) Act) af 1947, lov om sundhedsvæsenet for Nordirland (Health Services Act (Northern Ireland)) af 1948 og lov om det offentlige sundhedsvæsen for øen Man (National Health Service (Isle of Man) Act) af 1948;
- (iv) de bestemmelser i lov om offentlig forsorg (National Assistance Act) af 1948 og lov om offentlig forsorg for Nordirland (National Assistance Act (Northern Ireland)) af 1948, der vedrører ydelse af hjælp til trængende personer;
- (v) de bestemmelser i lov om offentlig forsorg (National Assistance Act) af 1948 og velfærdsloven for Nordirland (Welfare Services Act (Northern Ireland)) af 1949, der vedrører foranstaltninger (med undtagelse af beskæftigelse) for blinde, døve og andre, der er varigt erhvervshæmmede i svær grad på grund af sygdom, tilskadekomst eller en medfødt deformitet;
- (vi) lov om familiedydelser (Family Allowances Act) af 1945, lov om familiedydelser for Nordirland (Family Allowances Act (Northern Ireland)) af 1945 og lov om familiedydelser for øen Man (Family Allowances (Isle of Man) Act) af 1946;

(b) i forhold til Danmark, på den danske lovgivning om

- (i) sygeforsikring;
- (ii) folkepension;
- (iii) invalideforsikring;
- (iv) ulykkesforsikring;
- (v) arbejdsløshedsforsikring;
- (vi) enkepension;
- (vii) bidrag til forældreløse børn samt børn af enker og enkemænd;
- (viii) familiedydelser;
- (ix) forebyggende forsorg for mødre og børn;
- (x) mødrehjælpsinstitutioner;
- (xi) offentlig forsorg.

(2) Overenskomsten finder endvidere anvendelse på love, anordninger eller administrative bestemmelser, der ændrer, supplerer eller kodificerer den i nærværende artikels stk. (1) omhandlede lovgivning, jfr. dog bestemmelserne i nærværende artikels stk. (3)–(5).

(3) Overenskomsten finder kun anvendelse på sådanne love, anordninger eller administrative bestemmelser, som ændrer eller supplerer den i nærværende artikels stk. (1) omhandlede lovgivning med henblik på gennemførelse af en gensidig overenskomst om social tryghed, som det ene (eller det andet) land har afsluttet med et tredje land, såfremt de kontraherende parter træffer aftale herom.

(4) The Convention shall apply to any law, order or regulation of one (or the other) Party which extends insurance to a new class of persons unless either Party objects and gives notice to the other to that effect within three months of the official communication of the said law, order or regulation in accordance with paragraph (iii) of Article 32 of the Convention.

(5) The Convention shall apply, only if the Parties so agree, to any law, order or regulation of one (or the other) Party which relates to a new branch of social security.

PART II.—GENERAL PROVISIONS

ARTICLE 3

(1) Subject to the provisions of the present Convention, a national of one country shall be subject to the obligations, and entitled to enjoy the advantages, of the legislation of the other country under the same conditions as a national of the latter country.

(2) A national of the United Kingdom shall not be required to become insured under the legislation of Denmark concerning sickness insurance or invalidity insurance, even if he is resident in Denmark.

ARTICLE 4

(1) If a national of either country, not ordinarily resident in Denmark, is employed in that country by an employer who is resident in the United Kingdom or has his principal place of business there, then, during the first twelve months of his employment in Denmark—

- (a) those provisions of the legislation of the United Kingdom which concern the payment of contributions shall apply to him as if he were employed in that country;
- (b) the corresponding provisions of the legislation of Denmark shall not apply to him;
- (c) the provisions of Article 14 of the present Convention shall apply to him in the same way as they apply to a national of the United Kingdom who is resident in that country.

(2) If a national of either country, who is ordinarily resident in Denmark, is employed in the United Kingdom by an employer, who has a place of business in Denmark, then, during the first twelve months of his employment in the United Kingdom—

- (a) the legislation of Denmark specified in sub-paragraph (b) (iv) of paragraph (1) of Article 2 of the Convention shall apply to him as if he were employed in that country;
- (b) the legislation of Denmark specified in sub-paragraphs (b) (i)–(iii) and (b) (v)–(x) of paragraph (1) of that Article shall apply to him in so far as it can appropriately apply to persons who are outside Denmark;

(4) Overenskomsten finder anvendelse på sådanne af det ene (eller det andet) lands love, anordninger eller administrative bestemmelser, hvorved en forsikring udvides til at omfatte nye kredse af personer, medmindre et af landene fremsætter indsigelse og giver det andet land underretning herom senest 3 måneder, efter at der i henhold til overenskomstens artikel 32 (iii), er fremsendt officiel meddelelse om den pågældende lov, anordning eller administrative bestemmelse.

(5) Overenskomsten finder kun anvendelse på det ene (eller det andet) lands love, anordninger eller administrative bestemmelser vedrørende en ny gren af den sociale trykthed, såfremt parterne træffer aftale herom.

AFSNIT II.—ALMINDELIGE BESTEMMELSER

ARTIKEL 3

(1) Statsborgere i det ene land skal være ligestillet med det andet lands statsborgere med hensyn til de forpligtelser og rettigheder, der følger af det sidstnævnte lands lovgivning, for så vidt andet ikke er bestemt i nærværende overenskomst.

(2) Statsborgere i Det forenede Kongerige er ikke forpligtet til at søge optagelse i den danske syge—og invalideforsikring, selv om de er bosiddende i Danmark.

ARTIKEL 4

(1) Såfremt en statsborger i et af de to lande, som ikke har fast bopæl i Danmark, er beskæftiget i Danmark af en arbejdsgiver, som er bosiddende eller har sit hovedkontor i Det forenede Kongerige, skal han i det første år af sin beskæftigelse i Danmark

- (a) være omfattet af bestemmelserne i Det forenede Kongeriges lovgivning om betaling af bidrag, som om han var beskæftiget i Det forenede Kongerige;
- (b) ikke være omfattet af de tilsvarende bestemmelser i den danske lovgivning;
- (c) være omfattet af bestemmelserne i nærværende overenskomsts artikel 14 på samme måde som statsborgere i Det forenede Kongerige, der er bosiddende der.

(2) Såfremt en statsborger i et af de to lande, der er fast bosiddende i Danmark, er beskæftiget i Det forenede Kongerige af en arbejdsgiver, som har en virksomhed i Danmark, skal han i det første år af sin beskæftigelse i Det forenede Kongerige

- (a) være omfattet af den i overenskomstens artikel 2, stk. (1) (b) (iv), omhandlede danske lovgivning, som om han var beskæftiget i Danmark;
- (b) være omfattet af den i artikel 2, stk. (1) (b) (i)–(iii) og (b) (v)–(x), omhandlede danske lovgivning, for så vidt den pågældende lovgivning kan finde anvendelse på personer, der opholder sig uden for Danmark;

- (c) the legislation of the United Kingdom specified in sub-paragraphs (a) (i) and (a) (ii) of paragraph (1) of that Article shall not apply to him;
- (d) the provisions of Article 14 of the Convention shall apply to him in the same way as they apply to a national of Denmark who is resident in that country.

(3) Where the employment specified in paragraph (1) or paragraph (2), as the case may be, of this Article lasts longer than twelve months, the provisions of that paragraph shall continue to apply to the employed person, if the competent authority of the country where he is employed agrees thereto before the end of the period of twelve months specified in that paragraph.

ARTICLE 5

(1) Subject to the provisions of paragraphs (2) and (3) of this Article, where a national of one country, who is resident in either country, is employed on board a vessel or aircraft of the other country, the legislation of the latter country concerning industrial injuries insurance shall apply to him as if he were a national of the latter country resident in that country, and the corresponding legislation of the former country shall not apply to him.

(2) If a vessel of one country is in a harbour of the other country or in the territorial waters of the latter country, and a national of either country, resident in the latter country, is employed on board the vessel, otherwise than as master or a member of the crew, having been engaged for this employment in the latter country, the legislation of the latter country shall apply to him as if he were employed in that country.

(3) Where a national of either country, who is resident in one country, is employed on board a vessel or aircraft of the other country, and is paid remuneration in respect of that employment by some person or undertaking having a place of business in the former country and not being the owner of the vessel or aircraft, the legislation of the former country shall, in respect of that employment, apply to him as if the vessel or aircraft were a vessel or aircraft of the former country, and the person or undertaking paying the said remuneration shall be treated as the employer for the purposes of the said legislation.

ARTICLE 6

(1) Subject to the provisions of Articles 9 and 14 of the present Convention, the Convention shall not apply to established members of the foreign service of either country; and, for the purpose of applying its provisions, no account shall be taken of any period during which a person was resident in, or living in, one country as an established member of the foreign service of the other country.

(2) Subject to the provisions of paragraph (1) of this Article, where a national of the United Kingdom is employed in Denmark in the government service of the United Kingdom and is not settled in Denmark, those

(c) ikke være omfattet af den lovgivning i Det forenede Kongerige, som omhandles i artikel 2, stk. (1) (a) (i)-(ii);

(d) være omfattet af bestemmelserne i overenskomstens artikel 14 på samme måde som danske statsborgere, der er bosat i Danmark.

(3) Såfremt den i nærværende artikels stk. (1) eller stk. (2) omhandlede beskæftigelse strækker sig ud over 1 år, skal den beskæftigede fortsat være omfattet af disse bestemmelser, for så vidt vedkommende myndighed i det land, hvor han er beskæftiget, giver sit samtykke hertil inden udgangen af det heri angivne tidsrum af 1 år.

ARTIKEL 5

(1) Såfremt en statsborger i det ene land, der er bosiddende i et af de to lande, er beskæftiget ombord på et skib eller et luftfartøj, der er hjemmehørende i det andet land, skal han være omfattet af det sidstnævnte lands lovgivning om ulykkesforsikring, som om han var statsborger i dette land, og bosiddende der, og ikke være omfattet af den tilsvarende lovgivning i det førstnævnte land, jfr. dog bestemmelserne i nærværende artikels stk. (2) og (3).

(2) Såfremt et skib, der er hjemmehørende i det ene land, befinder sig i en af det andet lands havne eller i det sidstnævnte lands territorialfarvand, og en i det sidstnævnte land bosiddende statsborger i et af de to lande er beskæftiget ombord på skibet i anden egenskab end som kaptajn eller besætningsmedlem og er blevet antaget til denne beskæftigelse i det sidstnævnte land, skal han være omfattet af det sidstnævnte lands lovgivning, som om han var beskæftiget i det pågældende land.

(3) Såfremt en statsborger i et af de to lande, der er bosiddende i det ene land, er beskæftiget ombord på et skib eller et luftfartøj, der er hjemmehørende i det andet land, og for dette arbejde aflønnes af en person eller virksomhed, der har forretningssted i det førstnævnte land, og som ikke er ejer af skibet eller luftfartøjet, skal han, for så vidt angår denne beskæftigelse, være omfattet af det førstnævnte lands lovgivning, som om skibet eller luftfartøjet var hjemmehørende i det førstnævnte land, og den person eller virksomhed, der aflønner ham, skal betragtes som hans arbejdsgiver i den nævnte lovgivnings forstand.

ARTIKEL 6

(1) Nærværende overenskomst finder, bortset fra bestemmelserne i nærværende overenskomsts artikler 9 og 14, ikke anvendelse på personale, der er fast knyttet til de to landes udenrigstjeneste, og ved gennemførelsen af overenskomstens bestemmelser skal der ikke tages hensyn til perioder, hvori en person har haft fast bopæl eller har opholdt sig i det ene land som fast knyttet til det andet lands udenrigstjeneste.

(2) Bortset fra hvad der følger af bestemmelserne i nærværende artikels stk. (1), er en statsborger i Det forenede Kongerige, der er beskæftiget i Danmark i Det forenede Kongeriges statstjeneste og ikke er fast bosiddende

provisions of the legislation of the United Kingdom which concern the payment of contributions shall apply to him as if he were employed in the United Kingdom and, subject to the provisions of Articles 9 and 14 of the Convention, the legislation of Denmark shall not apply to him.

(3) Subject to the provisions of paragraph (1) of this Article, where a national of Denmark is employed in the United Kingdom in the government service of Denmark and is not settled in the United Kingdom, or a person is in the private service of a national of Denmark so employed and is not settled in the United Kingdom, the legislation of Denmark shall apply to him, in so far as it can appropriately apply to persons who are outside Denmark, and, subject to the provisions of Article 14 of the Convention, the legislation of the United Kingdom shall not apply to him.

(4) Subject to the provisions of paragraphs (1), (2) and (3) of this Article, where a national of either country is employed in one country in the government service of the other country, or a person is in the private service of a national of either country so employed, the legislation of the country in which he is employed shall apply to him.

ARTICLE 7

(1) Where a national of either country is employed in Denmark, and those provisions of the legislation of the United Kingdom which concern the payment of contributions apply to him in accordance with the provisions of paragraph (1) of Article 4 or paragraph (2) of Article 6 of the present Convention—

- (a) for the purpose of any claim to receive sickness benefit under that legislation, he shall be treated as if he were in the United Kingdom, and, if his wife is in Denmark, as if she were in the United Kingdom;
- (b) for the purpose of any claim to receive benefit under that legislation for an industrial accident occurring, or an industrial disease contracted, during his employment in Denmark, he shall be treated as if that employment were insurable and as if the accident had occurred or the disease had been contracted in the United Kingdom, and, if his wife is in Denmark, as if she were in the United Kingdom;
- (c) for the purpose of any claim to receive a maternity grant or maternity allowance under that legislation, his wife shall be treated, while she is in Denmark, as if she were in the United Kingdom.

(2) Where a woman, being a national of either country, is employed in Denmark, and those provisions of the legislation of the United Kingdom which concern the payment of contributions apply to her in accordance with the provisions of paragraph (1) of Article 4 or paragraph (2) of Article 6 of the Convention, she shall be treated, for the purpose of any claim to receive a maternity grant or maternity allowance under that legislation, as if she were in the United Kingdom.

i Danmark, omfattet af bestemmelserne i Det forenede Kongeriges lovgivning om betaling af bidrag, som om han var beskæftiget i Det forenede Kongerige, og han skal ikke være omfattet af den danske lovgivning, jfr. dog bestemmelserne i overenskomstens artikler 9 og 14.

(3) Bortset fra hvad der følger af bestemmelserne i nærværende artikels stk. (1), er en dansk statsborger, der er beskæftiget i Det forenede Kongerige i dansk statstjeneste, og som ikke er fast bosiddende i Det forenede Kongerige, og en person, som er i personlig tjeneste hos en således beskæftiget dansk statsborger og ikke er fast bosiddende i Det forenede Kongerige, omfattet af den danske lovgivning, for så vidt denne lovgivning kan finde anvendelse på personer, der opholder sig uden for Danmark, og bortset fra bestemmelserne i overenskomstens artikel 14 omfattes han ikke af Det forenede Kongeriges lovgivning.

(4) Bortset fra hvad der følger af bestemmelserne i nærværende artikels stk. (1)–(3), er en statsborger i et af de to lande, der er beskæftiget i det ene land i det andet lands statstjeneste, og en person, der er i personlig tjeneste hos en således beskæftiget statsborger i et af de to lande, omfattet af lovgivningen i det land, hvor han er beskæftiget.

ARTIKEL 7

(1) Såfremt en statsborger i et af de to lande er beskæftiget i Danmark og i medfør af bestemmelserne i nærværende overenskomsts artikel 4, stk. (1), eller artikel 6, stk. (2), er omfattet af bestemmelserne om betaling af bidrag i Det forenede Kongeriges lovgivning, gælder følgende regler:

- (a) For så vidt angår retten til dagpenge ved sygdom i henhold til den nævnte lovgivning, skal han stilles, som om han opholdt sig i Det forenede Kongerige, og såfremt hans hustru opholder sig i Danmark, skal hun stilles, som om hun opholdt sig i Det forenede Kongerige;
- (b) for så vidt angår retten til erstatning i henhold til den nævnte lovgivning for et ulykkestilfælde, der er overgået ham, eller en erhvervssygdom, han har pådraget sig under sin beskæftigelse i Danmark, skal han stilles, som om denne beskæftigelse var omfattet af forsikringen i Det forenede Kongerige, og som om ulykkestilfældet var indtruffet eller sygdommen pådraget i Det forenede Kongerige, og såfremt hans hustru opholder sig i Danmark, skal hun stilles, som om hun opholdt sig i Det forenede Kongerige;
- (c) for så vidt angår retten til moderskabsydelse og dagpenge ved fødsel i henhold til den nævnte lovgivning, skal hans hustru, selvom hun opholder sig i Danmark, stilles, som om hun opholdt sig i Det forenede Kongerige.

(2) En kvindelig statsborger i et af de to lande, der er beskæftiget i Danmark, og som i medfør af bestemmelserne i overenskomstens artikel 4, stk. (1), eller artikel 6, stk. (2), er omfattet af bestemmelserne i Det forenede Kongeriges lovgivning om betaling af bidrag, skal for så vidt angår retten til moderskabsydelse og dagpenge ved fødsel i henhold til den nævnte lovgivning, stilles, som om hun opholdt sig i Det forenede Kongerige.

ARTICLE 8

The competent authorities of the two countries may agree to modify the provisions of Articles 4, 5 and 6 of the present Convention in relation to particular persons or classes of persons.

PART III.—BENEFIT

Danish Sickness Insurance

ARTICLE 9

(1) A national of the United Kingdom shall be entitled to join a Danish sickness fund under the same conditions as a national of Denmark; and the sickness fund shall provide medical benefit, sickness benefit, maternity allowances and death grants by virtue of his membership under the same conditions as would apply if he were a national of Denmark.

(2) Where a national of either country who is resident in Denmark can show—

- (a) that, within the six months before he last became resident in Denmark, he has paid at least six contributions as an employed person or as a self-employed person under the legislation of the United Kingdom;
- (b) that he has applied for membership of a Danish sickness fund within three months after he last became resident in Denmark; and
- (c) that he satisfies any relevant conditions concerning the health of persons applying for membership of the sickness fund;

he shall be entitled to join the sickness fund without satisfying any condition concerning his age; and the sickness fund shall not impose a waiting period in connexion with any claim to receive medical benefit, sickness benefit or a death grant by virtue of his membership.

(3) For the purpose of any claim to receive a maternity allowance from a Danish sickness fund, a woman, being a member of the fund, to whom the provisions of paragraph (2) of this Article apply, shall be treated as if she had been a member of the fund during any week for which she has paid a contribution or had one credited to her as an employed person or as a self-employed person under the legislation of the United Kingdom.

United Kingdom Sickness Benefit

ARTICLE 10

Where a national of either country has, at any time since his last arrival in the United Kingdom, been liable to pay contributions as an employed person or as a self-employed person under the legislation of that country, he shall, for the purpose of any claim to receive sickness benefit under that legislation or to have contributions credited to him for a period of incapacity, be treated as if—

- (a) he had paid a contribution as an employed person for any week during which he was insured for sickness benefit under the legislation of Denmark, and, if he is likely to remain permanently incapacitated for work, for any other week during which he was insured for invalidity pension under that legislation;

ARTIKEL 8

Vedkommende myndigheder i de to lande kan træffe aftale om at gøre afvigelse fra bestemmelserne i nærværende overenskomsts artikler 4-6, for så vidt angår enkelte personer eller grupper af personer.

AFSNIT III.—YDELSER

Den danske sygeforsikring

ARTIKEL 9

(1) Statsborgere i Det forenede Kongerige har på samme betingelser som danske statsborgere ret til at blive medlemmer af en dansk sygekasse, og sygekassen skal i kraft af deres medlemsskab yde hjælp i sygdomstilfælde, dagpenge, barselhjælp og begravelseshjælp på samme betingelser, som ville finde anvendelse, såfremt de var danske statsborgere.

(2) En statsborger i et af de to lande, der er bosiddende i Danmark, og som kan påvise,

- (a) at han i de sidste 6 måneder, før han senest bosatte sig i Danmark, har indbetalt mindst 6 bidrag som beskæftiget eller som selvstændig næringsdrivende i henhold til lovgivningen i Det forenede Kongerige;
- (b) at han har ansøgt om optagelse i en dansk sygekasse inden 3 måneder efter, at han senest bosatte sig i Danmark; og
- (c) at han opfylder helbreds-betingelserne for optagelse i sygekassen;

har ret til at blive optaget som medlem af sygekassen, uanset om han opfylder aldersbetingelserne, og sygekassen kan ikke fastsætte nogen ventetid for retten til at modtage hjælp i sygdomstilfælde, dagpenge eller begravelseshjælp i kraft af hans medlemsskab.

(3) For så vidt angår retten til barselhjælp fra en dansk sygekasse, skal et kvindeligt sygekassemedlem, der er omfattet af bestemmelserne i nærværende artikels stk. (2), stilles, som om hun havde været medlem af sygekassen i alle de uger, i hvilke hun har betalt bidrag, eller i hvilke der er blevet godskrevet hende bidrag som beskæftiget eller som selvstændig næringsdrivende i henhold til lovgivningen i Det forenede Kongerige.

Dagpenge under sygdom efter Det forenede Kongeriges lovgivning

ARTIKEL 10

En statsborger i et af de to lande, der på noget tidspunkt siden sin sidste ankomst til Det forenede Kongerige har været forpligtet til at betale bidrag som beskæftiget eller som selvstændig næringsdrivende i henhold til lovgivningen i Det forenede Kongerige, skal, for så vidt angår retten til dagpenge under sygdom i henhold til denne lovgivning eller til at få godskrevet bidrag for en arbejdsudygtighedsperiode, stilles, som om

- (a) han havde betalt bidrag som beskæftiget i hver uge, i hvilken han har været berettiget til dagpenge under sygdom i henhold til den danske lovgivning, og—såfremt han må antages at være varigt arbejdsudygtig—yderligere for hver uge, i hvilken han har været invalideforsikret i henhold til den danske lovgivning;

- (b) he satisfied the contribution conditions for receiving sickness benefit under the legislation of the United Kingdom throughout the first six months after the time when he was last in Denmark, if at that time he would have been entitled, had he fallen ill, to receive sickness benefit under the legislation of Denmark.

United Kingdom Maternity Allowances

ARTICLE 11

Where a woman, being a national of either country, has, at any time since her last arrival in the United Kingdom, been liable to pay contributions as an employed person or as a self-employed person under the legislation of that country, she shall, for the purpose of any claim to receive a maternity allowance under that legislation or to have contributions credited to her while she is receiving such an allowance, be treated as if she had paid a contribution as an employed person for any week during which she has been insured for sickness benefit under the legislation of Denmark.

United Kingdom Death Grants

ARTICLE 12

For the purpose of any claim to receive a death grant under the legislation of the United Kingdom, a national of either country, who was paying contributions or receiving a retirement pension under that legislation immediately before the death for which the grant is claimed, shall be treated as if he paid a contribution under that legislation for every week for which he was insured for death grants under the legislation of Denmark concerning sickness insurance, unless a death grant is payable for the same death under that legislation by virtue of that insurance.

Sickness Benefit for Temporary Absence

ARTICLE 13

Where a national of either country would be entitled to receive sickness benefit under the legislation of one country if he were in that country, that benefit may, at the discretion of the insurance authority of that country, be paid to him, while he is in the other country, for such period as that authority may determine.

Medical Benefit for Temporary Visit

ARTICLE 14

(1) Where a national of either country, who is resident in Denmark, falls ill suddenly, meets with an accident or for any other reason is in urgent need of medical benefit, he shall be entitled to receive, if he is temporarily in the United Kingdom, the medical benefit of the United Kingdom under the same conditions as a national of that country who is ordinarily resident there.

(b) han opfyldte bidragsbetingelserne for retten til dagpenge under sygdom i henhold til lovgivningen i Det forenede Kongerige i de første 6 måneder efter sit sidste ophold i Danmark, såfremt han på dette tidspunkt ville have været berettiget til dagpenge i henhold til den danske lovgivning, hvis han var blevet syg.

Dagpenge ved fødsel efter Det forenede Kongeriges lovgivning

ARTIKEL 11

En kvindelig statsborger i et af de to lande, som på noget tidspunkt siden sin sidste ankomst til Det forenede Kongerige har været forpligtet til at betale bidrag som beskæftiget eller som selvstændig næringsdrivende i henhold til lovgivningen i Det forenede Kongerige, skal, for så vidt angår ret til dagpenge ved fødsel i henhold til denne lovgivning eller til at få godskrevet bidrag under modtagelsen af denne hjælp, stilles, som om hun havde betalt bidrag som beskæftiget i hver uge, i hvilken hun har været berettiget til dagpenge ved sygdom i henhold til den danske lovgivning.

Begravelseshjælp efter Det forenede Kongeriges lovgivning

ARTIKEL 12

En statsborger i et af de to lande, der har betalt bidrag eller oppebåret pension ved afgang i henhold til lovgivningen i Det forenede Kongerige umiddelbart før det dødsfald, i anledning af hvilket begæring om begravelseshjælp fremsættes, skal med hensyn til retten til at modtage begravelseshjælp efter den nævnte lovgivning stilles, som om han havde betalt bidrag i henhold til denne lovgivning i hver uge, i hvilken han har været omfattet af begravelseshjælp i henhold til den danske lovgivning om sygeforsikring, medmindre der i kraft af den danske forsikring ydes begravelseshjælp for det samme dødsfald i henhold til den danske lovgivning.

Dagpenge under sygdom ved midlertidigt fravær

ARTIKEL 13

En statsborger i et af de to lande, som ville være berettiget til dagpenge under sygdom i henhold til lovgivningen i det ene land, såfremt han opholdt sig der, kan, efter dette lands forsikringsmyndigheds skøn oppebære den nævnte ydelse under sit ophold i det andet land i det tidsrum, der måtte blive fastsat af den nævnte myndighed.

Sygehjælp under midlertidigt ophold

ARTIKEL 14

(1) En statsborger i et af de to lande, der er bosiddende i Danmark, og som rammes af et pludseligt sygdoms- eller ulykkestilfælde eller af andre grunde omgående behøver sygehjælp, har ret til, såfremt han midlertidigt opholder sig i Det forenede Kongerige, at modtage sygehjælp der på samme betingelser som en statsborger i Det forenede Kongerige, som er fast bosiddende der.

(2) Where a national of either country, who is resident in the United Kingdom, falls ill suddenly, meets with an accident or for any other reason is in urgent need of medical benefit, he shall be entitled to receive, if he is temporarily in Denmark, the same medical benefit as is provided under the legislation of that country for a national of that country who is a member of a sickness fund.

(3) The provisions of paragraphs (1) and (2) of this Article shall cease to apply in any case where the national has become fit to travel home to the country in which he is resident and the authority of the other country responsible for providing the medical benefit is satisfied that, in all the circumstances of the case, it is unreasonable for him to postpone his journey.

(4) Where a national of either country has incurred medical expenses in Denmark in connexion with an injury or illness for which he is entitled to receive medical benefit in accordance with the provisions of paragraph (2) of this Article, he shall be entitled to recover a part or the whole of those expenses from the appropriate Danish sickness fund only if he gives notice of his illness or injury to that fund within two weeks of the date when he incurs those medical expenses and claims a refund of those expenses within six weeks of that date and before he next leaves Denmark.

(5) Where a national of either country who has received medical benefit for an injury or illness in accordance with the provisions of paragraph (2) of this Article becomes entitled to compensation from any person who is held to be responsible for the injury or illness, the sickness fund from which he received that medical benefit shall be entitled to claim reimbursement of the cost of the benefit out of the said compensation.

Benefit for Invalids

ARTICLE 15

(1) For the purpose of any claim to receive a pension under the legislation of Denmark concerning invalidity or an invalid's benefit under the legislation of Denmark concerning public assistance, a national of the United Kingdom shall be treated as if he were a national of Denmark if—

- (a) he has lived in that country continuously for a period of at least one year immediately before the date of the claim, and during that period has been capable of carrying on a gainful occupation for at least one year; or
- (b) he has lived in that country continuously for at least five years immediately before the date of the claim.

(2) For the purpose of any claim to receive surgical or medical appliances under the legislation of Denmark concerning invalidity insurance or to take advantage of arrangements established under that legislation for the medical and social rehabilitation of disabled persons, a national of the United Kingdom who is ordinarily resident in Denmark shall be treated as if he were a national of Denmark.

(2) En statsborger i et af de to lande, der er bosiddende i Det forenede Kongerige, og som rammes af et pludseligt sygdoms-eller ulykkestilfælde eller af andre grunde omgående behøver sygehjælp, har ret til, såfremt han midlertidigt opholder sig i Danmark, at modtage den sygehjælp, som i henhold til den danske lovgivning kan ydes en dansk statsborger, der er medlem af en sygekasse.

(3) Bestemmelserne i nærværende artikels stk. (1) og (2) skal ikke længer finde anvendelse, såfremt den pågældende statsborger bliver i stand til at rejse til det land, hvor han er bosiddende, og den myndighed i det andet land, hvem det påhviler at yde sygehjælp, finder det godtgjort, at det under hensyntagen til samtlige omstændigheder ville være urimeligt, om han udsatte sin hjemrejse.

(4) En statsborger i et af de to lande, der har afholdt udgifter til sygehjælp i Danmark i forbindelse med en tilskadekomst eller sygdom, for hvilken han i medfør af bestemmelserne i nærværende artikels stk. (2) har ret til at modtage sygehjælp, er kun berettiget til helt eller delvis at få disse udgifter refunderet af den pågældende danske sygekasse, såfremt han inden 2 uger efter at have afholdt disse udgifter underretter sygekassen om sin sygdom eller tilskadekomst og fremsætter begæring om refusion inden 6 uger efter dette tidspunkt, og før han derefter forlader Danmark.

(5) Såfremt en statsborger i et af de to lande, som har modtaget sygehjælp for en tilskadekomst eller sygdom i medfør af bestemmelserne i nærværende artikels stk. (2), får tillagt erstatning fra en person, der anses for at være skyld i tilskadekomsten eller sygdommen, har den sygekasse, der har ydet sygehjælpen, ret til at få sine udgifter dækket gennem den nævnte erstatning.

Ydelser til invalider

ARTIKEL 15

(1) For så vidt angår retten til invalidepension i henhold til den danske invalideforsikringslovgivning eller hjælp til kronisk syge i henhold til den danske forsorgslov, skal en statsborger i Det forenede Kongerige stilles, som om han var dansk statsborger, såfremt

- (a) han har haft uafbrudt ophold i Danmark i et tidsrum af mindst 1 år umiddelbart før datoen for begæringens indgivelse og i den tid har været i stand til at udføre erhvervmæssig beskæftigelse i mindst 1 år; eller
- (b) han har haft uafbrudt ophold i Danmark i mindst 5 år umiddelbart forud for datoen for begæringens indgivelse.

(2) For så vidt angår retten til kirurgiske eller medicinske hjælpemidler i henhold til den danske lovgivning om invalideforsikring eller adgangen til at gøre brug af foranstaltninger, der i henhold til denne lovgivning er iværksat med henblik på sundheds- og samfundsmæssig revalidering af erhvervs-hæmmede, skal en statsborger i Det forenede Kongerige, der er fast bosiddende i Danmark, stilles, som om han var dansk statsborger.

(3) A national of Denmark who is ordinarily resident in the United Kingdom shall be entitled, under the same conditions as a national of the United Kingdom who is ordinarily resident there—

- (a) to receive surgical and medical appliances under the legislation of the United Kingdom specified in sub-paragraph (a) (iii) of paragraph (1) of Article 2 of the present Convention; and
- (b) to take advantage of the legislation of the United Kingdom specified in sub-paragraph (a) (v) of paragraph (1) of that Article.

Unemployment Benefit

ARTICLE 16

(1) Where a national of either country claims unemployment benefit under the legislation of the United Kingdom or applies for contributions to be credited to him for a period of unemployment, he shall be treated as if—

- (a) he had paid a contribution as an employed person under that legislation for every week for which he has paid a contribution under the Danish scheme of unemployment insurance;
- (b) he satisfied the contribution conditions for receiving unemployment benefit under the legislation of the United Kingdom throughout the first six months after the time when he was last in Denmark, if at that time he would have been entitled, had he become unemployed and available for work, to receive unemployment benefit under the Danish scheme of unemployment insurance;
- (c) he had been resident in the United Kingdom during any period during which he was resident in Denmark.

(2) The Government of Denmark shall advise the Danish unemployment insurance funds that, where a national of either country belongs to an unemployment insurance fund, any contribution which he has paid as an employed person under the legislation of the United Kingdom shall be treated as if it were a contribution which he had paid to that fund.

United Kingdom Widow's Benefit and Guardian's Allowances

ARTICLE 17

(1) For the purpose of any claim to receive widow's benefit under the legislation of the United Kingdom, a woman, being a national of either country, shall, if—

- (a) her husband had lived in the United Kingdom continuously for at least five years immediately before his death, or
- (b) she has lived there continuously for at least five years immediately before the date of her claim,

be treated as if her husband had paid a contribution under that legislation for every week during which he was resident in Denmark.

(2) For the purpose of any claim to receive a guardian's allowance under the legislation of the United Kingdom, a child, being a national of either

(3) En dansk statsborger, der er fast bosiddende i Det forenede Kongerige, skal være ligestillet med en statsborger i Det forenede Kongerige, der er fast bosiddende der, for så vidt angår

- (a) ret til at modtage kirurgiske og medicinske hjælpemidler i henhold til den lovgivning i Det forenede Kongerige, som omhandles i nærværende overenskomsts artikel 2, stk. (1), pkt. (a) (iii); og
- (b) adgang til de ydelser, der er fastsat ved den lovgivning i Det forenede Kongerige, som omhandles i artikel 2, stk. (1), pkt. (a) (v).

Ydelser ved arbejdsløshed

ARTIKEL 16

(1) En statsborger i et af de to lande, der fremsætter begæring om arbejdsløshedsunderstøttelse i henhold til lovgivningen i Det forenede Kongerige eller om at få godskrevet bidrag for en arbejdsløshedsperiode, skal stilles, som om

- (a) han havde betalt bidrag som beskæftiget i henhold til denne lovgivning i hver uge, i hvilken han har betalt bidrag til den danske arbejdsløshedsforsikring;
- (b) han opfyldte bidragsbetingelserne for modtagelse af arbejdsløshedsunderstøttelse i henhold til lovgivningen i Det forenede Kongerige i de første 6 måneder efter sit sidste ophold i Danmark, såfremt han på dette tidspunkt ville have været berettiget til arbejdsløshedsunderstøttelse i henhold til den danske lovgivning om arbejdsløshedsforsikring, hvis han var blevet arbejdsløs og var arbejdssøgende;
- (c) han havde været bosiddende i Det forenede Kongerige i ethvert tidsrum, hvor han var bosiddende i Danmark.

(2) Den danske regering påtager sig at virke for, at de danske arbejdsløsheds-kasser anerkender, at ethvert bidrag, som en statsborger i et af de to lande, der er medlem af en arbejdsløsheds-kasse, har betalt i henhold til lovgivningen i Det forenede Kongerige som beskæftiget, skal betragtes, som om det var indbetalt til den pågældende kasse.

Ydelser til enker og forældreløse børn efter lovgivningen i Det forenede Kongerige

ARTIKEL 17

(1) En kvindelig statsborger i et af de to lande skal, for så vidt angår retten til ydelser til enker i henhold til lovgivningen i Det forenede Kongerige, såfremt

- (a) hendes mand havde haft uafbrudt ophold i Det forenede Kongerige i mindst 5 år umiddelbart før sin død, eller
- (b) hun havde haft uafbrudt ophold dør i mindst 5 år umiddelbart forud for datoen for begæringens indgivelse,

stilles, som om hendes mand havde betalt bidrag i henhold til den nævnte lovgivning i hver uge, i hvilken han har været bosiddende i Danmark.

(2) For så vidt angår retten til ydelser til forældreløse børn i henhold til lovgivningen i Det forenede Kongerige, skal et barn, der er statsborger i et

country, resident in the United Kingdom, shall, if one of his parents was resident in Denmark, be treated as if that parent had been insured under the legislation of the United Kingdom.

Danish Benefit for Widows, Orphans and Children having only One Parent

ARTICLE 18

(1) For the purpose of any claim to receive a widow's pension under the legislation of Denmark, a national of the United Kingdom shall be treated as if she were a national of Denmark if—

- (a) her husband had lived continuously in Denmark for at least five years immediately before the date of his death, and she was then resident in Denmark, or
- (b) she has lived continuously in Denmark for at least five years immediately before the date of her claim.

(2) For the purpose of any claim to receive, under the legislation of Denmark, an allowance in respect of an orphan or the child of a widow or widower, a national of the United Kingdom, being the parent of the child or the child himself, shall be treated as if he were a national of Denmark.

(3) For the purpose of any claim to receive, under the legislation of Denmark concerning public assistance, an advance payment of an allowance for the maintenance of a child having only one parent, a national of the United Kingdom, being the claimant or the child himself, shall be treated as if he were a national of Denmark.

Family Allowances

ARTICLE 19

(1) For the purpose of any claim to receive a family allowance under the legislation of the United Kingdom—

- (a) a national of Denmark shall be treated as if he were a national of the United Kingdom;
- (b) a national of either country whose place of birth is in Denmark shall be treated as if it were in the United Kingdom.

(2) For the purpose of any claim to receive a family allowance under the legislation of Denmark, a national of the United Kingdom shall be treated as if he were a national of Denmark.

Old Age Pensions

ARTICLE 20

(1) For the purpose of any claim to receive an old age pension under the legislation of the United Kingdom, a national of either country, who has lived in the United Kingdom continuously for at least five years immediately before the date of the claim, shall be treated as if he, or, in the case of a claim made by a married woman or widow by virtue of her husband's insurance, her husband, had paid a contribution under that legislation for every week during which he was resident in Denmark.

af de to lande og bosiddende i Det forenede Kongerige, såfremt en af dets forældre var bosiddende i Danmark, stilles, som om denne forsørger havde været omfattet af forsikringen i Det forenede Kongerige.

Danske ydelser til enker, forældreløse børn og børn af enlige forsørgere

ARTIKEL 18

(1) En statsborger i Det forenede Kongerige skal, for så vidt angår retten til *enkepension* i henhold til den danske lovgivning, betragtes, som om hun var dansk statsborger, såfremt

- (a) hendes mand havde haft uafbrudt ophold i Danmark i mindst 5 år umiddelbart før sin død, og hun på det tidspunkt var bosiddende i Danmark, eller
- (b) hun har haft uafbrudt ophold i Danmark i mindst 5 år umiddelbart forud for datoen for begæringens indgivelse.

(2) For så vidt angår retten til ydelser til et forældreløst barn eller barn af en enke eller enkemand i henhold til den danske lovgivning, skal en statsborger i Det forenede Kongerige, hvadenten den pågældende er barnets forsørger eller barnet selv, betragtes, som om han var dansk statsborger.

(3) For så vidt angår retten til forskudsvis udbetaling i henhold til den danske lovgivning om offentlig forsorg af bidrag til børn af enlige forsørgere, skal en statsborger i Det forenede Kongerige betragtes, som om han var dansk statsborger, hvadenten den pågældende er forsørgeren eller barnet selv.

Familieydelse

ARTIKEL 19

(1) For så vidt angår retten til familieydelse i henhold til lovgivningen i Det forenede Kongerige, skal

- (a) en dansk statsborger betragtes, som om han var statsborger i Det forenede Kongerige;
- (b) en statsborger i et af de to lande, der er født i Danmark, betragtes, som om han var født i Det forenede Kongerige.

(2) For så vidt angår retten til familieydelse i henhold til den danske lovgivning, skal en statsborger i Det forenede Kongerige betragtes, som om han var dansk statsborger.

Alderspension

ARTIKEL 20

(1) For så vidt angår retten til alderspension efter lovgivningen i det forenede Kongerige, skal en statsborger i et af de to lande, der har haft uafbrudt ophold i Det forenede Kongerige i mindst 5 år umiddelbart forud for datoen for begæringens indgivelse, stilles, som om han eller, såfremt begæringen fremsættes af en gift kvinde eller enke i kraft af hendes mands forsikring, hendes mand havde indbetalt bidrag i henhold til denne lovgivning i hver uge, i hvilken han har været bosiddende i Danmark.

(2) Where the national claiming an old age pension under the legislation of the United Kingdom is a married woman claiming by virtue of her own insurance, the provisions of paragraph (1) of this Article shall not apply to her unless she has, since the date of her marriage, or, if she has been married more than once, since the date of her last marriage, paid one hundred and fifty-six weekly contributions under that legislation.

(3) Where the national claiming an old age pension under the legislation of the United Kingdom is a woman—

- (a) whose marriage has been terminated by the death of her husband or otherwise;
- (b) who has lived in the United Kingdom continuously for at least five years immediately before the date of the claim; and
- (c) who claims a pension by virtue of her own insurance and has chosen to have her husband's contributions taken into account;

she shall be treated as if she or her husband had paid a contribution under that legislation for every week during which she or he, as the case may be, was resident in Denmark.

(4) A national of the United Kingdom shall, for the purpose of any claim to receive an old age pension under the legislation of Denmark, be treated as if he were a national of Denmark, provided that, immediately before the date of his claim—

- (a) he has lived in Denmark continuously for at least five years, or
- (b) he was receiving an invalidity pension under the legislation of Denmark.

Industrial Injuries and Diseases

ARTICLE 21

Where, under the legislation of one country concerning industrial injuries insurance, a national of either country would be entitled to receive any benefit if he were in that country, he shall be entitled to receive that benefit while he is in the other country.

ARTICLE 22

Where a national of either country has contracted an industrial disease and has been employed in both countries in occupations involving the risk of that disease, he shall, subject to the provisions of Articles 7 and 23 of the present Convention, be treated for the purpose of any claim to receive benefit for that disease under the legislation of the country in which he was last so employed before making that claim, as if he had been so employed only in that country, unless it can be proved that he had contracted the disease before he had become so employed in that country.

ARTICLE 23

Where a national of either country, who is receiving or has received any benefit for an industrial injury or disease under the legislation of one country,

(2) Såfremt den person, der fremsætter begæring om alderspension i henhold til lovgivningen i Det forenede Kongerige, er en gift kvinde, der ansøger herom i kraft af sin egen forsikring, skal hun ikke være omfattet af bestemmelserne i nærværende artikels stk. (1), medmindre hun siden ægteskabets indgåelse eller, såfremt hun har været gift mere end een gang, siden sit seneste ægteskabs indgåelse har indbetalt 156 ugentlige bidrag i henhold til den nævnte lovgivning.

(3) Såfremt den person, der fremsætter begæring om alderspension i henhold til lovgivningen i Det forenede Kongerige, er en kvinde,

- (a) hvis ægteskab er blevet opløst ved hendes mands død eller på anden måde;
- (b) som har haft uafbrudt ophold i Det forenede Kongerige i mindst 5 år umiddelbart forud for datoen for begæringens indgivelse; og
- (c) som ansøger om pension i kraft af sin egen forsikring og har ønsket, at hendes mands bidrag skal tages i betragtning;

skal hun stilles, som om hun eller hendes mand havde betalt bidrag i henhold til den nævnte lovgivning i hver uge, i hvilken hun eller han har været bosiddende i Danmark.

(4) En statsborger i Det forenede Kongerige skal, for så vidt angår retten til folkepension i henhold til den danske lovgivning, betragtes, som om han var dansk statsborger, for så vidt han umiddelbart før begæringens indgivelse

- (a) har haft uafbrudt ophold i Danmark i mindst 5 år eller
- (b) har oppebåret invalidepension i henhold til den danske lovgivning.

Tilskadekomst under arbejdet og erhvervssygdomme

ARTIKEL 21

En statsborger i et af de to lande, der i henhold til det ene lands lovgivning om ulykkesforsikring ville være berettiget til ydelser efter denne lovgivning, hvis han opholdt sig i det pågældende land, er berettiget til disse ydelser under ophold i det andet land.

ARTIKEL 22

En statsborger i et af de to lande, der har pådraget sig en erhvervssygdom og i begge lande har været beskæftiget ved arbejde, hvormed der er forbundet risiko for denne sygdom, skal, medmindre andet følger af bestemmelserne i nærværende overenskomsts artikler 7 og 23, for så vidt angår retten til erstatning for denne sygdom i henhold til lovgivningen i det land, hvor han senest har haft et sådant arbejde forud for begæringens indgivelse, stilles, som om han kun havde været beskæftiget ved et sådant arbejde i det pågældende land, medmindre det kan bevises, at han har pådraget sig sygdommen, før han overtog arbejdet i det pågældende land.

ARTIKEL 23

Såfremt en statsborger i et af de to lande, der modtager eller har modtaget erstatning for et ulykkestilfælde eller en erhvervssygdom i henhold til det ene

claims benefit for an industrial injury or disease under the legislation of the other country, account shall be taken of the former benefit as if it were or had been paid under the legislation of the latter country.

Beneficiary of one Country with Dependant in the Other

ARTICLE 24

(1) Where a national of either country, who is qualified to receive any benefit under the legislation of one country, would be qualified to receive an increase of that benefit for a dependant if the dependant were in that country, he shall be qualified to receive that increase while the dependant is in the other country.

(2) Where a national of either country would be entitled, under the legislation of the United Kingdom, to receive widow's benefit or benefit in respect of a death due to an industrial injury or disease if a child were in the United Kingdom or had been in that country at the time when one of his parents died or at any other specified time, that national shall be entitled to receive that benefit if the child, as the case may be, is in Denmark or was in that country at that time.

United Kingdom National Assistance

ARTICLE 25

For the purpose of applying any provision of the legislation specified in sub-paragraphs (a) (iv) and (a) (v) of paragraph (1) of Article 2 of the present Convention, a national of either country shall be treated as if he had been resident in the United Kingdom during any period during which he was resident in Denmark.

Meaning of " Resident "

ARTICLE 26

For the purpose of applying the provisions of Article 17 and paragraphs (1) and (3) of Article 20 of the present Convention, no account shall be taken of any period during which a person was resident in Denmark before he had reached the age of fifteen or after he had reached, or was deemed to have reached, pensionable age as defined in his case under the legislation of the United Kingdom.

Meaning of " Lived continuously "

ARTICLE 27

For the purpose of applying the provisions of the present Convention, a person shall be deemed to have lived continuously in one (or the other)

lands lovgivning, fremsætter begæring om erstatning for et ulykkestilfælde eller en erhvervssygdom i henhold til det andet lands lovgivning, skal den førstnævnte erstatning betragtes, som om den var eller havde været ydet i henhold til det sidstnævnte lands lovgivning.

Tilfælde, hvor en person, der har ret til ydelser i det ene land, har pårørende i det andet land

ARTIKEL 24

(1) En statsborger i et af de to lande, der har ret til ydelser i henhold til det ene lands lovgivning, og som ville have ret til tillæg til sådanne ydelser for pårørende, såfremt den pårørende opholdt sig i dette land, har ret til at oppebære det pågældende tillæg, uanset at den pårørende opholder sig i det andet land.

(2) Såfremt en statsborger i et af de to lande i henhold til lovgivningen i Det forenede Kongerige ville have ret til ydelser til enker eller til ydelser i anledning af et dødsfald, der skyldes et ulykkestilfælde eller en erhvervssygdom, hvis et barn opholdt sig i Det forenede Kongerige eller havde opholdt sig dér på det tidspunkt, da en af dets forældre afgik ved døden eller på et andet nærmere bestemt tidspunkt, skal han have ret til den pågældende ydelse, såfremt barnet henholdsvis opholder sig i Danmark eller opholdt sig dér på det pågældende tidspunkt.

Offentlig hjælp i Det forenede Kongerige

ARTIKEL 25

Ved gennemførelsen af bestemmelserne i den i nærværende overenskomsts artikel 2, stk. (1), pkt. (a) (iv) og (a) (v), omhandlede lovgivning skal en statsborger i et af de to lande stilles, som om han havde været bosiddende i Det forenede Kongerige i ethvert tidsrum, hvor han har været bosiddende i Danmark.

Betydningen af udtrykket "bosiddende"

ARTIKEL 26

Ved gennemførelsen af bestemmelserne i nærværende overenskomsts artikel 17 og artikel 20, stk. (1) og (3), skal der bortses fra den periode, i hvilken en person har været bosiddende i Danmark, før han fyldte 15 år, eller efter at han har nået eller anses for at have nået pensionsalderen, således som denne er fastsat for hans vedkommende i henhold til lovgivningen i Det forenede Kongerige.

Betydningen af udtrykket "uafbrudt ophold"

ARTIKEL 27

Ved gennemførelsen af bestemmelserne i nærværende overenskomst skal en person anses for at have uafbrudt ophold i det ene (eller det andet) land

country during any period, if he has not been absent from that country during that period except—

- (a) in the case of sub-paragraph (b) of paragraph (1) of Article 15, of paragraph (1) of Article 17, and of paragraphs (1), (3) and (4) of Article 20 of the Convention, for any period not exceeding four months;
- (b) in the case of sub-paragraph (a) of paragraph (1) of Article 15 of the Convention, for any period not exceeding one month;
- (c) for other periods, if the competent authority of that country is satisfied, having regard to the duration of his residence in that country and the reasons for his absence from it, that those periods should be ignored;

but, in calculating the duration of any period during which he has lived continuously in that country, no account shall be taken of any period during which he was absent from it.

Absence from the United Kingdom

ARTICLE 28

A person shall not be qualified, by virtue of any of the provisions of Articles 17 and 20 of the present Convention, to receive benefit under the legislation of the United Kingdom for any period of absence from that country, unless during that period he remains resident in the United Kingdom.

United Kingdom Beneficiary in Denmark

ARTICLE 29

Subject to the provisions of Article 30 of the present Convention, a national of either country, who would be entitled to receive an old age pension or widow's benefit under the legislation of the United Kingdom if he or she were in that country, shall be entitled, while he or she is in Denmark, to receive that benefit, other than any part which is payable by virtue of any of the provisions of Articles 17 and 20 of the Convention, but the rate shall, where appropriate, be determined, if he or she is not resident in the United Kingdom, under those provisions of that legislation which concern the payment of benefit to persons who are not resident in the United Kingdom.

Duplicate Benefit for Old Age or Widowhood

ARTICLE 30

(1) For the purpose of determining the amount which a national of either country should receive by way of an old age pension or widow's pension under the legislation of Denmark, any old age pension or widow's benefit which he or she is entitled to receive under the legislation of the United Kingdom shall be ignored.

(2) Where a national of either country is in Denmark, and is entitled to receive an old age pension under the legislation of that country, he or she shall be entitled to receive under the legislation of the United Kingdom

i et tidsrum, hvor han ikke har opholdt sig uden for det pågældende land, bortset fra

- (a) fravær i et tidsrum af højst 4 måneder, for så vidt angår de i overenskomstens artikel 15, stk. (1) (b), artikel 17, stk. (1), og artikel 20, stk. (1), (3) og (4), omhandlede tilfælde;
- (b) fravær i et tidsrum af højst 1 måned, for så vidt angår det i overenskomstens artikel 15, stk. (1) (a), omhandlede tilfælde;
- (c) fravær i andre tidsrum, såfremt den pågældende myndighed i vedkommende land under hensyntagen til varigheden af hans ophold i dette land og årsagerne til hans fravær fra det finder det godtgjort, at der bør ses bort fra disse tidsrum;

dog således at den tid, i hvilken han har været fraværende fra landet, ikke skal medregnes ved beregningen af det tidsrum, i hvilket han har haft uafbrudt ophold i vedkommende land.

Fravær fra Det forenede Kongerige

ARTIKEL 28

Bestemmelserne i nærværende overenskomsts artikler 17 og 20 berettiger ikke nogen til at oppebære ydelser i henhold til lovgivningen i Det forenede Kongerige for en periode, hvor pågældende opholder sig uden for dette land, medmindre han i den pågældende periode har bevaret sin bopæl i Det forenede Kongerige.

Ret til ydelser efter Det forenede Kongeriges lovgivning under ophold i Danmark

ARTIKEL 29

En statsborger i et af de to lande, der ville være berettiget til alderspension eller ydelser til enker i henhold til lovgivningen i Det forenede Kongerige, såfremt han eller hun opholdt sig dør, er berettiget til under ophold i Danmark at oppebære disse ydelser, med undtagelse af den del af ydelsen, der udbetales i kraft af bestemmelserne i overenskomstens artikler 17 og 20, men såfremt der måtte være grundlag herfor, skal ydelsernes størrelse, hvis han eller hun ikke er bosiddende i Det forenede Kongerige, fastsættes i henhold til bestemmelserne i Det forenede Kongeriges lovgivning om udbetaling af ydelser til personer, der ikke er bosiddende i Det forenede Kongerige, jfr. dog bestemmelserne i nærværende overenskomsts artikel 30.

Dobbelt ydelser ved alderdom eller til enker

ARTIKEL 30

(1) Ved fastsættelsen af det beløb, som en statsborger i et af de to lande kan oppebære i folkepension eller enkepension i henhold til den danske lovgivning, skal der bortses fra alderspension eller ydelser til enker, som han eller hun er berettiget til at modtage i henhold til lovgivningen i Det forenede Kongerige.

(2) En statsborger i et af de to lande, der opholder sig i Danmark og er berettiget til at oppebære folkepension i henhold til den danske lovgivning, er kun berettiget til at modtage alderspension eller ydelser til enker i henhold til

only any amount by which the old age pension or widow's benefit which he or she would, but for this paragraph, have been entitled to receive under that legislation exceeds the old age pension which he or she is entitled to receive under the legislation of Denmark.

Claims made independently of the Convention

ARTICLE 31

Subject to the provisions of Articles 23 and 30 of the present Convention, any person claiming benefit under the legislation of either country may choose to have his claim determined without regard to the provisions of this Part of the present Convention.

PART IV.—MISCELLANEOUS PROVISIONS

ARTICLE 32

The competent authorities—

- (i) shall make such administrative arrangements as may be required for the application of the present Convention;
- (ii) shall communicate to each other information regarding any measure taken by them for the application of the Convention;
- (iii) shall communicate to each other, as soon as possible, information regarding any changes, made under their national legislation, which affect the application of the Convention or any laws or regulations which extend insurance to new classes of persons or relate to a new branch of social security;
- (iv) shall furnish assistance to one another with regard to any matter relating to the application of the Convention.

ARTICLE 33

Where, under the provisions of the present Convention, any benefit is payable by an authority of one country to a person who is in the other country, the payment may, at the request of that authority, be made by an authority of the latter country as agent for the authority of the former country.

ARTICLE 34

No benefit paid under the legislation of one country by virtue of the present Convention shall be reimbursed out of the funds of the other country.

ARTICLE 35

(1) Any exception from, or reduction of, legal dues, charges and fees, provided for in the legislation of one country in connexion with the issue of any certificate or document required to be produced for the purpose of that legislation, shall be extended to certificates and documents required to be produced for the purposes of the legislation of the other country.

(2) Where any certificate or other document has to be produced to the competent authority of one (or the other) country for the purpose of applying the present Convention, that authority shall not require the certificate or other document to be legalised or authenticated.

lovgivningen i Det forenede Kongerige med det beløb, hvormed den ydelse, som han eller hun ellers ville have været berettiget til at modtage i henhold til lovgivningen i Det forenede Kongerige, overstiger den folkepension, som han eller hun er berettiget til at oppebære i henhold til den danske lovgivning.

Begæringer fremsat uden påberåbelse af overenskomsten

ARTIKEL 31

Bortset fra de tilfælde, der omhandles i nærværende overenskomsts artikler 23 og 30, har enhver, der fremsætter begæring om ydelser i henhold til et af de to landes lovgivning, ret til at få sin ansøgning behandlet uden hensyn til bestemmelserne i nærværende overenskomst afsnit III.

AFSNIT IV.—FORSKELLIGE BESTEMMELSER

ARTIKEL 32

Vedkommende myndigheder skal

- (i) træffe de fornødne administrative foranstaltninger til gennemførelse af nærværende overenskomst;
- (ii) holde hinanden underrettet om de foranstaltninger, de har truffet til gennemførelse af overenskomsten;
- (iii) snarest muligt underrette hinanden om sådanne ændringer i vedkommende lands lovgivning, som berører overenskomstens gennemførelse, og om eventuelle love eller administrative bestemmelser, der udvider forsikringen til at omfatte nye kredse af personer eller vedrører en ny gren af den sociale tryghed;
- (iv) yde hinanden bistand i spørgsmål vedrørende overenskomstens gennemførelse.

ARTIKEL 33

Såfremt en ydelse i henhold til bestemmelserne i nærværende overenskomst skal udbetales af en myndighed i det ene land til en person, der opholder sig i det andet land, kan udbetalingen efter den pågældende myndigheds anmodning foretages af en myndighed i det sidstnævnte land på den førstnævnte myndigheds vegne.

ARTIKEL 34

Udgifter til ydelser, der i medfør af nærværende overenskomst udbetales i henhold til det ene lands lovgivning, skal ikke refunderes af det andet land.

ARTIKEL 35

(1) Enhver fritagelse for eller nedsættelse af stempelafgifter eller andre afgifter og gebyrer i henhold til det ene lands lovgivning i forbindelse med udstedelse af attester eller dokumenter, der skal fremlægges ifølge denne lovgivning, skal ligeledes omfatte de attester og dokumenter, der skal fremlægges ifølge det andet lands lovgivning.

(2) I tilfælde, hvor en attest eller et andet dokument skal forelægges for vedkommende myndighed i det ene (eller det andet) land i forbindelse med gennemførelsen af nærværende overenskomst, kan den pågældende myndighed ikke kræve, at attesten eller dokumentet skal legaliseres eller bekræftes.

ARTICLE 36

Any claim, notice or appeal which should, for the purpose of the legislation of one country, have been presented within a prescribed period to an authority of that country, but which is in fact presented within the same period to the corresponding authority of the other country, shall be treated as if it had been presented to the authority of the former country. In such cases, the authority of the latter country shall, as soon as possible, arrange for the claim, notice or appeal to be sent to the competent authority of the former country.

ARTICLE 37

The competent authorities of the two countries may, for the purpose of applying the present Convention, correspond directly with one another, or with any person who has claimed any benefit by virtue of the Convention, or with his legal representative.

ARTICLE 38

(1) The competent authorities of the two countries shall endeavour to resolve by negotiation any disagreement relating to the interpretation or application of the present Convention.

(2) If any such disagreement has not been resolved by negotiation within a period of three months, the disagreement shall be submitted to arbitration by an arbitral body, whose composition and procedure shall be agreed upon by the two Contracting Parties.

(3) The decision of the arbitral body shall be made in accordance with the principles and spirit of the present Convention and shall be final and binding.

ARTICLE 39

(1) No provision of the present Convention shall confer any right to receive any payment of benefit for a period before the date of the entry into force of the Convention.

(2) No provision of Part II of the Convention shall apply to any period during which a national of either country was employed before the date of the entry into force of the Convention.

(3) Subject to the provisions of paragraphs (1) and (2) of this Article, any benefit, other than a maternity grant, home confinement grant or death grant, shall be payable in accordance with the provisions of the Convention in respect of events which happened before the date of its entry into force; and such benefit shall be paid as from that date, if the claim therefor is submitted within three months of that date or within such longer period as may be prescribed in the legislation under which the benefit is claimed.

(4) Any period during which a national of either country was living in one (or the other) country or resident there or insured under the legislation of that country before the date of the entry into force of the Convention shall be taken into account for the purpose of determining his right to benefit in accordance with the provisions of the Convention.

ARTIKEL 36

Enhver ansøgning, meddelelse eller klage, som i medfør af det ene lands lovgivning skulle have været indsendt inden for en nærmere bestemt tidsfrist til en myndighed i det pågældende land, men som inden for denne frist er indsendt til den tilsvarende myndighed i det andet land, skal behandles, som om den var blevet indsendt til det førstnævnte lands myndighed. I disse tilfælde skal myndigheden i det andet land snarest muligt sørge for, at den pågældende ansøgning, meddelelse eller klage oversendes til den pågældende myndighed i det første land.

ARTIKEL 37

Vedkommende myndigheder i de to lande kan ved gennemførelsen af nærværende overenskomst brevveksle direkte med hinanden eller med enhver person, der har fremsat begæring om ydelser efter overenskomsten, eller med hans lovligt befuldmægtigede.

ARTIKEL 38

(1) Vedkommende myndigheder i de to lande skal søge at bilægge enhver uoverensstemmelse med hensyn til fortolkningen eller gennemførelsen af nærværende overenskomst ved forhandling.

(2) Såfremt en sådan uoverensstemmelse ikke er blevet bilagt ved forhandling inden for et tidsrum af 3 måneder, skal uoverensstemmelsen henvises til voldgiftsavgørelse ved et voldgiftsnævn, hvis sammensætning og forretningsorden skal fastsættes ved aftale mellem de to kontraherende parter.

(3) Voldgiftsnævnets kendelser skal afsiges i overensstemmelse med ånden og principperne i nærværende overenskomst og skal være endelige og bindende.

ARTICLE 39

(1) Ingen af bestemmelserne i nærværende overenskomst skal berettige til udbetaling af ydelser for et tidsrum, der ligger forud for overenskomstens ikrafttrædelsesdato

(2) Ingen af bestemmelserne i overenskomstens afsnit II skal finde anvendelse på et tidsrum, i hvilket en statsborger i et af de to lande har været beskæftiget før overenskomstens ikrafttrædelsesdato

(3) For så vidt intet andet følger af bestemmelserne i nærværende artikels stk. (1) og (2), skal enhver ydelse, bortset fra moderskabsydelse, ydelser ved hjemmefødsel og begravelseshjælp, i henhold til overenskomstens bestemmelser kunne ydes i anledning af begivenheder, der er indtrådt før ikrafttrædelsesdatoen, og disse ydelser skal udbetales fra sidstnævnte dato at regne, såfremt der indsendes begæring herom inden 3 måneder efter denne dato eller inden for den tidsfrist ud over 3 måneder, som måtte være fastsat i den pågældende lovgivning.

(4) Ethvert tidsrum, i hvilket en statsborger i et af de to lande har opholdt sig i det ene (eller det andet) land eller har haft bopæl der eller været forsikret i henhold til det pågældende lands lovgivning før overenskomstens ikrafttrædelsesdato, skal medregnes ved afgørelsen af hans ret til ydelser i henhold til overenskomstens bestemmelser.

(5) A national of the United Kingdom, who is resident in Denmark at the date of the entry into force of the Convention and has reached the age of fifty-nine years at that date, shall be treated, for the purpose of any claim to receive an old age pension under the legislation of Denmark, as if he were insured, at the date of his claim, under the legislation of Denmark concerning sickness insurance.

ARTICLE 40

In the event of the termination of the present Convention, any right acquired by a person in accordance with its provisions shall be maintained, and negotiations shall take place for the settlement of any rights then in course of acquisition by virtue of those provisions.

ARTICLE 41

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Copenhagen as soon as possible. The Convention shall enter into force on the first day of the second month following the month in which the instruments of ratification are exchanged.⁽¹⁾

(2) The two Conventions on the payment of compensation or benefit in respect of industrial injuries which were signed in London on behalf of the Contracting Parties on the 15th December, 1953, and the 9th July, 1956, shall terminate on the date of the entry into force of the present Convention, but any right acquired in accordance with the provisions of those Conventions shall be maintained.

ARTICLE 42

The present Convention shall remain in force for a period of one year from the date of its entry into force. Thereafter it shall continue in force from year to year unless it is denounced in writing three months before the expiry of any such yearly period.

(1) The Convention entered into force on March 1, 1960.

(5) En statsborger i Det forenede Kongerige, der er bosiddende i Danmark på overenskomstens ikrafttrædelsesdato og fyldt 59 år på dette tidspunkt, skal, for så vidt angår retten til folkepension i henhold til den danske lovgivning, stilles, som om han på begæringens dato var forsikret i henhold til den danske lovgivning om sygeforsikring.

ARTIKEL 40

Såfremt nærværende overenskomst ophører at være gældende, skal enhver ret, der er erhvervet af en person i henhold til overenskomstens bestemmelser, vedblive at bestå, og der skal finde forhandlinger sted vedrørende reguleringen af sådanne rettigheder, der er under erhvervelse på det pågældende tidspunkt i henhold til disse bestemmelser.

ARTIKEL 41

(1) Nærværende overenskomst skal ratificeres, og ratifikationsdokumenterne skal udveksles i København så snart som muligt. Overenskomsten træder i kraft den første dag i den anden måned efter den måned, i hvilken ratifikationsdokumenterne udveksles.

(2) De to overenskomster om udbetaling af ydelser i anledning af tilskadekomst under arbejde, der på de kontraherende parters vegne blev underskrevet i London den 15. december 1953 og den 9. juli 1956, skal ophøre at være gældende fra nærværende overenskomsts ikrafttrædelsesdato at regne, men enhver ret, der er erhvervet i henhold til bestemmelserne i disse overenskomster, skal bevares.

ARTIKEL 42

Nærværende overenskomst skal være gældende i et tidsrum af 1 år regnet fra datoen for dens ikrafttræden. Den skal derefter fortsat være gældende fra år til år, medmindre den skriftligt opsiges 3 måneder før udløbet af en sådan 1 års-periode.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Convention. . . . Til bekræftelse heraf har undertegnede, der er behørigt befuldmægtigede af deres respektive regeringer, underskrevet nærværende overenskomst.

Done in duplicate at London this 27th day of August, 1959, in the English and Danish languages, both texts being equally authoritative. Udstedt i 2 eksemplarer i London den 27^{de} august 1959 på dansk og engelsk, hvilke to tekster har samme gyldighed.

SELWYN LLOYD.

JOHN BOYD-CARPENTER.

JUL. BOMHOLT.

BIRGER KRONMANN.

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