

No. 3538

**BELGIUM
and
YUGOSLAVIA**

**Agreement on social security. Signed at Belgrade, on
1 November 1954**

Official text: French.

Registered by Belgium on 1 October 1956.

**BELGIQUE
et
YOUGOSLAVIE**

**Convention sur la sécurité sociale. Signée à Belgrade, le
1^{er} novembre 1954**

Texte officiel français.

Enregistrée par la Belgique le 1^{er} octobre 1956.

[TRANSLATION — TRADUCTION]

No. 3538. AGREEMENT¹ BETWEEN BELGIUM AND YUGOSLAVIA ON SOCIAL SECURITY. SIGNED AT BELGRADE, ON 1 NOVEMBER 1954

His Majesty the King of the Belgians and the President of the Federal People's Republic of Yugoslavia,

Desirous of guaranteeing the benefits of the legislative provisions relating to social security in force in the two contracting States to the persons to whom these legislative provisions apply or have been applied, have resolved to conclude an agreement and for this purpose have appointed as their plenipotentiaries :

His Majesty the King of the Belgians :

His Excellency Mr. Georges Delcoigne, Minister of Belgium at Belgrade, and

His Excellency Mr. Léon-Éli Troclet, Minister of Labour and Social Insurance;

The President of the Federal People's Republic of Yugoslavia :

His Excellency Mr. Moma Markovic, President of the Committee for Social Policy and Public Health of the Federal Executive Council, and

Mr. Gustav Vlahov, Engineer, Secretary for Labour and Labour Relations of the Federal Executive Council.

T I T L E I

GENERAL PRINCIPLES

Article 1

Belgian or Yugoslav workers who are employed persons or persons treated as employed persons under the legislative provisions relating to social security set out in article 2 of this Agreement shall be subject respectively to the said legislative provisions in force in Yugoslavia or Belgium and shall enjoy the benefits thereof under the same conditions as the nationals of each country.

Article 2

Paragraph 1

The legislative provisions concerning social security to which this Agreement applies shall be :

¹ Came into force on 1 October 1956, in accordance with article 42, the exchange of the instruments of ratification having taken place at Brussels on 28 August 1956. This Agreement is not applicable to the territories of the Belgian Congo and Ruanda-Urundi.

1. *In Belgium :*

- (a) The legislation concerning insurance against sickness and invalidity;
- (b) The legislation concerning the insurance of wage-earning and salaried employees against old age and premature death;
- (c) The special legislation concerning the retirement pension system for miners and persons placed on the same footing as miners;
- (d) The legislation concerning family allowances in respect of wage-earning employees;
- (e) The legislation concerning industrial accidents;
- (f) The legislation concerning occupational diseases;
- (g) The legislation concerning the support of involuntarily unemployed persons.

2. *In Yugoslavia :*

- (a) The legislation concerning social security for wage-earning and salaried employees and their families;
- (b) The legislation concerning family benefits;
- (c) The legislation concerning benefits payable to wage-earning and salaried employees who are temporarily unemployed.

Paragraph 2

This Agreement shall also apply to any laws or regulations which have amended or supplemented, or may in future amend or supplement, the legislative provisions referred to in paragraph 1 of this article.

Nevertheless, the Agreement shall apply to :

- (a) Laws or regulations covering a new branch of social security, only if an arrangement to that effect is agreed upon between the contracting countries;
- (b) Laws or regulations extending existing schemes to new classes of beneficiaries, only if the Government of the country concerned fails to lodge an objection with the Government of the other country within a period of three months after the official publication of the said laws or regulations.

Article 3

Paragraph 1

Employed persons, or persons treated as employed persons under the laws applicable in each contracting country, who are employed in either country, shall be subject to the laws in force at their place of employment.

Paragraph 2

The following exceptions shall be made to the principle laid down in paragraph 1 of the present article :

- (a) Employed persons or persons treated as employed persons who are employed in a country other than that of their normal residence by an undertaking having in the latter country an establishment to which the persons concerned normally belong, shall remain subject to the legislation in force in the country in which they are normally employed, provided that the duration of their employment within the territory of the second country does not exceed twelve months; where, for unforeseeable reasons, this employment is extended beyond the period originally laid down and exceeds twelve months, the application of the legislation in force in the country in which they are normally employed may, as an exceptional measure, be continued with the agreement of the Government of the country in which the temporary place of employment is situated;
- (b) Employed persons or persons treated as employed persons belonging to public or private transport undertakings in either country who are employed in the other country permanently or temporarily or as travelling personnel shall be subject exclusively to the provisions in force in the country in which the undertaking has its head office;
- (c) Employed persons or persons treated as employed persons belonging to official administrative departments who are posted by one of the contracting countries for employment in the other country shall be subject to the provisions in force in the country by which they are so posted.

Paragraph 3

The competent authorities of the contracting countries may provide, by mutual agreement, for exceptions to the rules laid down in paragraph 1 of the present article. They may also agree that the exceptions provided for in paragraph 2 shall not be applied in specific cases.

Article 4

The provisions of article 3, paragraph 1, shall be applicable to employed persons treated as employed persons, whatever their nationality, who are employed in the diplomatic or consular offices of Belgium or Yugoslavia or who are in the personal employ of officers of the diplomatic or consular service of those countries.

Nevertheless :

1. This article shall not apply to diplomatic and consular officers *de carrière*, including officials on the staff of chancelleries;

2. Employed persons and persons treated as employed persons who are nationals of the country represented by the diplomatic or consular office are subject to the legislation of their country of origin. Subject however to a previous agreement between the competent authorities of the two contracting countries, the legislation of the country of their place of employment may be made applicable to them.

T I T L E II
SPECIAL PROVISIONS

CHAPTER I
SICKNESS, MATERNITY INSURANCE

Article 5

Employed persons and persons treated as employed persons who go from Belgium to Yugoslavia or vice versa shall, together with the legally entitled members of their household living with them in the country of the new place of employment, be eligible for sickness insurance benefits in that country if :

1. They have been in employment for wages or in equivalent employment in that country;
2. The sickness has become apparent after their entry into the territory of that country, unless the legislation applicable to them at their new place of employment provides more favourable conditions governing eligibility;
3. They fulfill the conditions required for eligibility for benefit under the legislation of the country of their new place of employment, account being taken of the period of registration in the country they have left and of the period following registration in the country of their new place of employment.

Article 6

Employed persons and persons treated as employed persons who go from Belgium to Yugoslavia or vice versa shall, together with the legally entitled members of their household living with them in the country of their new place of employment, be eligible for maternity insurance benefits in that country if :

1. They have been in employment for wages or in equivalent employment in that country;
2. They fulfil the conditions required for eligibility for benefit under the legislation of the country of their new place of employment, account being taken of the period of registration in the country they have left and the period elapsed since their registration in the country of their new place of employment.

Nevertheless, cash maternity benefits shall be paid by the social insurance authority of the scheme under which the person was insured on the two hundred and seventieth day preceding the birth. Such cash benefits shall be paid directly by the authority responsible for their payment. Benefits in kind shall also be provided by the authority of the former place of employment, if the person concerned fulfils the conditions prescribed by the legislation of that country and has resided for less than 180 days in the country of the new place of employment when the child is born. In this case, benefits in kind shall be provided by the authority of the country of residence, in accordance with the legislation of that country, and shall be reimbursed by the authority of the other country, responsible for the payment of benefits to an amount not exceeding that which would be payable under the legislation of the latter country.

If the person concerned has been living for more than 180 days in the country of the new place of employment at the time of the confinement, benefits in kind shall be provided in accordance with the legislation and at the expense of the country of residence.

Article 7

The rule laid down in article 5, paragraph 3, and article 6, paragraph 2, first sub-paragraph, shall be applicable only if the person concerned starts work in the country of the new place of employment within one month reckoned from the cessation of his employment in the country of his former place of employment.

Article 8

The legislative measures of either contracting country concerning the grant of benefits if the contingency covered by the insurance arises within a specific time limit after the cessation of paid employment or employment treated as paid employment, shall be applicable also when the contingency arises in the other contracting country.

Article 9

Insured persons to whom an invalidity old-age or widow's pension has been granted, either in conformity with this Agreement or simply under the national legislation of either of the contracting countries, and who may claim sickness insurance and maternity insurance benefits under the legislation of the country liable for payment of the pension shall be eligible, together with the legally entitled members of their household living with them in the country of residence, for sickness and maternity benefits in kind, in accordance with the legislation and at the expense of the said country of residence.

Article 10

Insured persons to whom an old-age, invalidity or widow's pension has been granted, either in accordance with this Agreement or under the national legislation of either of the contracting countries, employed persons and persons treated as employed persons and the legally entitled persons accompanying the insured person shall, if the period of residence in either of the contracting countries does not exceed one month, be entitled to sickness and maternity benefits in kind in accordance with the legislation of the country in which they are residing, provided that they may claim such benefits under the legislation of the country in which they are insured.

The benefits shall be reimbursed by the social security authority of the country in which the persons concerned are insured within the limits of the scale of rates of the country of residence.

CHAPTER II

INVALIDITY INSURANCE

*Article 11**Paragraph 1*

For Belgian or Yugoslav employed persons or persons treated as employed persons who, in the two contracting countries, have been insured, successively or alternately, under one or more invalidity insurance schemes, the insurance periods completed under these schemes or the periods recognized as equivalent to insurance periods by the virtue of the said schemes, shall be aggregated in accordance with the conditions laid down in article 17, paragraphs 1 and 2, for the purposes both of the determination of the right to benefits in cash or in kind and of the maintenance or recovery of this right.

Paragraph 2

Invalidity insurance benefits in cash shall be paid in accordance with the provisions of the legislation which was applicable to the person concerned at the time when a medical diagnosis of the illness or the accident, in the case of Belgium, and of the invalidity in the case of Yugoslavia, was first made, and the cost shall be borne by the competent authority in accordance with the said legislation.

Paragraph 3

Nevertheless, any invalidity noted within less than one year after the employed person's arrival in a country shall not entitle him to any cash benefits from this country. If the person concerned was previously covered by an invalidity insurance scheme in the other country, he shall be entitled to the cash benefits prescribed by the legislation of that country under the conditions specified in that legislation. These provisions shall not be applicable if the invalidity is due to an accident.

Article 12

By way of exception to the provisions of article 11, paragraph 2, the invalidity insurance benefits to which persons employed in the mines in Belgium and Yugoslavia are entitled shall be computed in accordance with the procedure specified in article 17, paragraph 4, when, account being taken of the aggregated insurance periods, such employed persons fulfil the conditions entitling them to an invalidity pension under the Belgian legislation concerning the retirement pension system for miners and persons placed on the same footing as miners, provided that the total of the insurance periods in either of the two countries is not less than the minimum period of one year specified in the said paragraph 4.

Article 13

If, at the time when the illness or accident resulting in invalidity occurred, the insured person was employed in the country which is not that of the authority responsible for payment, account shall be taken, when the amount of the invalidity pension or benefit is being determined, of the wage paid to employed persons in the professional category to which the person concerned belonged at that time in the country of the authority responsible for payment.

Article 14

If, after suspension or discontinuance of the invalidity benefit, pension or compensation, the insured person again becomes entitled to benefit, the payment of benefit shall be resumed by the authority responsible for the benefit, pension or compensation originally granted, if the state of invalidity is attributable to the disease or accident constituting the grounds on which such benefit, pension or compensation was previously granted.

Article 15

As regards eligibility for invalidity benefit, pension or compensation, the period during which the person concerned must have drawn a cash benefit under his sickness insurance before payment of an invalidity benefit, pension or compensation, shall in every case be the period prescribed by the legislation of the country in which he was employed when the accident or disease to which the state of invalidity is attributable occurred.

Article 16

An invalidity benefit, pension or compensation shall be converted, where necessary, into an old-age pension under the conditions laid down by the legislation in virtue of which it was granted.

CHAPTER III

OLD-AGE AND DEATH INSURANCE PENSIONS

*Article 17**Paragraph 1*

For Belgian or Yugoslav employed persons or persons treated as employed persons, who, in the two contracting countries, have been insured, successively or alternately, under one or more old-age or death (pensions) insurance schemes, the insurance periods completed under these schemes or the periods recognized as equivalent to insurance periods by virtue of the said schemes, shall, provided that they do not overlap, be aggregated for the purposes both of the determination of the right to benefit, and of the maintenance or recovery of this right.

The periods to be considered as equivalent to insurance periods, in either country, shall be those considered as such by the legislation of the country.

Any period recognized as equivalent to an insurance period under either Belgian or Yugoslav legislation shall be taken into account for the payment of benefits by the authorities of the country in which the person concerned last worked before the said period.

Paragraph 2

When the laws of either contracting country make the grant of certain benefits conditional upon the periods being completed in an occupation subject to a special insurance scheme, only the periods completed under the corresponding special scheme or schemes of the other country shall be aggregated for admission to the grant of these benefits.

If in one of the contracting countries there is no special scheme governing the particular occupation, the insurance periods completed in the said occupation under one of the schemes referred to in paragraph 1 above shall be aggregated.

As there is no special retirement pension system for miners in Yugoslavia : (a) the only periods which may be aggregated with the periods completed under the Belgian special retirement pension system for miners and persons placed on the same footing as miners shall be the periods completed in the mines in Yugoslavia which would come under the Belgian special system if the mines were in Belgium; (b) the only periods which may be considered equivalent to insurance periods shall be those periods which are considered as such by the legislation of either country which were immediately preceded or immediately followed by a period in the mines. Such periods are taken into account for the payment of benefits by the authority of the country in the mines of which the insured person worked immediately before the said periods; if the insured person did not work in the mines before such periods, they shall be taken into account by the authority of the country in the mines of which he worked immediately after these periods.

The occupations in Belgium for which Yugoslav legislation provides more favourable conditions with regard to eligibility for pension and determination of the rate of benefit shall be taken into consideration when pension rights are granted in accordance with Yugoslav legislation.

The regulations for the application of this paragraph shall be agreed upon by administrative arrangement.

Paragraph 3

Where the laws of either contracting country make the grants of certain benefits conditional upon the periods being completed in an occupation subject to a special insurance scheme, and when the said periods have not established a right to the benefits prescribed in the said special legislation, such periods shall be considered valid for the payment of benefits under the ordinary scheme.

Paragraph 4

The amount of benefit which an insured person may claim from the competent authorities of either country shall, as a rule, be determined by establishing the amount of the benefit to which he would have been so entitled if the total number of periods referred to in paragraphs 1 and 2 above had been completed under the appropriate scheme, the computation being effected on a *pro rata* basis having regard to the periods actually completed under that scheme.

The social insurance authorities of each country shall determine, in accordance with the legislation applicable to them and taking into account the total number of insurance periods, irrespective of the contracting country in which they were completed, whether the person concerned satisfies the conditions required in order to be entitled to the benefits provided by that legislation.

The said authorities shall determine, as a matter of form, the amount of the cash benefit to which the person concerned would be entitled if the total number of insurance periods had been completed exclusively under their own legislation and shall establish the amount payable in proportion to the periods actually completed under that legislation.

Nevertheless, no benefits shall be payable by an authority when the periods completed under the legislation governing it total less than one year comprising the minimum number of days of actual work or of days considered as days of actual work prescribed in that legislation; if this minimum is not obtained the authority of the other country shall bear the entire expense of the benefits to which the insured person is entitled under the legislation governing that authority and taking into account all the insured periods.

Article 18

When an insured person, account being taken of the total number of periods referred to in article 17, paragraphs 1 and 2, does not simultaneously

satisfy the conditions required by the laws of both countries, his right to a pension shall be established under each legislation as and when he satisfies these conditions.

Article 19

Paragraph 1

By way of exception to the provisions of article 17, the advanced pension payable to miners as provided in the Belgian special legislation is paid only to those persons who satisfy the conditions required by that said legislation, their service in the Belgian coal mines alone being taken into account.

Paragraph 2

The right to receive the advanced pension or an old-age pension, provided for in the Belgian special legislation, at the same time as a miner's wages is recognized, under the conditions and within the limits fixed by the said legislation, only if the persons concerned continue to work in the Belgian coal mines.

Article 20

Paragraph 1

Every insured person may, at the time when his right to a pension becomes established, renounce the benefit of the provisions of article 17 of the present Agreement. The benefits to which he may be entitled by virtue of the laws of each country shall then be paid separately by the competent authorities, independently of the insurance periods, or their recognized equivalents, completed in the other country.

Paragraph 2

The insured person shall be entitled to make a fresh choice between the provisions of article 17 and those of the present article when it becomes in his interest to do so either as the result of an amendment to one of the national legislations or of the transfer of his place of residence from one country to the other, or, in the case referred to in article 18, at the time when he establishes a new pension right under one of the legislations applicable to him.

CHAPTER IV

PROVISIONS APPLYING BOTH TO INVALIDITY AND TO OLD-AGE INSURANCE

Article 21

If the legislation of one of the contracting countries makes the payment of invalidity or old-age and survivors' pensions conditional upon residence qualifications, whether such pensions are payable under article 17 or are calcul-

ated according to actual insurance periods, the said residence qualifications shall not be applicable to Belgian or Yugoslav nationals as long as they continue to reside in either of the two contracting countries.

Article 22

If, under the legislation of either of the contracting countries, the average salary for the whole insurance period or for part of it is taken into account for the payment of benefits, the average salary to be taken into account for the computation of the benefits to be paid by this country shall be determined on the basis of the salaries prevailing during the insurance period completed in the said country.

CHAPTER V

FAMILY BENEFITS

Article 23

If, under the national legislation, eligibility for family benefits is conditional upon the completion of periods of employment or of periods considered as such, account shall be taken of the periods completed in either country.

CHAPTER VI

INDUSTRIAL ACCIDENTS

Article 24

Any provisions of the legislation of either contracting country ensuring compensation for injury, prescribing an increase of benefits already granted or granting invalidity benefits, even for partial invalidity which restricts the rights of foreigners or imposes loss of right by reason of their place of residence, shall not be applicable to the nationals of either contracting country who establish their right to the payment of compensation, allowances, income or capital.

Nevertheless, benefits which are granted only if the recipient is in a necessitous condition shall be granted only on the territory of the country responsible for their payment.

Article 25

Any industrial accident suffered by a Belgian employed person in Yugoslavia or a Yugoslav employed person in Belgium which has resulted in or is liable to result in either death or permanent disablement, whether total or partial, must be notified by the employer or the competent authorities to the local consular authorities of the country of which the injured person is a national.

CHAPTER VII

OCCUPATIONAL DISEASES

Article 26

Claims for compensation on account of injury resulting from occupational diseases shall, when the person concerned resides in the country other than the one which is presumed responsible for payment of benefits, be made to the corresponding insurance authority of the other country; they must be submitted within the time-limit laid down by the legislation of the country which is presumed responsible for payment and be established by the authority receiving the claim in the form prescribed by the legislation of this country.

Article 27

If an insured person who has received compensation for an occupational disease in one of the contracting countries proves his right to compensation for the same disease in the other country, his entitlement to benefit shall be examined by the insurance authority of the first country.

CHAPTER VIII

PROVISION APPLYING BOTH TO INDUSTRIAL ACCIDENTS
AND TO OCCUPATIONAL DISEASES*Article 28*

If the laws of either of the contracting countries make the rate of the cash benefits receivable under insurance against industrial accidents and occupational diseases conditional upon the length of time during which insurance has been paid, the authority responsible for the payment of benefits shall, when settling the claim for cash benefits, take into account the insurance periods completed in both contracting countries, in conformity with provisions of article 17 of the present Agreement.

CHAPTER IX

SUPPORT OF PERSONS INVOLUNTARILY UNEMPLOYED

Article 29

Employed persons and persons treated as employed persons who go from Belgium to Yugoslavia or vice versa shall be entitled in the country of their new place of employment to benefit under the legislation concerning the support of persons involuntarily unemployed if:

1. They have been in employment for wages or equivalent employment in that country;

2. They fulfil the conditions required for eligibility for benefit under the legislation of the country of their new place of employment, account being taken of the period of registration in the country they have left, and the period elapsed since their registration in the country of their new place of employment.

CHAPTER X

FUNERAL BENEFIT

Article 30

Employed persons and persons treated as employed persons who go from Belgium to Yugoslavia or vice versa shall be eligible for funeral benefit as provided in the legislation of the country of their new place of employment if :

1. They have been in employment for wages or an equivalent employment in that country;
2. They fulfil the conditions required for eligibility for benefit under the legislation of the country of their new place of employment, account being taken of the period of registration in the country they have left and the period elapsed since their registration in the country of their new place of employment.

Article 31

The death benefits to which pension-holders are entitled shall be payable by the authority to which the insured person was last affiliated, provided that, account being taken of periods of insurance completed in both countries, they fulfil the conditions required for eligibility for these benefits under the legislation governing that authority.

TITLE III

GENERAL AND MISCELLANEOUS PROVISIONS

CHAPTER I

ADMINISTRATIVE CO-OPERATION

Article 32

Paragraph 1

The competent authorities of the two contracting countries and the social security authorities shall furnish mutual assistance in the same degree as if the matter in question were one affecting the application of their own social security schemes.

An administrative arrangement shall determine the competent authorities and the social security authorities of each of the contracting countries which shall be empowered to correspond directly with each other for this purpose and to centralize the claims of the persons concerned and the payment of benefits.

Paragraph 2

The said competent authorities and social security authorities may also as an accessory measure apply for the same purpose to the diplomatic and consular authorities of the other country to take action.

Paragraph 3

The diplomatic and consular authorities of either country may apply direct to the administrative authorities and the national insurance or social security authorities of the other country with a view to obtaining any information they require to protect the interests of their nationals.

Article 33

Paragraph 1

The privilege of exemption from liability to pay legal dues in respect of registration, stamp charges, duties and consular fees provided by the laws of either country in respect of documents to be produced before the administrative authorities or social security authorities of the one country shall be extended to the corresponding documents to be produced, for the purposes of the application of the present Agreement, before the administrative authorities or social security authorities of the other country.

Paragraph 2

The requirement of legalization by diplomatic and consular authorities shall be waived in respect of all certificates, documents and papers to be produced for the purposes of the operation of the present Agreement.

Article 34

All communications relating to the application of the present Agreement, sent by beneficiaries under the Agreement to the social security authorities and other administrative or judicial authorities having powers in relation to social security in either country, shall be drawn up in one of the official languages of either State.

Article 35

Claims and appeals that are required to be lodged within a prescribed period with an authority competent to accept appeals relating to social security

in one or other of the two countries shall be deemed admissible if they are lodged within the same period, with a corresponding authority in the other country. In such cases, the latter authority shall transmit the appeals without delay to the competent authority.

Article 36

Paragraph 1

The competent authorities of the contracting Governments shall determine between themselves the detailed measures for the implementation of the present Agreement in so far as those measures call for joint action by those authorities.

The same authorities shall communicate to each other in due course information about the details of changes that have taken place in the laws or regulations in their countries concerning the schemes enumerated in article 2.

Paragraph 2

The social security authorities in each country shall communicate to each other information about the other arrangements made within their respective countries for the implementation of the present Agreement.

Article 37

For the purposes of this Agreement, the expression “ competent authority ” means :

In Belgium: the Minister of Labour and Social Insurance,

In Yugoslavia: the Social Security Department of the Federal Executive Council.

CHAPTER II

MISCELLANEOUS PROVISIONS

Article 38

Paragraph 1

The authorities responsible, by virtue of this Agreement, for the administration of social security benefits shall be held to discharge their responsibility validly by payments in the currency of their country.

In the event of the issue of regulations in one or other of the two countries with a view to imposing restrictions upon the free exchange of currency, measures are to be taken forthwith, by agreement between the two Governments, to ensure, in accordance with the provisions of this Agreement, the reciprocal transfer of sums due.

Paragraph 2

The authority responsible for the payment of annuities or pensions, the monthly amount of which is less than a specified sum, may, merely by an exchange of letters between the competent authorities of the two contracting countries, pay the said annuities and pensions quarterly, half-yearly or yearly.

It may also, by payment of a sum equal to their capital value, redeem the annuities or pensions the monthly amount of which is less than a specified sum, as provided in the preceding paragraph.

Article 39

If the persons concerned are entitled to benefits in respect of disablement which has been evaluated in the country responsible for the payment of such benefits, the examinations made by the social security authority of the country of residence may be taken into consideration when eligibility for these benefits is reconsidered.

Article 40

The formalities that may be laid down by the statutory provisions or regulations of one or other of the contracting Governments in respect of the payment, outside the limits of their territory, of the benefits distributed by its social security authority shall also apply, under the same conditions as those applicable to nationals, to persons entitled to receive such benefits by virtue of this Agreement.

*Article 41**Paragraph 1*

All difficulties relating to the carrying out of the present Agreement shall be resolved by agreement between the competent authorities of the contracting Governments.

Paragraph 2

In cases where it may have been impossible to arrive at a solution by this means, the disagreement is to be submitted to arbitration, in accordance with a procedure to be arranged between the Governments. The arbitral body shall settle the dispute according to the fundamental principles and in the spirit of the present Agreement.

*Article 42**Paragraph 1*

The present Agreement shall be ratified, and the instruments of ratification shall be exchanged at Brussels, as soon as possible.

Paragraph 2

It shall come into force on the first day of the second month following the exchange of the instruments of ratification.

Paragraph 3

Benefits the payment of which was suspended under the provisions in force in one of the contracting countries by reason of the residence abroad of the persons concerned shall be paid as from the first day of the month following the entry into force of this Agreement. Benefits formerly not payable to the persons concerned for the same reason shall be awarded and paid as from the same day.

The provisions of this paragraph shall not apply unless the claims are made within two years from the date of the entry into force of this Agreement.

Paragraph 4

The provisions of the preceding paragraph shall also be applied, at the request of the persons concerned, in cases where no benefits would have been paid if the contingencies covered by the insurance had arisen before the entry into force of this Agreement.

Paragraph 5

The rights of Belgian or Yugoslav nationals to whom pensions or old-age insurance benefits have been paid before the entry into force of this Agreement may be reviewed on an application made by the persons concerned.

As a result of such a review, the beneficiaries shall acquire, as from the first day of the month following the entry into force of the present Agreement, the same rights as they would have acquired if the Agreement had been in force when the pension or benefit was paid, provided that application is made within two years.

*Article 43**Paragraph 1*

The present Agreement is concluded for the duration of one year. It will continue in force from year to year unless notice of termination is given three months before the expiration of the period.

Paragraph 2

In the event of such notice being given, the provisions of the present Agreement shall remain applicable to acquired rights, notwithstanding any restrictive provisions that the schemes concerned may have laid down for cases where an insured person resides in a foreign country.

Paragraph 3

Any rights that are in process of acquisition in respect of insurance periods completed before the date on which the Agreement ceases to have effect shall continue to be governed by the provisions of this Agreement in conformity with conditions to be agreed upon by mutual consent.

IN WITNESS WHEREOF the respective plenipotentiaries have signed the present Agreement and affixed their seals thereto.

DONE in duplicate at Belgrade, on 1 November 1954.

For the Kingdom of Belgium :

G. DELCOIGNE
Léon-Éli TROCLET

For the Federal People's
Republic of Yugoslavia :

M. MARKOVIC
G. VLAHOV, Engineer
