

No. 9522

ARGENTINA
and
ITALY

Social Security Convention (with annex). Signed at Buenos Aires on 12 April 1961

Administrative Agreement for the implementation of the Convention of 12 April 1961 on Social Security (with annex). Signed at Buenos Aires on 4 June 1965

Authentic texts : Spanish and Italian.

Registered by Argentina on 28 April 1969.

ARGENTINE
et
ITALIE

Convention relative à la sécurité sociale (avec annexe). Signée à Buenos Aires le 12 avril 1961

Accord administratif pour l'application de la Convention du 12 avril 1961 relative à la sécurité sociale (avec annexe). Signé à Buenos Aires le 4 juin 1965

Textes authentiques : espagnol et italien.

Enregistrés par l'Argentine le 28 avril 1969.

[TRANSLATION — TRADUCTION]

SOCIAL SECURITY CONVENTION ¹ BETWEEN THE ARGENTINE REPUBLIC AND THE ITALIAN REPUBLIC

The President of the Argentine Republic and the President of the Italian Republic, desiring to regulate relations between the two countries in the matter of social security, have decided to conclude a Convention and, for that purpose, have appointed as their plenipotentiaries :

The President of the Argentine Republic :

H. E. Dr. Diógenes Taboada, Minister for Foreign Affairs and Public Worship

The President of the Italian Republic :

H. E. the Hon. Mario Martinelli, Minister of Foreign Trade
who, having exchanged their powers, found in good and due form, have agreed on the following provisions :

PART ONE

GENERAL PROVISIONS

Article 1

(1) This Convention shall apply to the legislation concerning :

1. In Italy :

- (a) compulsory invalidity, old-age and survivors' insurance ;
- (b) compulsory industrial accident and occupational disease insurance ;
- (c) the physical and economic welfare of working mothers ;
- (d) compulsory sickness insurance ;
- (e) compulsory tuberculosis insurance ;
- (f) the special schemes for particular categories of employed persons, in so far as relates to risks or benefits covered by the legislation specified in the preceding sub-paragraphs.

¹ Came into force on 1 January 1964, i.e., the first day of the second month following the date of the exchange of the instruments of ratification which took place at Rome on 7 November 1963, in accordance with article 21 (2).

2. In Argentina :

- (a) compulsory invalidity, old-age and death insurance ;
- (b) the compensation and benefits payable in respect of industrial accidents and occupational diseases ;
- (c) compulsory maternity insurance ;
- (d) the medical services (prevention, cure and rehabilitation) of the National Social Welfare Institute, including the compensation to be granted by this Institute during a period of recuperation from a non-occupational accident or disease when the respective rules begin to apply.

(2) This Convention shall also apply to all laws and other regulations issued for the purpose of integrating, amending and applying the legislation specified in paragraph 1. It shall not apply to laws and other regulations which may in future cover a new branch of social insurance or extend existing branches to new categories of persons, if the Government of one of the Contracting States notifies the Government of the other State of its objection within a period of three months from the date of official publication of such laws or regulations.

Article 2

The legislation specified in article 1, in force in Argentina and in Italy, shall apply respectively to Italian citizens in the Argentine Republic and to Argentine citizens in the Italian Republic. They shall have the same rights and obligations as citizens of the Contracting State in whose territory they are.

Article 3

(1) Article 2 shall be subject to the following exceptions :

- (a) A citizen of one of the two Contracting States who is sent by an enterprise having its main office in one of them to the territory of the other shall continue to be governed by the provisions of the first-mentioned State if his employment in the territory of the other State does not exceed 12 months. Should the duration of employment in the territory of the other State exceed 12 months, the employed person may continue to be governed by the provisions of the Contracting State in which the enterprise has its main office, provided that the supreme administrative authority of the other State gives its consent.

- (b) Aircrews of an air transport enterprise having its main office in the territory of one of the two Contracting States shall remain subject to the legislation of the State in whose territory the enterprise has its main office if they are citizens of that State, even when working in the territory of the other State. The same régime shall apply to non-flying personnel sent temporarily to the territory of the other State.
- (c) The crew of a vessel shall be subject to the legislation of the Contracting State whose flag the vessel flies. Personnel employed by the vessel in a port of one of the two Contracting States for loading and unloading, repair and custodial duties shall be subject to the legislation of the State to which the port belongs.
- (d) The personnel of enterprises or offices of one of the two Contracting States who are sent to the territory of the other State shall be subject to the legislation of the first-mentioned State.
- (e) Members of diplomatic and consular missions of the two Contracting Parties, with the exception of honorary consuls, their office staff and persons in their personal service, shall be subject to the legislation of the sending State. Those of them who are not career officials or employees and the persons in their personal service may, however, within three months from taking up their duties and with the consent of the competent authorities responsible for the diplomatic or consular mission, request that they be insured in accordance with the legislation of the Contracting State in which they are employed. Should they already be so employed on the date of the entry into force of this Convention, the period of three months shall be reckoned from that date.

(2) The supreme administrative authorities of the two Contracting States may by mutual agreement make further exceptions to the principle laid down in article 2. They may also permit by mutual agreement derogations from the provisions of paragraph (1) for special cases or groups of cases.

Article 4

(1) Citizens of Argentina and Italy who are entitled to claim cash benefits in one of the two Contracting States under invalidity, old-age or death (*superstitii*) insurance or industrial accident and occupational disease insurance shall retain that entitlement, without any restriction whatsoever, no matter where they are resident.

(2) For the purpose of dependants' increments in the social security benefits of one of the two Contracting States, and of the survivors' benefits provided under such insurance, the residence or temporary residence in the territory of the other State of the persons for whom such increments or benefits are granted shall not be deemed to be residence or temporary residence abroad.

PART TWO

SPECIAL PROVISIONS CONCERNING INVALIDITY, OLD-AGE OR DEATH (SUPERSTITI) BENEFITS

Article 5

(1) In the case of the invalidity, old age or death of a citizen of Argentina or Italy who has been covered in both Contracting States by social security against such eventualities, including the voluntary schemes established by the legislation concerning such insurance, the insurance authorities of the two Contracting States shall determine the entitlement to benefits on the basis of the legislation in force in each of the States, account being taken of the insurance periods completed in both States.

(2) If, in accordance with the legislation of one of the two Contracting States, entitlement to a benefit is dependent upon periods completed in an occupation covered by a special social security scheme, only the corresponding periods completed in the other State shall be aggregated for the purpose of paragraph (1). If, in that State, no special social security scheme exists for such an occupational category, the periods completed under the special scheme in the first-mentioned State shall be added to the periods completed in the other State under the social security covering the same occupational category. Nevertheless, if the insured person has not acquired entitlement to benefits under the special scheme, the periods completed under that scheme shall be deemed to have been completed under the general scheme.

Article 6

(1) The benefits which the insured persons referred to in article 5 of this Convention or their successors may claim under the legislation of the two Contracting States shall be determined in the following manner :

(a) The authority of each of the two Contracting States shall, in accordance with its own legislation, determine whether the insured person qualifies

for the benefits established in that legislation, account being taken of the aggregation of periods provided for in the preceding article ;

- (b) If entitlement is acquired under sub-paragraph (a) above, the authority shall determine the theoretical amount of the benefit to which the person concerned would be entitled if all the insurance periods, aggregated in accordance with the procedures laid down in the preceding article, had been completed solely under its own legislation ; on the basis of that amount, the authority shall establish the amount payable in the proportion that the duration of the periods completed under such legislation bears to the total duration of the periods completed under the legislation of the two Contracting States.

(2) In the event that the person concerned, account being taken of all of the periods referred to in article 5, is unable to satisfy simultaneously the conditions laid down in the legislation of the two Contracting States, his entitlement to a pension shall be determined under each body of legislation in so far as he satisfies those conditions.

Article 7

(1) Where benefits to be granted by the insurance authorities of both States are less than the minimum level for pension purposes in the State in which the benefit is to be paid, the insurance authority of that State shall grant such additional entitlement as is necessary to bring it up to that minimum level. The additional entitlement shall be payable by the insurance authorities of each of the two States in the proportion which the contribution periods and equivalent periods completed up to the time at which the benefit is determined in each of the two States bear to the sum of the contribution periods and equivalent periods

(2) If the total benefits established in accordance with article 6 are less than the amount to which the person concerned would be entitled if account were taken solely of the legislation of one of the two Contracting States, the insurance authority of that State shall increase its own benefits by an amount equivalent to the difference between the aforementioned amount and the sum of the benefits determined in accordance with article 6.

Article 8

The person concerned may waive the application of the provisions of articles 5 and 6. In that case, the benefits shall be determined solely in conformity with the legislation of each of the Contracting States.

PART THREE

MISCELLANEOUS AND INTERIM PROVISIONS

Article 9

(1) Insurance authorities of the two Contracting States obliged to grant benefits under this Convention shall pay the cash benefits in the currency of their own State which shall be convertible on a reciprocal basis.

(2) Where, for the purpose of ascertaining an entitlement to benefits or determining the amount thereof, it is necessary in one of the two Contracting States to take into account the amount of a benefit or income expressed in the currency of the other State, such amount shall be calculate in accordance with the regulations in force in the two countries concerning payments for current transactions. Payments for current transactions shall mean those defined in article XIX (i) ¹ of the Articles of Agreement of the International Monetary Fund. ²

Article 10

The social security authorities and bodies of the two Contracting States shall assist one another in implementing this Convention, as though they were implementing their own social security schemes; such mutual assistance shall be free of charge. Medical examinations required for social security purposes in a Contracting State in respect of persons who are in the territory of the other State shall be carried out by the insurance authority of that State at the request and at the expense of the insurance authority of the first-mentioned State.

Article 11

(1) Any exemption from fees, charges or duties provided for in the legislation of one of the Contracting States in respect of social security and payment of the corresponding benefits shall also apply to insured persons and their employers, applicants, successors, and social security insurance authorities and bodies in the other State.

¹ United Nations, *Treaty Series*, Vol. 2, p. 104.

² *Ibid.*, Vol. 2, p. 39.

(2) Certificates, documents and other papers required to be submitted for the purpose of implementing this Convention shall not need to be certified or legalized by diplomatic or consular authorities.

Article 12

The competent social security authorities, bodies and courts of the two Contracting States shall communicate directly with one another, the insured persons and their agents, for the purpose of implementing this Convention. They may, where necessary, make investigations in the other State and have recourse to the diplomatic and consular authorities of that State.

Article 13

The diplomatic and consular authorities of both Contracting States may, without special instructions, represent citizens of their own State before the competent social security authorities, bodies and courts of the other State.

Article 14

(1) Applications submitted to the insurance authorities or other competent departments of one Contracting State shall be treated as though they had been submitted to insurance authorities or other competent departments of the other Contracting State.

(2) Appeals to be submitted within a specific period to a department competent to receive them in one of the Contracting States shall be deemed to have been submitted within the time-limit if they are submitted within that period to the corresponding department of the other State. In such cases, the department shall forward the appeal to the competent department immediately. If the department to which the appeal is submitted does not know which is the competent department, it may be forwarded through the supreme administrative authorities of the two Contracting States.

Article 15

Appeals addressed to the competent social security authorities, bodies or courts of the two Contracting States and any documents required for social security purposes may not be rejected on the ground that they are drawn up in the official language of the other State.

Article 16

(1) The supreme administrative authorities of the two Contracting States shall agree directly on the special provisions regarding the measures required

for implementing this Convention, in so far as agreement is required. They may, in particular, agree on the following matters :

1. Designation of liaison offices by both parties ;
2. Procedures for the payment of benefits by each insurance authority to the respective beneficiaries resident in the territory of the other Contracting State ;
3. The authority to be responsible for the medical and administrative control of applicants and their successors and for checking benefits and reimbursements of the respective costs.

(2) The supreme administrative authorities of the two Contracting States shall notify one another of any changes in the legislation of the respective States concerning social security.

(3) The social security authorities and bodies of the two Contracting States shall inform one another of any measures adopted for implementing this Convention.

Article 17

(1) Any disputes between the two Contracting States regarding the interpretation or implementation of this Convention shall be settled by agreement between the supreme administrative authorities of the two Contracting States.

(2) If the dispute cannot be settled in that way, it shall, at the request of one of the Contracting States, be submitted to an arbitration panel whose composition and procedure shall be agreed upon by the Governments of the two Contracting States.

(3) The arbitration panel shall give its rulings in accordance with this Convention and with generally recognized legal principles.

(4) The rulings of the arbitration panel shall be by majority vote. Its rulings shall be binding on both Contracting Parties. Each Contracting State shall be responsible for the expenses of its representatives. Other expenses shall be paid in equal parts by the two Contracting States. In other matters the arbitration panel shall establish its own procedure.

Article 18

For the purposes of this Convention, supreme administrative authorities means :

In the Argentine Republic :

The Minister of Labour and Social Security ;

In the Italian Republic :

The Minister of Labour and Social Welfare.

Article 19

(1) The provisions of this Convention shall also apply to events occurring prior to its entry into force, provided no firm decision establishing the corresponding benefit has yet been made. For the purpose of implementing this Convention, account shall also be taken of insurance periods completed prior to its entry into force.

(2) Benefits which, prior to the date of the entry into force of this Convention, have been refused because of failure to fulfil the requirements laid down in the municipal law of each State, shall, at the request of the person concerned, be established in accordance with this Convention.

(3) None of the benefits covered by this Convention shall be payable in respect of periods prior to the date of its entry into force.

Article 20

(1) This Convention shall remain in force for a period of three years from the date of its entry into force. It shall be tacitly extended from year to year, unless notice of termination is given in writing by the Government of one of the two Contracting States not later than three months before the expiry of the period.

(2) In the event of termination, the provisions of this Convention shall continue to apply to any rights acquired. With regard to any rights in process of acquisition which have accrued up to the expiry of this Convention, its provisions shall continue to apply even after its expiry, in accordance with a supplementary agreement.

Article 21

(1) This Convention shall be ratified. The instruments of ratification shall be exchanged as soon as possible at Rome.

(2) This Convention shall enter into force on the first day of the second month following that in which the instruments of ratification are exchanged.

In WITNESS WHEREOF the aforementioned plenipotentiaries have signed this Convention in four copies, two in the Spanish and two in the Italian

languages, all texts being equally authentic, in the City of Buenos Aires, capital of the Argentine Republic, on the twelfth day of April, one thousand nine hundred and sixty-one.

For the Italian Government :

Mario MARTINELLI
Minister of Foreign Trade

For the Argentine Government :

Diógenes TABOADA
Minister for Foreign Affairs
and Public Worship

ADMINISTRATIVE AGREEMENT¹ BETWEEN THE ARGENTINE REPUBLIC AND THE ITALIAN REPUBLIC FOR THE IMPLEMENTATION OF THE CONVENTION OF 12 APRIL 1961 ON SOCIAL SECURITY

In accordance with article 16, paragraph (1), of the Convention between the Argentine Republic and the Italian Republic on Social Security of 12 April 1961², hereinafter referred to as the "Convention", the competent authorities of the two Contracting States, namely :

For Italy :

The Minister of Labour and Social Welfare, represented by Mr. Attilio Caroppo ;

For Argentina :

The Minister of Labour and Social Security, represented by Mr. Enrique S. Rabinovitz,

have agreed upon the following provisions for the implementation of the Convention.

PART I

GENERAL PROVISIONS

Article 1

The Convention shall be implemented in accordance with the following provisions by :

- (a) In Italy, in addition to the social security bodies competent for special categories of insured persons :
- the National Social Welfare Institute, in respect of invalidity, old-age and survivors' insurance, including special schemes replacing the general scheme for specific categories of workers, insurance against tuberculosis and maternity benefits for housewives and women in domestic service ;
 - the National Sickness Insurance Institute, in respect of sickness insurance and the physical and economic welfare of working mothers ;

¹ Came into force on 4 June 1965 by signature, with retroactive effect from 1 January 1964, in accordance with article 14, paragraph 1.

² See p. 195 of this volume.

- the National Work Accident Insurance Institute, in respect of insurance against accidents at work and occupational diseases.

- (b) In Argentina :
 - the National Social Welfare Institute and the National Welfare Funds, in respect of pension schemes (invalidity, old-age and death risks) ;

 - the Work Accident Fund, in respect of compensation for accidents at work or occupational diseases ;

 - the Maternity Fund in respect of benefits under compulsory maternity insurance.

Article 2

(1) In the cases specified in article 3, paragraph (1), sub-paragraph (a), of the Convention, the enterprise shall be issued a certificate (Form No. 1) stating that during the temporary employment of persons in the territory of the other State they shall continue to be subject to the legislation of the country in which the employing enterprise has its main office.

(2) The certificate referred to in the preceding paragraph shall be issued :

- (a) By the National Sickness Insurance Institute, for employed persons sent temporarily to Argentina ;
- (b) By the National Social Welfare Institute or the National Social Welfare Funds, for employed persons sent temporarily to Italy.

(3) Where several employed persons are sent together by the same enterprise to work in the territory of the other State, a group certificate shall be issued.

(4) The body issuing the certificates referred to in paragraphs (1) and (3) above shall send copies thereof to the supreme administrative authority of the other State.

(5) The certificates shall be submitted, where necessary, to the competent bodies of the State in which the temporary employment is carried on, either by the enterprise or, in the absence thereof, by the employed person himself.

(6) Should employment in the territory of the other State exceed a period of twelve months, the enterprise may request that the employed persons, sent temporarily to the territory of the other State, continue to be subject to the legislation of the State in which the enterprise has its main office. Requests (Form No. 2) shall be made to the supreme administrative

authority of the State in which the enterprise has its main office, which shall grant the authorization with the prior consent of the supreme administrative authority of the other State.

(7) If the enterprise does not exercise the option referred to in paragraph (6) above within a period of thirty days from the expiry of the twelve-month period, the employed persons shall automatically be subject to the legislation of the State in whose territory the enterprise is temporarily carrying on its activities. The enterprise shall notify the supreme administrative authorities of the two Contracting States accordingly.

PART II

SPECIAL PROVISIONS

Chapter I

INVALIDITY, OLD-AGE AND DEATH (SURVIVORS') BENEFITS

Article 3

(1) Insured persons and their successors wishing to claim benefits under part II of the Convention shall submit the respective application, in duplicate, to the competent insurance authority of either of the two Contracting States.

(2) The application shall specify the applicant's employment in the territory of each of the Contracting States, indicating the insurance authorities with which he was insured, and the employers worked for in the territory of those States.

(3) The authorities competent for processing the application are :

- in Italy, the Directorate-General or the Provincial Offices of the National Social Welfare Institute and
- in Argentina, the National Social Welfare Institute or the National Welfare Funds.

(4) The competent authority receiving the application shall, without delay, send a copy to the competent authority of the other State, together with three copies of Form No. 3, specifying the insurance periods which the applicant may claim in accordance with the legislation of the State to which the remitting authority belongs and indicating the entitlements which may be recognized on the basis of such periods.

(5) The competent authority of the other State shall decide on the part of the application which concerns it and send three copies of the decision to the competent authority of the first State. At the same time, it shall return two copies of Form No. 3, specifying the insurance periods the applicant may claim under the legislation of the State to which such authority belongs and indicating any entitlements he may have on the basis of such periods, together with those resulting from the aggregation of insurance periods completed in the two Contracting States.

(6) The competent authority if the first State shall, in turn, take action on the application and transmit its decision to the applicant or his successors, together with a copy of the decision of the competent authority of the other State. At the same time, it shall send a copy of its decision to the competent authority of the other State, indicating the date on which both decisions were communicated to the applicant or his successors.

Article 4

The benefits which insured persons or their successors may obtain under the legislation of the two Contracting States and as a result of the aggregation of insurance periods shall be determined in the following manner :

- (a) Each of the insurance authorities shall determine, separately, the amount of the benefits to which the person concerned would have been entitled if all the insurance periods aggregated in both Contracting States had been completed under its own legislation.
- (b) On the basis of that amount, each of the insurance authorities shall establish the sum payable, which shall be calculated in the proportion which the duration of the periods completed under the legislation of its own State bears to the total duration of the periods completed under the legislation of both Contracting States.

The benefits shall be paid direct to the beneficiaries by the insurance authority.

Article 5

The following rules shall apply to the aggregation of insurance periods :

- (a) The insurance periods to be taken into account for the purposes of aggregation shall be all those considered as such under the legislation of each of the Contracting States in which they were completed, even though a benefit has been awarded in respect of them ;

- (b) Where an insurance period completed in a compulsory insurance scheme under the legislation of one Contracting State coincides with an insurance period completed under the legislation of the other Contracting State in a voluntary insurance scheme or with a period of insurance during unemployment (equivalent period) only the first-mentioned period shall be taken into account.
- (c) Where a period of compulsory insurance during unemployment (equivalent period) completed in one State coincides with a similar period in the other State, such period shall be taken into account only by the competent authority of the State in which the applicant has been compulsorily insured during employment immediately prior to the coincident period. In the absence of such period of compulsory insurance, the coincident period shall be taken into account only by the competent authority of the State in which the person concerned has been compulsorily insured during employment, subsequent to the coincident period.

Article 6

In the cases referred to in article 7 of the Convention, the insurance authority which is to grant the additional amount required to reach the minimum level for pension purposes shall inform the corresponding insurance authority of the other Contracting State of the part of the additional amount which is to be paid by that authority.

Article 7

(1) The degree of incapacity of an applicant shall be assessed and determined by the competent authority which is to grant the benefit.

(2) Where necessary, the competent authority of the State which will be liable for the benefit may request from the competent authority of the other State any medical records and documents concerning the applicant that it may have in its possession.

(3) In order to assess and determine the degree of incapacity of an applicant or recipient of an invalidity pension, the competent authority of each State shall take account of the medical examinations carried out by the competent authority of the other State.

The competent authority of each State shall, however, reserve the right to have the applicant or recipient examined by a physician of its choice.

(4) The costs of medical examination and those incurred in determining working or earning capacity, together with travel and travel subsistence costs or any other expenditure involved, shall be paid by the authority

carrying out the examinations and reimbursed by the authority which requested them. Reimbursement shall be effected in accordance with the rates and rules applied by the authority which carried out the examinations and a statement specifying the costs incurred shall be presented for that purpose. No reimbursement shall, however, be made if the tests and examinations in question should, in any case, have been carried out by the authority which conducted them, regardless of the request made by the corresponding authority of the other State.

Chapter II

BENEFITS IN THE EVENT OF ACCIDENTS AT WORK AND OCCUPATIONAL DISEASES

Article 8

(1) Applications to obtain an annuity for an accident at work or an occupational disease may be submitted either to the competent insurance authority of the State in which the accident occurred or the occupational disease was contracted for the first time, or to the competent insurance authority of the State in which the person concerned resides or is present.

The application shall be submitted :

- In Italy, to the Directorate-General or the Provincial Offices of the National Work Accident Insurance Institute.
- In Argentina, to the Work Accident Fund.

(2) In the event that the application is submitted to the competent insurance authority of the State not in which the accident occurred but in which the person concerned resides or is present, this authority shall forward the application to the competent insurance authority of the other State without delay, specifying the date on which it was submitted. The date of submission of the application shall be that on which it is received by the authority referred to in paragraph (1) above.

(3) The provisions of the foregoing paragraphs shall also apply to applications for the resumption of payment of an annuity or for the payment of a supplementary benefit, when the beneficiary resides or is present in the other Contracting State.

(4) Payment of the annuities referred to in this article shall be made direct to the beneficiaries by the responsible insurance authority.

Article 9

Where, for the purposes of assessing the degree of incapacity in the event of an accident at work or an occupational disease, the legislation of one of the Contracting States provides that previously established accidents

at work and occupational diseases shall be taken into consideration, accidents at work or occupational diseases previously established under the legislation of the other State shall also be considered as though they had been established under the legislation of the first-mentioned State.

Article 10

(1) The competent insurance authority of the Contracting State in whose territory the recipient of work accident or occupational disease benefits resides or is present shall carry out the health and administrative checks requested by the responsible insurance authority, in the manner prescribed in its own legislation. The responsible insurance authority shall, however, retain the right to have the person concerned examined by a physician of its choice and in the manner prescribed in its legislation.

(2) The costs of medical examination or hospitalization for observation and travel expenses incurred by the recipients of benefits in connexion with control examinations together with the corresponding travel subsistence allowances, shall be reimbursed by the requesting authority on the basis of the rates applied by the authority which has carried out the control and the respective itemized statement shall be presented for that purpose.

PART III

MISCELLANEOUS PROVISIONS

Article 11

For the purpose of implementing article 10 of the Convention, the competent Italian and Argentine authorities shall, at the request of the party concerned, forward one another copies of any documents deemed useful for that purpose.

Article 12

(1) The nationals of a Contracting State who are resident in a third State and claim entitlement to benefits on the basis of the legislation of the other Contracting State and of the Convention shall submit the application to the competent authority of the latter State.

(2) If the application is submitted to the insurance authority of the other State, the latter authority shall forward it to the competent authority immediately, specifying the date on which it was received or submitted. This date shall be deemed valid for the purposes of the legislation applicable.

Article 13

(1) For the purpose of implementing this Agreement, the forms agreed upon or to be agreed upon by the supreme administrative authorities of the two Contracting States shall be used.

(2) If applicants or recipients of benefits do not attach the necessary documentation to their applications or if the documentation submitted is incomplete, the competent insurance authority receiving the application may apply to the insurance authority of the other Contracting State in order to supplement the documentation.

Article 14

This Agreement shall enter into at the same time as the Convention and shall remain in force for the same period.

DONE at Buenos Aires, on 4 June 1965, in four copies : two in the Italian language and two in the Spanish language, the two texts being equally authentic.

Enrique S. RABINOVITS

For the Ministry of Labour
and Social Security
of Argentina

Attilio CAROPPO

For the Ministry of Labour
and Social Welfare
of Italy

ANNEX

Form N° 1

ITALO-ARGENTINE SOCIAL SECURITY CONVENTION

(Art. 3, paragraph 1, sub-paragraph (a) of the Convention — Art. 2 of the Administrative Agreement)

CERTIFICATE OF TEMPORARY TRANSFER

(To be completed by the enterprise and submitted, in quintuplicate, to the competent authority of the State in which the enterprise has its main office)

Particulars of the employers :

Name

Registration No.

Address

(City)

(Street)

(No.)

(Country)

The employed person(s) referred to below is/are transferred for a period extending probably from _____ to _____ (not more than twelve months) to the following establishment :

Name

City and Country

Street No.

Particulars of the employed person(s) :

<i>Surname and first name</i> ⁽¹⁾	<i>Date of birth</i>	<i>Nationality</i>	<i>Marital status</i> ⁽²⁾	<i>Residence in country of origin</i>	<i>Occupation</i>
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The employed person(s) referred to above shall, pursuant to article 3, paragraph 1, sub-paragraph (a), of the Convention of 12 April 1961, be subject, for the period indicated, to the legislation of the country in which the enterprise has its main office.

(Place) (date)

.....
(Stamp and signature of the enterprise)

For use by the competent authority.

This certificate ⁽³⁾ was issued on
(day) (month) (year)

.....
(Stamp and signature of the competent authority)

¹ Married women must also state their maiden name.

² Married — single — widower/widow — divorced — separated.

³ A copy of the present certificate will be sent to the competent authority of the other Contracting State. The other copies will be sent to the respective social security authorities concerned.

Form No. 2

ITALO-ARGENTINE SOCIAL SECURITY CONVENTION

(Art. 3, paragraph 1, sub-paragraph (a), of Convention — Art. 2 of the Administrative Agreement).

APPLICATION FOR EXTENSION OF TEMPORARY TRANSFER

(To be completed by the enterprise and submitted, in six copies, to the supreme administrative authority of the State in which the enterprise has its main office)

Name

Registration No.

Address
(City) (Street) (No.) (Country)

Personnel transferred for the period to for whom an extension of transfer is requested :

<i>Surname and first name⁽¹⁾</i>	<i>Date of birth</i>	<i>Nationality</i>	<i>Marital status⁽²⁾</i>	<i>Residence in country of origin</i>	<i>Occupation</i>
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Name of the establishment in which the personnel referred to above is employed

City and country

Street No.

The enterprise is the holder of the certificate (Form No. 1) submitted on and expiring on and requests an extension of the period subject to the legislation of the country in which the enterprise has its main office for the period to

(Place) (date)

.....
(Stamp and signature of the enterprise)

To be completed by the competent supreme administrative authority of the state to which the personnel has been transferred.

I, the undersigned
(position)

hereby declare that I agree (do not agree) that the employed person(s) referred to above shall continue to be subject to the legislation of (State) for the period to

(Place) (date)

.....
(Stamp and signature)

¹ Married women must also state their maiden name.

² Married — single — widower /widow — divorced — separated.

Form No. 3

ITALO-ARGENTINE SOCIAL SECURITY CONVENTION

(Arts. 5, 6, 7 and 8 of the Convention — Art. 3 of the Administrative Agreement)

CORRELATION FORM

(To be completed in triplicate)

The person whose particulars are given below has, in accordance with the Argentine [Italian] legislation concerning social welfare and part II of the Convention, submitted the attached application for an invalidity, old-age or survivors' pension (delete where inapplicable).

In compliance with article 3 of the Administrative Agreement, please complete part II of this form and return two copies to the National Social Welfare Institute.

PART I. To be completed by the National Welfare Institute.

1. Date on which application was received

2. INFORMATION CONCERNING THE APPLICANT AND, IN THE CASE OF A SURVIVOR'S PENSION, OF THE DECEASED PARTICIPANT

	<i>Applicant</i>	<i>Deceased participant</i>
Surname ⁽¹⁾ (block capitals)
Name
Nationality
Sex
Marital status (married, single, widow(er), divorced, separated)
Place and date of birth
Place and date of death
Place and date of marriage
Full home address
Name and address of last employer and date on which employment ceased :		
in Argentina
in Italy
Registration No. in Italy (if known)

¹ Married women must also state their maiden name.

3. FAMILY PARTICULARS

<i>Surname and first name</i>	<i>Relationship</i>	<i>Date of birth</i>	<i>Remarks</i>
.....
.....
.....

4. RECAPITULATION OF QUALIFYING PERIODS IN ARGENTINA

<i>Period</i>		<i>Qualifying time</i>			<i>Period</i>		<i>Qualifying time</i>		
<i>from</i>	<i>to</i>	<i>Years</i>	<i>Months</i>	<i>Days</i>	<i>from</i>	<i>to</i>	<i>Years</i>	<i>Months</i>	<i>Days</i>
.....
.....
.....

Total periods qualifying for entitlement to benefit :

Years Months Days

Annual amount of benefit to which the person concerned is entitled, regardless of the amount provided in the Convention, for periods recognized under Argentine legislation

..... pesos

..... pesos

..... pesos

If not entitled to benefit solely on the basis of periods completed under Argentine legislation, state why.

.....

Date

For
(Stamp and signature)

PART II. To be completed by the Italian insurance authority.

1. RECAPITULATION OF ITALIAN INSURANCE PERIODS

Period		No. of contribution weeks ⁽¹⁾		Period		No. of contribution weeks	
From	To	Actual contributions	Equivalent contributions	From	To	Actual contributions	Equivalent contributions
.....
.....
.....
.....

Total insurance periods qualifying for entitlement to benefit :

No. of weeks

¹ Indicate Voluntary Contributions by placing the letters "VV" alongside the corresponding period.

PART III. To be completed by the National Social Welfare Institute and the National Welfare Funds.

1. Benefits to be granted by the Argentine authorities under art. 6, paragraph 1, sub-paragraph (b), of the Convention.

From:	Annual amount of benefit	
	which would have been payable if all the periods had been completed under Argentine legislation (theoretical benefit)	payable in proportion to the periods completed solely under Argentine legislation (pro rata)
..... Pesos..... pesos.....
..... Pesos..... pesos.....
..... Pesos..... pesos.....

2. Subsequent procedure for calculating the monthly amount, pursuant to art. 7, paragraph 1, of the Convention

Monthly amount of minimum benefit on the basis of Argentine legislation	pesos
Monthly Argentine <i>pro rata</i> amount	pesos
Monthly Italian <i>pro rata</i> amount	pesos
TOTAL	pesos

Monthly amount of difference in relation to the minimum Argentine benefit pesos

The difference shall be paid on the following *pro rata* basis :

by the Argentine authority	pesos per month
by the Italian authority	pesos per month

3. Supplement (where applicable) to the Argentine portion under art. 7, paragraph 2, of the Convention.

From
Monthly amount of separate benefit
Monthly Argentine <i>pro rata</i> amount
Monthly Italian <i>pro rata</i> amount (in pesos)
TOTAL
Supplement

(Date)

(Stamp and signature)

PART IV. To be completed by the Italian insurance authority.

Supplement (where applicable) to the Italian portion under art. 7, paragraph 2, of the Convention.

From

Annual amount of separate benefit

Annual Italian *pro rata* amount

Annual Argentine *pro rata* amount (in lire)

TOTAL

Supplement

.....
(Date)

.....
(Stamp and signature)
