

# Stjórnartíðindi

## 1977 - C-deild

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# STJÓRNARTÍÐINDI

1977

C-DEILD



REYKJAVÍK — 1979  
RÍKISPRENTSMÍÐJAN GUTENBERG

# 1991-1992 MATHS EXAM

1991-1992

1991-1992

1991-1992

**Útgefandi: Dómsmálaráðuneytið.**

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# STJÓRNARTÍÐINDI C 1 — 1977

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7. janúar 1977.

1

Nr. 1.

## AUGLÝSING

um gildistöku samnings um reglur um fiskveiðar í Norður-Atlantshafi.

Hinn 26. september 1976 gekk í gildi samningur um reglur um fiskveiðar í Norður-Atlantshafi, gerður í London hinn 1. júní 1967.

Samningurinn var fullgiltur af Íslands hálfu 12. maí 1969 og þá birtur (sjá Stjórnartíðindi C-deild, auglýsingu nr. 6/1969).

Þetta er hér með gert almenningi kunnugt.

*Utánrikisráðuneytið, Reykjavík, 7. janúar 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

9. febrúar 1977.

Nr. 2.

## AUGLÝSING

um breytingar á stofnskrá Evrópuráðsins.

Samkvæmt heimild í 41. grein d. lið stofnskrár Evrópuráðsins var við endurnýjun aðildar Grikklands að ráðinu gerð breyting á 26. grein stofnskrárinnar varðandi fjölda fulltrúa á Ráðgjafarþingi Evrópuráðsins (sjá auglýsingu í Stjórnartíðindum C-deild nr. 9/1971). Var ákveðið að Grikkland skyldi öðlast rétt á 7 fulltrúum á þinginu. Tók breyting þessi gildi hinn 9. desember 1974.

Þá hefur í sambandi við aðild Portúgals að ráðinu verið ákveðið á grundvelli sömu heimildar að það ríki skuli einnig eiga rétt til 7 fulltrúa. Tók sú breyting gildi hinn 2. október 1976.

26. grein stofnskrárinnar með áorðnum breytingum er birt sem fylgiskjal auglýsingar þessarar.

Þetta er hér með gert almenningi kunnugt.

*Utánrikisráðuneytið, Reykjavík, 9. febrúar 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

C 1

Fylgiskjal.

Hið breytta orðalag 26. gr. hljóðar þannig:

„Eftirtalin ríki skulu eiga rétt á tölu fulltrúa, sem hér segir:

Austurriki .....	6
Belgía .....	7
Kýpur .....	3
Danmörk .....	5
Frakkland .....	18
Sambandslýðveldið Þýskaland ....	18
Grikkland .....	7
Ísland .....	3
Írland .....	4
Ítalía .....	18
Luxembourg .....	3
Malta .....	3
Holland .....	7
Noregur .....	5
Portúgal .....	7
Svíþjóð .....	6
Sviss .....	6
Tyrkland .....	10
Hið sameinaða konungsríki Stóra- Bretlands og Norður-Írlands .....	18“

Gjört í Strasbourg hinn 2. október 1976.

The amended text of Article 26 is worded as follows:

“Members shall be entitled to the number of Representatives given below:

Austria .....	6
Belgium .....	7
Cyprus .....	3
Denmark .....	5
France .....	18
Federal Republic of Germany .....	18
Greece .....	7
Iceland .....	3
Ireland .....	4
Italy .....	18
Luxembourg .....	3
Malta .....	3
Netherlands .....	7
Norway .....	5
Portugal .....	7
Sweden .....	6
Switzerland .....	6
Turkey .....	10
United Kingdom of Great Britain and Northern Ireland .....	18”

Done at Strasbourg, this 2nd day of October 1976.

Nr. 3.

9. febrúar 1977.

**AUGLÝSING****um gagnkvæmar fiskveiðiheimildir Íslendinga og Færeyinga.**

Hinn 4. febrúar 1977 var undirrituð í Reykjavík niðurstaða viðræðna milli fulltrúa ríkisstjórnar Íslands og landsstjórnar Færeyja um heimildir annars vegar Íslendinga til kolmunnaveiða innan fiskveiðimarka Færeyja og hins vegar Færeyinga til loðnuveiða við Ísland.

Niðurstaðan er birt sem fylgiskjal með auglýsingu þessari.

Sú skipan veiða, sem gert er ráð fyrir í niðurstöðunni tók gildi hinn 8. þ. m. að gefnu samþykki Alþingis og Lögþings Færeyja. Gildistími er takmarkaður samaber nánar fylgiskjal.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 9. febrúar 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

**Fylgiskjal.****VIÐRÆÐUR**

milli fulltrúa ríkisstjórnar Íslands og landsstjórnar Færeyja.

Hinn 4. febrúar 1977 fóru fram í Reykjavík viðræður milli fulltrúa ríkisstjórnar Íslands og landsstjórnar Færeyja um gagnkvæman rétt til fiskveiða og varð niðurstaðan þessi:

**Veiðar innan fiskveiðimarka Íslands.**

Innan íslensku fiskveiðimarkanna, eins og þau eru ákveðin með reglugerð nr. 299 frá 15. júlí 1975, skal 15 skipum, sem skrásett eru í Færeyjum, heimilt að veiða loðnu til bræðslu í heimalandi á vetrarvertíðinni 1977, allt að 25000 smálestum samtals. Aldrei skulu fleiri en átta skipanna vera samtímis innan fiskveiðimarkanna.

Færeyska landsstjórnin lætur íslenskum stjórnvöldum í té lista yfir nefnd 15 skip til samþykktar. Skip þessi skulu hlíta sömu reglum og íslensk skip við loðnuveiðar, þar á meðal reglum um friðunarsvæði og öðrum reglum um lokun svæða.

Staðsetning ofangreindra færeyskra skipa skal daglega tilkynnt íslensku landhelgisgæslunni, meðan þau stunda veiðar innan fiskveiðimarka Íslands. Við brottför af veiðisvæði hverju sinni skal skipstjóri hvers skips tilkynna Loðnunefnd hvar aflinn er veiddur og áætlað aflamagn, en staðfestar aflatölur skulu síðan sendar Fiskifélagi Íslands.

**Veiðar innan fiskveiðimarka Færeyja.**

Innan færeysku fiskveiðimarkanna skal 15 skipum, sem skrásett eru á Íslandi, heimilt að veiða kolmunna til löndunar í heimalandi frá byrjun mars til júníloka 1977, allt að 25000 smálestum samtals. Ef notaðar eru tveggja skipa vörpur eykst fjöldi skipa í 17.

Íslensk stjórnvöld láta færeysku landsstjórninni í té lista yfir nefnd skip til samþykktar. Skip þessi skulu hlíta sömu reglum og færeysk skip við kolmunna-

**SAMRÖÐUR**

millum umboð fyrri íslensku stjórnina og umboð fyrri Föroya landsstýri.

Samröður hava verið í Reykjavík 4. februar 1977 millum umboð fyrri íslensku stjórnina og Föroya landsstýri um sínámillum fiskirættindi. Niðurstöðan varð:

**Fiskiveiða á íslensku landleiðini.**

Á íslensku landleiðini so sum fyrirset í reglugerð nr. 299 frá 15. júlí 1975 verður heimilað 15 föroyskum skipum at veiða tilsamans 25 000 tons av loðnu til bræðingar í heimalandi skipanna í vetrarvertíðini 1977, tó mugu í mesta lagi 8 skip í senn vera innan íslenskt fiskimark í hesi vinnu.

Föroya landsstýri sendur íslensku myndugleikunum növnini á 15 skipum til samtyktar. Hesi skip skulu lúka somu reglur sum íslensk skip á loðnuveiðu millum hesar, reglur um friðaðar leiðir og aðrar reglur um stongdar leiðir.

Omanfyri nevndu föroysku skipini skulu dagliga boða íslensku sjóverjuni frá, hvar tey eru stödd, meðan tey fiska innanfyri íslenska fiskimarkið. Skiparin á hvörjum skipi skal, hvörja ferð hann fer av veiðiökinum, boða Loðnunevdini frá, hvar veiðan er tikin og ætlaðu veiðinögdina. Váttað veiðinögd skal síðani sendast Fiskifélagi Íslands.

**Fiskiveiða á föroysku landleiðini.**

15 skipum skrásett í Íslandi verður heimilað at veiða tilsamans 25 000 tons av svartkjaftri til at landa í heimalandinum frá fyrst í mars til síðast í juni 1977. Um partrol verður nýtt, gerst skipatalið 17.

Íslensku myndugleikarnir senda Föroya landsstýri növnini á skipunum til samtyktar. Hesi skip skulu lúka somu reglur sum föroysk skip á svartkjaftra-



veiðar, þar á meðal reglum um friðunar-  
svæði og öðrum reglum um lokun svæða.  
Staðsetning ofangreindra íslenskra  
skipa skal daglega tilkynnt færeysku  
landhelgisgæslunni (vagar- og bjarging-  
artænastuni), meðan þau stunda veiðar  
innan fiskveiðimarka Færeyja. Einnig  
skal nefndri stofnun tilkynnt koma skips  
í fiskveiðilögsögu Færeyja og brottför  
þess þaðan. Aflamagn skal tilkynnt Sjáv-  
arútvegsstofnuninni (Fiskivinnustovuni)  
eftir hverja löndun.

#### Rannsóknir á göngu kolmunna.

Íslensk og færeysk stjórnvöld telja  
æskilegt, að stofnað verði til samvinnu  
íslenskra og færeyskra fiskifræðinga um  
rannsóknir á göngu kolmunna á svæðinu  
milli Íslands og Færeyja.

Skipan þessi er háð samþykki Alþingis  
og Lögþings Færeyja.

veiðu millum hesar, reglur um friðaðar  
leiðir og aðrar reglur um stongdar leiðir.  
Omanfyri nevndu íslensku skip skulu  
dagliga boða Vagar- og bjargingartæna-  
stuni í Föroyum frá, hvar tey eru stödd,  
meðan tey fiska innanfyri föroyska fiski-  
markið. Somuleiðis skulu skipini boða  
nevnda stovni frá komu í föroyskan sjógv  
og fráferð. Fráboðan um veiðinögd skal  
aftaná hvörja landing verða send Fiski-  
vinnustovuni.

#### Rannsóknir um svartkjaftagöngdina.

Íslenskir og föroyskir myndugleikar  
eru samdir í ynskinum um, at samvinna  
verður tikin upp millum íslenskar og  
föroyskar fiskifrøðingar um rannsóknir  
í svartkjaftagöngdini á leiðini millum Ís-  
lands og Föroya.

Hendan skipan er treytað av samtykt  
Altingsins og Föroya lögtings.

Reykjavík, 4. febrúar 1977.

Staðfest:

Einar Ágústsson

Atli Dam

Matthías Bjarnason.

Pétur Reinert.

Nr. 4.

9. febrúar 1977.

## AUGLÝSING

um gildistöku samþykktar um alþjóðareglur til að koma í veg fyrir  
árekstra á sjó, 1972.

Hinn 15. júlí 1977 tekur gildi samþykkt um alþjóðareglur til að koma í veg  
fyrir árekstra á sjó, sem undirrituð var í London hinn 20. október 1972.

Samþykktin ásamt reglum og öðrum viðaukum var birt sem fylgiskjal með  
auglýsingu í Stjórnartíðindum C-deild nr. 6/1975, þar sem greint var frá afhendingu  
fullgildingarskjals Íslands.

Þetta er hér með gert almenningi kunnugt.

*Utánríkisráðuneytið, Reykjavík, 9. febrúar 1977.*

Einar Ágústsson.

*Henrik Sv. Björnsson.*

## AUGLÝSING

### um fullgildingu alþjóðafjarskiptasamnings.

Hinn 6. janúar 1977 var fullgildingarskjal Íslands að nýjum alþjóðafjarskiptasamningi, sem gerður var í Malaga-Torremolinos hinn 25. október 1973, skrásett hjá aðalritara Alþjóðafjarskiptasambandsins (ITU), og tók samningurinn því formlega gildi að því er Ísland varðar þann dag.

Samkvæmt ákvæðum 45. gr., 2. mgr., sbr. 52. gr. samningsins, hafa öll þau ríki, sem undirrituðu samninginn, þ. á m. Ísland, notið réttinda skv. 2. gr., 2. mgr., hans um tveggja ára skeið frá 1. janúar 1975 að telja, enda þótt þau hafi ekki fullgilt samninginn.

Samningurinn er birtur sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utánrikisráðuneytið, Reykjavík, 10. febrúar 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

### Fylgiskjal.

#### INTERNATIONAL TELECOMMUNICATION CONVENTION

(Malaga-Torremolinos, 1973)

#### FIRST PART

#### BASIC PROVISIONS

##### Preamble

- 1 While fully recognizing the sovereign right of each country to regulate its telecommunication, the plenipotentiaries of the Contracting Governments, with the object of facilitating relations and cooperation between the peoples by means of efficient telecommunication services, have agreed to establish this Convention which is the basic instrument of the International Telecommunication Union.

#### CHAPTER I

#### COMPOSITION, PURPOSES AND STRUCTURE OF THE UNION

##### Composition of the Union

##### Article 1

- 2 1. The International Telecommunication Union shall comprise Members which, having regard to the principle of universality and the desirability of universal participation in the Union, shall be:
- 3 a) any country listed in Annex 1 which signs and ratifies, or accedes to, the
- 4 Convention;
- 5 b) any country, not listed in Annex 1, which becomes a Member of the United Nations and which accedes to the Convention in accordance with Article 46;
- c) any sovereign country, not listed in Annex 1 and not a Member of the United Nations which applies for Membership of the Union and which, after having

secured approval of such application by two-thirds of the Members of the Union, accedes to the Convention in accordance with Article 46.

- 6 2. For the purpose of 5, if an application for Membership is made, by diplomatic channel and through the intermediary of the country of the seat of the Union, during the interval between two Plenipotentiary Conferences, the Secretary-General shall consult the Members of the Union; a Member shall be deemed to have abstained if it has not replied within four months after its opinion has been requested.

## Article 2

### Rights and Obligations of Members

- 7 1. Members of the Union shall have the rights and shall be subject to the obligations provided for in the Convention.
- 8 2. Rights of Members in respect of their participation in the conferences, meetings and consultations of the Union are:
- a) all Members shall be entitled to participate in conferences of the Union, shall be eligible for election to the Administrative Council and shall have the right to nominate candidates for election to any of the permanent organs of the Union;
- 9 b) each Member shall have one vote at all conferences of the Union, at all meetings of the International Consultative Committees and, if it is a Member of the Administrative Council, at all sessions of that Council;
- 10 c) each Member shall also have one vote in all consultations carried out by correspondence.

## Article 3

### Seat of the Union

- 11 The seat of the Union shall be at Geneva.

## Article 4

### Purposes of the Union

- 12 1. The purposes of the Union are:
- a) to maintain and extend international cooperation for the improvement and rational use of telecommunications of all kinds;
- 13 b) to promote the development of technical facilities and their most efficient operation with a view to improving the efficiency of telecommunications services, increasing their usefulness and making them, so far possible, generally available to the public;
- 14 c) to harmonize the actions of nations in the attainment of those ends.
- 15 2. To this end, the Union shall in particular:
- a) effect allocation of the radio frequency spectrum and registration of radio frequency assignments in order to avoid harmful interference between radio stations of different countries;
- 16 b) coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio frequency spectrum;
- 17 c) coordinate efforts with a view to harmonizing the development of telecommunications facilities, notably those using space techniques, with a view to full advantage being taken of their possibilities;
- 18 d) foster collaboration among its Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and

taking into account the necessity for maintaining independent financial administration of telecommunication on a sound basis;

- 19 e) foster the creation, development and improvement of telecommunication  
equipment and networks in developing countries by every means at its disposal,  
especially its participation in the appropriate programmes of the United  
20 Nations;
- f) promote the adoption of measures for ensuring the safety of life through the  
cooperation of telecommunication services;
- 21 g) undertake studies, make regulations, adopt resolutions, formulate re-  
commendations and opinions, and collect and publish information con-  
cerning telecommunication matters.

#### Article 5

##### Structure of the Union

22 The Union shall comprise the following organs:

- 23 1. the Plenipotentiary Conference, which is the supreme organ of the Union;
- 24 2. administrative conferences;
- 25 3. the Administrative Council;
- 26 4. the permanent organs of the Union, which are:
- 27 a) the General Secretariat;
- 28 b) the International Frequency Registration Board (I.F.R.B.);
- c) the International Radio Consultative Committee (C.C.I.R.);
- d) the International Telegraph and Telephone Consultative Committee  
(C.C.I.T.T).

#### Article 6

##### Plenipotentiary Conference

- 29 1. The Plenipotentiary Conference shall be composed of delegations representing  
Members. It shall be convened at regular intervals and normally every five years.
- 30 2. The Plenipotentiary Conference shall:
- 31 a) determine the general policies for fulfilling the purposes of the Union pre-  
scribed in Article 4 of this Convention;
- 32 b) consider the report by the Administrative Council on the activities of all  
the organs of the Union since the previous Plenipotentiary Conference;
- 33 c) establish the basis for the budget of the Union and determine a fiscal limit for  
the expenditure of the Union until the next Plenipotentiary Conference after  
considering a programme of the administrative conferences and meetings of  
the Union foreseen in that period;
- 34 d) fix the basic salaries, the salary scales and the system of allowances and  
pensions for all the officials of the Union; and, if necessary, provide any  
general directives dealing with the staffing of the Union;
- 35 e) examine the accounts of the Union and finally approve them, if appropriate;
- 36 f) elect the Members of the Union which are to serve on the Administrative  
Council;
- 37 g) elect the Secretary-General and the Deputy Secretary-General and fix the  
dates of their taking office;
- 38 h) elect the members of the I.F.R.B. and fix the dates of their taking office;
- 39 i) revise the Convention if it considers this necessary;
- j) conclude or revise, if necessary, agreements between the Union and other  
international organizations, examine any provisional agreements with such  
organizations concluded, on behalf of the Union, by the Administrative

Council, and take such measures in connection therewith as it deems appropriate;

40 k) deal with such other telecommunication questions as may be necessary.

#### Article 7

##### Administrative Conferences

- 41 1. Administrative conferences of the Union shall comprise:
- 42 a) world administrative conferences;
- 43 b) regional administrative conferences.
- 43 2. Administrative conferences shall normally be convened to consider specific telecommunication matters. Only items included in their agenda may be discussed by such conferences. The decisions of such conferences must in all circumstances be in conformity with the provisions of the Convention.
- 44 3. 1) The agenda of a world administrative conference may include:
- 45 a) the partial revision of the Administrative Regulations mentioned in 571;
- 46 b) exceptionally, the complete revision of one or more of those Regulations;
- 47 c) any other question of a worldwide character within the competence of the conference.
- 47 2) The agenda of a regional administrative conference may provide only for specific telecommunication questions of a regional nature, including instructions to the International Frequency Registration Board regarding its activities in respect of the region concerned, provided such instructions do not conflict with the interests of other regions. Furthermore, the decisions of such a conference must in all circumstances be in conformity with the provisions of the Administrative Regulations.

#### Article 8

##### Administrative Council

- 48 1. 1) The Administrative Council shall be composed of thirty-six Members of the Union elected by the Plenipotentiary Conference with due regard to the need for equitable distribution of the seats on the Council among all regions of the world. Except in the case of vacancies arising as provided for in the General Regulations, the Members of the Union elected to the Administrative Council shall hold office until the date on which a new Administrative Council is elected by the Plenipotentiary Conference. They shall be eligible for re-election.
- 49 2) Each Member of the Council shall appoint a person to serve on the Council who may be assisted by one or more advisers.
- 50 2. The Administrative Council shall adopt its own rules of procedure.
- 51 3. In the interval between Plenipotentiary Conferences the Administrative Council shall act on behalf of the Plenipotentiary Conference within the limits of the powers delegated to it by the latter.
- 52 4. 1) The Administrative Council shall take all steps to facilitate the implementation by the Members of the provisions of the Convention, of the Administrative Regulations, of the decisions of the Plenipotentiary Conference, and, where appropriate, of the decisions of other conferences and meetings of the Union, and perform any duties assigned to it by the Plenipotentiary Conference.
- 53 2) It shall ensure the efficient coordination of the work of the Union and exercise effective financial control over its permanent organs.
- 54 3) It shall promote international cooperation for the provision of technical cooperation to the developing countries by every means at its disposal,

especially through the participation of the Union in the appropriate programmes of the United Nations, in accordance with the purposes of the Union, one of which is to promote by all possible means the development of telecommunications.

#### Article 9

##### General Secretariat

- 55 1. 1) The General Secretariat shall be directed by a Secretary-General, assisted by  
56 one Deputy Secretary-General.
- 2) The Secretary-General and the Deputy Secretary-General shall take up their  
duties on the dates determined at the time of their election. They shall  
normally remain in office until dates determined by the following Pleni-  
potentiary Conference, and they shall be eligible for re-election.
- 57 3) The Secretary-General shall take all the action required to ensure economic  
use of the Union's resources and he shall be responsible to the Administrative  
Council for all the administrative and financial aspects of the Union's  
activities. The Deputy Secretary-General shall be responsible to the Secretary-  
General.
- 58 2. 1) If the post of Secretary-General falls vacant, the Deputy Secretary-General  
shall succeed to it and shall remain in office until a date determined by the  
following Plenipotentiary Conference. He shall be eligible for election to that  
office.
- 59 2) If the post of Deputy Secretary-General falls vacant more than 180 days prior  
to the date set for convening of the next Plenipotentiary Conference, the  
Administrative Council shall appoint a successor for the balance of the term.
- 60 3) If the posts of the Secretary-General and Deputy Secretary-General fall  
vacant simultaneously, the Director of the International Consultative  
Committee who has been longer in office shall discharge the duties of  
Secretary-General for a period not exceeding 90 days. The Administrative  
Council shall appoint a Secretary-General and, if the vacancies occur more  
than 180 days prior to the date set for the convening of the next Pleni-  
potentiary Conference, a Deputy Secretary-General. An official thus appointed  
by the Administrative Council shall serve for the balance of the term for which  
his predecessor was elected. Such officials shall be eligible for election as  
Secretary-General and/or Deputy Secretary-General at the Plenipotentiary  
Conference.
- 61 3. The Secretary-General shall act as the legal representative of the Union.
- 62 4. The Deputy Secretary-General shall assist the Secretary-General in the  
performance of his duties and undertake such specific tasks as may be entrusted  
to him by the Secretary-General. He shall perform the duties of the Secretary-  
General in the absence of the latter.

#### Article 10

##### International Frequency Registration Board

- 63 1. The International Frequency Registration Board (I.F.R.B.) shall consist of five  
independent members, elected by the Plenipotentiary Conference. These members  
shall be elected from the candidates sponsored by countries, Members of the  
Union, in such a way as to ensure equitable distribution amongst the regions  
of the world. Each Member of the Union may propose only one candidate who  
shall be a national of its country.

- 64 2. The members of the International Frequency Registration Board shall serve, not as representing their respective countries, or of a region, but as custodians of an international public trust.
- 65 3. The essential duties of the International Frequency Registration Board shall be:
- a) to effect an orderly recording of frequency assignments made by the different countries so as to establish, in accordance with the procedure provided for in the Radio Regulations and in accordance with any decision which may be taken by competent conferences of the Union, the date, purpose and technical characteristics of each of these assignments, with a view to ensuring formal international recognition thereof;
- 66 b) to effect, in the same conditions and for the same purpose, an orderly recording of the positions assigned by countries to geostationary satellites;
- 67 c) to furnish advice to Members with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur, and with a view to the equitable, effective and economical use of the geostationary satellite orbit;
- 68 d) to perform any additional duties, concerned with the assignment and utilization of frequencies and with the utilization of the geostationary satellite orbit, in accordance with the procedures provided for in the Radio Regulations, and as prescribed by a competent conference of the Union, or by the Administrative Council with the consent of a majority of the Members of the Union, in preparation for or in pursuance of the decisions of such a conference;
- 69 e) to maintain such essential records as may be related to the performance of its duties.

#### Article 11

##### International Consultative Committees

- 70 1. 1) The duties of the International Radio Consultative Committee (C.C.I.R.) shall be to study technical and operating questions relating specifically to radiocommunication and to issue recommendations on them.
- 71 2) The duties of the International Telegraph and Telephone Consultative Committee (C.C.I.T.T.) shall be to study technical, operating and tariff questions relating to telegraphy and telephony and to issue recommendations on them.
- 72 3) In the performance of its studies, each Consultative Committee shall pay due attention to the study of questions and to the formulation of recommendations directly connected with the establishment, development and improvement of telecommunication in developing countries in both the regional and international fields.
- 73 2. The International Consultative Committees shall have as members:
- a) of right, the administrations of all Members of the Union;
- 74 b) any recognized private operating agency which, with the approval of the Member which has recognized it, expresses a desire to participate in the work of these Committees.
- 75 3. Each International Consultative Committee shall work through the medium of:
- a) its Plenary Assembly;
- 76 b) study groups set up by it;
- 77 c) a Director, elected by a Plenary Assembly and appointed in accordance with the General Regulations.
- 78 4. There shall be a World Plan Committee, and such Regional Plan Committees as may be jointly approved by the Plenary Assemblies of the International Consultative Committees. These Plan Committees shall develop a General Plan for the

international telecommunication network to facilitate coordinated development of international telecommunication services. They shall refer to the International Consultative Committee questions the study of which is of particular interest to developing countries and which are within the terms of reference of those Consultative Committees.

- 79 5. The working arrangements of the International Consultative Committees are defined in the General Regulations.

#### Article 12

##### Coordination Committee

- 80 1. 1) The Coordination Committee shall assist and advise the Secretary-General on all administrative, financial and technical cooperation matters affecting more than one permanent organ, and on external relations and public information, keeping fully in view the decisions of the Administrative Council and the interest of the Union as a whole.
- 81 2) The Committee shall also consider any important matters referred to it by the Administrative Council. After examining them, the Committee shall report, through the Secretary-General, to the Council.
- 82 2. The Coordination Committee shall be composed of the Deputy Secretary-General, the Directors of the International Consultative Committees and the Chairman of the International Frequency Registration Board and shall be presided over by the Secretary-General.

#### Article 13

##### Elected Officials and Staff of the Union

- 83 1. 1) In the performance of their duties, neither the elected officials nor the staff of the Union shall seek or accept instructions from any government or from any other authority outside the Union. They shall refrain from acting in any way which is incompatible with their status as international officials.
- 84 2) Each Member shall respect the exclusively international character of the duties of the elected officials and of the staff of the Union, and refrain from trying to influence them in the performance of their work.
- 85 3) No elected official or any member of the staff of the Union shall participate in any manner or have any financial interest whatsoever in any enterprise concerned with telecommunications, except as part of their duties. However, the term "financial interest" is not to be construed as applying to the continuation of retirement benefits accruing in respect of previous employment or service.
- 86 2. The Secretary-General, the Deputy Secretary-General and the Directors of the International Consultative Committees and desirably also the members of the International Frequency Registration Board shall all be nationals of different countries, Members of the Union. At their election, due consideration should be given to the principles embodied in 87 and to the appropriate geographical distribution amongst the regions of the world.
- 87 3. The paramount consideration in the recruitment of staff and in the determination of the conditions of service shall be the necessity of securing for the Union the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.



## Article 14

**Organization of the Work and Conduct of Discussions at  
Conferences and other Meetings**

- 88 1. For the organization of their work and the conduct of their discussions, conferences and the Plenary Assemblies and meetings of the International Consultative Committees shall apply the Rules of Procedure in the General Regulations.
- 89 2. Each conference and Plenary Assembly or meeting of an International Consultative Committee may adopt such rules of procedure in amplification of those in the Rules of Procedure as it considers to be indispensable. Such additional rules of procedure must, however, be compatible with the Convention and General Regulations; in the case of those adopted by Plenary Assemblies and study groups, they shall be published in the form of a resolution in the documents of the Plenary Assemblies.

## Article 15

**Finances of the Union**

- 90 1. The expenses of the Union shall comprise the costs of:
- 91 a) the Administrative Council and the permanent organs of the Union;
- 91 b) Plenipotentiary Conferences and world administrative conferences.
- 92 2. The expenses of the Union shall be met from the contributions of its Members, each Member paying a sum proportional to the number of units in the class of contribution it has chosen from the following scale:

30	Unit class		5	Unit class
25	— —		4	— —
20	— —		3	— —
18	— —		2	— —
15	— —		1½	— —
13	— —		1	— —
10	— —		½	— —
8	— —			

- 93 3. Members shall be free to choose their class of contribution for defraying Union expenses.
- 94 4. No reduction in a unit classification established in accordance with the Convention can take effect during the life of this Convention.
- 95 5. Expenses incurred by the regional administrative conferences referred to in 42 shall be borne in accordance with their unit classification by all the Members of the region concerned and, where appropriate, on the same basis by any Members of other regions which have participated in such conferences.
- 96 6. Members shall pay in advance their annual contributory shares, calculated on the basis of the budget approved by the Administrative Council.
- 97 7. A Member which is in arrear in its payments to the Union shall lose its right to vote as defined in 9 and 10 for so long as the amount of its arrears equals or exceeds the amount of the contribution due from it for the preceding two years.
- 98 8. The provisions which apply to the financial contributions by recognized private operating agencies, scientific or industrial organizations and international organizations are in the General Regulations.

## Article 16

**Languages**

- 99 1. 1) The official languages of the Union shall be Chinese, English, French,  
Russian and Spanish.
- 100 2) The working languages of the Union shall be English, French and Spanish.
- 101 3) In case of dispute, the French text shall prevail.
- 102 2. 1) The final documents of the Plenipotentiary and administrative conferences,  
their final acts, protocols, resolutions, recommendations and opinions, shall  
be drawn up in the official languages of the Union, in versions equivalent  
in form and content.
- 103 2) All other documents of these conferences shall be issued in the working  
languages of the Union.
- 104 3. 1) The official service documents of the Union as prescribed by the Administrative  
Regulations shall be published in the five official languages.
- 105 2) All other documents for general distribution prepared by the Secretary-  
General in the course of his duties shall be drawn up in the three working  
languages.
- 106 4. At conferences of the Union and at meetings of the International Consultative  
Committees and of the Administrative Council, the debates shall be conducted  
with the aid of an efficient system of reciprocal interpretation between the  
five official languages. When, however, all participants in a conference or in  
a meeting so agree, the debates may be conducted in fewer than the five  
languages mentioned above. Interpretation between these languages and Arabic  
shall be effected at Plenipotentiary and administrative conferences of the  
Union.

## Article 17

**Legal Capacity of the Union**

- 107 The Union shall enjoy in the territory of each of its Members such legal capacity  
as may be necessary for the exercise of its functions and the fulfilment of its  
purposes.

## CHAPTER II

**GENERAL PROVISIONS RELATING TO TELECOMMUNICATIONS**

## Article 18

**The Right of the Public to use the International Telecommunication Service**

- 108 Members recognize the right of the public to correspond by means of the  
international service of public correspondence. The services, the charges and the  
safeguards shall be the same for all users in each category of correspondence  
without any priority or preference.

## Article 19

**Stoppage of Telecommunications**

- 109 1. Members reserve the right to stop the transmission of any private telegram  
which may appear dangerous to the security of the State or contrary to their  
laws, to public order or to decency, provided that they immediately notify the  
office of origin of the stoppage of any such telegram or any part thereof, except  
when such notification may appear dangerous to the security of the State.
- 110 2. Members also reserve the right to cut off any other private telecommunications  
which may appear dangerous to the security of the State or contrary to their  
laws, to public order or to decency.

**Article 20****Suspension of Services**

- 111 Each Member reserves the right to suspend the international telecommunication service for an indefinite time, either generally or only for certain relations and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Members through the medium of the Secretary-General.

**Article 21****Responsibility**

- 112 Members accept no responsibility towards users of the international telecommunication services, particularly as regards claims for damages.

**Article 22****Secrecy of Telecommunications**

- 113 1. Members agree to take all possible measures, compatible with the system of telecommunication used, with a view to ensuring the secrecy of international correspondence.
- 114 2. Nevertheless, they reserve the right to communicate such correspondence to the competent authorities in order to ensure the application of their internal laws or the execution of international conventions to which they are parties.

**Article 23****Establishment, Operation, and Protection of Telecommunication Channels and Installations**

- 115 1. Members shall take such steps as may be necessary to ensure the establishment, under the best technical conditions, of the channels and installations necessary to carry on the rapid and uninterrupted exchange of international telecommunications.
- 116 2. So far as possible, these channels and installations must be operated by the methods and procedures which practical operating experience has shown to be the best. They must be maintained in proper operating condition and kept abreast of scientific and technical progress.
- 117 3. Members shall safeguard these channels and installations within their jurisdiction.
- 118 4. Unless other conditions are laid down by special arrangements, each Member shall take such steps as may be necessary to ensure maintenance of those sections of international telecommunication circuits within its control.

**Article 24****Notification of Infringements**

- 119 In order to facilitate the application of the provisions of Article 44 Members undertake to inform one another of infringements of the provisions of this Convention and of the Regulations annexed thereto.

**Article 25****Priority of Telecommunications concerning Safety of Life**

- 120 The international telecommunication services must give absolute priority to all telecommunications concerning safety of life at sea, on land, in the air or in outer space, as well as to epidemiological telecommunications of exceptional urgency of the World Health Organization.

**Article 26****Priority of Government Telegrams and Telephone Calls**

121 Subject to the provisions of Articles 25 and 36 government telegrams shall enjoy  
priority over other telegrams when priority is requested for them by the sender.  
Government telephone calls may also be given priority, upon specific request and to  
the extent practicable, over other telephone calls.

**Article 27****Secret Language**

- 122 1. Government telegrams and service telegrams may be expressed in secret language  
in all relations.
- 123 2. Private telegrams in secret language may be admitted between all countries with  
the exception of those which have previously notified, through the medium of  
the Secretary-General, that they do not admit this language for that category  
of correspondence.
- 124 3. Members which do not admit private telegrams in secret language originating in  
or destined for their own territory must let them pass in transit, except in the  
case of suspension of service provided for in Article 20.

**Article 28****Charges and Free Services**

125 The provisions regarding charges for telecommunications and the various cases  
in which free services are accorded are set forth in the Administrative Regulations  
annexed to this Convention.

**Article 29****Rendering and Settlement of Accounts**

126 The settlement of international accounts shall be regarded as current trans-  
actions and shall be effected in accordance with the current international obligations  
of the countries concerned, in those cases where their governments have concluded  
arrangements on this subject. Where no such arrangements have been concluded,  
and in the absence of special agreements made under Article 31, these settlements  
shall be effected in accordance with the Administrative Regulations.

**Article 30****Monetary Unit**

127 The monetary unit used in the composition of the tariffs of the international  
telecommunication services and in the establishment of the international accounts  
shall be the gold franc of 100 centimes, of a weight of 10/31 of a gramme and of a  
fineness of 0.900.

**Article 31****Special Arrangements**

128 Members reserve for themselves, for the private operating agencies recognized  
by them and for other agencies duly authorized to do so, the right to make special  
arrangements on telecommunication matters which do not concern Members in  
general. Such arrangements, however, shall not be in conflict with the terms of this  
Convention or of the Administrative Regulations annexed thereto, so far as concerns  
the harmful interference which their operation might be likely to cause to the radio  
services of other countries.

**Article 32****Regional Conferences, Arrangements and Organizations**

- 129 Members reserve the right to convene regional conferences, to make regional arrangements and to form regional organizations, for the purpose of settling telecommunication questions which are susceptible of being treated on a regional basis. Such arrangements shall not be in conflict with this Convention.

**CHAPTER III****SPECIAL PROVISIONS FOR RADIO****Article 33****Rational Use of the Radio Frequency Spectrum and of the Geostationary Satellite Orbit**

- 130 1. Members shall endeavour to limit the number of frequencies and the spectrum space used to the minimum essential to provide in a satisfactory manner the necessary services. To that end they shall endeavour to apply the latest technical advances as soon as possible.
- 131 2. In using frequency bands for space radio services Members shall bear in mind that radio frequencies and the geostationary satellite orbit are limited natural resources, that they must be used efficiently and economically so that countries or groups of countries may have equitable access to both in conformity with the provisions of the Radio Regulations according to their needs and the technical facilities at their disposal.

**Article 34****Intercommunication**

- 132 1. Stations performing radiocommunication in the mobile service shall be bound, within the limits of their normal employment, to exchange radiocommunications reciprocally without distinction as to the radio system adopted by them.
- 133 2. Nevertheless, in order not to impede scientific progress, the provisions of 132 shall not prevent the use of a radio system incapable of communicating with other systems, provided that such incapacity is due to the specific nature of such system and is not the result of devices adopted solely with the object of preventing intercommunication.
- 134 3. Notwithstanding the provisions of 132, a station may be assigned to a restricted international service of telecommunication, determined by the purpose of such service, or by other circumstances independent of the system used.

**Article 35****Harmful Interference**

- 135 1. All stations, whatever their purpose, must be established and operated in such a manner as not to cause harmful interference to the radio services or communications of other Members or of recognized private operating agencies, or of other duly authorized operating agencies which carry on radio service, and which operate in accordance with the provisions of the Radio Regulations.
- 136 2. Each Member undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of 135.
- 137 3. Further, the Members recognize the desirability of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds

from causing harmful interference to the radio services or communications mentioned in 135.

#### Article 36

##### Distress Calls and Messages

138 Radio stations shall be obliged to accept, with absolute priority, distress calls and messages regardless of their origin, to reply in the same manner to such messages, and immediately to take such action in regard thereto as may be required.

#### Article 37

##### False or deceptive Distress, Urgency, Safety or Identification Signals

139 Members agree to take the steps required to prevent the transmission or circulation of false or deceptive distress, urgency, safety or identification signals, and to collaborate in locating and identifying stations transmitting such signals from their own country.

#### Article 38

##### Installations for National Defence Services

- 140 1. Members retain their entire freedom with regard to military radio installations of their army, naval and air forces.
- 141 2. Nevertheless, these installations must, so far as possible, observe statutory provisions relative to giving assistance in case of distress and to the measures to be taken to prevent harmful interference, and the provisions of the Administrative Regulations concerning the types of emission and the frequencies to be used, according to the nature of the services performed by such installations.
- 142 3. Moreover, when these installations take part in the service of public correspondence or other services governed by the Administrative Regulations annexed to this Convention, they must, in general, comply with the regulatory provisions for the conduct of such services.

### CHAPTER IV

#### RELATIONS WITH THE UNITED NATIONS AND WITH INTERNATIONAL ORGANIZATIONS

#### Article 39

##### Relations with the United Nations

- 143 1. The relationship between the United Nations and the International Telecommunication Union is defined in the Agreement concluded between these two organizations, the text of which appears in Annex 3 to this Convention.
- 144 2. In accordance with the provision of Article XVI of the abovementioned Agreement, the telecommunication operating services of the United Nations shall be entitled to the rights and bound by the obligations of this Convention and of the Administrative Regulations annexed thereto. Accordingly, they shall be entitled to attend all conferences of the Union, including meetings of the International Consultative Committees, in a consultative capacity.

#### Article 40

##### Relations with International Organizations

145 In furtherance of complete international coordination on matters affecting telecommunication, the Union shall cooperate with international organizations having related interests and activities.

**CHAPTER V**  
**APPLICATION OF THE CONVENTION AND THE REGULATIONS**

**Article 41**

**Basic Provisions and General Regulations**

- 146 In the case of an inconsistency between a provision in the first part of the Convention (Basic Provisions, 1 to 170) and a provision in the second part of the Convention (General Regulations, 201 to 571) the former shall prevail.

**Article 42**

**Administrative Regulations**

- 147 1. The provisions of the Convention are completed by the Administrative Regulations which regulate the use of telecommunication and shall be binding on all Members.
- 148 2. Ratification of this Convention in accordance with Article 45 or accession in accordance with Article 46 involves acceptance of the Administrative Regulations in force at the time of ratification or accession.
- 149 3. Members shall inform the Secretary-General of their approval of any revision of these Regulations by competent administrative conferences. The Secretary-General shall inform Members promptly regarding receipt of such notifications of approval.
- 150 4. In case of inconsistency between a provision of the Convention and a provision of the Administrative Regulations, the Convention shall prevail.

**Article 43**

**Validity of Administrative Regulations in Force**

- 151 The Administrative Regulations referred to in 147 are those in force at the time of signature of this Convention. They shall be regarded as annexed to this Convention and shall remain valid, subject to such partial revisions as may be adopted in consequence of the provisions of 44 until the time of entry into force of new Regulations drawn up by the competent world administrative conferences to replace them as annexes to this Convention.

**Article 44**

**Execution of the Convention and Regulations**

- 152 1. The Members are bound to abide by the provisions of this Convention and the Administrative Regulations in all telecommunication offices and stations established or operated by them which engage in international services or which are capable of causing harmful interference to radio services of other countries, except in regard to services exempted from these obligations in accordance with the provisions of Article 38.
- 153 2. They are also bound to take the necessary steps to impose the observance of the provisions of this Convention and of the Administrative Regulations upon private operating agencies authorized by them to establish and operate telecommunications and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

**Article 45**

**Ratification of the Convention**

- 154 1. This Convention shall be ratified by the signatory governments in accordance with the constitutional rules in force in their respective countries. The instru-

ments of ratification shall be deposited, in as short a time as possible, with the Secretary-General by diplomatic channel through the intermediary of the government of the country of the seat of the Union. The Secretary-General shall notify the Members of each deposit of ratification.

- 155 2. 1) During a period of two years from the date of entry into force of this  
Convention a signatory government, even though it may not have deposited  
an instrument of ratification in accordance with 154, shall enjoy the rights  
conferred on Members of the Union in 8 to 10.
- 156 2) From the end of a period of two years from the date of entry into force of  
this Convention, a signatory government which has not deposited an instru-  
ment of ratification in accordance with 154 shall not be entitled to vote at any  
conference of the Union, or at any session of the Administrative Council,  
or at any meeting of any of the permanent organs of the Union, or during  
consultation by correspondence conducted in accordance with the provisions  
of the Convention until it has so deposited such an instrument. Its rights,  
other than voting rights, shall not be affected.
- 157 3. After the entry into force of this Convention in accordance with Article 52, each  
instrument of ratification shall become effective on the date of its deposit with  
the Secretary-General.
- 158 4. If one or more of the signatory governments do not ratify the Convention it  
shall not thereby be less valid for the governments which have ratified it.

#### Article 46

##### Accession to the Convention

- 159 1. The government of a country, not a signatory of this Convention, may accede  
thereto at any time subject to the provisions of Article 1.
- 160 2. The instrument of accession shall be deposited with the Secretary-General by  
diplomatic channel through the intermediary of the government of the country  
of the seat of the Union. Unless otherwise specified therein, it shall become  
effective upon the date of its deposit. The Secretary-General shall notify the  
Members of each accession when it is received and shall forward to each of them  
a certified copy of the act of accession.

#### Article 47

##### Denunciation of the Convention

- 161 1. Each Member which has ratified, or acceded to, this Convention shall have the  
right to denounce it by a notification addressed to the Secretary-General by  
diplomatic channel through the intermediary of the government of the country  
of the seat of the Union. The Secretary-General shall advise the other Members  
thereof.
- 162 2. This denunciation shall take effect at the expiration of a period of one year from  
the day of the receipt of notification of it by the Secretary-General.

#### Article 48

##### Abrogation of the International Telecommunicaton Convention (Montreux, 1965)

- 163 This Convention shall abrogate and replace, in relations between the Contracting  
Governments, the International Telecommunication Convention (Montreux, 1965).



**Article 49****Relations with non-contracting States**

- 164 Each Member reserves to itself and to the recognized private operating agencies the right to fix the conditions on which it admits telecommunications exchanged with a State which is not a party to this Convention. If a telecommunication originating in the territory of such a non-contracting State is accepted by a Member, it must be transmitted and, in so far as it follows the telecommunication channels of a Member, the obligatory provisions of the Convention and Administrative Regulations and the usual charges shall apply to it.

**Article 50****Settlement of Disputes**

- 165 1. Members may settle their disputes on questions relating to the interpretation or application of this Convention or of the Regulations contemplated in Article 42, through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon.
- 166 2. If none of these methods of settlement is adopted, any Member party to a dispute may submit the dispute to arbitration in accordance with the procedure defined in the General Regulations or in the Optional Additional Protocol, as the case may be.

**CHAPTER VI****DEFINITIONS****Article 51****Definitions**

- 167 In this Convention unless the context otherwise requires:
- a) the terms which are defined in Annex 2 of this Convention shall have the meaning therein assigned to them;
- 168 b) other terms which are defined in the Regulations referred to in Article 42 shall have the meanings therein assigned to them.

**CHAPTER VII****FINAL PROVISIONS****Article 52****Effective Date and Registration of the Convention**

- 169 The present Convention shall enter into force on 1 January 1975 between Members in respect of which instruments of ratification or accession have been deposited before that date.
- 170 In accordance with the provisions of Article 102 of the Charter of the United Nations, the Secretary-General of the United Nations shall register the present Convention with the Secretariat of the United Nations.

**SECOND PART**  
**GENERAL REGULATIONS**  
**CHAPTER VIII**  
**FUNCTIONING OF THE UNION**

**Article 53**

**Plenipotentiary Conference**

- 201 1. 1) The Plenipotentiary Conference shall be convened at regular intervals and  
normally every five years.
- 202 2) If practicable, the date and place of a Plenipotentiary Conference shall be  
set by the preceding Plenipotentiary Conference; failing this, they shall be  
fixed by the Administrative Council with the concurrence of the majority  
of the Members of the Union.
- 203 2. 1) The date and place of the next Plenipotentiary Conference, or either one  
of these, may be changed:
- a) when at least one-quarter of the Members of the Union have individually  
proposed a change to the Secretary-General; or
- 204 b) on a proposal of the Administrative Council.
- 205 2) In either case a new date or place or both shall be fixed with the concurrence  
of a majority of the Members of the Union.

**Article 54**

**Administrative Conferences**

- 206 1. 1) The agenda of an administrative conference shall be established by the  
Administrative Council with the concurrence of a majority of the Members  
of the Union in the case of a world administrative conference, or of a  
majority of the Members belonging to the region concerned in the case of  
a regional administrative conference, subject to the provisions of 225.
- 207 2) This agenda shall include any question which a Plenipotentiary Conference  
has directed to be placed on the agenda.
- 208 3) A world administrative conference dealing with radiocommunication may  
also include in its agenda an item concerning instructions to the Interna-  
tional Frequency Registration Board regarding its activities and a review  
of those activities.
- 209 2. 1) A world administrative conference shall be convened:
- a) by a decision of a Plenipotentiary Conference which may fix the date  
and place of its meeting;
- 210 b) on the recommendation of a previous world administrative conference  
if approved by the Administrative Council;
- 211 c) at the request of at least one-quarter of the Members of the Union, who  
shall individually address their requests to the Secretary-General; or
- 212 d) on a proposal of the Administrative Council.
- 213 2) In the cases specified in 210, 211 and 212 and, if necessary, in the case  
specified in 209, the date and place of meeting shall be determined by the  
Administrative Council with the concurrence of a majority of the Members  
of the Union, subject to the provisions of 225.
- 214 3. 1) A regional administrative conference shall be convened:
- a) by a decision of a Plenipotentiary Conference;
- 215 b) on the recommendation of a previous world or regional administrative  
conference if approved by the Administrative Council;

- 216 c) at the request of at least one-quarter of the Members belonging to the  
region concerned, who shall individually address their requests to the  
Secretary-General; or
- 217 d) on a proposal of the Administrative Council.
- 218 2) In the cases specified in 215, 216 and 217 and, if necessary, in the case  
specified in 214, the date and place of meeting shall be determined by the  
Administrative Council with the concurrence of a majority of the Members  
of the Union belonging to the region concerned, subject to the provisions  
of 225.
- 219 4. 1) The agenda, or date or place of an administrative conference may be  
changed:
- a) at the request of at least one-quarter of the Members of the Union in the  
case of a world administrative conference, or of a least one-quarter of  
the Members of the Union belonging to the region concerned in the case  
of a regional administrative conference. Their requests shall be addressed  
individually to the Secretary-General, who shall transmit them to the  
Administrative Council for approval; or
- 220 b) on a proposal of the Administrative Council.
- 221 2) In cases specified in 219 and 220 the changes proposed shall not be finally  
adopted until accepted by a majority of the Members of the Union, in the  
case of a world administrative conference, or of a majority of the Members  
of the Union belonging to the region concerned, in the case of a regional  
administrative conference, subject to the provisions of 225.
- 222 5. 1) The Administrative Council may deem it advisable for the main session of  
an administrative conference to be preceded by a preparatory meeting to  
draw up proposals for the technical bases of the work of the conference.
- 223 2) The convening of such a preparatory meeting and its agenda must be  
approved by a majority of the Members of the Union in the case of a  
world administrative conference, or by a majority of the Members of the  
Union belonging to the region concerned, in the case of a regional adminis-  
trative conference, subject to the provisions of 225.
- 224 3) Unless the Plenary Meeting of a preparatory session of an administrative  
conference decides otherwise, the texts finally approved by it will be  
assembled in a report which will also be approved by a Plenary Meeting  
and signed by the Chairman.
- 225 6. In the consultations referred to in 206, 213, 218, 221 and 223 Members of the  
Union who have not replied within the time limits specified by the Adminis-  
trative Council shall be regarded as not participating in the consultations, and  
in consequence shall not be taken into account in computing the majority.  
If the number of replies does not exceed one-half of the Members consulted,  
a further consultation shall take place the results of which shall be decisive  
regardless of the number of votes cast.

#### Article 55

##### Administrative Council

- 226 1. 1) The Administrative Council is composed of Members of the Union elected  
by the Plenipotentiary Conference.
- 227 2) If between two Plenipotentiary Conferences a seat becomes vacant on the  
Administrative Council, it shall pass by right to the Member of the Union  
from the same region as the Member whose seat is vacated, which had  
obtained at the previous election the largest number of votes among those  
not elected.

- 228 3) A seat on the Administrative Council shall be considered vacant:
- 229 a) when a Council Member does not have a representative in attendance  
230 at two consecutive annual sessions of the Administrative Council;
- 231 b) when a Member of the Union resigns its membership on the Council.
- 232 2. The person appointed to serve on the Council by a Member of the Administrative  
233 Council shall, so far as possible, be an official serving in, or directly responsible  
234 to, or for, their telecommunications administration and qualified in the field  
of telecommunication services.
- 235 3. The Administrative Council shall elect its own Chairman and Vice-Chairman  
at the beginning of each annual session. They shall serve until the opening of  
the next annual session and shall be eligible for re-election. The Vice-Chairman  
shall serve as Chairman in the absence of the latter.
- 236 4. 1) The Administrative Council shall hold an annual session at the seat of the  
237 Union.  
2) During this session it may decide to hold, exceptionally, an additional session.
- 238 3) Between ordinary sessions, it may be convened, as a general rule at the seat  
of the Union, by its Chairman at the request of a majority of its Members  
or at the call of the Chairman under the conditions provided for in 255.
- 239 5. The Secretary-General and the Deputy Secretary-General, the Chairman and  
the Vice-Chairman of the International Frequency Registration Board and the  
Directors of the International Consultative Committees may participate as of  
right in the deliberations of the Administrative Council, but without taking part  
in the voting. Nevertheless, the Council may hold meetings confined to its own  
members.
- 236 6. The Secretary-General shall act as secretary of the Administrative Council.
- 237 7. The Administrative Council shall make decisions only in session.
- 238 8. The representative of each Member of the Administrative Council shall have  
the right to attend, as an observer, all meetings of the permanent organs of  
the Union mentioned in 26, 27 and 28.
- 239 9. Only the travelling and subsistence expenses incurred by the representative  
of each Member of the Administrative Council in this capacity Council sessions  
shall be borne by the Union.
- 240 10. In the discharge of its duties prescribed in the Convention, the Administrative  
Council shall in particular:
- a) in the interval between Plenipotentiary Conferences, be responsible for  
effecting the coordination with all international organizations referred to  
in Articles 39 and 40 and to this end, shall conclude, on behalf of the Union,  
provisional agreements with the international organizations referred to in  
Article 40, and with the United Nations in application of the Agreement  
between the United Nations and the International Telecommunication Union;  
these provisional agreements shall be submitted to the next Plenipotentiary  
Conference in accordance with 39;
- 241 b) decide on the numbers and grading of the staff of the General Secretariat  
and of the specialized secretariats of the permanent organs of the Union,  
taking into account the general directives given by the Plenipotentiary  
Conference;
- 242 c) draw up such regulations as it may consider necessary for the adminis-  
trative and financial activities of the Union; and also the administrative  
regulations to take account of current practice of the United Nations and of  
the specialized agencies applying the Common System of pay, allowances  
and pensions;
- 243 d) supervise the administrative functions of the Union;

- 244 e) review and approve the annual budget of the Union, taking account of the limits for expenditure set by the Plenipotentiary Conference and ensuring the strictest possible economy but mindful of the obligation upon the Union to achieve satisfactory results as expeditiously as possible through conferences and the work programmes of the permanent organs; in so doing, the Council shall also take into account the work plans mentioned in 286 and any cost-benefit analyses mentioned in 287;
- 245 f) arrange for the annual audit of the accounts of the Union prepared by the Secretary-General and approve them, if appropriate, for submission to the next Plenipotentiary Conference;
- 246 g) adjust as necessary:
- 247 1. the basic salary scales for staff in the professional categories and above, excluding the salaries for posts filled by election to accord with any changes in the basic salary scales adopted by the United Nations for the corresponding Common System categories;
  - 248 2. the basic salary scales for staff in the general services categories to accord with changes in the rates applied by the United Nations and the specialized agencies at the seat of the Union;
  - 249 3. the post adjustment for professional categories and above, including posts filled by election, in accordance with decisions of the United Nations for application at the seat of the Union;
  - 250 4. the allowances for all staff of the Union, in accordance with any changes adopted in the United Nations Common System;
  - 251 5. the contributions payable by the Union and the staff to the United Nations Joint Staff Pension Fund, in accordance with the decisions of the United Nations Joint Staff Pension Board;
  - 252 6. the cost-of-living allowances granted to beneficiaries of the Union Staff Superannuation and Benevolent Funds on the basis of practice in the United Nations;
- 252 h) arrange for the convening of Plenipotentiary and administrative conferences of the Union in accordance with Article 53 and 54;
- 253 i) offer to the Plenipotentiary Conference of the Union any recommendations deemed useful;
- 254 j) review and coordinate the work programmes as well as their progress and the working arrangements, including the meeting schedules, of the permanent organs of the Union and take such action as it deems appropriate;
- 255 k) provide for the filling of any vacancy in the office of Secretary-General and/or Deputy Secretary-General in the situation described in 59 or 60, at a regular meeting, if held within 90 days after a vacancy occurs, or at a meeting convened by the Chairman within the time periods specified in 59 or 60;
- 256 l) provide for the filling of any vacancy in the office of Director of either of the International Consultative Committees at the next regular meeting following the occurrence of such a vacancy. Directors so selected shall serve until the next Plenary Assembly as provided for in 305 and shall be eligible for election to such posts;
- 257 m) provide for the filling of vacancies for members of the International Frequency Registration Board in accordance with the procedure in 297;
- 258 n) perform the other functions prescribed for it in the Convention and, within the framework of the Convention and the Administrative Regulations, any functions deemed necessary for the proper administration of the Union or its permanent organs taken individually;

- 259 o) take the necessary steps, with the agreement of a majority of the Members  
of the Union, provisionally to resolve questions not covered by the Conven-  
tion, the Administrative Regulations and their annexes and which cannot  
260 await the next competent conference for settlement;
- p) submit a report on the activities of all the organs of the Union since the  
previous Plenipotentiary Conference;
- 261 q) send to Members of the Union, as soon as possible after each of its sessions,  
summary records on the activities of the Administrative Council and other  
documents deemed useful.

#### Article 56

##### General Secretariat

- 262 1. The Secretary-General shall:
- a) coordinate the activities of the different permanent organs with the advice  
and assistance of the Coordination Committee referred to in 80 with a view  
to assuring the most effective and economical use of personnel and of the  
263 financial and other resources of the Union;
- b) organize the work of the General Secretariat and appoint the staff of that  
Secretariat in accordance with the directives of the Plenipotentiary Con-  
ference and the rules established by the Administrative Council;
- 264 c) undertake administrative arrangements for the specialized secretariats of the  
permanent organs of the Union and appoint the staff of those secretariats  
in agreement with the Head of each permanent organ; the appointments  
shall be made on the basis of the latter's choice, but the final decision for  
265 appointment or dismissal shall rest with the Secretary-General;
- d) report to the Administrative Council any decisions taken by the United  
Nations and the specialized agencies which affect Common System condi-  
tions of service, allowances and pensions;
- 266 e) ensure the application of the financial and administrative regulations approved  
by the Administrative Council;
- 267 f) provide legal advice to the organs of the Union;
- 268 g) supervise, for administrative management purposes, the staff of the Head-  
quarters of the Union with a view to assuring the most effective use of  
personnel and the application of the Common System conditions of employ-  
ment for the staff of the Union. The staff appointed to assist directly the  
Directors of the Consultative Committees and the International Frequency  
Registration Board shall work under the direct orders of those senior officials  
concerned but in accordance with general administrative directives of the  
Administrative Council and of the Secretary-General;
- 269 h) in the interest of the Union as a whole and in consultation with the Chairman  
of the International Frequency Registration Board or the Director of the  
Consultative Committee concerned, temporarily reassign staff members from  
their appointed position as necessary to meet fluctuating work requirements  
at Headquarters. The Secretary-General shall report such temporary re-  
assignments including the financial implications thereof, to the Adminis-  
trative Council;
- 270 i) undertake secretarial work preparatory to, and following conferences of  
the Union;
- 271 j) provide, where appropriate in cooperation with the inviting government,  
the secretariat of conferences of the Union, and provide the facilities and  
services for meetings of the permanent organs of the Union in collaboration  
with their respective Heads; drawing from the Union's staff as he deems

- necessary in accordance with 269. The Secretary-General may also when so requested, provide the secretariat of other telecommunication meetings on a contractual basis;
- 272 k) keep up to date the official lists, compiled from data supplied for this purpose  
by the permanent organs of the Union or by administrations, with the  
exception of the master registers and such other essential records as may  
273 be related to the duties of the International Frequency Registration Board;
- l) publish the principal reports of the permanent organs of the Union, the  
recommendations and the operating instructions derived from such recom-  
274 mendations for use in the international telecommunication services;
- m) publish international and regional telecommunication agreements com-  
municated to him by the parties thereto, and keep up-to-date records of  
these agreements;
- 275 n) publish the technical standards of the International Frequency Registration  
Board, as well as such other data concerning the assignment and utilization  
of frequencies as are prepared by the Board in the discharge of its duties;
- 276 o) prepare, publish and keep up to date with the assistance, where appropriate,  
of the other permanent organs of the Union:
- 277 1. a record of the composition and structure of the Union;
  2. the general statistics and the official service documents of the Union as  
278 prescribed by the Administrative Regulations;
  3. such other documents as conferences or the Administrative Council may  
direct;
- 279 p) collect and publish, in suitable form, data, both national and international,  
regarding telecommunication throughout the world;
- 280 q) assemble and publish, in cooperation with the other permanent organs of  
the Union, both technical and administrative information that might be  
specially useful to developing countries in order to help them to improve  
their telecommunication networks. Their attention shall also be drawn to  
the possibilities offered by the international programmes under the auspices  
of the United Nations;
- 281 r) collect and publish such information as would be of assistance to Members  
regarding the development of technical methods with a view to achieving  
the most efficient operation of telecommunication services and specially the  
best possible use of radio frequencies so as to diminish interference;
- 282 s) publish periodically, with the help of information put at his disposal or  
which he may collect, including that which he may obtain from other inter-  
national organizations, a journal of general information and documentation  
concerning telecommunication;
- 283 t) determine, in consultation with the Director of the International Consultative  
Committee concerned or, as appropriate, the Chairman of the International  
Frequency Registration Board, the form and presentation of all publications  
of the Union, taking into account the nature and the contents as well as  
the most suitable and economical means of publication;
- 284 u) arrange the timely distribution of the published documents;
- 285 v) after having made what economies are possible, prepare and submit to the  
Administrative Council annual budget estimates which, after approval by  
the Council, shall be transmitted for information to all Members of the  
Union;
- 286 w) prepare and submit to the Administrative Council future work plans com-  
prising the main activities at the Headquarters of the Union according to  
directives of the Administrative Council;

- 287 x) to the extent the Administrative Council finds it appropriate, prepare and  
submit to the Administrative Council cost-benefit analyses of the main  
288 activities at the Headquarters of the Union;
- y) prepare a financial operating report and accounts to be submitted annually  
to the Administrative Council and recapitulative accounts immediately  
preceding each Plenipotentiary Conference, these accounts, after audit and  
approval by the Administrative Council, shall be circulated to the Members  
and be submitted to the next Plenipotentiary Conference for examination  
and final approval;
- 289 z) prepare an annual report on the activities of the Union which, after approval  
by the Administrative Council, shall be transmitted to all Members;
- 290 aa) perform all other secretarial functions of the Union.
- 291 2. The Secretary-General or the Deputy Secretary-General may participate, in a  
consultative capacity, in Plenary Assemblies of the International Consultative  
Committees and in all conferences of the Union; the Secretary-General or his  
representative may participate in a consultative capacity in all other meetings  
of the Union; their participation in the meetings of the Administrative Council  
is governed by 235.

#### Article 57

##### International Frequency Registration Board

- 292 1. 1) The members of the International Frequency Registration Board shall be  
thoroughly qualified by technical training in the field of radio and shall  
possess practical experience in the assignment and utilization of frequencies.
- 293 2) Moreover, for the more effective understanding of the problems coming  
before the Board under 67, each member shall be familiar with geographic,  
economic and demographic conditions within a particular area of the world.
- 294 2. 1) The election procedure shall be established by the conference responsible  
for the election as defined in 63.
- 295 2) At each election any serving member of the Board may be proposed again  
as a candidate by the country of which he is a national.
- 296 3) The members of the Board shall take up their duties on the date fixed by  
the Plenipotentiary Conference which elected them. They shall normally  
remain in office until the date fixed by the conference which elects their  
successors.
- 297 4) If in the interval between two Plenipotentiary Conferences which elect  
members of the Board, an elected member of the Board resigns or abandons  
his duties or dies, the Chairman of the Board shall request the Secretary-  
General to invite the countries, Members of the Union, of the region concerned  
to propose candidates for the election of a replacement at the next annual  
session of the Administrative Council. However, if the vacancy occurs more  
than ninety days before the session of the Administrative Council, the  
country of which the member concerned was a national shall designate, as  
soon as possible and within ninety days, a replacement who shall also be a  
national of that country and who will remain in office until the new member  
elected by the Administrative Council takes office. The replacement shall  
be eligible for election by the Administrative Council.
- 298 5) In order to safeguard the efficient operation of the Board, any country a  
national of which has been elected to the Board, shall refrain, as far as  
possible, from recalling that person between two Plenipotentiary Conferences  
which elect members of the Board.



- 299 3. 1) The working arrangements of the Board are defined in the Radio Regulations.  
300 2) The members of the Board shall elect from their own numbers a Chairman and a Vice-Chairman, for a period of one year. Thereafter the Vice-Chairman shall succeed the Chairman each year and a new Vice-Chairman shall be elected.
- 301 3) The Board shall be assisted by a specialized secretariat.
- 302 4. No member of the Board shall request or receive instructions relating to the exercise of his duties from any government or a member thereof, or from any public or private organization or person. Furthermore, each Member must respect the international character of the Board and of the duties of its members and shall refrain from any attempt to influence any of them in the exercise of their duties.

### Article 58

#### International Consultative Committees

- 303 1. Each International Consultative Committee shall work through the medium of:
- 304 a) the Plenary Assembly, preferably meeting every three years. When a corresponding world administrative conference has been convened, the Plenary Assembly should meet, if possible, at least eight months before this conference;
- 305 b) study groups, which shall be set up by the Plenary Assembly to deal with questions to be examined;
- c) a Director elected by the Plenary Assembly initially for a period equal to twice the interval between two consecutive Plenary Assemblies, i.e. normally for six years. He shall be eligible for reelection at each subsequent Plenary Assembly and if re-elected shall then remain in office until the date of the next Plenary Assembly, normally for three years. When the position becomes unexpectedly vacant, the following Plenary Assembly shall elect the new Director;
- 306 d) a specialized secretariat, which assists the Director;
- 307 e) laboratories or technical installations set up by the Union.
- 308 2. 1) The questions studied by each International Consultative Committee, on which it shall issue recommendations, shall be those referred to it by the Plenipotentiary Conference, by an administrative conference, by the Administrative Council, by the other Consultative Committee, or by the International Frequency Registration Board, in addition to those decided upon by the Plenary Assembly of the Consultative Committee itself, or, in the interval between its Plenary Assemblies, when requested or approved by correspondence by at least twenty Members of the Union.
- 309 2) At the request of the countries concerned, each Consultative Committee may also study and offer advice concerning their national telecommunication problems. The study of such problems should be in accordance with 308.

### Article 59

#### Coordination Committee

- 310 1. 1) The Coordination Committee shall help the Secretary-General in the duties assigned to him under 282, 285, 288 and 289.
- 311 2) The Committee shall be responsible for ensuring coordination with all the international organizations mentioned in Article 39 and 40 as regards representation of the permanent organs of the Union at conferences of such organizations.

- 312 3) The Committee shall examine the progress of the work of the Union in  
technical cooperation and submit recommendations, through the Secretary-  
313 General, to the Administrative Council.
2. The Committee shall endeavour to reach conclusions unanimously. The Secretary-  
General may, however, take decisions even when he does not have the support  
of two or more other members of the Committee, provided he judges that  
decision of the matters in question cannot await the next session of the  
Administrative Council. In such circumstances he shall report promptly in  
writing on such matters to the members of the Administrative Council, setting  
forth his reasons for such action together with any other written views submit-  
314 ted by other members of the Committee.
3. The Committee shall meet when convened by its Chairman and, normally,  
at least once a month.

## CHAPTER IX

### GENERAL PROVISIONS REGARDING CONFERENCES

#### Article 60

#### Invitation and Admission to Plenipotentiary Conferences when there is an inviting Government

- 315 1. The inviting government, in agreement with the Administrative Council, shall  
fix the definitive date and the exact place of the conference.
- 316 2. 1) One year before this date, the inviting government shall send an invitation  
to the government of each country Member of the Union.
- 317 2) These invitations may be sent directly or through the Secretary-General  
or through another government.
- 318 3. The Secretary-General shall send an invitation to the United Nations in ac-  
cordance with Article 39 and to any of the regional telecommunication organiza-  
tions mentioned in Article 32 if requested by it.
- 319 4. The inviting government, in agreement with or on a proposal by the Adminis-  
trative Council, may invite the specialized agencies of the United Nations and  
the International Atomic Energy Agency to send observers to take part in the  
conference in an advisory capacity, on the basis of reciprocity.
- 320 5. 1) The replies of the Members must reach the inviting government not later  
than one month before the date of opening of the conference and should  
include whenever possible full information on the composition of the  
delegation.
- 321 2) These replies may be sent directly to the inviting government or through  
the Secretary-General or through another government.
- 322 6. Any permanent organ of the Union shall be entitled to be represented at the  
conference in an advisory capacity when the conference in discussing matters  
coming within its competence. If necessary, the conference may invite an organ  
which has not considered it necessary to be represented.
- 323 7. The following shall be admitted to Plenipotentiary Conferences:
- 324 a) delegations as defined in Annex 2;
- 325 b) observers of the United Nations;
- 326 c) observers of regional telecommunication organizations in conformity with  
318;
- d) observers of the specialized agencies and of the International Atomic Energy  
Agency in conformity with 319.

## Article 61

**Invitation and Admission to Administrative Conferences  
when there is an inviting Government**

- 327 1. 1) The provisions of 315 to 321 shall apply to administrative conferences.  
328 2) However, the time limit for the despatch of invitations may be reduced to  
six months if necessary.
- 329 3) Members of the Union may inform the private operating agencies recognized  
by them of the invitation they have received.
- 330 2. 1) The inviting government, in agreement with or on a proposal by the Adminis-  
trative Council, may notify the international organizations which are inter-  
ested in sending observers to participate in the conference in an advisory  
capacity.
- 331 2) The interested international organizations shall send an application for  
admission to the inviting government within a period of two months from  
the date of notification.
- 332 3) The inviting government shall assemble the requests and the conference  
itself shall decide whether the organizations concerned are to be admitted.
- 333 3. The following shall be admitted to administrative conferences:  
a) delegations as defined in Annex 2;  
334 b) observers of the United Nations;  
335 c) observers of regional telecommunication organizations mentioned in Article  
32;  
336 d) observers of the specialized agencies and of the International Atomic Energy  
Agency in conformity with 319;  
337 e) observers of international organizations admitted in accordance with 330  
to 332;  
338 f) representatives of recognized private operating agencies, duly authorized  
by the Member to which they belong;  
339 g) permanent organs of the Union, subject to the conditions set forth in 322.

## Article 62

**Procedure for calling World Administrative Conferences at the Request of  
Members of the Union or on a Proposal of the Administrative Council**

- 340 1. Any Member of the Union wishing to have a world administrative conference  
convened shall so inform the Secretary-General, indicating the proposed agenda,  
place and date of the conference.
- 341 2. On receipt of similar requests from at least one-quarter of the Members of the  
Union, the Secretary-General shall inform all Members thereof by telegram,  
asking them to indicate, within six weeks, whether or not they agree to the  
proposal.
- 342 3. If a majority of the Members, determined in accordance with 225, agree to the  
proposal as a whole, that is to say, if they accept the agenda, date and place  
of the proposed meeting, the Secretary-General shall so inform the Members  
of the Union by circular telegram.
- 343 4. 1) If the proposal accepted is for a conference elsewhere than at the seat of  
the Union, the Secretary-General shall ask the government of the country  
concerned whether it agrees to act as inviting government.
- 344 2) If the answer is in the affirmative, the Secretary-General, with the assent  
of the government concerned, shall take the necessary steps to convene the  
conference.

- 345 3) If the answer is in the negative, the Secretary-General shall request the  
Members desiring the conference to make alternative suggestions for the  
346 place of the conference.
5. Where the proposal accepted is for a conference at the seat of the Union, the  
provisions of Article 64 shall apply.
- 347 6. 1) If the proposal as a whole (agenda, date and place) is not accepted by a  
majority of the Members, determined in accordance with 225, the Secretary-  
General shall inform the Members of the Union of the replies received, re-  
questing them to give a final reply on the point or points under dispute  
within six weeks of receipt.
- 348 2) Such points shall be regarded as adopted when they have been approved  
by a majority of the Members, determined in accordance with 225.
- 349 7. The procedure indicated above shall also be applicable when the proposal  
to convene a world administrative conference is initiated by the Administrative  
Council.

#### Article 63

##### **Procedure for convening Regional Administrative Conferences at the Request of Members of the Union or on a Proposal of the Administrative Council**

- 350 In the case of a regional administrative conference, the procedure described in  
Article 62 shall be applicable only to the Members of the region concerned. If the  
conference is to be convened on the initiative of the Members of the region, it will  
suffice for the Secretary-General to receive concordant requests from a quarter  
of the total number of Members in that region.

#### Article 64

##### **Provisions for Conferences meeting when there is no inviting Government**

- 351 When a conference is to be held without an inviting government, the provisions  
of Articles 60 and 61 apply. The Secretary-General shall take the necessary steps to  
convene and organize it at the seat of the Union, after agreement with the Government  
of the Swiss Confederation.

#### Article 65

##### **Provisions common to all Conferences Change in the Date or Place of a Conference**

- 352 1. The provisions of Articles 62 and 63 shall apply, by analogy, when a change  
in the date or place of a conference is requested by Members of the Union or  
is proposed by the Administrative Council. However, such changes shall only  
be made if a majority of the members concerned, determined in accordance  
with 225, have pronounced in favour.
- 353 2. It shall be the responsibility of any Member proposing a change in the date  
or place of an conference to obtain for its proposal the support of the requisite  
number of other Members.
- 354 3. Where the issue arises, the Secretary-General shall indicate, in the communi-  
cation referred to in 341, the probable financial consequences of a change in  
the date or place, as, for example, when there has been an outlay of expenditure  
in preparing for the conference at the place initially chosen.

## Article 66

**Time-limits for Presentation of Proposals to Conferences and  
Conditions of Submission**

- 355 1. Immediately after the invitations have been despatched, the Secretary-General shall ask Members to send him, within four months, their proposals for the work of the conference.
- 356 2. All proposals the adoption of which will involve revision of the text of the Convention or Administrative Regulations must carry references identifying by their marginal numbers those parts of the text which will require such revision. The reasons for the proposal must be given, as briefly as possible, in each case.
- 357 3. The Secretary-General shall communicate the proposals to all Members as they are received.
- 358 4. The Secretary-General shall assemble and coordinate the proposals received from administrations and from the Plenary Assemblies of the International Consultative Committees and shall communicate them to Members at least three months before the opening of the conference. The Secretary-General, the Directors of the International Consultative Committees and the members of the International Frequency Registration Board shall not be entitled to submit proposals.

## Article 67

**Credentials for Delegations to Conferences**

- 359 1. The delegation sent by a Member of the Union to a conference shall be duly accredited in accordance with 360 to 366.
- 360 2. 1) Accreditation of delegations to Plenipotentiary Conferences shall be by means of instruments signed by the Head of State, by the Head of the Government or by the Minister for Foreign Affairs.
- 361 2) Accreditation of delegations to administrative conferences shall be by means of instruments signed by the Head of State, by the Head of the Government, by the Minister for Foreign Affairs or by the Minister responsible for questions dealt with during the conference.
- 362 3) Subject to confirmation prior to the signature of the Final Acts, by one of the authorities mentioned in 360 or 361, delegations may be provisionally accredited by the Head of the diplomatic mission of the country concerned to the Government of the country in which the conference is held. In the case of a conference held in the country of the seat of the Union, a delegation may also be provisionally accredited by the Head of the Permanent Delegation of the country concerned to the United Nations Office at Geneva.
- 363 3. Credentials shall be accepted if they are signed by the appropriate authority mentioned under 360 to 362, and fulfil one of the following criteria:
- 364 — they confer full powers;
- 365 — they authorize the delegation to represent its government, without restrictions;
- 366 — they give the delegation, or certain members thereof, the right to sign the Final Acts.
- 367 4. 1) A delegation whose credentials are found to be in order by the Plenary Meeting shall be entitled to exercise the right to vote of the Member concerned and to sign the Final Acts.
- 368 2) A delegation whose credentials are found not to be in order by the Plenary Meeting shall not be entitled to exercise the right to vote or to sign the Final Acts until the situation has been rectified.
- 369 5. Credentials shall be deposited with the secretariat of the conference as early as possible. A special committee shall be entrusted with the verification thereof

and shall report on its conclusions to the Plenary Meeting within the time specified by the latter. Pending the decision of the Plenary Meeting thereon, a delegation of a Member of the Union shall be entitled to participate in the conference and to exercise the right to vote of the Member concerned.

- 370 6. As a general rule, Members of the Union should endeavour to send their own delegations to conferences of the Union. However, if a Member is unable, for exceptional reasons, to send its own delegation, it may give the delegation of another Member powers to vote and sign on its behalf. Such powers must be conveyed by means of an instrument signed by one of the authorities mentioned in 360 or 361.
- 371 7. A delegation with the right to vote may give to another delegation with the right to vote a mandate to exercise its vote at one or more meetings at which it is unable to be present. In such a case it shall, in good time, notify the Chairman of the conference in writing.
- 372 8. A delegation may not exercise more than one proxy vote.
- 373 9. Credentials and the transfer of powers sent by telegram shall not be accepted. Nevertheless, replies sent by telegram to requests by the Chairman or the secretariat of the conference for clarification of credentials shall be accepted.

## CHAPTER X

### GENERAL PROVISIONS REGARDING INTERNATIONAL CONSULTATIVE COMMITTEES

#### Article 68

##### Conditions for Participation

- 374 1. The members of the International Consultative Committees referred to in 73 and 74 may participate in all activities of the Consultative Committee concerned.
- 375 2. 1) The first request from a recognized private operating agency to take part in the work of a Consultative Committee shall be addressed to the Secretary-General who shall inform all the Members and the Director of that Consultative Committee. The request from a recognized private operating agency must be approved by the Member recognizing it. The Director of the Consultative Committee shall advise the recognized private operating agency of the action taken on its request.
- 376 2) A recognized private operating agency may not act on behalf of the Member which has recognized it unless that Member informs the Consultative Committee concerned in each particular case that it is authorized to do so.
- 377 3. 1) International organizations and regional telecommunication organizations mentioned in Article 32 which coordinate their work with the International Telecommunication Union and which have related activities may be admitted to participate in the work of the Consultative Committees in an advisory capacity.
- 378 2) The first request from an international organization or regional telecommunication organization mentioned in Article 32 to take part in the work of a Consultative Committee shall be addressed to the Secretary-General who shall inform by telegram all the Members and invite Members to say whether the request should be granted; the request shall be granted if the majority of the replies of the Members received within a period of one month are favourable. The Secretary-General shall inform all the Members and the Director of the Consultative Committee concerned of the result of the consultation.

- 379 4. 1) Scientific or industrial organizations, which are engaged in the study of telecommunication problems or in the design or manufacture of equipment intended for telecommunication services, may be admitted to participate in an advisory capacity in meetings of the study groups of the Consultative Committees, provided that their participation has received approval of the administrations of the countries concerned.
- 380 2) The first request from a scientific or industrial organization for admission to meetings of study groups of a Consultative Committee shall be addressed to the Secretary-General who shall inform all the Members and the Director of that Consultative Committee. The request must be approved by the administration of the country concerned. The Director of the Consultative Committee shall advise the scientific or industrial organization of the action taken on its request.
- 381 5. Any recognized private operating agency, international organization, regional telecommunication organization or scientific or industrial organization allowed to take part in the work of an International Consultative Committee has the right to denounce such participation by notifying the Secretary-General. Such denunciation shall take effect at the end of one year from the date when notification is received by the Secretary-General.

#### Article 69

##### Duties of the Plenary Assembly

- 382 The Plenary Assembly shall:
- a) Consider the reports of study groups and approve, modify or reject the draft recommendations contained in these reports;
- 383 b) consider existing questions as to whether or not their study should be continued, and prepare a list of the new questions to be studied in conformity with 308. In formulating new questions it shall be borne in mind that, in principle, their consideration should be completed in the period which is twice the interval between two Plenary Assemblies;
- 384 c) approve the programme of work arising from the consideration in 383, determine the order of questions to be studied according to their importance, priority and urgency;
- 385 d) decide, in the light of the approved programme of work derived from 384 whether or not existing study groups should be maintained or dissolved and whether or not new study groups should be set up;
- 386 e) allocate to study groups the questions to be studied;
- 387 f) consider and approve the report of the Director on the activities of the Committee since the last meeting of the Plenary Assembly;
- 388 g) approve, if appropriate, for submission to the Administrative Council, the estimate of the financial needs of the Committee up to the next Plenary Assembly, as submitted by the Director in accordance with 416;
- 389 h) consider any other matters deemed necessary within the provisions of Article 11 and this Chapter.

#### Article 70

##### Meetings of the Plenary Assembly

- 390 1. The Plenary Assembly shall normally meet at a date and place fixed by the preceding Plenary Assembly.
- 391 2. The date and place, or either, of the meeting of the Plenary Assembly may be changed with the approval of the majority of the Members of the Union replying to the Secretary-General's request for their opinion.

- 392 3. At each of these meetings, the Plenary Assembly shall be presided over by the  
Head of the delegation of the country in which the meeting is held or, in the  
case of a meeting held at the seat of the Union, by a person elected by the  
Plenary Assembly itself. The Chairman shall be assisted by Vice-Chairmen  
elected by the Plenary Assembly.
- 393 4. The Secretary-General shall be responsible for making the necessary adminis-  
trative and financial arrangements, in agreement with the Director of the  
Consultative Committee concerned, for meetings of the Plenary Assembly and  
the study groups.

#### Article 71

##### Languages and Right to vote in Plenary Assemblies

- 394 1. 1) The languages used in the Plenary Assemblies shall be as provided in  
Articles 16 and 78.
- 395 2) The preparatory documents of study groups, the documents and minutes of  
Plenary Assemblies and the documents published after these Assemblies by  
the International Consultative Committees shall be issued in the three working  
languages of the Union.
- 396 2. The Members which are authorized to vote at sessions of Plenary Assemblies  
of the Consultative Committees are those to which reference is made in 9 and  
155. However, when a country, Member of the Union, is not represented by  
an administration, the representatives of the recognized private operating agen-  
cies of that country shall, as a whole, and regardless of their number, be entitled  
to a single vote, subject to the provisions of 376.
- 397 3. The provisions of 370 to 373 concerning the transfer of powers shall apply to  
Plenary Assemblies.

#### Article 72

##### Study Groups

- 398 1. The Plenary Assembly shall set up and maintain as necessary study groups  
to deal with questions to be studied. The administrations, recognized private  
operating agencies, international organization and regional telecommunication  
organizations admitted in accordance with 377 and 378 which desire to take  
part in the work of the study groups shall give in their names either at the  
meeting of the Plenary Assembly or, at a later date, to the Director of the  
Consultative Committee concerned.
- 399 2. In addition, and subject to the provision of 379 and 380, experts of scientific  
or industrial organizations may be admitted to take part in an advisory capacity  
in any meeting of any study group.
- 400 3. The Plenary Assembly shall normally appoint a Chairman and one Vice-Chair-  
man of each study group. If the workload of any study group requires, the  
Plenary Assembly shall appoint such additional Vice-Chairmen as it feels  
necessary for such study group or groups. If, in the interval between two meet-  
ings of the Plenary Assembly, a group Chairman is unable to carry out his  
duties and only one Vice-Chairman has been appointed, then such Vice-Chair-  
man shall take the Chairman's place. In the case of a study group for which  
the Plenary Assembly has appointed more than one Vice-Chairman, the study  
group at its next meeting shall elect a new Chairman from among such Vice-  
Chairmen and, if necessary, a new Vice-Chairman from among the members  
of the study group. It shall likewise elect a new Vice-Chairman if one of the  
Vice-Chairmen is unable to carry out his duties during that period.



## Article 73

**Conduct of Business of Study Groups**

- 401 1. Study groups shall conduct their work as far as possible by correspondence.
- 402 2. 1) However, the Plenary Assembly may give directives concerning the convening of any meetings of the study groups that may appear necessary to deal with large groups of questions.
- 403 2) As a general rule, study groups shall hold no more than two meetings between sessions of the Plenary Assembly, including the final meetings held before that Assembly.
- 404 3) Moreover, if after a Plenary Assembly a group Chairman considers it necessary for his study group to hold one or more meetings not provided for by the Plenary Assembly to discuss orally questions which could not be solved by correspondence, he may, with the approval of his administration and after consultation with the Director concerned and the members of his study group, suggest a meeting at a convenient place bearing in mind the need to keep expenses to a minimum.
- 405 3. Where necessary, the Plenary Assembly of a Consultative Committee may set up joint working parties for the study of questions requiring the participation of experts from several study groups.
- 406 4. The Director of a Consultative Committee, after consultation with the Secretary-General, and in agreement with the Chairmen of the various study groups concerned, shall draw up the general plan of meetings of groups of study groups which are to meet in the same place during the same period.
- 407 5. The Director shall send the final reports of the study groups to the participating administrations, to the recognized private operating agencies of the Consultative Committee and, as occasion may demand, to such international organizations and regional telecommunication organizations as have participated. These shall be sent as soon as possible and, in any event, in time for them to be received at least one month before the date of the next meeting of the Plenary Assembly. This provision may be waived only when study group meetings are held immediately prior to the meeting of the Plenary Assembly. Questions which have not formed the subject of a report furnished in this way shall not appear on the agenda for the meeting of the Plenary Assembly.

## Article 74

**Duties of the Director. Specialized Secretariat**

- 408 1. 1) The Director of a Consultative Committee shall coordinate the work of the Plenary Assembly and study groups, and shall be responsible for the organization of the work of the Consultative Committee.
- 409 2) The Director shall be responsible for the documents of the Committee and arrange for their publication, in the working languages of the Union, with the Secretary-General.
- 410 3) The Director shall be assisted by a secretariat composed of a specialized staff to work under his direction and to aid him in the organization of the work of the Committee.
- 411 4) The staff of the specialized secretariats, laboratories and technical installations of the Consultative Committees shall be under the administrative control of the Secretary-General in accordance with the provisions of 268.
- 412 2. The Director shall choose the technical and administrative members of the secretariat within the framework of the budget as approved by the Plenipotentiary Conference or the Administrative Council. The appointment of the

technical and administrative personnel is made by the Secretary-General in agreement with the Director. The final decision for appointment or dismissal rests with the Secretary-General.

- 413 3. The Director shall participate as of right, but in an advisory capacity, in meetings of the Plenary Assembly and of the study groups. He shall, subject to the provisions of 393, make all necessary preparations for meetings of the Plenary
- 414 4. The Director shall submit to the Plenary Assembly a report on the activities of the Consultative Committee since the last meeting of the Plenary Assembly. After approval, this report shall be sent to the Secretary-General for transmission to the Administrative Council.
- 415 5. The Director shall submit to the Administrative Council at its annual session a report on the activities of the Committee during the previous year for the information of the Council and of the Members of the Union.
- 416 6. The Director after consultation with the Secretary-General shall submit for the approval of the Plenary Assembly an estimate of the financial needs of the Committee up to the next meeting of the Plenary Assembly; this estimate, after approval by the Plenary Assembly, shall be sent to the Secretary-General for submission to the Administrative Council.
- 417 7. The Director shall prepare, for inclusion by the Secretary-General in the annual budget of the Union, an estimate of the expenses of the Committee for the following year, based on the estimate of the financial needs of the Committee approved by the Plenary Assembly.
- 418 8. The Director shall participate as necessary in technical cooperation activities of the Union within the framework of the Convention.

#### Article 75

##### **Proposals for Administrative Conferences**

- 419 1. The Plenary Assemblies of the International Consultative Committees are authorized to submit to administrative conferences proposals arising directly from their recommendations or from findings on questions under their study.
- 420 2. The Plenary Assemblies of the Consultative Committees may also make proposals for modification of the Administrative Regulations.
- 421 3. Such proposals shall be sent to the Secretary-General in good time for assembly, coordination and communication, as laid down in 358.

#### Article 76

##### **Relations of Consultative Committees between themselves and with other International Organizations**

- 422 1. 1) Plenary Assemblies of Consultative Committees may set up joint study groups to study and make recommendations on questions of common interest.
- 423 2) The Directors of Consultative Committees may, in collaboration with the group Chairmen, organize joint meetings of study groups of both Consultative Committees, to study and prepare draft recommendations on questions of common interest. Such draft recommendations shall be submitted to the next meeting of the Plenary Assembly of each Consultative Committee.
- 424 2. When one of the Consultative Committees is invited to participate in a meeting of the other Consultative Committee or of another international organization, the Plenary Assembly or the Director of the invited Consultative Committee is authorized to make arrangements for such representation in an advisory capacity, taking into account the provisions of 311.

- 425 3. The Secretary-General, the Deputy Secretary-General, the Chairman of the International Frequency Registration Board, and the Director of the other Consultative Committee, or their representatives, may attend meetings of a Consultative Committee in an advisory capacity. If necessary, a Consultative Committee may invite to attend its meetings, in an advisory capacity, representatives of any permanent organ of the Union which has not considered it necessary to be represented.

## CHAPTER XI

### RULES OF PROCEDURE OF CONFERENCES AND OTHER MEETINGS

#### Article 77

#### Rules of Procedure of Conferences and other Meetings

##### 1. Order of Seating

- 426 At meetings of the conference, delegations shall be seated in the alphabetical order of the French names of the countries represented.

##### 2. Inauguration of the Conference

- 427 1. 1) The inaugural meeting of the conference shall be preceded by a meeting of the Heads of delegations to prepare the agenda for the first Plenary Meeting.
- 428 2) The Chairman of the meeting of Heads of delegations shall be appointed in accordance with the provisions of 429 and 430.
- 429 2. 1) The conference shall be opened by a person appointed by the inviting government.
- 430 2) When there is no inviting government, it shall be opened by the oldest Head of delegation.
- 431 3. 1) The Chairman of the conference shall be elected at the first Plenary Meeting; generally he shall be a person nominated by the inviting government.
- 432 2) If there is no inviting government, the Chairman shall be chosen, taking into account the proposal made by the Heads of delegations at the meeting described in 427.
- 433 4. The first Plenary Meeting shall also:
- 434 a) elect the Vice-Chairmen of the conference;
- 434 b) set up the conference committees and elect their respective Chairmen and Vice-Chairmen;
- 435 c) constitute the conference secretariat, made up of the staff of the General Secretariat of the Union, and, in case of need, of staff provided by the administration of the inviting government.

##### 3. Powers of the Chairman of the Conference

- 436 1. The Chairman, in addition to the other prerogatives conferred upon him under these Rules of Procedure, shall open and close the meetings of the Plenary Meeting, direct the deliberations, ensure that the Rules of Procedure are applied, give the floor to speakers, put questions to the vote, and announce the decisions adopted.
- 437 2. He shall have the general direction of all the work of the conference, and shall ensure that order is maintained at Plenary Meetings. He shall give his ruling on motions of order and points of order and, in particular, he shall be empowered to propose that discussion on a question be postponed or closed, or that

a meeting be suspended or adjourned. He may also decide to postpone the convening of a Plenary Meeting should he consider it necessary.

3. It shall be the duty of the Chairman to protect the right of each delegation to express its opinion freely and fully on the point at issue.
4. He shall ensure that discussion is limited to the point at issue, and he may interrupt any speaker who departs therefrom and request him to confine his remarks to the subject under discussion.

#### 4. Appointment of Committees

1. The Plenary Meeting may appoint committees to consider matters referred to the conference. These committees may in turn appoint subcommittees. Committees and sub-committees may form working groups.
2. However, sub-committees and working groups shall be formed only when it is absolutely necessary.

#### 5. Budget Control Committee

1. At the opening of each conference or meeting, the Plenary Meeting shall appoint a budget control committee to determine the organization and the facilities available to the delegates, and to examine and approve the accounts for expenditure incurred throughout the duration of the conference or meeting. In addition to the members of delegations who wish to participate, this committee shall include a representative of the Secretary-General and, where there is an inviting government, a representative of that government.
2. Before the budget approved by the Administrative Council for the conference or meeting is exhausted, the budget control committee, in collaboration with the secretariat of the conference or meeting, shall present an interim statement of the expenditure to the Plenary Meeting. The Plenary Meeting shall take this statement into account in considering whether the progress made is sufficient to justify a prolongation of the conference or meeting after the date when the approved budget will be exhausted.
3. At the end of each conference or meeting, the budget control committee shall present a report to the Plenary Meeting showing, as accurately as possible, the estimated total expenditure of the conference or meeting.
4. After consideration and approval by the Plenary Meeting, this report, together with the observations of the Plenary Meeting, shall be transmitted to the Secretary-General for submission to the Administrative Council at its next annual session.

#### 6. Composition of Committees

##### 6.1 *Plenipotentiary Conferences*

Committees shall be composed of the delegates of Members and the observers referred to in 324, 325 and 326 who have so requested or who have been designated by the Plenary Meeting.

##### 6.2 *Administrative Conferences*

Committees shall be composed of the delegates of Members and the observers and representatives referred to in 334 to 338 who have so requested or who have been designated by the Plenary Meeting.

#### 7. Chairmen and Vice-Chairmen of Sub-Committees

The Chairman of each committee shall propose to his committee the choice of the Chairmen and Vice-Chairmen of the sub-committees which may be set up.

### 8. Summons to Meetings

449 Plenary Meetings and meetings of committees, sub-committees and working groups shall be announced in good time in the meeting place of the conference.

### 9. Proposals presented before the Opening of the Conference

450 Proposals presented before the opening of the conference shall be allocated by the Plenary Meeting to the appropriate committees appointed in accordance with Section 4 of these Rules of Procedure. Nevertheless, the Plenary Meeting itself shall be entitled to deal with any proposal.

### 10. Proposals or Amendments presented during the Conference

- 451 1. Proposals or amendments presented after the opening of the conference must be delivered to the Chairman of the conference or to the Chairman of the appropriate committee, as the case may be. They may also be handed to the secretariat of the conference for publication and distribution as conference documents.
- 452 2. No written proposal or amendment may be presented unless signed by the Head of the delegation concerned or by his deputy.
- 453 3. The Chairman of a conference or of a committee may at any time submit proposals likely to accelerate the debates.
- 454 4. Every proposal or amendment shall give, in precise and exact terms, the text to be considered.
- 455 5. 1) The Chairman of the conference or the Chairman of the appropriate committee shall decide in each case whether a proposal or amendment submitted during a meeting shall be made orally or presented in writing for publication and distribution in accordance with 451.
- 456 2) In general, the texts of all major proposals to be put to the vote shall be distributed in good time in the working languages of the conference, in order that they may be studied before discussion.
- 457 3) In addition, the Chairman of the conference, on receiving proposals or amendments referred to in 451, shall refer them to the appropriate committee or to the Plenary Meeting as the case may be.
- 458 6. Any authorized person may read, or may ask to have read, at a Plenary Meeting any proposal or amendment submitted by him during the conference, and he shall be allowed to explain his reasons therefor.

### 11. Conditions required for Discussion of, and Vote on, any Proposal or Amendment

- 459 1. No proposal or amendment submitted prior to the opening of the conference or by a delegation during the conference may be discussed unless it is supported by at least one other delegation when it comes to be considered.
- 460 2. Each proposal or amendment duly supported shall be submitted to a vote after discussion.

### 12. Proposals or Amendments passed over or postponed

461 When a proposal or an amendment has been passed over or when its examination has been postponed, the delegation sponsoring it shall be responsible for seeing that it is considered later.

### 13. Rules of Debates of the Plenary Meeting

#### 462 13.1 Quorum

For a valid vote to be taken at a Plenary Meeting, more than half of the delegations accredited to the conference and having the right to vote must be present or represented at the meeting.

#### 463 13.2 Order of debates

- 1) Persons desiring to speak must first obtain the consent of the Chairman. As a general rule, they shall begin by announcing in what capacity they speak.
- 464 2) Any person speaking must express himself slowly and distinctly, separating his words and pausing as necessary in order that everybody may understand his meaning.

#### 465 13.3 Motions of order and points of order

- 1) During debates, any delegation may, when it thinks fit, submit a motion of order or raise a point of order, which shall at once be settled by the Chairman in accordance with these Rules of Procedure. Any delegation may appeal against the Chairman's ruling, which shall however stand unless a majority of the delegations present and voting are against it.
- 466 2) A delegation submitting a motion of order shall not, during its speech, discuss the substance of the matter in question.

#### 467 13.4 Priority of motions of order and points of order

The motions and points of order mentioned in 465 and 466 shall be dealt with in the following order:

- a) any point of order regarding the application of these Rules of Procedure;
- 468 b) suspension of a meeting;
- 469 c) adjournment of a meeting;
- 470 d) postponement of debate on the matter under discussion;
- 471 e) closure of debate on the matter under discussion;
- 472 f) any other motions of order or points of order that may be submitted, in which case it shall be for the Chairman to decide the relative order in which they shall be considered.

#### 473 13.5 Motion for suspension or adjournment of a meeting

During the discussion of a question, a delegation may move that the meeting be suspended or adjourned, giving reasons for its proposal. If the proposal is seconded, the floor shall be given to two speakers to oppose the suspension or adjournment and solely for that purpose, after which the motion shall be put to the vote.

#### 474 13.6 Motion for postponement of debate

During discussion of any question, a delegation may move that the debate be postponed for a stated period. Once such a proposal has been made, any discussion thereon shall be limited to no more than three speakers not counting the person submitting the proposal, one for the motion and two against, after which the motion shall be put to vote.

#### 475 13.7 Motion for closure of debate

A delegation may at any time move that discussion on the point at issue be closed. In such cases the floor may be given to not more than two speakers opposing the motion, after which the motion shall be put to vote.

476 *13.8 Limitation of speeches*

- 1) The Plenary Meeting may, if necessary, decide how many speeches any one delegation may make on any particular point, and how long they may last.
- 477 2) However, as regards questions of procedure, the Chairman shall limit the time allowed for a speech to a maximum of five minutes.
- 478 3) When a speaker has exceeded the time allowed, the Chairman shall notify the Meeting and request the speaker to conclude his remarks briefly.

479 *13.9 Closing the list of speakers*

- 1) During the debate, the Chairman may rule that the list of speakers wishing to take the floor be read. He shall add the names of other delegations who indicate that they wish to speak and he may then, with the assent of the Meeting, rule that the list be closed. Nevertheless, as an exceptional measure, the Chairman may rule, if he thinks fit, that a reply may be made to any previous statement, even after the list of speakers has been closed.
- 480 2) The list of speakers having been exhausted, the Chairman shall declare discussion on the matter closed.

481 *13.10 Questions of competence*

Any question of competence that may arise shall be settled before a vote is taken on the substance of the matter under discussion.

482 *13.11 Withdrawal and resubmission of a motion*

The author of a motion may withdraw it before it is put to a vote. Any motion, whether it be amended or not, which has been withdrawn from debate may be resubmitted or taken up by the author of the amendment or by another delegation.

#### 14. Right to Vote

- 483 1. At all meetings of the conference, the delegation of a Member of the Union duly accredited by that Member to take part in the work of the conference shall be entitled to one vote in accordance with Article 2.
- 484 2. The delegation of a Member of the Union shall exercise the right to vote under the conditions described in Article 67.

#### 15. Voting

485 *15.1 Definition of a majority*

- 1) A majority shall consist of more than half the delegations present and voting.
- 486 2) In computing a majority, delegations abstaining shall not be taken into account.
- 487 3) In case of a tie, a proposal or amendment shall be considered rejected.
- 488 4) For the purpose of these Rules of Procedure, a „delegation present and voting“ shall be a delegation voting for or against a proposal.

489 *15.2 Non-participation in voting*

Delegations which are present but do not take part in a particular vote or expressly state they do not wish to take part shall be considered neither as absent, for the purpose of determining a quorum as defined in 462, nor as abstaining for the purpose of 491.

490 *15.3 Special majority*

In case where Members of the Union are to be admitted, the majority described in Article 1 shall apply.

491 *15.4 Abstentions of more than fifty per cent*

When the number of abstentions exceeds half the number of votes cast (for, against, abstentions), consideration of the matter under discussion shall be postponed to a later meeting, at which time abstentions shall not be taken into account.

492 *15.5 Voting procedures*

1) The following voting procedures shall be adopted except in the case provided for in 495:

- 493 a) by a show of hands, as a general rule;
- 493 b) by roll call, if the above-mentioned procedure shows no clear majority or if so requested by at least two delegations.
- 494 2) Votes by roll call shall be taken in the alphabetical order of the French names of the Members represented.

495 *15.6 Secret ballot*

Voting shall be by secret ballot when at least five of the delegations present and entitled to vote so request. In such cases, the secretariat shall at once take steps to ensure the secrecy of the vote.

496 *15.7 Prohibition of interruptions during votes*

No delegation may interrupt once a vote has begun, unless to raise a point of order in connection with the way in which the vote is being taken.

497 *15.8 Reasons for votes*

The Chairman shall authorize any delegations which so request to give the reasons for their vote, after the vote has been taken.

498 *15.9 Voting on parts of a proposal*

1) When the author of a proposal so requests, or when the meeting thinks fit, or when the Chairman, with the approval of the author, so proposes, that proposal shall be sub-divided and its various sections put to the vote separately. The parts of the proposal which have been adopted shall then be put to the vote as a whole.

- 499 2) If all the sections of a proposal are rejected the proposal shall be regarded as rejected as a whole.

500 *15.10 Order of voting on concurrent proposals*

1) When there are two or more proposals on any matter, they shall be put to the vote in the order in which they were presented, unless the meeting decides to the contrary.

- 501 2) After each vote, the meeting shall decide whether or not the following proposal shall be voted on.

502 *15.11 Amendments*

1) Any proposal for modification consisting only of a deletion from, an addition to, or a change in, a part of the original proposal shall be considered an amendment.

- 503 2) Any amendment to a proposal accepted by the delegation submitting the proposal shall at once be embodied in the original proposal.

- 504 3) No proposal for modification shall be regarded as an amendment if the meeting considers it to be incompatible with the original proposal.

505 *15.12 Voting on amendments*

1) When an amendment to a proposal is submitted, a vote shall first be taken on the amendment.



- 506 2) When two or more amendments to a proposal are submitted, the amendment  
furtherst from the original text shall be put to the vote first; of the remainder,  
that furtherst from the proposal shall then be put to the vote and the same  
procedure shall be followed until all the amendments submitted have been  
considered.
- 507 3) If one or more amendments are adopted, the proposal thus amended shall  
then be put to the vote.
- 508 4) If no amendment is adopted, the original proposal shall be put to the vote.

#### 16. Committees and Sub-Committees Rules for Debates and Voting Procedures

- 509 1. The Chairmen of all committees and sub-committees shall have powers similar  
to those conferred by Section 3 of the present Rules of Procedure on the Chair-  
man of the conference.
- 510 2. The provisions set forth in Section 13 of the present Rules of Procedure for  
the conduct of debates in the Plenary Meeting shall also apply to the discussions  
of committees and sub-committees, except in the matter of the quorum.
- 511 3. The provisions set forth in Section 15 shall also apply to votes taken in com-  
mittees and sub-committees.

#### 17. Reservations

- 512 1. As a general rule, any delegation whose views are not shared by the remaining  
delegations shall endeavour, as far as possible, to conform to the opinion of  
the majority.
- 513 2. However, if any decision appears to a delegation to be of such a nature as to  
prevent its government from ratifying the Convention or from approving the  
revision of the Regulations, the delegation may make reservations, final or  
provisional, regarding this decision.

#### 18. Minutes of Plenary Meetings

- 514 1. The minutes of Plenary Meetings shall be drawn up by the secretariat of the  
conference, which shall endeavour to ensure their distribution to delegations  
as early as possible before the date on which they are to be considered.
- 515 2. After the minutes have been distributed, delegations may submit in writing to  
the secretariat of the conference the corrections they consider to be justified;  
this shall be done in the shortest possible time. This shall not prevent them from  
presenting amendments orally during the meeting at which the minutes are  
approved.
- 516 3. 1) As a general rule, the minutes shall contain only proposals and conclusions,  
together with the principal arguments for them presented in terms as concise  
as possible.
- 517 2) However, any delegation shall have the right to require the insertion in the  
minutes, either summarized or in full, of any statement it has made during  
the debates. In this case, the delegation should, as a general rule, announce  
this at the beginning of its statement in order to facilitate the work of the  
reporters and must itself hand in the text to the secretariat of the conference  
within two hours after the end of the meeting.
- 518 4. The right accorded in 517 regarding the insertion of statements in the minutes  
shall in all cases be used with discretion.

**19. Summary Records and Reports of Committees and Sub-Committees**

- 519 1. 1) The debates of committees and sub-committees shall be summarized, meeting  
by meeting, in summary records drawn up by the secretariat of the conference  
in which shall be brought out the essential points of the discussion, and the  
various opinions of which note ought to be taken, together with any proposals  
or conclusions resulting from the debate as a whole.
- 520 2) Nevertheless, any delegation shall be entitled to invoke 517.
- 521 3) The right referred to above shall in all circumstances be used with discretion.
- 522 2. Committees and sub-committees may prepare any interim reports they deem  
necessary and, if circumstances warrant, they may submit, at the end of their  
work, a final report recapitulating in concise terms the proposals and conclusions  
resulting from the studies entrusted to them.

**20. Approval of Minutes, Summary Records and Reports**

- 523 1. 1) As a general rule, at the beginning of each Plenary Meeting, or meeting of  
a committee, or sub-committee, the Chairman shall inquire whether there  
are any comments on the minutes of the previous meeting, or, in the case of  
committees or sub-committees, on the summary record of the previous meeting.  
These documents shall be considered approved if no amendments have been  
handed in to the secretariat and no objection is made orally. Otherwise, the  
appropriate amendments shall be made in the minutes or summary record  
as the case may be.
- 524 2) Any interim or final report must be approved by the committee or sub-  
committee concerned.
- 525 2. 1) The minutes of the last Plenary Meeting shall be examined and approved  
by the Chairman of that meeting.
- 526 2) The summary record of the last meeting of each committee or sub-committee  
shall be examined and approved by the Chairman of the committee or sub-  
committee.

**21. Editorial Committee**

- 527 1. The texts of the Final Acts, which shall be worded as far as practicable in their  
definitive form by the various committees, taking account of the views expressed,  
shall be submitted to an editorial committee charged with perfecting their form  
without altering the sense and, where appropriate, with combining them with  
those parts of former texts which have not been altered.
- 528 2. The texts shall be submitted by the editorial committee to the Plenary Meeting,  
which shall approve them, or refer them back to the appropriate committee for  
further examination.

**22. Numbering**

- 529 1. The numbers of the chapters, articles and paragraphs of the texts subjected  
to revision shall be preserved until the first reading in Plenary Meeting. The  
passages added shall bear provisionally the number of the last paragraph in the  
original text, with the addition of "A", "B", etc.
- 530 2. The final numbering of the chapters, articles and paragraphs shall be entrusted  
to the editorial committee after their adoption at the first reading.

**23. Final Approval**

- 531 The texts of the Final Acts shall be considered final when they have been  
approved at the second reading in Plenary Meeting.

#### 24. Signature

532 The final texts approved by the conference shall be submitted for signature, in the alphabetical order of the French names of their countries, to the delegates provided with the powers defined in Article 67.

#### 25. Press Notices

533 Official releases to the press about the work of the conference shall be issued only as authorized by the Chairman or a Vice-Chairman of the conference.

#### 26. Franking Privileges

534 During the conference, members of delegations, members of the Administrative Council, senior officials of the permanent organs of the Union attending the conference, and the staff of the secretariat of the Union seconded to the conference shall be entitled to postal, telegraph and telephone franking privileges to the extent arranged by the government of the country in which the conference is held in agreement with the other governments and recognized private operating agencies concerned.

### CHAPTER XII

#### OTHER PROVISIONS

##### Article 78

##### Languages

- 535 1. 1) At conferences of the Union and at meetings of its permanent organs and of the Administrative Council, languages other than those mentioned in 100 and 106 may be used:
- a) if an application is made to the Secretary-General or to the Head of the permanent organ concerned to provide for the use of an additional language or languages, oral or written, provided that the additional cost so incurred shall be borne by those Members which have made or supported the application;
  - 536 b) if any delegation itself makes arrangements at its own expense for oral translation from its own language into any one of the languages referred to in 106.
- 537 2) In the case provided for in 535, the Secretary-General or the Head of the permanent organ concerned shall comply to the extent practicable with the application, having first obtained from the Members concerned an undertaking that the cost incurred will be duly repaid by them to the Union.
- 538 3) In the case provided for in 536, the delegation concerned may, furthermore, if it wishes, arrange at its own expense for oral translation into its own language from one of the languages referred to in 106.
- 539 2. Any of the documents referred to in 102 to 105 of the Convention may be published in languages other than those there specified, provided that the Members requesting such publication undertake to defray the whole of the cost of translation and publication involved.

## Article 79

## Finances

- 540 1. 1) At least six months before the Convention comes into force, each Member  
shall inform the Secretary-General of the class of contribution it has chosen.
- 541 2) The Secretary-General shall communicate this decision to Members.
- 542 3) Members who have failed to make known their decision in the time specified  
in 540 shall retain the class of contribution previously chosen.
- 543 4) Members may at any time choose a class of contribution higher than the one  
already adopted by them.
- 544 2. 1) Every new Member shall, in respect of the year of its accession, pay a  
contribution calculated as from the first day of the month of accession.
- 545 2) Should the Convention be denounced by a Member, its contribution shall be  
paid up to the last day of the month in which such denunciation takes effect.
- 546 3. The amounts due shall bear interest from the beginning of each financial year  
of the Union at 3% (three per cent) per annum during the first six months,  
and at 6% (six per cent) per annum from the beginning of the seventh month.
- 547 4. The following provisions shall apply to contributions by recognized private  
operating agencies, scientific or industrial organizations and international organ-  
izations:
- a) Recognized private operating agencies and scientific or industrial organizations  
shall share in defraying the expenses of the International Consultative Com-  
mittees in the work of which they have agreed to participate. Recognized  
private operating agencies shall likewise share in defraying the expenses of  
the administrative conferences in which they have agreed to participate, or  
have participated, in accordance with 338;
- 548 b) International organizations shall also share in defraying the expenses of the  
conferences or meetings in which they have been allowed to participate, unless  
exempted by the Administrative Council on condition of reciprocity;
- 549 c) Recognized private operating agencies, scientific or industrial organizations  
and international organizations, which share in defraying the expenses of  
conferences or meetings in accordance with 547 and 548, shall freely choose  
from the scale in 92 of the Convention their class of contribution for defraying  
Union expenses, and inform the Secretary-General of the class chosen;
- 550 d) Recognized private operating agencies, scientific or industrial organizations  
and international organizations which share in defraying the expenses of  
conferences or meetings may at any time choose a class of contribution  
higher than the one already adopted by them;
- 551 e) No reduction in the number of contributory units shall take effect during  
the life of the Convention;
- 552 f) In the case of denunciation of participation in the work of an International  
Consultative Committee, the contribution shall be paid up to the last day  
of the month in which such denunciation takes effect;
- 553 g) The amount of the contribution per unit payable by recognized private  
operating agencies and scientific or industrial organizations or international  
organizations towards the expenses of the International Consultative Com-  
mittees in the work of which they have agreed to participate shall be fixed  
annually by the Administrative Council. The contributions shall be considered  
as Union income. They shall bear interest in accordance with the provisions  
of 546;
- 554 h) The amount of the contribution per unit payable towards the expenses of  
administrative conferences by recognized private operating agencies which  
participate in accordance with 338 and by participating international organiza-

tions shall be fixed by dividing the total amount of the budget of the Conference in question by the total number of units contributed by Members as their share of Union expenses. The contributions shall be considered as Union income. They shall bear interest from the sixtieth day following the day on which accounts are sent out, at the rates fixed in 546.

- 555 5. Expenses incurred by laboratories and technical installations of the Union in measurements, testing, or special research for individual Members, groups of Members, or regional organizations or others, shall be borne by those Members, groups, organizations or others.
- 556 6. The sale price of publications sold to administrations, recognized private operating agencies or individuals, shall be determined by the Secretary-General, in collaboration with the Administrative Council, bearing in mind that the cost of printing and distribution should, in general, be covered by the sale of the publications.

#### Article 80

##### Rendering and settlement of accounts

- 557 1. Administrations of Members and recognized private operating agencies which operate international telecommunication services, shall come to an agreement with regard to the amount of their credits and debits.
- 558 2. The statements of accounts with respect to debits and credits referred to in 557 shall be drawn up in accordance with the provisions of the Administrative Regulations, unless special arrangements have been concluded between the parties concerned.

#### Article 81

##### Arbitration: Procedure

(see Article 50)

- 559 1. The party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the other party to the dispute a notice of the submission of the dispute to arbitration.
- 560 2. The parties shall decide by agreement whether the arbitration is to be entrusted to individuals, administrations or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree upon this point, the arbitration shall be entrusted to governments.
- 561 3. If arbitration is to be entrusted to individuals, the arbitrators must neither be nationals of the parties involved in the dispute, nor have their domicile in the countries parties to the dispute, nor be employed in their service.
- 562 4. If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from among the Members which are not parties to the dispute, but which are parties to the agreement, the application of which caused the dispute.
- 563 5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall appoint an arbitrator.
- 564 6. If more than two parties are involved in the dispute, an arbitrator shall be appointed in accordance with the procedure set forth in 562 and 563, by each of the two groups of parties having a common position in the dispute.
- 565 7. The two arbitrators thus appointed shall choose a third arbitrator who, if the first two arbitrators are individuals and not governments or administrations must fulfil the conditions indicated in 561, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between

the two arbitrators as to the choice of a third arbitrator, each of these two arbitrators shall nominate a third arbitrator who is in no way concerned in the dispute. The Secretary-General shall then draw lots in order to select the third arbitrator.

- 566 8. The parties to the dispute may agree to have their dispute settled by a single arbitrator appointed by agreement; or alternatively, each party may nominate an arbitrator, and request the Secretary-General to draw lots to decide which of the persons so nominated is to act as the single arbitrator.
- 567 9. The arbitrator or arbitrators shall be free to decide upon the procedure to be followed.
- 568 10. The decision of the single arbitrator shall be final and binding upon the parties to the dispute. If the arbitration is entrusted to more than one arbitrator, the decision made by the majority vote of the arbitrators shall be final and binding upon the parties.
- 569 11. Each party shall bear the expense it shall have incurred in the investigation and presentation of the arbitration. The costs of arbitration other than those incurred by the parties themselves shall be divided equally between the parties to the dispute.
- 570 12. The Union shall furnish all information relating to the dispute which the arbitrator or arbitrators may need.

### CHAPTER XIII

#### ADMINISTRATIVE REGULATIONS

##### Article 82

##### **Administrative Regulations**

571 The provisions of the Convention are completed by the following Administrative Regulations:

- Telegraph Regulations,
- Telephone Regulations,
- Radio Regulations,
- Additional Radio Regulations.

IN WITNESS WHEREOF the respective plenipotentiaries have signed the Convention in each of the Chinese, English, French, Russian and Spanish languages, in a single copy in which, in case of dispute, the French text shall prevail, and which shall remain deposited in the archives of the International Telecommunication Union, which shall forward a copy to each of the signatory countries.

Done at Malaga-Torremolinos, on 25 October 1973.

**AUGLÝSING****um gildistöku samþykktar um stofnun Iðnþróunarsjóðs EFTA fyrir Portúgal.**

Samkvæmt tilkynningu framkvæmdastjóra Fríverslunarsamtaka Evrópu (EFTA) gekk samþykkt nr. 4 frá 7. apríl 1976 um stofnun Iðnþróunarsjóðs EFTA fyrir Portúgal í gildi hinn 1. febrúar 1977.

Samþykktin ásamt stofnskrá sjóðsins var birt með auglýsingu í Stjórnartíðindum C-deild nr. 17/1976.

Þetta er hér með gert almenningi kunnugt.

*Utánríkisráðuneytið, Reykjavík, 24. febrúar 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

Nr. 7.

1. mars 1977.

**AUGLÝSING****um niðurfellingu á samkomulagi um afnám vegabréfsáritana milli Íslands og Pakistan o. fl.**

Með erindaskiptum 4. janúar og 3. febrúar 1977 var gengið frá gagnkvæmu samkomulagi milli Íslands og Pakistan um niðurfellingu á samkomulagi því, sem gert var milli ríkjanna 1. ágúst 1974 um afnám vegabréfsáritana. Þrátt fyrir þetta munu handhafar diplómatiskra vegabréfa og handhafar þjónustuvegabréfa ekki þurfa vegabréfsáritanir. Um leið varð samkomulag um að fella niður gjald fyrir vegabréfsáritanir.

Samkomulagið frá 1974 fellur niður 1. mars 1977.

Þetta er hér með gert almenningi kunnugt.

*Utánríkisráðuneytið, Reykjavík, 1. mars 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

Nr. 8.

25. apríl 1977.

**AUGLÝSING****varðandi samkomulag um rekstur veðurathugunarstöðva á Norður-Atlantshafi.**

Á fyrsta fundi stjórnarnefndar samkomulagsins um rekstur veðurathugunarstöðva á Norður-Atlantshafi, sem haldinn var í Genf dagana 13.—16. desember 1976, var gerð samþykkt um lagfæringar á texta 5., 16. og 19. greinar samkomulagsins svo og viðauka III við það.

Umrædd samþykkt ásamt meðfylgjandi skrá yfir lagfæringarnar er birt sem fylgiskjal með auglýsingu þessari.

Samkomulagið var birt með auglýsingu í Stjórnartíðindum C-deild nr. 12/1975, sbr. auglýsingu nr. 24/1976 um gildistöku þess.

Þetta er hér með gert almenningi kunnugt.

*Utánrikisráðuneytið, Reykjavík, 25. apríl 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

### Fylgiskjal.

#### DECISION No. 1 (NAOS-I)

THE BOARD,

MEETING at its first session in Geneva from 13 to 16 Desember 1976,

HAVING NOTED various points of an editorial nature in respect of the text of the Agreement for Joint Financing of North Atlantic Ocean Stations,

TAKING INTO ACCOUNT paragraph 3 of Article 18 of the Agreement;

DECIDES to amend the authentic texts of the Agreement as appropriate for the languages of the Agreement as set forth below;

REQUESTS the Secretary-General to notify these amendments to the Secretary-General of the United Nations:

#### AMENDMENTS TO THE ENGLISH TEXT OF THE AGREEMENT.

1. Article 5, paragraph 2: Change the reference to „Article 18“ to read „Article 17“;
2. Article 5, paragraph 4: Change the reference to „Article 20“ to read „Article 19“;
3. Article 16, paragraph 1: Change the word „provision“ to read „provisions“;
4. Article 19, paragraph 3: Delete the comma after the word „paragraph (3)“ and replace it by the word „of“;
5. Article 19, paragraph 4: Change the second sentence to read „However, in the case of paragraph (3) of this Article, except in the case of circumstances beyond control, recognized as such by the Board, having caused irreparable damage to a vessel, a Contracting Party which denounces this Agreement shall not be bound in relation to the Contracting Parties which have responsibility for the temporary interruption.“;
6. Annex III, paragraph 5 (a): Change the paragraph to read „The budgetary estimates of the costs for the first financial year from 1 July 1975 to 31 December 1976 amount to £ 6 540 000 at the official United Nations rates of exchange on 1 October 1974.“;
7. Annex III, paragraph 5 (b): Delete the word „assuming“ and replace by the word „with“;
8. Annex III, paragraph 5 (c) (ii): Change the date „1 October 1975“ to read „1 October 1974“;
9. Annex III, paragraph 6 (b): Change the reference to „Article 20“ to read „Article 19“.



## AUGLÝSING

### um samning milli ríkisstjórna Íslands og Sovétríkjanna um vísinda- og tæknisamvinnu og samráð á sviði sjávarútvegs og rannsókna á lifandi auðæfum hafsins.

Í dag var gerður í Reykjavík samningur milli ríkisstjórnar Íslands og ríkisstjórnar Sovétríkjanna um vísinda- og tæknisamvinnu og samráð á sviði sjávarútvegs og rannsókna á lifandi auðæfum hafsins.

Samningurinn gengur í gildi á undirritunardegi — og er birtur sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utánríkisráðuneytið, Reykjavík, 25. apríl 1977.*

Einar Ágústsson.

*Henrik Sv. Björnsson.*

#### Fylgiskjal.

#### SAMNINGUR

### milli ríkisstjórnar Íslands og ríkisstjórnar Sovétríkjanna um vísinda- og tæknisamvinnu og samráð á sviði sjávarútvegs og rannsókna á lifandi auðæfum hafsins.

Ríkisstjórn Íslands og ríkisstjórn Sovétríkjanna, sem

**hafa í huga nauðsyn verndunar, endurnýjunar og skynsamlegrar nýtingar lifandi auðæfa hafsins,**

**viðurkenna fullveldisrétt hvors landsins um sig, Íslands og Sovétríkjanna, yfir fiskveiðum innan hafsvæðis, sem nær allt að 200 sjómílum frá grunnlinum þeim, sem ákveðnar eru í löggjöf hvors landsins um sig,**

**eru ásáttar um, að þeim beri ábyrgð og skylda til að gera virkar ráðstafanir til verndunar, endurnýjunar og skynsamlegrar nýtingar lifandi auðæfa hafsins, einkum að því er varðar þá fiskstofna er skipta báða aðila máli, innan og utan allt að 200 sjómílna hafsvæðis hvors aðilans,**

**taka tillit til starfa Þriðju hafréttarráðstefnu Sameinuðu þjóðanna,**

**leggja áherslu á mikilvægi vísindarannsókna og skipta á viðeigandi upplýsingum, að því er varðar lifandi auðæfi hafsins,**

**telja að nauðsynin á verndun, endurnýjun og skynsamlegri nýtingu lifandi auðæfa hafsins skapi þörf á að taka til athugunar og mats af og til hinar ýmsu veiði- aðferðir, sem beitt er,**

**láta í ljós ánægju sína yfir núverandi samvinnu Íslands og Sovétríkjanna um vísindarannsóknir, er snerta lifandi auðæfi hafsins, bæði tvihliða og innan vébanda Alþjóðahafrannsóknaráðsins og annarra alþjóðasamtaka,**

**óska að leggja grundvöll að frekari þróun og eflingu vísindasamvinnu Íslands og Sovétríkjanna á sviði lifandi auðæfa hafsins, einkum að því er varðar fiskstofna,**

er skipta bæði ríkin máli, og að auðvelda tæknisamráð, að því er snertir veiðiaðferðir og geymslu, flutning og vinnslu sjávarafurða, og

**hafa að leiðarljósi þá ósk að efla og styrkja vináttutengsl milli Íslands og Sovétríkjanna,**

**hafa komið sér saman um eftirfarandi:**

**1. gr.**

Í því skyni að stuðla að þróun ráðstafana til verndunar, endurnýjunar og skynsamlegrar nýtingar lifandi auðæfa hafsins, einkum í Norður-Atlantshafi, munu aðilar þessa samnings í samræmi við gildandi rétt hvors um sig hafa samvinnu og samráð og skiptast á upplýsingum, bæði tvíhliða og fyrir milligöngu hlutaðeigandi alþjóðasamtaka, um vísindarannsóknir, er snerta lifandi auðæfi hafsins.

**2. gr.**

Aðilar þessa samnings munu, í samræmi við gildandi rétt hvors um sig, ráðgast og skiptast á upplýsingum um veiðiaðferðir svo og tækniatriði, er varða veiðarfæri, byggingu fiskiskipa og geymslu, flutning og vinnslu sjávarafurða.

**3. gr.**

Til að vinna að markmiðum þessa samnings skulu samningsaðilar setja á fót samstarfsnefnd. Eftir að samningur þessi hefur gengið í gildi mun hvor aðili um sig tilnefnda fulltrúa og varafulltrúa í nefnd þessa og tilkynna hinum aðilanum nöfn þeirra. Stefnt skal að því, að nefndin komi saman eigi sjaldnar en einu sinni á ári.

**4. gr.**

Nefnd sú, sem rætt er um í 3. gr., skal fjalla um öll málefni, sem upp koma í sambandi við framkvæmd samnings þessa, svo og önnur þau málefni, er samningsaðilar kunna að fela henni til athugunar. Nefndin skal gera áætlanir um samvinnu og samráð, sem gert er ráð fyrir í samningi þessum, og gera tillögur til ríkisstjórnanna beggja eftir því, sem hún telur ástæðu til.

**5. gr.**

Ekkert í samningi þessum skal hafa áhrif á lagaskoðanir samningsaðila í málum, sem til meðferðar eru á Þriðju hafréttarráðstefnu Sameinuðu þjóðanna.

**6. gr.**

Samningur þessi skal öðlast gildi á undirritunardegi. Hann skal gilda þar til annar hvor samningsaðili segir honum upp. Uppsögn ber að tilkynna með sex mánaða fyrirvara.

Gjört í Reykjavík hinn 25. apríl 1977 í tveimur eintökum á íslensku og rússnesku og skulu báðir textarnir vera jafngildir.

Fyrir ríkisstjórn Íslands:

Einar Ágústsson.  
Matthías Bjarnason.

Fyrir ríkisstjórn Sovétríkjanna:

A.A. Ishkov.

## AUGLÝSING

um aðild að alþjóðasamningi um auðveldun innflutnings á vörusýnishornum og auglýsingaefni.

Hinn 28. apríl 1977 var framkvæmdastjóra Sameinuðu þjóðanna í New York afhent aðildarskjal Íslands að alþjóðasamningi um auðveldun innflutnings á vörusýnishornum og auglýsingaefni, sem gerður var í Genf hinn 7. nóvember 1952.

Samningurinn tekur gildi fyrir Ísland hinn 28. þessa mánaðar og er birtur sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utánríkisráðuneytið, Reykjavík, 20. maí 1977.*

Einar Ágústsson.

*Henrik Sv. Björnsson.*

### Fylgiskjal.

#### INTERNATIONAL CONVENTION TO FACILITATE THE IMPORTATION OF COMMERCIAL SAMPLES AND ADVERTISING MATERIAL

Done at Geneva, on 7 November 1952.

The Governments signatories to the present Convention,

BELIEVING that the adoption of uniform regulations regarding the importation of samples of goods of all kinds (whether natural products or manufactured articles) and of advertising matter will promote the expansion of international trade,

HAVE AGREED as follows:

#### Article I Definitions

For the purposes of the present Convention:

- (a) The term "import duties" means Customs duties and all other duties and taxes payable on or in connexion with importation, and shall include all internal taxes and excise duties chargeable on imported goods, but shall not include fees and charges which are limited in amount to the approximate cost of services rendered and do not represent an indirect protection to domestic products or a taxation of imports for fiscal purposes; and
- (b) The term "persons" means both natural and legal persons; and
- (c) References to the territory of a Contracting Party include its metropolitan territory and any territory for whose international relations it is responsible and to which the Convention extends in accordance with article XIII.

## Article II

### Exemption from import duties for samples of negligible value

1. Each Contracting Party shall exempt from import duties samples of goods of all kinds imported into its territory, provided such samples are of negligible value and are only to be used for soliciting orders for goods of the kind represented by the samples with a view to their importation. In determining whether samples are of negligible value, the Customs authorities of the territory of importation may consider the values of individual samples or the aggregate value of all the samples in one consignment. The values of consignments sent by a consignor to different consignees shall not be aggregated for the purpose of this paragraph even though the consignments are imported at the same time.

2. The Customs authorities of the territory of importation may require that, as a condition of their being exempted from import duties in accordance with paragraph 1 of this article, samples shall be made useless as merchandise by marking, tearing, perforation or other treatment, but not, however, so as to destroy their usefulness as samples.

## Article III

### Temporary duty-free admission of other samples

1. For the purpose of this article, the term "samples" means articles which are representative of a particular category of goods already produced or are examples of goods the production of which is contemplated, on condition that they:

- (a) are owned abroad and are imported solely for the purpose of being shown or demonstrated in the territory of importation for the soliciting of orders for goods to be supplied from abroad; and
- (b) are not sold or put to normal use except for purposes of demonstration or used in any way for hire or reward while in the territory of importation; and
- (c) are intended to be re-exported in due course; and
- (d) are capable of identification on re-exportation;

but does not include identical articles brought in by the same individual, or sent to a single consignee, in such quantity that, taken as a whole, they no longer constitute samples under ordinary commercial usage.

2. Samples which are chargeable with import duties shall, when imported from the territory of another Contracting Party, with or without the intervention of a commercial traveller, by persons established in the territory of any Contracting Party, be temporarily admitted into the territory of any of the Contracting Parties free of import duties, subject to the amount of the import duties and any other amount that may be payable being deposited or security being given for payment if necessary. Any deposits taken (other than those required in virtue of article VI of this Convention) shall not, however, exceed the amount of the import duties by more than 10 per cent.

3. To obtain the facilities provided for in this article, the persons concerned must comply with the relevant laws and regulations prescribed by the authorities of the territory of importation and the Customs formalities in force in that territory. As regards vehicles and industrial and agricultural machinery or equipment of a value for Customs purposes exceeding 1,000 United States dollars (or the equivalent in other currencies), importers may be required to declare the place of destination of such machinery, equipment or vehicles; they may also be required by the Customs authorities of the country of importation to establish, at any time, that the machinery, equipment or vehicles are at the declared places. The Customs authorities of the country of importation may seal such machinery, equipment

or vehicles or otherwise preclude their operation during the time in which temporary duty-free admission is allowed and limit the places where these goods may be operated for demonstration purposes.

4. The Customs authorities of the territory of importation shall, as a general rule, recognize as sufficient for the future identification of samples the marks which have been affixed by the Customs authorities of a Contracting Party, provided that the said samples are accompanied by a descriptive list certified by the Customs authorities of the latter Contracting Party. Additional marks may be affixed to the samples by the Customs authorities of the territory into which they are imported only if they are necessary, in the opinion of those authorities, to ensure the identification of the samples on re-exportation. Any mark affixed to samples shall not be such as to destroy their usefulness.

5. The period allowed for re-exportation of samples which qualify for exemption from import duties under this article shall be not less than six months. When the period allowed for re-exportation has expired, the amount of the import duties and any other amount due may be charged on samples which have not been re-exported. These amounts may also be charged, before the expiry of the period, on samples which cease to satisfy the conditions of paragraph 1 of this article.

6. On the re-exportation within the permitted time of samples imported under this article, the refund of any amount deposited or the release of any security given on importation in accordance with paragraph 2 of this article shall be effected without delay at any of the Customs offices situated at the frontier or in the interior of the territory which possesses the necessary authority, subject to the deduction of the duties and any other amount payable on samples not produced for re-exportation. When special circumstances exist deposits may, however, be returned by other means, provided the return is effected promptly. Each Contracting Party shall publish a list of the Customs offices on which the said authority has been conferred.

#### Article IV

##### Duty-free admission of advertising material

1. Each Contracting Party shall exempt from import duties catalogues, price-lists and trade notices relating to

(a) goods offered for sale or hire, or  
(b) transport or commercial insurance services offered,  
by a person established in the territory of another Contracting Party, when such documents are imported for the territory of any Contracting Party, provided that each consignment imported either:

- (i) consists of not more than one document, or
- (ii) if it consists of more than one document, does not include more than one copy of any one document, or
- (iii) irrespective of the number of documents or copies, does not exceed 1 kilogramme in gross weight.

Simultaneous dispatch of a number of consignments to different addresses in the territory of importation shall not debar such consignments from this exemption provided that not more than one consignment is sent to any one consignee.

2. Notwithstanding paragraph 1 of this article, a Contracting Party shall not be obliged to exempt from import duties on importation into its territory:

- (a) Catalogues, price-lists and trade notices which do not clearly indicate the name of the foreign concern producing, selling or renting the goods, or offering the transport or commercial insurance services, to which such catalogues, price-lists or trade notices relate; or

- (b) Catalogues, price-lists and trade notices which are entered to Customs in the territory of importation in packets grouped together for subsequent dispatch to separate addresses in that territory.

#### Article V

##### Temporary duty-free admission of advertising films

Each Contracting Party shall accord the facilities provided by article III of the present Convention, subject to the conditions laid down in that article, to positive cinematograph advertising films of a width not exceeding 16 mm. shown to the satisfaction of its Customs authorities to consist essentially of photographs (with or without sound track) showing the nature or operation of products or equipment whose qualities cannot be adequately demonstrated by samples or catalogues, provided that the films:

- (a) relate to products or equipment offered for sale or for hire by a person established in the territory of another Contracting Party; and
- (b) are of a kind suitable for exhibition to prospective customers but not for general exhibition to the public; and
- (c) are imported in a packet which contains not more than one copy of each film and which does not form part of a larger consignment of films.

#### Article VI

##### Temporary waiver of import prohibitions and restrictions

1. No Contracting Party shall apply import prohibitions or restrictions (other than import duties), whether made effective through quotas, import licences or other measures, on the importation from the territory of another Contracting Party of goods:

- (a) which qualify (or would qualify if they were dutiable) for exemption from import duties by virtue of the provisions of article II or article IV of this Convention; or
- (b) which qualify (or would qualify if they were dutiable) for temporary duty-free admission by virtue of the provisions of article III or article V of this Convention;

provided that the importation of such goods does not give rise to any payment other than for freight or insurance or for services provided in the territory of importation by a person established in that territory.

2. In the case of goods which qualify (or would qualify if they were dutiable) for temporary duty-free admission by virtue of the provisions of article III or article V, this waiver of import prohibitions or restrictions shall extend only to the period for which temporary duty-free admission is allowed (or would be allowed if the goods were dutiable). In the case of non-re-exportation of such goods within the period during which the application of any import prohibitions or restrictions has been waived under paragraph 1 of this article, the authorities of the importing country may apply such measures as would have been applicable if the import prohibitions or restrictions had not been so waived. To this end, the authorities of the territory of importation may require appropriate guarantees, such as the deposit of a special security over and above any security deposited against payment of import duties.

3. The provisions of this Convention shall not prevent a Contracting Party from applying import prohibitions or restrictions:

- (a) necessary to protect public morals or essential security interests;
- (b) necessary to protect human, animal or plant life or health;

- (c) relating to the importation of gold or silver;
- (d) necessary to secure compliance with laws or regulations relating to Customs enforcement, the enforcement of State monopolies, the protection of patents, trade-marks and copyrights;
- (e) necessary to prevent deceptive practices;
- (f) relating to the products of prison labour;
- (g) necessary to the application of standards or regulations for the classification, grading or marketing of commodities in international trade.

## Article VII

### Simplification of formalities

1. Each Contracting Party shall keep to a minimum the formalities required in connexion with the facilities accorded by the present Convention.
2. Each Contracting Party shall publish promptly all regulations introduced in this respect in such a manner as to enable persons concerned to become acquainted with them and to avoid the prejudice which might result from the application of formalities of which they are unaware.

## Article VIII

### Settlement of disputes

1. Any dispute between any two or more Contracting Parties concerning the interpretation or application of the present Convention shall so far as possible be settled by negotiation between them.
2. Any dispute which is not settled by negotiation shall be referred to a person or body agreed between the Contracting Parties in dispute, provided that if they are unable to reach agreement, any of these Contracting Parties may request the President of the International Court of Justice to nominate an arbitrator.
3. The decision of any person or body appointed under paragraph 2 of this article shall be binding on the Contracting Parties concerned.

## Article IX

### Signature and ratification

1. The present Convention shall be open for signature until 30 June 1953 by the Governments contracting parties to the General Agreement on Tariffs and Trade, by the Governments of all States Members of the United Nations and by the Government of any other State to which the Secretary-General of the United Nations shall have communicated a copy of the Convention for this purpose.
2. This Convention shall be subject to ratification or acceptance by the signatory Governments in accordance with their constitutional procedures, and the instruments of ratification or acceptance shall be deposited with the Secretary-General of the United Nations.

## Article X

### Accession

1. The present Convention shall be open for accession by the Governments of any of the States referred to in paragraph 1 of article IX.
2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

## Article XI

### Entry into force

When fifteen of the Governments referred to in article IX have deposited their instruments of ratification, acceptance or accession, the present Convention shall come into force between them on the thirtieth day after the date of the deposit of the fifteenth instrument of ratification, acceptance or accession. It shall come into force for each other government on the thirtieth day after the deposit of its instrument of ratification, acceptance or accession.

## Article XII

### Denunciation

1. After the present Convention has been in force for three years, any Contracting Party may denounce it by notification of denunciation to the Secretary-General of the United Nations.

2. Denunciation shall take effect six months after the date of receipt by the Secretary-General of the United Nations of the notification of denunciation.

## Article XIII

### Territorial application

1. Any Government may at the time of the deposit of its instruments of ratification, acceptance or accession or at any time thereafter by notification addressed to the Secretary-General of the United Nations declare that the present Convention shall extend to all or any of the territories for the international relations of which it is responsible, and the Convention shall extend to the territories named in the notification as from the thirtieth day after the date of receipt of the notification by the Secretary-General of the United Nations or on the date on which the Convention comes into force under article XI whichever is the later.

2. Any Government which has made a declaration under paragraph 1 of this article extending the present Convention to any territory for whose international relations it is responsible may denounce the Convention separately in respect of that territory in accordance with the provisions of article XII.

## Article XIV

### Reservations

1. Any State may at the time of its signature or of the deposit of its instrument of ratification, acceptance or accession declare that it shall not be bound by specified provisions of this Convention.

2. Any State may at the time of making a notification under article XIII that the present Convention shall extend to any of the territories for the international relations of which it is responsible make a separate declaration in accordance with paragraph 1 of this article in respect of all or any of the territories to which the notification applies.

3. If any State submits a reservation to any of the articles of this Convention at the time of signature, ratification, acceptance or accession, or at the time of making a notification under article XIII, the Secretary-General of the United Nations shall communicate the text of such reservation to all States which are or may become parties to this Convention. Any State which has signed, ratified, accepted or acceded before the reservation is made (or, if the Convention has not entered into force, which has signed, ratified, accepted or acceded by



the date of its entry into force), shall have the right to object to any reservation. If no objection is received by the Secretary-General of the United Nations from any State entitled to object by the ninetieth day from the date of his communication (or from the date of entry into force of the Convention, whichever is the later), the reservation shall be deemed to be accepted.

4. In the event of an objection being received by the Secretary-General of the United Nations from any State entitled to object, he shall notify the State making the reservation of such objection, and request it to inform him whether it is prepared to withdraw the reservation or whether it prefers to abstain from ratification, acceptance or accession or from extending the Convention to the territory or territories to which the reservation applies, as the case may be.

5. A State which has made a reservation in regard to which an objection has been presented in accordance with paragraph 3 of this article shall not become a party to this Convention unless the objection has been withdrawn or has ceased to have effect as provided in paragraph 6; neither shall a State have the right to claim the benefits of this Convention in respect of any territory for the international relations of which it is responsible and in respect of which it has made a reservation if any objection has been made to the reservation in accordance with paragraph 3 of this article, unless the objection has been withdrawn or has ceased to have effect as provided in paragraph 6.

6. An objection by a State which has signed but not ratified or accepted the Convention shall cease to have effect if, within a period of twelve months from the date of making its objection, the objecting State has not ratified or accepted the Convention.

#### Article XV

##### **Notification of signatures, ratifications, acceptance and accessions**

The Secretary-General of the United Nations shall notify all signatory and acceding States, and all other States which so request, of all signatures, ratifications, acceptances and accessions of the present Convention and of the date on which the Convention comes into force and of every notification received by him under article XII or XIII.

IN WITNESS WHEREOF the undersigned plenipotentiaries have signed the present Convention.

DONE at Geneva this seventh day of November, one thousand nine hundred and fifty-two, in the English and French languages, both texts being equally authentic, in a single original which shall be deposited in the archives of the United Nations. The Secretary-General of the United Nations shall transmit certified copies thereof to all signatory and acceding States.

## AUGLÝSING

### um viðbótarsamning við Norðurlandasamning um aðstoð í skattamálum frá 1972.

Hinn 22. þ.m. tekur gildi viðbótarsamningur gerður í Stokkhólmi hinn 21. júlí 1976 við samning milli Íslands, Danmerkur, Finnlands, Noregs og Svíþjóðar um aðstoð í skattamálum frá 9. nóvember 1972 (sjá auglýsingar í Stjórnartíðindum, C-deild, nr. 25/1972 og 10/1973).

Viðbótarsamningurinn var fullgiltur af Íslands hálfu samkvæmt heimild í lögum nr. 8 frá 29. mars 1977. Undirritaði forseti Íslands fullgildingarskjalið hinn 28. apríl sl. og var tilkynning þar að lútandi skv. 5. gr. samningsins skráð hjá vörsluríki hinn 20. maí 1977.

Samkvæmt 2. grein áður nefndra laga skulu ákvæði viðbótarsamningsins hafa lagagildi hér á landi.

Viðbótarsamningurinn er birtur sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utánríkisráðuneytið, Reykjavík, 20. júlí 1977.*

**Ólafur Jóhannesson.**

*Henrik Sv. Björnsson.*

**Fylgiskjal.****Tillægsaftale  
til aftalen mellem Danmark,  
Finland, Island, Norge og  
Sverige om bistand i skatte-  
sager**

Regeringerne i Danmark, Finland, Island, Norge og Sverige er, foranlediget af ønsket om at indgå en tillægsaftale til aftalen af 9. november 1972 mellem Danmark, Finland, Island, Norge og Sverige om bistand i skattesager (nedenfor kaldet "aftalen"), blevet enige om følgende:

**Artikel 1**

Artikel 3 i aftalen får følgende ændrede ordlyd:

**"Artikel 3**

En kontraherende stat er pligtig at yde bistand i henhold til artikel 1 i alle de skattesager og med hensyn til alle de skattekrav, som er opstået i en anden kontraherende stat i overensstemmelse med dennes lovgivning vedrørende de skatter, afgifter og bidrag, som omfattes af artikel 2. I sager vedrørende skatter, som omfattes af artikel 2 a), foreligger sådan pligt dog kun, såfremt skatten omfattes af en aftale til undgåelse af dobbeltbeskatning med den kontraherende stat, som begærer bistanden.

Bistanden kan omfatte foranstaltninger ikke blot over for skattepligtige, men tillige over for arbejdsgivere og andre, som har været pligtige at tilbageholde

**Suomen, Islannin, Norjan,  
Ruotsin ja Tanskan välillä  
virka-avusta veroasioissa  
tehtyä sopimusta muuttava  
ja täydentävä lisäsopimus**

Suomen, Islannin, Norjan, Ruotsin ja Tanskan hallitukset ovat, haluten tehdä Suomen, Islannin, Norjan, Ruotsin ja Tanskan välillä virka-avusta veroasioissa 9 päivänä marraskuuta 1972 tehtyä sopimusta (jäljempänä "sopimus") muuttavan ja täydentävän lisäsopimuksen, sopineet seuraavasta:

**1 artikla**

Sopimuksen 3 artikla muutetaan näin kuuluvaksi:

**"3 artikla**

Sopimusvaltio on velvollinen antamaan 1 artiklan mukaista virka-apua kaikissa niissä veroasioissa ja kaikkiin niihin verovaateisiin nähden, jotka ovat syntyneet toisessa sopimusvaltiossa sen lainsäädännön mukaan ja jotka koskevat 2 artiklassa tarkoitettuja veroja ja maksuja. Sopimuksen 2 artiklan a) kohdassa tarkoitettua veroa koskevissa asioissa tällainen velvollisuus on kuitenkin vain, jos vero kuuluu virka-apua pyytävän valtion kanssa kaksinkertaisen verotuksen välttämiseksi tehdyn sopimuksen piiriin.

Virka-apu voi koskea sekä toimenpidettä, joka kohdistuu verovelvolliseen, että toimenpidettä, jonka kohteena on työnantaja tai muu henkilö, joka maksaessaan

**Tilläggsavtal  
till avtalet mellan Finland,  
Danmark, Island, Norge och  
Sverige om handräckning i  
skatteärenden**

Regeringarna i Finland, Danmark, Island, Norge och Sverige har, föranledda av önskan att ingå ett tilläggsavtal till avtalet den 9 november 1972 mellan Finland, Danmark, Island, Norge och Sverige om handräckning i skatteärenden (här nedan kallat "avtalet"), överenskommit om följande:

**Artikel 1**

Artikel 3 i avtalet erhåller följande ändrade lydelse:

**"Artikel 3**

Avtalsslutande stat är skyldig lämna handräckning enligt artikel 1 i alla de skatteärenden och i fråga om alla de skatteanspråk, som uppkommit i annan avtalslutande stat i enlighet med dess lagstiftning beträffande de skatter och avgifter som omfattas av artikel 2. I ärenden rörande skatt som avses i artikel 2 a) föreligger dock sådan skyldighet endast om skatten omfattas av avtal för undvikande av dubbelbeskatning med den avtalslutande stat som begär handräckningen.

Handräckning får avse åtgärd icke blott mot skattskyldig utan även mot arbetsgivare och annan, som har varit skyldig att innehålla skatt vid utbetalning

**Viðbótarsamningur  
við samning milli Íslands,  
Danmerkur, Finnlands, Nor-  
egs og Svíþjóðar um aðstoð  
í skattamálum**

Ríkisstjórnir Íslands, Danmerkur, Finnlands, Nor-egs og Svíþjóðar, sem óska að gera með sér viðbótarsamning við samning frá 9. nóvember 1972 milli Íslands, Danmerkur, Finnlands, Noregs og Svíþjóðar um aðstoð í skattamálum (hér eftir nefndur samningurinn), hafa orðið sammála um eftirfarandi:

*1. gr.*

3. gr. samningsins orðist svo:

*3. gr.*

Aðildarríki er skylt að veita aðstoð samkvæmt 1. gr. í öllum þeim skattamálum og við allar þær skattakröfur, sem fram hafa komið í öðru aðildarríki í samræmi við löggjöf þess og varða þá skatta og gjöld, sem 2 gr. tekur til. Í skattamálum, sem 2. gr. a) tekur til, er þessi skylda þó því aðeins fyrir hendi að skatturinn falli undir samning til að komast hjá tvísköttun við það aðildarríki sem aðstoðar óskar.

Aðstoð getur ekki aðeins tekið til aðgerða gegn þeim sem skatt skuldar, heldur einnig gegn vinnuveitanda og öðrum sem skylt var að halda eftir fé til greiðslu

**Tilleggsavtale  
til avtalen mellom Norge,  
Danmark, Finland, Island  
og Sverige om bistand i  
skattesaker**

Regjeringene i Norge, Danmark, Finland, Island og Sverige som ønsker å inngå en tilleggsavtale til avtalen av 9. november 1972 mellom Norge, Danmark, Finland, Island og Sverige om bistand i skattesaker (nedenfor kalt "avtalen"), er blitt enige om følgende:

*Artikkel 1*

Artikkel 3 i avtalen får følgende endrede ordlyd:

*"Artikkel 3*

En kontraherende stat er etter artikkel 1 pliktig til å yte bistand i alle skattesaker som er oppstått etter lovgivningen i en annen kontraherende stat når det gjelder skatter og avgifter som går inn under artikkel 2. I saker om skatt etter artikkel 2 a) foreligger det dog bare en slik plikt når skatten går inn under en avtale til unngåelse av dobbeltbeskatning med den kontraherende stat som begjærer bistand.

Bistanden kan omfatte tiltak ikke bare overfor skattytere, men også overfor arbeidsgivere og andre som har hatt plikt til å holde tilbake skatt ved utbetaling

**Tilläggsavtal  
till avtalet mellan Sverige,  
Danmark, Finland, Island  
och Norge om handräkning  
i skatteärenden**

Regeringarna i Sverige, Danmark, Finland, Island och Norge har, föranledda av önskan att ingå ett tilläggsavtal till avtalet den 9 november 1972 mellan Sverige, Danmark, Finland, Island och Norge om handräkning i skatteärenden (här nedan kallat "avtalet"), överenskommit om följande:

*Artikel 1*

Artikel 3 i avtalet erhåller följande ändrade lydelse:

*"Artikel 3*

Avtalsslutande stat är skyldig lämna handräkning enligt artikel 1 i alla de skatteärenden och i fråga om alla de skatteanspråk, som uppkommit i annan avtalsslutande stat i enlighet med dess lagstiftning beträffande de skatter och avgifter som omfattas av artikel 2. I ärenden rörande skatt som avses i artikel 2 a) föreligger dock sådan skyldighet endast om skatten omfattas av avtal för undvikande av dubbelbeskatning med den avtalsslutande stat som begär handräkningen.

Handräkning får avse åtgärd icke blott mot skattskyldig utan även mot arbetsgivare och annan, som har varit skyldig att innehålla skatt vid utbetalning av

skat ved udbetaling af løn eller anden ydelse, og over for andre, som ifølge lovgivningen i den stat, som begærer bistanden, er ansvarlige for skat.

Anmodning om bistand må kun fremsættes såfremt den stat, som fremsætter anmodningen, ifølge sin egen lovgivning kan yde tilsvarende bistand på begæring af den stat, til hvilken anmodningen er rettet."

### Artikel 2

Artikel 11 i aftalen får følgende ændrede ordlyd:

#### "Artikel 11

Oplysninger skal indføres i overensstemmelse med lovgivningen i den stat, til hvilken begæringen er rettet.

Anmodning om indføring af oplysninger kan afslås, såfremt forretnings-, fabrikations- eller erhvervs-hemmeligheder vil blive åbenbaret, såfremt anmodningen blev efterkommet."

### Artikel 3

Til aftalen tilføjes efter artikel 11 en artikel 11A med følgende ordlyd:

#### "Artikel 11 A

Repræsentanter for en myndighed i en kontraherende stat kan i en skattesag af væsentlig interesse for denne stat efter anmodning fra den kompetente myndighed i samme stat tillades at være til stede ved undersøgelse i en sådan skattesag i en anden kontraherende stat. Anmodningen herom

palkkaa tai muuta etuutta on ollut velvollinen pidättämään siitä veroa, ja muu henkilö, joka virka-apua pyytävän valtion lainsäädännön mukaan on vastuussa verosta.

Virka-apua koskeva esitys saadaan tehdä vain, jos se valtio, joka tekee esityksen, oman lainsäädäntönsä mukaan voi sen valtion pyynnöstä, jolle esitys tehdään, suorittaa vastaavan virka-avun."

### 2 artikla

Sopimuksen 11 artikla muutetaan näin kuuluvaksi:

#### "11 artikla

Tietojen hankkimisen on tapahduttava sen valtion lainsäädännön mukaisesti, jolle esitys tehdään.

Tietojen hankkimista koskeva esitys voidaan evätä, jos siihen suostuminen johtaisi liike-, valmistus- tai ammattisalaisuuden paljastumiseen."

### 3 artikla

Sopimukseen lisätään 11 artiklan jälkeen 11 A artikla seuraavasti:

#### "11 A artikla

Sopimusvaltion viranomaisen edustajan voidaan veroasiassa, jolla on olennainen merkitysälle valtiolle, saman valtion asianomaisen viranomaisen esityksestä sallia olla läsnä tällaisessa veroasiassa toisessa sopimusvaltiossa suoritettavassa selvityksessä. Tästä tehdyn esityksen tutkii tämän toisen

av løn eller annan förmån, och mot annan som enligt lagstiftningen i den stat som begär handräckningen är ansvarig för skatt.

Framställning om handräckning får göras endast om den stat som gör framställningen enligt sin egen lagstiftning kan på begäran av den stat till vilken framställningen riktats verkställa motsvarande handräckning."

### Artikel 2

Artikel 11 i avtalet erhåller följande ändrade lydelse:

#### "Artikel 11

Uppgifter skall införskaffas i enlighet med lagstiftningen i den stat, till vilken framställningen riktats.

Framställning om införskaffande av uppgifter kan avböjas, om affärs-, fabriktions- eller yrkeshemlighet skulle yppas om framställningen efterkommes."

### Artikel 3

I avtalet införes efter artikel 11 en artikel 11 A av följande lydelse:

#### "Artikel 11 A

Företrädare för myndighet i avtalsslutande stat kan i skatteärende av väsentlig intresse för denna stat efter framställning av behörig myndighet i samma stat tillåtas närvara vid utredning i sådant skatteärende i annan avtalsslutande stat. Framställning härom prövas av behörig myndighet i den-

skatta við útborgun launa eða annarrar þóknunar, svo og gegn öðrum þeim, sem ábyrgð bera á sköttum samkvæmt löggjöf þess ríkis, er aðstoðar óskar.

Beiðni um aðstoð má því aðeins setja fram, að það ríki, sem beiðni ber fram, geti samkvæmt löggjöf sinni veitt sambærilega aðstoð, ef það ríki, sem aðstoðar er beið, fer fram á slíkt.

### 2. gr.

11. gr. samningsins orðist svo:

#### 11. gr.

Öflun upplýsinga skal fara fram í samræmi við löggjöf þess ríkis, sem beiðni er beint til.

Hafna má beiðni um öflun upplýsinga ef viðskipta-, framleiðslu- eða atvinnuleyndarmáli yrði ljóstrað upp, ef orðið væri við beiðninni.

### 3. gr.

Á eftir 11. gr. samningsins bætist við ný grein, 11 A, er orðist svo:

#### 11. gr. A.

Í skattamálum, er mikla þýðingu hafa fyrir aðildarríki, geta fulltrúar stjórnvalda í því ríki, eftir beiðni frá bæru stjórnvaldi í því ríki, fengið leyfi til að vera viðstaddir rannsókn í því líku skattamáli í öðru aðildarríki. Um slíka beiðni skal fjallað af bæru stjórnvaldi í síðarnefnda ríkinu,

av lønn eller annen ytelse og overfor andre som etter lovgivningen i den stat som har begjært bistand, er ansvarlig for skatt.

Anmodning om bistand kan bare fremsettes såfremt den stat som fremmer anmodningen etter sin egen lovgivning kan yte tilsvarende bistand på begjæring fra den stat som anmodningen er rettet til."

### Artikkel 2

Artikkel 11 i avtalen får følgende endrede ordlyd:

#### "Artikkel 11

Opplysninger skal innhentes i samsvar med lovgivningen i den stat anmodningen er rettet til.

Anmodning om å skaffe opplysninger kan avslås dersom forretnings-, fabrikkasjons- eller yrkeshemmeligheter ville bli kjent såfremt anmodningen ble etterkommet."

### Artikkel 3

I avtalen innføres etter artikkel 11 en artikkel 11 A med følgende ordlyd:

#### "Artikkel 11 A

Representant for myndighet i en kontraherende stat kan i en skattesak som er av vesentlig interesse for denne stat, etter anmodning av kompetent myndighet i samme stat, få samtykke til å være til stede ved behandlingen av en slik skattesak i en annen kontraherende stat. Anmodningen prøves

løn eller annen förmån, och mot annan som enligt lagstiftningen i den stat som begär handräckningen är ansvarig för skatt.

Framställning om handräckning får göras endast om den stat som gör framställningen enligt sin egen lagstiftning kan på begäran av den stat till vilken framställningen riktats verkställa motsvarande handräckning."

### Artikel 2

Artikel 11 i avtalet erhåller följande ändrade lydelse:

#### "Artikel 11

Uppgifter skall införskaffas i enlighet med lagstiftningen i den stat, till vilken framställningen riktats.

Framställning om införskaffande av uppgifter kan avböjas, om affärs-, fabrikkations- eller yrkeshemlighet skulle yppas om framställningen efterkommes."

### Artikel 3

I avtalet införes efter artikel 11 en artikel 11 A av följande lydelse:

#### "Artikel 11 A

Företrädare för myndighet i avtalsslutande stat kan i skatteärende av väsentligt intresse för denna stat efter framställning av behörig myndighet i samma stat tillåtas närvara vid utredning i sådant skatteärende i annan avtalsslutande stat. Framställning härom prövas av behörig myndighet i

behandles af den kompetente myndighed i denne anden stat, som snarest underretter den kompetente myndighed i den førstnævnte stat om sin afgørelse. Efterkommes anmodningen, angives i meddelelsen herom tidspunkt og sted for undersøgelsen samt øvrige oplysninger, som anses ønskelige for den kompetente myndighed, der har fremsat anmodningen.

Repræsentanter, som er omfattet af første stykke, kan ikke træffe afgørelser i spørgsmål, som vedrører undersøgelsen men kan fremsætte forslag i sådanne spørgsmål til den myndighed eller embedsmand, som er anmodet om at foretage undersøgelsen. Afgørelser i anledning af et sådant forslag træffes af den pågældende myndighed eller embedsmand.

Oplysninger, der er fremkommet ved undersøgelsen, skal behandles som hemmelige og må ikke meddeles til andre personer eller myndigheder, herunder personer tjenstgørende ved domstole og andre judicielle myndigheder, end dem, som varetager skatteligning (beskatning), opkrævning eller indrivelse af skatter, som omfattes af denne aftale eller som træffer afgørelser vedrørende klager eller tiltale-spørgsmål i tilslutning hertil.

Afslås en anmodning, der er omfattet af første stykke, finder bestemmelserne i artikel 7, første stykke, tilsvarende anvendelse.”

valtion asianomainen viranomainen, joka mahdollisimman pian ilmoittaa päätöksestään ensiksi mainitun valtion asianomaiselle viranomaiselle. Jos esitykseen suostutaan, ilmoituksessa mainitaan selvityksen aika ja paikka sekä muut esityksen tehneelle asianomaiselle viranomaiselle tarpeellisiksi harkittavat tiedot.

Edellä 1 kappaleessa tarkoitettu edustaja ei saa tehdä päätöksiä selvitystä koskevissa asioissa, mutta hän voi tehdä ehdotuksia tällaisissa asioissa viranomaiselle tai virkamiehelle, jolle on annettu tehtäväksi toimeenpanna selvitys. Päätöksen tällaisen ehdotuksen johdosta tekee viranomainen tai virkamies.

Selvityksessä esiin tulleita tietoja on käsiteltävä salaisina, eikä niitä saa ilmaista muille kuin niille henkilöille tai viranomaisille, niihin luettuina tuomioistuinten ja muiden oikeusviranomaisten palveluksessa olevat henkilöt, jotka käsittelevät tässä sopimuksessa tarkoitettujen verojen taksoitusta (verotusta), kantoa tai perintää taikka ratkaisevat niihin liittyviä valituksia tai syytettä koskevia asioita.

Jos 1 kappaleessa tarkoitettu esitys hylätään, sovelletaan vastaavasti, mitä 7 artiklan 1 kappaleessa on määrätty.”

na andra stat, som snarast underrättar den behöriga myndigheten i den förstnämnda staten om sitt beslut. Bifalles framställningen, anges i underrättelsen tid och plats för utredningen samt de övriga uppgifter som bedömes erforderliga för den behöriga myndighet som gjort framställningen.

Företrädare som avses i första stycket får icke fatta beslut i frågor som rör utredningen men kan framföra förslag i sådana frågor till myndighet eller tjänsteman åt vilken uppdragits att verkställa utredningen. Beslut i anledning av sådant förslag fattas av myndigheten eller tjänstemannen.

Upplysningar som framkommit vid utredningen skall behandlas såsom hemliga och får icke yppas för andra personer eller myndigheter, häri inbegripna personer som tjänstgör vid domstolar och andra judiciella myndigheter, än dem som handlägger taxering (beskatning), uppbörd eller indrivning av skatter som avses i detta avtal eller avgör besvär eller frågor om åtal i anslutning härtill.

Avslås framställning som avses i första stycket, äger bestämmelserna i artikel 7 första stycket motsvarande tillämpning.”

sem án tafar skýrir bæru stjórnvaldi í fyrrnefnda ríkinu frá ákvörðun sinni. Sé fallist á beiðnina skal tekinn fram í tilkynningunni tími og staður fyrir rannsóknina ásamt öðrum upplýsingum sem telja verður nauðsynlegar fyrir það bæra stjórnvald er bar fram beiðnina.

Fulltrúar þeir, er um getur í 1. mgr., geta ekki tekið ákvörðun um atriði er varða rannsóknina en geta komið með tillögur um slík atriði til þeirra stjórnvalda eða opinberra starfsmanna sem falið hefur verið að framkvæma rannsóknina. Ákvörðun um slíkar tillögur skal tekin af stjórnvaldinu eða hinum opinbera starfsmanni.

Með upplýsingar, er fram koma við rannsóknina, skal farið sem trúnaðarmál og þær má ekki birta öðrum einstaklingum eða stjórnvöldum, þ. á m. ekki öðrum starfsmönnum við dómstóla og önnur dómsýsluþingirvöld, en þeim er annast skattlagningu eða innheimtu á sköttum sem þessi samningur fjallar um eða úrskurða um kærur eða atriði er varða ákæru í sambandi við það.

Sé beiðni samkvæmt 1. mgr. hafnað eiga ákvæði 1. mgr. 7. gr. við.

av den kompetente myndighet i den annen stat, som snarest underretter den kompetente myndighet i den førstnevnte stat om sin avgjørelse. Dersom anmodningen etterkommes, oppgis i underretningen tid og sted for behandlingen samt de øvrige opplysninger som antas nødvendige for den kompetente myndighet som har fremmet anmodningen.

Representant som nevnt i første ledd kan ikke treffe beslutning i spørsmål som angår behandlingen, men kan fremme forslag i slike spørsmål til den myndighet eller tjenestemann som forestår behandlingen. Avgjørelse i forbindelse med et slikt forslag tas av denne myndighet eller tjenestemann.

Opplysninger som fremkommer, skal behandles som hemmelige og kan ikke meddeles andre personer eller myndigheter, heri innbefattet personer som tjenstgjør ved domstoler og andre judicielle myndigheter, enn dem som har til oppgave å utligne, oppkreve eller inndrive skatter som omfattes av denne avtale eller som avgjør klager eller spørsmål om tiltale i tilknytning til slike saker.

Avslås anmodning som nevnt i første ledd, får bestemmelsene i artikkel 7, første ledd tilsvarende anvendelse."

denna andra stat, som snarast underrättar den behöriga myndigheten i den förstnämnda staten om sitt beslut. Bifalles framställningen, anges i underrättelsen tid och plats för utredningen samt de övriga uppgifter som bedömes erforderliga för den behöriga myndighet som gjort framställningen.

Företrädare som avses i första stycket får icke fatta beslut i frågor som rör utredningen men kan framföra förslag i sådana frågor till myndighet eller tjänsteman åt vilken uppdragits att verkställa utredningen. Beslut i anledning av sådant förslag fattas av myndigheten eller tjänstemannen.

Upplýsingar som framkommit vid utredningen skall behandlas såsom hemliga och får icke yppas för andra personer eller myndigheter, häri inbegripna personer som tjänstgör vid domstolar och andra judiciella myndigheter, än dem som handlägger taxering (beskattning), uppbörd eller inddrivning av skatter som avses i detta avtal eller avgör besvär eller frågor om åtal i anslutning härtill.

Avslås framställning som avses i första stycket, äger bestämmelserna i artikel 7 första stycket motsvarande tillämpning."



## Artikel 4

Artikel 12 i aftalen får følgende ændrede ordlyd:

## ”Artikel 12

Den kompetente myndighed i en kontraherende stat skal i det omfang, det kan ske på grundlag af tilgængelige kontroloplysninger eller tilsvarende oplysninger, snarest muligt efter udløbet af hvert kalenderår, uden særlig anmodning, tilstille den kompetente myndighed i enhver af de andre kontraherende stater oplysninger vedrørende i denne stat bosatte fysiske personer eller dér hjemmehørende juridiske personer for så vidt angår

a) udlodninger fra aktieselskaber og lignende juridiske personer,

b) renter af obligationer og lignende værdipapirer,

c) tilgodehavender hos banker, sparekasser o. lign. institutioner samt renter af sådanne tilgodehavender,

d) royalties og andre periodisk betalbare afgifter for udnyttelse af ophavsret, patent, mønster, varemærke eller anden sådan rettighed eller ejendom,

e) lønninger, honorarer, pensioner og livrenter,

f) skades-, forsikrings- og anden sådan erstatning, som er oppebåret i forbindelse med næringsvirksomhed, samt

g) andre indkomster eller aktiver, i det omfang overenskomst herom træffes i henhold til artikel 20.

## 4 artikla

Sopimuksen 12 artikla muutetaan näin kuuluvaksi:

## ”12 artikla

Sopimusvaltion asianomaisen viranomaisen tulee, mikäli niin voi tapahtua saatavissa olevien tarkkailu- tai muiden vastaavien tietojen perusteella, mahdollisimman pian jokaisen kalenterivuoden päättymisen jälkeen, ilman eri esitystä, toimittaa kunkin muun sopimusvaltion asianomaiselle viranomaiselle mainitussa valtiossa asuvia luonnollisia henkilöitä ja siellä kotipaikan omaavia oikeushenkilöitä tarkoittavat tiedot, jotka koskevat

a) osakeyhtiöiden ja muiden sellaisten oikeushenkilöiden jakamaa voittoa,

b) obligaatioiden ja muiden sellaisten arvopapereiden korkoja,

c) pankeilta, säästöpankeilta ja muilta sellaisilta laitoksilta olevia saamisia sekä tällaisten saamisten korkoja,

d) rojalta tai muuta, tekijänoikeuden, patentin, mallin, tavaramerkin tai muun sellaisen oikeuden tai omaisuuden käytöstä toistuvasti suoritettavaa maksua,

e) palkkoja, palkkioita, eläkkeitä ja elinkorkoja,

f) elinkeinotoiminnan yhteydessä saatua vahingon-, vakuutus- ja muuta sellaista korvausta, sekä

g) muita tuloja tai varoja, mikäli tästä on sovittu 20 artiklan mukaisesti.

## Artikel 4

Artikel 12 i avtalet erholder følgende ændrede lydelse:

## ”Artikel 12

Behørig myndighet i avtalsslutande stat skall, i den mån det kan ske på grundval av tillgängliga kontrolluppgifter eller motsvarande uppgifter, snarast möjligt efter utgången av varje kalenderår, utan särskild framställning, tillställa behørig myndighet i envar av de andra avtalsslutande staterna upplysningar avseende i denna stat bosatta fysiska personer eller där hemmahörande juridiska personer beträffande

a) utdelningar från aktieföretag och liknande juridiska personer,

b) räntor på obligationer och andra sådana värdepapper,

c) tillgodohavanden hos banker, sparbanker och liknande inrättningar samt räntor på sådan tillgodohavanden,

d) royalty och annan periodiskt utgående avgift för utnyttjande av upphovsrätt, patent, mönster, varumärke eller annan sådan rättighet eller egendom,

e) löner, arvoden, pensioner och livräntor,

f) skade-, försäkrings- och annan sådan ersättning som erhållits i samband med näringsverksamhet, samt

g) andra inkomster eller tillgångar, i den mån överenskommelse träffats därom enligt artikel 20.

4. gr.

12. gr. samningsins orðist svo:

12. gr.

Bætt stjórnvald í aðildarríki skal, að svo miklu leyti sem unnt er á grundvelli samamburðargagna eða samsvarendi upplýsinga, svo fljótt sem verða má eftir hver áramót og án sérstakrar beiðni afhenda bæru stjórnvaldi í hverju hinna aðildarríkjanna upplýsingar um þá menn, sem búsettir eru í þessu ríki, eða lögpersónur, sem þar eiga heimili, varðandi:

a) arðgreiðslur frá hlutafélögum og hliðstæðum lögpersónum,

b) vexti af skuldabréfum og öðrum slíkum verðbréfum,

c) innstæður í bönkum, sparisjóðum og hliðstæðum stofnunum, svo og vexti af slíkum innstæðum,

d) hvers konar þóknanir og tímabilsgreiðslur fyrir notkun á höfundarrétti, einkaleyfi, mynstri, vörumerki eða öðrum slíkum réttindum eða eignum,

e) vinnulaun, starfslaun, elli- og eftirlaun og lífeyri,

f) skaðabætur, tryggingabætur og aðrar slíkar bætur sem fengist hafa í sambandi við atvinnurekstur, svo og

g) aðrar tekjur eða eignir að svo miklu leyti sem samkomulag verður um skv. 20. grein.

Artikkel 4

Artikkel 12 í avtalen får følgende endrede ordlyd:

”Artikkel 12

Den kompetente myndighet i en kontraherende stat skal i den utstrekning det kan skje på grunnlag av tilgjengelige kontrolloppgaver eller tilsvarende opplysninger, snarest mulig etter utgangen av hvert kalenderår, uten spesiell anmodning, oversende den kompetente myndighet i hver av de andre kontraherende stater opplysninger om fysiske personer som er bosatt der, eller om juridiske personer som er hjemmehørende der, for så vidt angår:

a) utdelinger fra aksjeselskaper og lignende juridiske personer,

b) renter av obligasjoner og andre lignende verdipapirer,

c) tilgodehavender i banker, sparebanker og lignende institusjoner, samt renter på slike tilgodehavender,

d) royalty og annen periodisk utgående avgift for utnyttelsen av opphavsrett, patent, mønster, varemerke eller annen slik rettighet eller eiendom,

e) lønn, honorarer, pensjoner og livrenter,

f) skade-, forsikrings- og annen lignende erstatning som er oppebåret i samband med næringsvirksomhet, samt

g) andre inntekter eller aktiva i den utstrekning det er truffet avtale om, det i henhold til artikkel 20.

Artikel 4

Artikel 12 i avtalet erhåller följande ändrade lydelse:

”Artikel 12

Behörig myndighet i avtalsslutande stat skall, i den mån det kan ske på grundval av tillgängliga kontrolluppgifter eller motsvarande uppgifter, snarast möjligt efter utgången av varje kalenderår, utan särskild framställning, tillstålla behörig myndighet i envar av de andra avtalsslutande staterna upplýsingar avseende i denna stat bosatta fysiska personer eller där hemmahörande juridiska personer beträffande

a) utdelningar från aktiebolag och liknande juridiska personer

b) räntor på obligationer och andra sådana värdepapper,

c) tillgodohavanden hos banker, sparbanker och liknande inrättningar samt räntor på sådana tillgodohavanden,

d) royalty och annan periodiskt utgående avgift för utnyttjande av upphovsrett, patent, mönster, varumärke eller annan sådan rättighet eller egendom,

e) löner, arvoden, pensioner och livräntor,

f) skade-, försäkrings- och annan sådan ersättning som erhållits i samband med näringsverksamhet, samt

g) andra inkomster eller tillgångar, i den mån överenskommelse träffats därom enligt artikel 20.

Den kompetente myndighed i en kontraherende stat skal virke for, at oplysninger, som fremkommer ved en undersøgelse i denne stat i en sag vedrørende beskatning, og som kan antages at vedrøre en sådan (tilsvarende) sag i en anden kontraherende stat, snarest fremsendes til den kompetente myndighed i denne anden stat.

Såfremt det i den stat, som har modtaget oplysningerne, viser sig, at oplysningerne ikke er i overensstemmelse med de virkelige forhold, skal den kompetente myndighed i denne stat på passende måde underrette den kompetente myndighed i den stat, som har afgivet oplysningerne, om forholdet.

I tilfælde, hvor en i en af de kontraherende stater bosat person er afdød ved døden og har efterladt sig fast ejendom i en anden af de kontraherende stater eller aktiver anbragt i en virksomhed dér, skal den kompetente myndighed i den førstnævnte stat, så snart kendskab til forholdet er erhvervet, underrette den kompetente myndighed i den anden stat herom."

#### Artikel 5

Denne tillægsaftale træder i kraft tredive dage efter den dag, da samtlige kontraherende stater har meddelt det svenske udenrigsdepartement, at de foranstaltninger, som er nødvendige for tillægsaftalens ikrafttrædelse, er gennemført. Det svenske udenrigsdepartement underretter de

Sopimusvaltion asianomaisen viranomaisen on toimittava siten, että tiedot, jotka ovat tulleet esiin tässä valtiossa suoritettavassa selvityksessä veroa koskevassa asiassa ja joiden voidaan olettaa koskevan tällaista asiaa toisessa sopimusvaltiossa, mahdollisimman pian luovutetaan tämän toisen valtion asianomaiselle viranomaiselle.

Jos siinä valtiossa, joka on vastaanottanut tiedot, käy selville, että tiedot eivät vastaa todellisia olosuhteita, on tämän valtion asianomaisen viranomaisen sopivalla tavalla ilmoitettava asiasta sen valtion asianomaiselle viranomaiselle, joka on tiedot antanut.

Milloin sopimusvaltiossa asuva henkilö on kuollut ja häneltä on jäänyt toisessa sopimusvaltiossa olevaa kiinteää omaisuutta tai siellä olevaan liikkeeseen sijoitettuja varoja, on ensiksi mainitun valtion asianomaisen viranomaisen, niin pian kun asiasta on saatu tieto, ilmoitettava tästä toisen valtion asianomaiselle viranomaiselle."

#### 5 artikla

Tämä lisäsopimus tulee voimaan kolmenkymmenen päivän kuluttua siitä päivästä, jona kaikki sopimusvaltiot ovat ilmoittaneet Ruotsin ulkoasiaindepartementille lisäsopimuksen voimaan tulemiseksi vaadittavien toimenpiteiden suorittamisesta. Ruotsin ulkoasiaindepartementti ilmoit-

Behörig myndighet i avtalslutande stat skall verka för att uppgifter, som framkommit vid utredning i denna stat i ärende angående skatt och som kan antas beröra sådant ärende i annan avtalslutande stat, snarast överlämnas till den behöriga myndigheten i denna andra stat.

Om det i den stat som mottagit upplysningarna framkommer, att upplysningarna icke motsvarar de verkliga förhållandena, skall behörig myndighet i denna stat på lämpligt sätt underätta den behöriga myndigheten i den stat, som lämnat upplysningarna, om förhållandet.

Då person bosatt i en av de avtalslutande staterna avlidit och efterlämnat fast ejendom i annan avtalslutande stat eller tillgångar nedlagda i rörelse där, skall behörig myndighet i förstnämnda stat, så snart kändedom vunnits om förhållandet, underrätta behörig myndighet i den andra staten därom."

#### Artikel 5

Detta tilläggsavtal träder i kraft trettio dagar efter den dag då samtliga avtalslutande stater meddelat det svenska utrikesdepartementet att de åtgärder som kräves för tilläggsavtalets ikraftträdande genomförts. Det svenska utrikesdepartementet underrättar de övriga avtalslutande staterna om

Bæru stjórnvaldi í aðildarríki ber að stuðla að því að upplýsingar, er fram koma við rannsóknir í því ríki í málefnum er varða skatt og sem ætla má að varði slík málefni í öðru aðildarríki, séu án tafar veittar bærum stjórnvöldum í síðarnefnda ríkinu.

Ef fram kemur í því ríki sem fengið hefir upplýsingarnar að þær séu ekki sannleikanum samkvæmar skal bært stjórnvald í þessu ríki skýra bæru stjórnvaldi í því ríki, sem upplýsingarnar gaf, á viðeigandi hátt frá aðstæðum.

Pegar maður, búsettur í einu aðildarríkjanna, hefir andast og látið eftir sig fasteign í öðru aðildarríki eða eignir í atvinnurekstri þar skal bært stjórnvald í fyrrnefnda ríkinu, strax og það hefir fengið vitneskju um málavexti, tilkynna það bæru stjórnvaldi í síðarnefnda ríkinu.

##### 5. gr.

Viðbótarsamningur þessi öðlast gildi þrjátíu dögum eftir þann dag er öll aðildarríkin hafa tilkynnt sænska utanríkisráðuneytinu að uppfylltar hafi verið þær kröfur sem gerðar eru til gildistöku viðbótarsamnings þessa. Sænska utanríkisráðuneytið tilkynnir hinum aðildarríkjunum móttöku þessara tilkynninga.

Den kompetente myndighet i en kontraherende stat skal sørge for at opplysninger, som fremkommet ved behandlingen av en skattesak i denne stat og som kan antas å berøre skattleggingen i en annen kontraherende stat, snarest mulig oversendes den kompetente myndighet i denne stat.

Hvis det i den stat som har mottatt opplysninger, viser seg at opplysningene ikke tilsvarer de faktiske forhold, skal den kompetente myndighet i denne stat på passende måte underrette den kompetente myndighet i den stat som har gitt opplysninger om forholdet.

Når en person som er bosatt i en av de kontraherende stater er avgått ved døden og har etterlatt seg fast eiendom i en annen kontraherende stat eller midler som er plassert i en virksomhet der, skal den kompetente myndighet i førstnevnte stat underrette den kompetente myndighet i den annen stat om dette så snart den har fått kjennskap til forholdet."

##### Artikkel 5

Denne tilleggsavtale trer i kraft tretti dager etter den dag da samtlige kontraherende stater har meddelt det svenske utenriksdepartement at de tiltak som kreves for tilleggsavtalens ikrafttredelse er gjennomført. Det svenske utenriksdepartement meddeler de øvrige kontraherende stater om mottagelsen av disse meldinger.

Behörig myndighet i avtalslutande stat skall verka för att uppgifter, som framkommit vid utredning i denna stat i ärende angående skatt och som kan antas beröra sådant ärende i annan avtalslutande stat, snarast överlämnas till den behöriga myndigheten i denna andra stat.

Om det i den stat som mottagit upplysningarna framkommer, att upplysningarna icke motsvarar de verkliga förhållandena, skall behörig myndighet i denna stat på lämpligt sätt underätta den behöriga myndigheten i den stat, som lämnat upplysningarna, om förhållandet.

Då person bosatt i en av de avtalslutande staterna avlidit och efterlämnat fast egendom i annan avtalslutande stat eller tillgångar nedlagda i rörelse där, skall behörig myndighet i förstnämnda stat, så snart kännedom vunnits om förhållandet, underrätta behörig myndighet i den andra staten därom."

##### Artikel 5

Detta tilläggsavtal träder i kraft trettio dagar efter den dag då samtlige avtalslutande stater meddelat det svenska utrikesdepartementet att de åtgärder som kräves för tilläggsavtalets ikraftträdande genomförts. Det svenska utrikesdepartementet underrättar de övriga avtalslutande staterna om mottagandet av dessa

øvrige kontraherende stater om modtagelsen af disse meddelelser.

Efter at denne tillægsaftale er trådt i kraft, anvendes dens bestemmelser på sager, som er indkommet efter ikrafttrædelsen til den kompetente myndighed i den stat, til hvilken anmodningen er rettet.

#### Artikel 6

Denne tillægsaftale skal forblive i kraft så længe aftalen er i kraft.

Tillægsaftalen skal deponeres i det svenske udenrigsdepartement og bekræftede afskrifter skal af det svenske udenrigsdepartement tilstilles hver af de kontraherende staters regeringer.

Til bekræftelse heraf har undertegnede, dertil behørigt bemyndigede, undertegnet denne tillægsaftale.

Udfærdiget i Stockholm i et eksemplar på det danske, det finske, det islandske, det norske og det svenske sprog, idet der på det svenske sprog er udfærdiget to tekster, en for Finland og en for Sverige, hvilke samtlige tekster har lige gyldighed, den 21. juli 1976.

*E. Schram-Nielsen*

taa muille sopimusvaltioille näiden ilmoitusten vastaanottamisesta.

Tämän lisäsopimuksen voimaantultua sen määräyksiä sovelletaan asioihin, jotka ovat voimaantulon jälkeen saapuneet sen valtion asianomaiselle viranomaiselle, jolle esitys osoitetaan.

#### 6 artikla

Tämä lisäsopimus on voimassa niin kauan kuin sopimus on voimassa.

Lisäsopimus talletetaan Ruotsin ulkoasiaindepartementtiin ja Ruotsin ulkoasiaindepartementti toimittaa oikeaksi todistetut jäljennökset siitä kunkin sopimusvaltion hallitukselle.

Tämän vakuudeksi ovat allekirjoittaneet, siihen asianmukaisesti valtuutettuina, allekirjoittaneet tämän lisäsopimuksen.

Tehty Tukholmassa 21 päivänä heinäkuuta 1976 yhtenä suomen-, islannin-, norjan-, ruotsin- ja tanskan-kielisenä kappaleena, jossa ruotsin kielellä on kaksi tekstiä, toinen Suomea ja toinen Ruotsia varten, kaikkien tekstien ollessa yhtä todistusvoimaiset.

*Jan Groop*

mottagandet av dessa meddelanden.

Sedan detta tilläggsavtal trätt i kraft tillämpas dess bestämmelser på ärenden som inkommit efter ikraftträdandet till den behöriga myndigheten i den stat till vilken framställningen riktats.

#### Artikel 6

Detta tilläggsavtal skall förbli i kraft så länge avtalet är i kraft.

Tilläggsavtalet skall vara deponerat i det svenska utrikesdepartementet och bestyrkta avskrifter skall av det svenska utrikesdepartementet tillställas var och en av de avtalslutande staternas regeringar.

Till bekräftelse härav har undertecknade, därtill vederbörligen bemyndigade, undertecknat detta tilläggsavtal.

Som skedde i Stockholm i ett exemplar på finska, danska, isländska, norska och svenska språken, varvid på svenska språket utfärdades två texter, en för Finland och en för Sverige, vilka samtliga texter har lika vitsord, den 21 juli 1976.

Þegar viðbótarsamningur þessi hefur tekið gildi skal ákvæðum hans beitt um mál, sem borist hafa eftir gildistöku til viðkomandi stjórnvalds í því ríki, sem beiðninni er beint til.

#### 6. gr.

Viðbótarsamningur þessi gildir meðan samningurinn gildir.

Viðbótarsamningurinn skal varðveittur í utanríkisráðuneyti Svíþjóðar og sænska utanríkisráðuneytið skal senda ríkisstjórn hvers aðildarríkis staðfest endurrit.

Til staðfestingar þessu hafa undirritaðir fulltrúar, sem til þess hafa fullgilt umboð, ritað undir þennan viðbótarsamning.

Gert í Stokkhólmi í einu eintaki á hverju þessara mála: íslensku, dönsku, finnsku, norsku og sænsku og eru sænsku textanir tveir, annar fyrir Finnland, hinn fyrir Svíþjóð, og skulu allir textar jafngildir, hinn 21. júlí 1976.

*Guðmundur Í. Guðmundsson*

Etter at denne tilleggsavtale er trådt i kraft, skal dens bestemmelser få anvendelse på saker som etter ikrafttrædelsen er kommet inn til den kompetente myndighet i den stat som anmodningen er rettet til.

#### Artikkel 6

Denne tilleggsavtale skal være i kraft så lenge avtalen er i kraft.

Tilleggsavtalen skal være deponert i det svenske utenriksdepartement som vil oversende bekreftede avskrifter til hver av de kontraherende staters regjeringer.

Til bekreftelse av dette har undertegnede, som er behørig bemyndighet, undertegnet denne tilleggsavtale.

Utferdiget i Stockholm i et eksemplar på norsk, dansk, finsk, islandsk og svensk, hvorav det på svensk er utferdiget to tekster, en for Finland og en for Sverige, slik at samtlige tekster har samme gyldighet, den 21. juli 1976.

*Hersleb Vogt*

meddelanden.

Sedan detta tilläggsavtal trätt i kraft tillämpas dess bestämmelser på ärenden som inkommit efter ikraftträdandet till den behöriga myndigheten i den stat till vilken framställningen rikts.

#### Artikel 6

Detta tilläggsavtal skall förbli i kraft så länge avtalet är i kraft.

Tilläggsavtalet skall vara deponerat i det svenska utrikesdepartementet och bestrykta avskrifter skall av det svenska utrikesdepartementet tillställas var och en av de avtalsslutande staternas regeringar.

Till bekräftelse härav har undertecknade, därtill vederbörligen bemyndigade, undertecknat detta tilläggsavtal.

Som skedde i Stockholm i ett exemplar på svenska, danska, finska, isländska och norska språken, varvid på svenska språket utfärdades två texter, en för Sverige och en för Finland, vilka samtliga texter har lika vitsord, den 21 juli 1976.

*Hans Gustafsson*

**AUGLÝSING****um stjórnmálasamband Íslands og Grænhöfðaeyja.**

Hinn 20. júlí 1977 var undirrituð í Reykjavík sameiginleg yfirlýsing um stofnun stjórn­málasambands milli ríkisstjórna Íslands og Grænhöfðaeyja. Yfirlýsingin er birt sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 21. júlí 1977.*

**Ólafur Jóhannesson.**

*Henrik Sv. Björnsson.*

**Fylgiskjal.**

**SAMEIGINLEG YFIRLÝSING**  
um stofnun stjórn­málasambands  
milli ríkisstjórnar Lýðveldisins Íslands  
og ríkisstjórnar Lýðveldisins  
Grænhöfðaeyja.

Ríkisstjórn Lýðveldisins Íslands og ríkisstjórn Lýðveldisins Grænhöfðaeyja, sem vilja efla og styrkja tengsl vináttu og samstarfs sín í milli, hafa ákveðið að stofna til stjórn­málasambands á sendi­herrastigi. Skipst verður á sendiherrum þegar hentugt þykir að mati hvorrar ríkisstjórnar fyrir sig.

Gjört í Reykjavík hinn 20. júlí 1977.

Fyrir ríkisstjórn  
Lýðveldisins Íslands:

Ólafur Jóhannesson  
starfandi utanríkisráðherra

Fyrir ríkisstjórn  
Lýðveldisins Grænhöfðaeyja:  
Dr. Corsino António Fortes  
sendiherra

**JOINT DECLARATION**  
concerning the establish­ment of diplo­matic relations between the Government of the Republic of Iceland and the Government of the Republic of Cape Verde.

The Government of the Republic of Iceland and the Government of the Republic of Cape Verde, desiring to promote and strengthen relations of friendship and co-operation between them, have decided to establish diplomatic relations at the ambassadorial level. The exchange of ambassadors will take place at a convenient time to be decided upon by each Government.

Done at Reykjavík on 20 July 1977.

For the Government  
of the Republic of Iceland:

Ólafur Jóhannesson  
Acting Minister for Foreign Affairs

For the Government  
of the Republic of Cape Verde:

Dr. Corsino António Fortes  
Ambassador

## AUGLÝSING

### um breytingu á samningum um fiskveiðar á norðausturhluta Atlantshafs.

Hinn 11. júlí 1977 var undirrituð af hálfu vörsluríkis Samningsins um fiskveiðar á norðausturhluta Atlantshafs frá 24. janúar 1959 (sjá Samningar Íslands við erlend ríki I, nr. 116) bókun um viðbætur við 7. gr., 1. lið, samningsins, sem aðildarríki skv. heimild í 2. lið 7. greinar samþykktu á fundi í London dagana 6.—11. maí 1970.

Í tilkynningu sendiráðs Íslands í London dags. 28. janúar 1974 til ritara Norðaustur Atlantshafs fiskveiðinefndarinnar (NEAFC) var af Íslands hálfu gerður fyrirvari þess efnis að ráðstafanir á grundvelli 2. liðar 7. greinar taki ekki til fiskveiðilögsögu Íslands.

Bókunin er birt sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utarríkisráðuneytið, Reykjavík, 8. ágúst 1977.*

Einar Ágústsson.

*Henrik Sv. Björnsson.*

#### Fylgiskjal.

#### SAMNINGUR UM FISKVEIÐAR Á NORÐAUSTURHLUTA ATLANTSHAFS

London, 24. janúar 1959.

#### Bókun um breytingu á 1. lið 7. gr.

Þar sem 2. liður 7. gr. samnings um fiskveiðar á norðausturhluta Atlantshafs sem undirritaður var í London hinn 24. janúar 1959 kveður svo á:

„Til viðbótar ráðstöfunum þeim, er greinir í 1. lið greinar þessarar, má gera ráðstafanir til þess að ákvarða heildarveiði eða heildarsókn á tilteknu tímabili, svo og allar aðrar ráðstafanir til þess að varðveita fiskstofna á samningssvæðinu. Tillögur, er að slíku lúta, skulu hljóta að minnsta kosti tvo þriðju hluta atkvæða þeirra fastafulltrúa, er viðstaddir eru og atkvæði greiða, og síðan samþykki allra samningsríkja í samræmi við stjórnarskrárákvæði þeirra.“

og þar sem sendinefndirnar sem viðstaddir voru og atkvæði greiddu á áttunda fundi fastanefndar fiskveiða á

#### NORTH-EAST ATLANTIC FISHERIES CONVENTION

London, 24 January 1959.

#### Procès-verbal concerning Modifications to Article 7(1)

Whereas paragraph (2) of Article 7 of the North-East Atlantic Fisheries Convention, signed at London on 24 January 1959, provides that:

“Measures for regulating the amount of total catch, or the amount of fishing effort in any period, or any other kinds of measures for the purpose of the conservation of the fish stocks in the Convention area, may be added to the measures listed in paragraph (1) of this Article on a proposal adopted by not less than a two-thirds majority of the Delegations present and voting and subsequently accepted by all Contracting States in accordance with their respective constitutional procedures.”

And whereas at the Eighth Meeting of the North-East Atlantic Fisheries Commission, held at London from 6 to 11



Norðaustur-Atlantshafi, sem haldinn var í London dagana 6. til 11. maí 1970, samþykktu samhljóða eftirfarandi tillögu:

(enskur texti)

„Í samræmi við 2. lið 7. gr. samningsins leggur fastanefndin hér með til að eftirfarandi viðbótarákvæðum verði bætt við ráðstafanir sem taldar eru upp í 1. lið 7. gr.:

g. ráðstafanir til ákvörðunar á heildarveiði og úthlutun hennar til samningsríkjanna á tilteknu tímabili; og

h. ráðstafanir til ákvörðunar á heildar-sókn og úthlutun hennar til samningsríkjanna á tilteknu tímabili.“

Þá staðfesti ég, Roscoe George Smedley, forstöðumaður ríkisfangs- og samningadeildar utanríkis- og samveldismálaráðuneytisins, hér með að þar sem öll samningsríkin höfðu fallist á tillögu fastanefndarinnar öðlaðist téð breyting gildi hinn 4. júní 1974.

Þessu til staðfestu hef ég í dag, hinn 11. júlí 1977, undirritað bókun þessa í utanríkis- og samveldismálaráðuneytinu, London.

R. G. Smedley  
(undirskr.)

May 1970, the Delegations present and voting unanimously adopted the following proposal:

[English text]

“In accordance with Article 7(2) of the Convention the Commission hereby proposes that the following additions be made to the list of measures in Article 7(1):

(g) any measures for the regulation of the amount of total catch and its allocation to Contracting States in any period; and

(h) any measures for the regulation of the amount of fishing effort and its allocation to Contracting States in any period.”

Now therefore I, Roscoe George Smedley, Head of Nationality and Treaty Department, Foreign and Commonwealth Office, hereby certify that all Contracting States having accepted the proposal of the Commission, the said modifications took effect on 4 June 1974.

In witness whereof I have signed this Procès-verbal at the Foreign and Commonwealth Office, London, this 11th day of July, 1977.

R. G. Smedley  
(sign.)

## AUGLÝSING

### um samkomulag milli ríkisstjórna Norðurlanda og ríkisstjórnar Kenyu um aðstoð á sviði samvinnumála.

Hinn 15. júlí 1977 var gert í Nairobi samkomulag milli ríkisstjórna Danmerkur, Finnlands, Íslands, Noregs og Svíþjóðar og ríkisstjórnar Kenyu um aðstoð við Kenyu á sviði samvinnumála.

Gildistaka samkomulagsins miðast við 1. júlí 1977, sbr. nánar V. grein.

Samkomulagið ásamt viðauka er birt sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 8. ágúst 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

Fylgiskjal.**A G R E E M E N T****Between the Governments of Denmark, Finland, Iceland, Norway and Sweden  
and the Government of the Republic of Kenya on Co-operative  
Assistance to Kenya.**

1. The Governments of Denmark, Finland, Iceland, Norway and Sweden (hereinafter referred to as the Nordic Governments) on the one hand and the Government of the Republic of Kenya on the other hand have agreed on a programme of technical co-operation.
2. The purpose of this Agreement is to continue the co-operation in the field of co-operative development established under the Agreements between Kenya and the Nordic Governments signed on 16th August, 1967, and 20 March, 1972, the latter expiring on 30th June, 1977.
3. The Government of Kenya considers that the overall goals and orientation of the activities under the original agreement correspond to a priority need of Kenya during the next five years as outlined in its National Development Plan 1974—1978 and in Sessional Paper No. 14, 1975, and therefore should be maintained.
4. The terms of this new Agreement (hereinafter referred to as this Agreement) are the following:

**Article I**

The main objectives of the activities under this Agreement shall be to assist the Government of Kenya in developing the co-operative movement, in particular by intensifying the education and training of Co-operative Society members and staff as well as Government staff with functions relating to the Co-operative Movement.

To meet these objectives the two Parties agree on a Plan of Operation set forth in Appendix I. Under this plan the number of expatriate personnel (hereinafter referred to as the Nordic advisers) provided by the Nordic Governments will support the personnel of the Department of Co-operative Development and the Co-operative Movement in their effort to develop the co-operatives in Kenya.

The main fields of action shall be the following:

- a) Co-operative education
- b) Accounting in co-operatives
- c) Co-operative rural credit and saving
- d) Management of co-operatives
- e) Planning of co-operative development
- f) Kenya National Federation of Co-operatives

The plan of Operation shall be supplemented by annual Budgets and Plans of Work as per Article IV of the Agreement. Amendments to the Plan of Operation may be agreed upon in writing by the Competent Authorities of the Parties mentioned in Article IV, paragraph 1, below in so far as the overall budget of the Plan is not exceeded.

**Article II****Contributions**

1. Contributions by the Nordic Governments
  - a) Nordic advisers will be made available to Kenya in such number and for such functions as set forth in the Plan of Operation. The Nordic advisers shall be employed by the Nordic Governments who shall bear the cost of

- salaries and allowances and international passages to and from Kenya, social security and related benefits including leave.
- b) Funds will be made available by the Nordic Governments for mileage and subsistence allowances for the Nordic Advisers, for purchase of educational material and equipment, stationery, manuals, textbooks and for training of Kenyan officers as stipulated in the Plan of Operation.
2. Contributions by Kenya
- a) The Government of Kenya shall make available suitable Kenyan counterparts to take over the development performed by the Nordic advisers.
  - b) The Government of Kenya shall cover all operational, administrative and related costs and expenditures not contributed by the Nordic Governments in accordance with paragraph 1 of this article.
  - c) The Government of Kenya shall make available the following facilities to the Nordic advisers and their families:
    - i) free housing with hard furnishing of the same standard as that provided for officers of the Government of Kenya of a comparable status whose terms of appointment specify an entitlement to housing;
    - ii) free hotel accommodation, excluding meals, laundry and telephone for the advisers and their families from the date of their arrival in Kenya until housing is made available as per subparagraph c(i) above;
    - iii) provision of necessary office facilities and equipment, secretarial services and free postage and telecommunications for official purposes;
    - iv) such other assistance as is deemed essential to facilitate an effective performance of their official duties.

### Article III

#### Exemptions and Privileges

1. Any supplies, materials or equipment imported into Kenya for the purpose of implementing this Agreement shall be exempted from import restrictions, taxes, customs duties, and other fiscal charges. Any equipment to be purchased locally for the implementation of this Agreement may be bought from bonded stocks.
2. The Government of Kenya guarantees that any funds brought into Kenya by the Nordic Governments in connection with the implementation of this Agreement shall be freely and immediately transferable into convertible currencies.
3. The Government of Kenya undertakes to extend to the advisers provided by the Nordic Governments the following privileges and exemptions:
  - a) Exemption from income tax, graduated personal tax, hospital contribution and all other personal taxes on emoluments received from the Nordic Governments;
  - b) External account facilities;
  - c) Admission free of customs duty, sales and other fiscal charges on new and used personal and household effects, including one motor vehicle, one refrigerator and one air-conditioning unit, one radio, one record player, one tape recorder, one washing machine, minor electric appliances and one set of photographic and cine equipment, per household, which are brought into Kenya or are acquired in Kenya ex bonded warehouse by Nordic advisers and/or members of their families within six months of their first arrival in Kenya or return to Kenya after at least ten months' residence outside Kenya.

The exemption contained in sub-paragraph (c) shall be conditional upon the articles in question

- i) being re-exported from East Africa on termination of the assignment of the Nordic expert under this Agreement, or
  - ii) being sold or otherwise disposed of in Kenya to a person who is entitled to a similar exemption.
4. The Government of Kenya will further
- a) grant, free of charge and without delay, entry and exit visas required by the Kenyan Authorities for the Nordic advisers and their families;
  - b) deliver a certificate of mission which will assure the Nordic advisers the assistance and co-operation of the Government of Kenya in carrying out the tasks for which they were appointed;
  - c) provide the Nordic advisers and their families with such medical and hospital facilities as are available under The Government Code of Regulations to Kenya National Civil Servants of similar and equivalent rank and status against the payment of nominal or sub-economical charges;
  - d) provide assistance to the repatriation of the Nordic advisers and their families in time of international crises;
  - e) immediately notify the respective Nordic Embassy in the event of arrest or of detention or criminal proceedings being instituted against a Nordic adviser or a member of his family;
  - f) bear all risks or claims resulting from or occurring in the course of, or otherwise connected with, any operation covered by this Agreement. Without restricting the generality of the preceding sentence, the Government of Kenya will indemnify and hold harmless the Nordic Governments and the Nordic advisers against any and all liability, suits, actions, damages, demand, costs or fees on account of death, injuries to person or property or any other losses resulting from or connected with any act or omission performed in the course of operations covered by this Agreement, on the understanding, however, that Kenya in cases where claims arise as a result of gross negligence or wilful intention on the part of the advisers may hold the person concerned liable to indemnify the Government of Kenya;
  - g) ensure that the Nordic advisers are accorded a treatment no less favourable than that granted to any other citizen of the Nordic Countries or persons employed by those countries in relation to any current General Agreement on Technical Assistance or Technical Aid Project or Programme Agreement negotiated between the Nordic Countries individually or collectively with the Government of Kenya. Specifically, the advisers shall not be subject to legal prosecution in respect of any action taken including verbal statement made in connection with performance of their duty.
5. Subject to mutual consultations the Competent Authorities or either of them will have the right to request the recall of any of the Nordic advisers whose work or conduct is unsatisfactory.
6. The Nordic advisers shall with the consent of the Kenyan Government have the right to communicate to the Nordic Governments any or all of the findings which they previously have reported to the Government of Kenya unless such communications would prejudice the security of Kenya or unless the Government of Kenya has classified the same as confidential or secret.
7. Without prejudice to the above provisions the Nordic Governments shall ensure that the Nordic advisers are clearly informed that while they are assigned to Kenya they shall, as resident aliens, be subject to the laws and regulations of Kenya in force from time to time.
8. All material and equipment acquired in or brought into Kenya for the purpose of implementing this Agreement (with the exception of the personal belongings

of the Nordic advisers) shall immediately become and remain the property of Kenya.

#### Article IV

##### Administration and Organization

1. The Kenya Ministry responsible for Co-operatives and the Board of Nordic Development Projects or its nominee shall be competent to represent the two parties in the implementation of this Agreement.
2. There shall be a Joint Standing Committee consisting of representatives of the Government of Kenya and of the Nordic Governments. The Joint Standing Committee shall act as an advisory body to the two Parties as far as the activities under the Agreement are concerned.

As part of its work the Committee will consider the annual plans of work prepared by the Kenyan Government and also regularly review and evaluate the overall implementation of the Plan of Operation.

In performing its functions the Committee may enlist the assistance of independent evaluation specialists as indicated in Appendix 1.

3. All advisers shall be approved by the Government of Kenya prior to employment.

#### Article V

##### Entry into Force, Amendment and Duration

1. This Agreement shall enter into force provisionally on 1st July, 1977, and definitely after the fulfilment of such constitutional requirements as may be necessary in countries whose governments are parties to this Agreement. Notification regarding fulfilment of such requirements shall be given through diplomatic channels to all other governments parties to this Agreement. Following notification of fulfilment of the requirements mentioned above this Agreement shall remain in force until 30th June, 1980.

The Agreement may be terminated by either Party upon serving written notice on the other. Such notice shall be served not later than three months before the end of the annual budget period and the Agreement shall terminate at the expiry of the budget period in which such notice is served. Such written notice shall, however, not be served until consultations to that effect have taken place between the competent Authorities of the Parties.

If notice is served less than three months before the end of the budget period this Agreement shall remain in force until the expiry of the next following budget period.

2. Within the terms of this Agreement subsidiary and follow-up projects may be agreed upon between the Parties. Such subsidiary agreements shall not remain **in force after the expiry** of the present Agreement.
3. The Nordic advisers employed under the Agreement between the Governments of Denmark, Finland, Iceland, Norway and Sweden and the Government of Kenya, signed on 20th March, 1972, and serving in Kenya at the date of entry into force of this Agreement shall serve in Kenya according to the Plan of Operation of this Agreement for the remaining parts of the contractual period.

Done at Nairobi on the 15th day of July, 1977, in six original copies in the English language.

Leonard Kibinge  
On behalf of the Government of  
the Republic of Kenya

Flemming Bjørk Pedersen  
On behalf of the Governments of  
the Five Nordic Countries

**PLAN OF OPERATION FOR THE NORDIC PROJECT FOR  
COOPERATIVE ASSISTANCE TO KENYA  
JULY 1, 1977—JUNE 30, 1980**

**Introduction**

The operation of the Nordic Project for Co-operative Assistance to Kenya will, during the agreement period 1977—1980, to a large extent follow the operational pattern developed during the previous period 1972—1977, as one of the main reasons for the extension of the project has been to give room for a smoother withdrawal of the assistance.

The overall aim is to support the Kenyan Government in its efforts to strengthen the position of the Co-operative Movement in the country in specific areas.

The operation of the Nordic Project will follow closely the guidelines on Co-operative Development as started by the Kenyan

Government in its Sessional Paper No. 14 of 1975 and the Co-operative Development Plan 1976—1980 presenting the objectives in detail.

The purpose of the present Plan of Operation, which constitutes an appendix to the agreement between the Kenyan Government and the Nordic Governments is to specify for each year of the agreement period the planned magnitude of the Nordic assistance with respect to number of personnel and financial assistance. The plan furthermore states the main objectives in terms of co-operative development to be attained through Nordic assistance during the agreement period.

**I. Objectives**

During the agreement period 1977—80, the Kenyan Government will within the field of co-operative development be assisted by the Nordic Governments, who will provide technical personnel and financial support in order that the following objectives may be achieved:

1. To further improve and implement the established system for Savings and Credit facilities to members of agricultural marketing co-operative societies, which in the long run will be independently managed by the Co-operative Movement.
2. To develop, implement and maintain the standardized accounting systems which by the end of the period should have been introduced in all marketing societies.
3. To develop and implement co-operative education programmes at the Co-operative College and in the field to an extent which will assure the necessary skill for permanent efficiency in the

operation of co-operative unions and societies.

4. To develop and implement planning and management methods for the Co-operative Movement and the Department of Co-operative Development in order to improve their management standards.
5. To prepare plans for the Department and the Co-operative Movement based on the Government's approved policy and make up-to-date appraisals of present and new areas for activities for co-operative development, in accordance with the Government's intentions.
6. To promote the Kenya National Federation of Co-operatives in its endeavours to consolidate the established merchandise and insurance activities, which — besides supporting other activities of the K.N.F.C. — will provide meaningful and economic services to the co-operative movement.

### III. Fields of Action

#### 3.1. *Credit and Finance*

##### 3.1.1. *Background*

The implementation of systems for credit and savings facilities to small-holder members of co-operatives started with Nordic assistance in the years 1969—1970. The development up to now has been very rapid. 250.000 members presently have access to loans provided through the Co-operative Production Credit Scheme (C.P.C.S.) and 195.000 members are participating in the savings scheme. The services are provided through the Banking Sections of 13 Co-operative Unions and Credit Sections (no Savings) of 7 Unions. The accumulated savings balance is 60 million Shs. and since the start, loans to an amount of some 120 million Shs. have been granted. The recovery is between 95 and 100%, which is extremely good in a scheme for smallholders.

The Co-operative Movement is recognized by the Kenyan Government as the major vehicle for channelling loans to small-scale farmers. As a consequence, all major agricultural programmes involving credit to farmers are to a greater or smaller extent effected through the Cooperatives. The USAID sponsored Small-holder Production Services and Credit Production (SPSCP) has been introduced in 10 Unions in the weaker co-operative areas. The World Bank Integrated Agricultural Development Programme (I.A.D.P.), the Integrated Co-operative Development Project sponsored by the Dutch Government and the DANIDA Farm Input Supply Scheme are also concerned with co-operative credit.

The Department of Co-operative Development has faced difficulties in fully developing the management capacity within the co-operative framework to cope with the planning, systems development and control and supervision problems during

this rapid development. Furthermore, the financial assistance provided through the above-mentioned aid programmes will to a substantial degree be channelled through the established credit systems and will thereby constitute a challenge to the effectiveness of these systems. It is against this background that the tasks of the prolonged Nordic Assistance within the Credit and Finance Division should be seen.

##### 3.1.2. *Objectives*

In addition to the basic objective outlined under paragraph 2, it is the intention of the Government to initiate co-operative development in less developed areas by means of a simplified, and thereby more risky, credit programme, the SPSCP.

The objectives of the Nordic Project during the agreement period are to advise and assist the Kenyan Government in achieving the targets set for the Savings and Credit Systems. The targets for the period are:

1. Stores for resale of farm inputs to members to be established in all viable societies affiliated to a District Union.
2. Short-term loans to be available to 80 per cent of the members.
3. Medium-term loans to be available to 60—70 per cent of the members.
4. Savings facilities to be available to 60—70 per cent of the members.

In order to achieve these targets it will be necessary to:

- (i) further develop and adopt adequate organizational structures and systems and implement an extension of CPCS, other credit systems and savings schemes to new areas,
- (ii) promote security measures for the protection of members' funds and increase uniformity of procedures and reporting,
- (iii) mechanize the routines of the

Co-operative Bank and of the Banking Sections of the Co-operative Unions,

- (iv) further develop and improve present training programmes for all categories of credit and savings staff.

For the establishment of a long-term loan programme for the Co-operative Movement, the Nordic Project will during the period also be required to assist in:

- (v) analysis and feasibility studies for co-operative long-term loan projects carried out by the Co-operative Bank,  
 (vi) the establishment and promotion of a mortgage society to provide long-term loans to the Co-operative Movement.

*Summary of Nordic Personnel Requirements*

	1977/78	1978/79	1979/80
Senior Adviser . . . .	1	1	1
Nordic Adviser (Head Office) . . . .	1	1	
Nordic Adviser (Field) . . . . .	3	3	2
Nordic Adviser (Training) . . . . .	1		
Nordic Adviser (Co-op. Bank) . . . .	3	3	
	9	8	3

Total for Credit and Finance = 20 man-years

3.2. *Audit and Accounts*

3.2.1. *Background*

In any organization the performance of proper management requires application of a reliable accounting system.

It is also recognized that the accounting system with respect to the implementation of credit and saving systems, for the production of reliable statistics and for the development planning in the field of co-operatives plays a predominant role. Consequently, since 1967 one of the main duties of Nordic Accounts Advisers has been to develop and participate in the implementation of standardized accounting systems. The number of developed systems amounts to-day to 15.

These systems will be implemented in most of the viable and important marketing co-operative societies by 1977. During the agreement period it is foreseen that Kenyan officers will finalize the remaining implementation and consolidation of the standardized accounting systems with assistance from the Nordic Management Advisers in the field (ref. paragraph 3.3. Development Planning).

3.2.2. *Objectives*

The following objectives are set for the agreement period:

- (i) Testing and finalization of

3.1.3. *Nordic Personnel Requirements*

In order to assist the Kenyan Government in fulfilling the above objectives the following Nordic personnel will be required:

1. One Senior Adviser, whose main task will be to advise on item 3.1.2(i) above (three man-years).
2. One Adviser (Head Office) with the duty to in first hand assist in carrying out item 3.1.2.(ii) above (two man-years).
3. Three field advisers who will assist in the implementation of the savings and credit systems in the field (eight man-years).
4. One adviser will be stationed at the Co-operative College with the task of assisting in the training of savings and credit staff, as outlined under item 3.1.2.(iv) above (one man-year).  
(Ref. paragraph 3.6. Co-operative College below)
5. Three advisers stationed at the Co-operative Bank to assist in mechanization item 3.1.2.(iii), project surveys item 3.1.2.(v) and establishment of a mortgage society item 3.1.2.(vi) (six man-years).



three standardized accounting systems,

- (ii) Full implementation and consolidation of all standardized accounting systems — with exception of the Assets Register and the Salary System (80 per cent rate of implementation),
- (iii) Necessary modification and revision of present standardized accounting systems.

### 3.2.3. *Nordic Personnel Requirements*

In order to assist the Kenyan Government in achieving the above objectives one Nordic Adviser will be required (3 man-years). The adviser, to be stationed at Head Office, will be assisting in testing, finalization and modification of the system mentioned under 3.2.2.(i) and (iii).

## 3.3. *Development Planning and Management*

### 3.3.1. *Background*

The Development Planning Division of the Co-operative Development was established in late 1970 and is responsible for all plans for the Department and the Movement. It has the responsibility for operational details of promotion schemes, preparation of new projects, appraisal of projects and, generally, for promotion and development of the country's co-operative potential on the basis of the approved Government policy.

The Division is divided into three sections: Management, Statistics and Project and Surveys Section. The latter has mainly been dealing with preparation of District and Crop Surveys aimed at identifying co-operative development bottlenecks and areas in which co-operative development priorities should be established. The section also undertakes the promotion of co-operative development projects.

During 1976/77 the Nordic Assistance to the Division comprises 1 Senior Adviser, 2 Advisers (Head Office) and 7 Field Advisers. The

two advisers (Head Office) are working with the Management Section with emphasis on development of the "Management Consultancy" capability of the Section (see below). One of the advisers (Head Office) is also serving in the Statistics Section. In the field three advisers are posted at provincial level, while the rest are covering one or more districts as management advisers.

### 3.3.2. *Objectives*

The Kenyan Government has undertaken to build up the planning capability of the Division as recommended by the Evaluation Mission through the injection of additional staff of a high calibre into the Division.

It will therefore be possible during the agreement period to give priority and allocate resources for intensified research and planning geared towards ensuring a better fulfilment of the objectives for co-operative development.

Special consideration will also be given to improvement of the management standards in the Co-operative Movement through the operation of a "Management Consultancy Team" and increase of management training.

Furthermore, the objectives during the period could be summarized as follows:

- (i) to assist in formulating policy matters for decision making,
- (ii) to identify specific tasks and projects to be implemented by Co-operative Societies and Unions as well as by the Department of Co-operative Development,
- (iii) to develop operational guidelines in order to assist the Co-operative Movement towards increased efficiency with the ultimate aim of self-sustenance.

### 3.3.3. *Resources*

In order to get a smooth handing-over of the Nordic assistance in the field, seven Nordic Management Ad-

visers will be posted at provincial level (excluding North Eastern Province and Nairobi), two of them in Rift Valley. They will participate in building up the professional expertise in a planned decentralization from Head Office to provincial level of the supervision and control of accounts and credit implementation. On the promotional side they will work as counterparts to provincial "projects officers" whereby they will assist in the implementation and follow-up of planning, management and reporting systems, as well as in the groundwork project preparation for co-operative development projects.

At Head Office there will be a Senior Nordic Adviser up to the end of the agreement period. In addition, the two Nordic advisers (Head Office) will remain with the Division throughout this period.

The Nordic Personnel requirements for the agreement period are estimated as follows:

Nordic Advisers (Head Office) . . . . .	1977/78	1978/79	1979/80
	3	3	3
Nordic Advisers (Field) . . . . .	7	7	7
	10	10	10

Total for Development Planning = 30 man-years.

### 3.4. *Field Education*

#### 3.4.1. *Background*

At present four Nordic Advisers are assigned with Field Education duties. Two Nordic Education Advisers are working at Head Office as Senior Adviser and Education Specialist, respectively. Two Field Advisers are working as counterparts to the A.C.O.'s (Education) in charge of Coast and Rift Valley Provinces.

In the previous years the main emphasis has been laid on establishing an organization for Field Education at District level with the Provincial

Education Team as the co-ordinating and supervising body. At present District Education Committees have been established in Central, Eastern, Nyanza, Western and Nairobi Provinces, while they are in the establishing stage in Rift Valley and Coast Provinces.

The experience of withdrawing the Nordic Advisers from the Provinces where District Education Committees have been established, is that they still need support in the co-ordination of the activities and on the organizational side.

For this reason a Field Contact Team has been established at Head Office consisting of the Nordic Education Specialist and a Kenyan Officer. The team visits the Provinces regularly.

#### 3.4.2. *Objectives*

The ultimate aim of the Government within the field of education can shortly be described as training the Co-operative Movement to the extent that it will be able to take over the responsibility of its own educational activities. Besides catering for the actual training of the various categories of the Movement it is at the same time necessary to assist the Movement in developing its own educational institutions and organizations and to lay down policies, systems and working routines for the various aspects of the education work. This has to a great extent been fulfilled and the main objective during the agreement period will be to consolidate the results achieved and to continue the implementation of this policy in areas lagging behind. Special attention, therefore, will during the period be given to the following three objectives:

- (i) An organization for decentralized education will be established in Rift Valley and Coast Province. At the end of the period systematic education of the staff, the members and

the committee members will be organized at District level.

- (ii) The present organizational and supervisory shortcomings in Central, Eastern, Nyanza, Western and Nairobi Provinces will be solved with the assistance of the Field Contact Team.
- (iii) Educational material for committee members and member information according to the operational plans will be produced. Standardized courses as established in the Co-operative Development Plan will be produced for Field Education.

3.4.3. *Nordic Personnel requirements*

To assist the Kenyan Government in achieving the above outlined objectives the Nordic Project will provide technical personnel with a total of nine man-years during the period. Two advisers will be required at Head Office to assist in planning and supervisory (Field Contact Team) duties. Furthermore, two additional advisers will assist in implementing the policies in two provinces during 1977/78 with one remaining in the field throughout the period.

The personnel requirements can be summarized as follows:

Nordic Advisers	1977/78	1978/79	1979/80
(Head Office) . . . . .	2	2	1
Nordic Advisers (Field) . . . . .	2	1	1
	4	3	2

Total for Field Education = 9 man-years.

3.5. *Kenya National Federation of Co-operatives Ltd.*

3.5.1. *Background*

The Kenya National Federation of Co-operatives Ltd. (KNFC) is the apex organization of the co-operative movement in Kenya. From a modest start it has grown to an organization which is able to represent the Movement both in Kenya and abroad, print the major bulk of

the stationery used by the co-operatives and provide services in fields of office supply, export of handicraft, insurance, wholesale of farm inputs, information, education, auditing, and development planning. It is the policy of the Kenyan Government to support and encourage it to widen the scope of the commercial and other activities in order to make it possible for the KNFC to play its full part in the development of the movement.

During the period 1972—77 the number of Nordic Advisers assigned to Federation has been 4 to 5. Nordic financial assistance has been provided to assist in starting new activities.

3.5.2. *Objectives and Personnel and Financial Requirements*

The basic objective of the Government support to the K.N.F.C. is to create an organization which can safeguard and promote the interests of the Co-operative Movement, improve the performance of affiliated organizations and provide resources and services which would exceed the normal capacity of the individual affiliated organization thereby making better use of the totally available resources.

The activities within the K.N.F.C. requiring support from the Nordic Project during the agreement period are the merchandise and insurance undertakings. The Nordic Project will assist in attaining a higher degree of efficiency in the merchandise operations. In order to fulfil this objective, the Nordic Project will assign a Nordic Adviser to advise on specific aspects as regards the stabilization and controlled expansion of wholesale of farm inputs. In view of the great potentials within the farm input sector and the hitherto rapid development of the merchandise activity within the K.N.F.C., the adviser will be required for the whole agreement period.

A new insurance society (a subsidiary of the K.N.F.C.) is expected to start its operations late 1976. The second objective of Nordic support to the K.N.F.C. is to advise the insurance society during its crucial starting period and assist in bringing it on a sound economic footing. The services of the adviser will be required for one year of the plan period.

The Nordic Personnel can be summarized as follows:

	1977/78	1978/79	1979/80
Nordic Adviser, Merchandise . . . . .	1	1	1
Nordic Adviser, Insurance . . . . .	1		

Total for K.N.F.C. = 4 man-years.

Taking into account the non-economic activities of the K.N.F.C. and the strain the rapid development causes on its financial position, the Nordic countries will provide gradually decreasing financial assistance to certain sections of the K.N.F.C.: information, educational material for audit, merchandise, insurance and member information.

### 3.6. Co-operative College of Kenya

#### 3.6.1. Background

Since the second agreement on Nordic Co-operative Assistance was signed in 1971/72 the Nordic support to the College has gradually been withdrawn. The number of Nordic Advisers has decreased according to the "Revised Plan for Co-operative Development in Kenya with Nordic Assistance" indicating

that the taking over by Kenyan counterparts has successfully followed the plans laid down.

At the beginning of the 1972—77 agreement period the number of Nordic Advisers was seven. By 1976 the figure has decreased to two, which will be retained up to the end of the current plan (July 1977). Direct financial assistance to the College, apart from construction of one dormitory and a water purification plant, has annually amounted to K.Shs. 250.000, an amount which in 1976 corresponds to ten per cent of the Government's total recurrent costs for the College. This financial assistance, although marginal, has been of vital importance for certain activities such as production of educational material, training of lecturers, field follow-up of students, purchase of text books and assistance to financially weak societies for training of staff (Bursaries).

#### 3.6.2. Objectives

During the new agreement period 1977—1980 the Nordic assistance will mainly be of a financial nature which will enable the Kenyan Government to gradually take over the costs of the aforesaid activities, hitherto mainly covered by Nordic funds.

One Nordic Adviser (credit training) will be required for one year to complete training programmes and material for savings and credit staff, as explained under paragraph 3.1.3. above.

## IV. Administration of the Project

The resources provided by the Nordic Governments will be employed by the Kenyan authorities within the framework of this Plan of Operation and in accordance with agreed Annual Co-operative Development Plans issued by the Department of Co-operative Development.

The Nordic Personnel will be assigned to the Commissioner for Co-operative Develop-

ment, who in turn may second Nordic Advisers to work for the Secretary General of Kenya National Federation of Co-operatives, the Principal of Co-operative College and the Manager of the Co-operative Bank. The Nordic Personnel are to report in accordance with instructions issued by the Commissioner for Cooperative Development with copies to the Project Coordinator

in order to give a full picture of the implementation of the Project.

The Nordic Project Administration is represented in Kenya by the Project Co-ordinator who, together with the Commissioner for Co-operative Development, is responsible for the implementation and the

day-to-day operations of the Project. The duties and responsibilities of the Project Co-ordinator are specified in the Terms of Reference for the post. Daily administrative matters related to terms and conditions of service of the Nordic Personnel are performed by a Nordic Administrative Officer.

## V. Operational expenditures and financial contributions

### 5.1. *Mileage and subsistence allowances.*

The implementation and consolidation phases in the introduction of the standardized management systems within accounts, credit and education require rather frequent visits to district headquarters, unions and societies. Furthermore, the Project is now in the withdrawal stage and as a consequence hereof more field advisers will be stationed at provincial level, which demands heavy travelling to the districts. Travelling and Subsistence expenses for the Nordic Personnel have, due to the increasing costs in Kenya, constituted a heavy burden on the

budget of the Department of Co-operative Development, and the Nordic Governments will therefore during the Agreement Period meet the expenses incurred for Nordic Personnel when travelling on official duties (mileage allowance when using personal vehicles and subsistence allowance).

The estimated funds needed for this purpose are as follows:

	1977/78	1978/79	1979/80
K.Shs. ..	340.000	305.000	240.000

(Please note that the requirements are stated in Kenyan Shillings)

### 5.2. *Educational material and equipment, stationery, manuals, textbooks and funds for training of Kenyan Officers.*

The Nordic Governments will undertake to provide funds for the aforesaid purposes as follows:

#### *Department of Co-operative Development*

	K.Shs.		
	1977/78	1978/79	1979/80
Credit and Finance Division (manuals, educational material training)	50.000	40.000	30.000
Audit and Accounts Div. (printing of manuals, training) .....	45.000	40.000	30.000
Development Planning Division and Management promotion (printing of manuals, stationery, training) .....	40.000	30.000	15.000
Education Division (manuals, educational material, AV-aids, training)	75.000	60.000	35.000
Training Fund (local and overseas training) .....	80.000	80.000	80.000
Co-operative College (production of educational material, field follow-up schemes, textbooks, bursaries and training) .....	200.000	150.000	100.000
Kenya National Federation of Co-operatives (K.N.F.C.) .....	130.000	100.000	80.000
	620.000	500.000	370.000

The funds are to be administered by the Project Co-ordinator in accordance with the Annual Co-operative Development

Plans. (Please note that the amounts are stated in Kenyan Shillings).

## VI. Summary of the Nordic Manpower Requirements

The Total number of Nordic Personnel to be provided under the Agreement is as follows:

	1977/78	1978/79	1979/80
Project Co-ordinator	1	1	1
Administrative Officer .....	1	1	1
Credit and Finance:			
— Co-operative Department .....	5	5	3
— Co-operative Bank .....	3	3	
— Co-operative College .....	1		
Audit and Accounts	1	1	1
Education .....	4	3	2
Development Planning & Managemt. ..	10	10	10
K.N.F.C. ....	2	1	1
	<hr/>	<hr/>	<hr/>
	28	25	19

giving a total of 72 man-years for the Agreement Period.

The delineated allocation of Nordic personnel in this Plan of Operation on the various institutions/functions does not represent an inalterable formula for deployment of the personnel. A certain flexibility is required and the Commissioner for Co-operative Development and the Project Co-ordinator can therefore jointly decide on alternative possibilities of deploying the Nordic Personnel, should need arise.

## VII. Budget for the Nordic contribution

The budget for the Nordic contribution (calculated in 1976 prices) in accordance with this Plan of Operation amounts to:

### A. Administration

Expenditures for administration in the Nordic countries and local administration in Kenya ..... 1.545.000

### B. Nordic Personnel

Comprises salaries and related allowances, transportation, insurance, pension benefits and training calculated at D.kr. 161.000 per man-year. Total man-years

according to Plan of Operation to 76 including a five per cent overlapping .... 12.236.000

### C. Operational Expenditures

Mileage and subsistence allowances for Nordic personnel:  
K.Shs. 885.000 at the rate of 0.74 = ..... 655.000

### D. Financial Contributions

As per paragraph 5.2. above:  
K.Shs. 1.490.000 at the rate of 0.74 = ..... 1.103.000

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Total D.kr. 15.539.000

## Programme for Nordic Consultancy Services to support New Co-operative Activities in Kenya

### 1. Introduction

This programme which constitutes a part of the Plan of Operation for the Nordic Project for Co-operative Assistance to Kenya July 1, 1977—June 30, 1980 outlines the need for special consultancy services within certain speci-

fied sectors of the Co-operative Movement.

It is the policy of the Government of Kenya to allow and encourage the Co-operative Movement to diversify its activities and to expand to other suitable sectors of the economy. Co-opera-

tives should not only confine themselves to marketing of agricultural produce, which hitherto has been the major field of operations. In the National Co-operative Development Plan for 1976—80, a number of new emerging co-operative activities have been planned for.

A number of these co-operative enterprises such as consumer, fishery and savings and credit were started some years ago, while others, such as co-operative industries and building and construction co-operatives are in their initial stages of development. All have, according to preliminary surveys, revealed potentials for further progress. However, due to lack of experience and technical knowledge, some of them are presently experiencing starting problems, which, if not effectively remedied, could hamper their development. The new emerging co-operative activities will therefore require active government support to further survey their potentials and constraints and to plan their future operations.

## 2. *Objectives and scope of the programme*

The objectives of the support of the Nordic Project to this programme are to advise and assist the Government of Kenya in

- surveying the potentials and possibilities for co-operative development within the economic activities listed below
- carrying out feasibility studies and preparation of operational plans and management, accounting and control systems (where applicable)
- designing pilot projects from which experience for further expansion can be drawn (where applicable)
- designing training programmes and preparation of educational material (where applicable)

To the extent possible the support within the framework of this programme should also include implementation and development of the new activities.

After six months the consultants should submit a preliminary report. Based on

this a decision should be made as to whether the activities should be continued, expanded or decreased. This decision should be made jointly by the Kenyan authorities, the Project Co-ordinator, the Scheme Organizer and the Consultant.

The Nordic Project Co-ordinator will secure an overall summary of the final reports and recommendations to be submitted to the Kenyan authorities and the Nordic Board.

## 3. *Nordic Personnel Requirements*

The Nordic Project will provide technical assistance personnel (1 scheme organizer and 9 consultants) for the following new co-operative activities as follows:

- I. Scheme Organizer
  - For a total period of two months
- II. Housing Co-operatives
  - One consultant for a period of 12 months
- III. Building and Construction Co-operatives
  - One consultant for a period of 12 months
- IV. Small-scale Rural Co-operative Industries
  - One consultant for a period of 12 months
- V. Consumer Co-operatives
  - Two consultants for a period of 12 months
- VI. Fishery Co-operatives
  - One consultant for a period of 12 months
- VII. Urban Credit and Savings Societies
  - Two consultants for a period of 12 months each
- VIII. Co-operative Industries
  - One consultant for a period of 12 months

The Scheme Organizer will have the following functions:

- to assist the consultants and the Kenyan authorities during the first working months in organizing the respective activities (1 month)

— to assist in assessing the mid-term reports/studies/plans and to give advice on priorities and scheduling of the latter part of the consultants' work (1 month)

— to prepare for the Joint Standing Committee and the Nordic Board a summary report of the surveys and studies carried out and recommendations for the follow-up.

The Scheme Organizer will be under supervision by the Nordic Project Co-ordinator.

#### 4. Budget for the Nordic Contribution

The total budget in 1976 prices for the Nordic contribution to this programme is as follows:

	D.kr.
Nordic consultants (9) . . . .	1.629.000
Scheme Organizer . . . . .	45.000
Financial assistance . . . . .	200.000
	Total 1.874.000

The Nordic consultants are calculated at D.kr. 181.000 per man-year, which besides salaries and allowances also includes costs of transportation, pension benefits, insurances, recruitment and training.

Financial assistance comprises allowances for local transport and subsistence, stationery and training material.

## AUGLÝSING

**um fullgildingu alþjóðasamnings um varnarráðstafanir og refsingar vegna glæpa gegn einstaklingum er njóta alþjóðlegrar verndar, þ. á m. sendierindrekum.**

Hinn 2. ágúst 1977 var skrásett hjá framkvæmdastjóra Sameinuðu þjóðanna í New York móttaka fullgildingarskjals Íslands að alþjóðasamningi um varnarráðstafanir og refsingar vegna glæpa gegn einstaklingum er njóta alþjóðlegrar verndar, þ. á m. sendierindrekum, sem gerður var í New York hinn 14. desember 1973, en samningur þessi var undirritaður af Íslands hálfu hinn 10. mars 1974.

Samningurinn gengur í gildi fyrir Ísland hinn 1. september n. k. og er birtur sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 26. ágúst 1977.*

Einar Ágústsson.

*Henrik Sv. Björnsson.*

### Fylgiskjal.

#### SAMNINGUR

**um varnarráðstafanir og refsingar vegna glæpa gegn einstaklingum er njóta alþjóðlegrar verndar, þ. á m. sendierindrekum.**

**Aðildarríki samnings þessa, hafa í huga markmið og grundvallarreglur sáttmála Sameinuðu þjóðanna varðandi**

#### CONVENTION

**on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.**

**The States Parties to this Convention, Having in mind the purposes and principles of the Charter of the United Nations**



varðveislu heimsfriðar og eflingar vinnulegra samskipta og samvinnu ríkja á milli,

líta svo á að þeir glæpir gegn sendi- erindrekum og þeim einstaklingum öðrum, er njóta alþjóðlegrar verndar, sem stofna öryggi slíkra einstaklinga í hættu feli í sér alvarlega ógnun við viðgang eðlilegra alþjóðasamskipta, sem nauðsynleg eru samvinnu ríkja,

telja frammang slíkra glæpa vera alvarlegt áhyggjuefni hinu alþjóðlega samfélagi.

eru sannfærð um að brýna nauðsyn beri til viðeigandi áhrifaríkra varnarráðstafana gegn og refsingu fyrir slíka glæpi,

hafa orðið ásátt um það sem hér fer á eftir:

#### 1. grein

Í samningi þessum merkir:

1. „einstaklingur er nýtur alþjóðlegrar verndar“:
  - a) þjóðhöfðingi, þar með talinn sérhver í hópi þeirra manna, sem sameiginlega gegna störfum þjóðhöfðingja samkvæmt stjórnarskrá viðkomandi ríkis, forsætisráðherra eða utanríkisráðherra, hvenær sem slíkur einstaklingur er staddur í erlendu ríki, svo og sá úr fjölskyldu hans sem kann að vera í fylgd með honum;
  - b) sérhver fulltrúi eða embættismaður ríkis, eða sérhver embættismaður eða annar starfsmaður alþjóðastofnunar er ríkisstjórnir eiga aðild að, sem hvenær og hvar sem glæpur kann að vera framinn gegn honum, opinberum vinnustað hans, einkadvalarstað hans eða farartæki hans á samkvæmt ákvæðum þjóðaréttar rétt á sérstakri vernd gegn hvers konar árás á hans eigin persónu, frelsi hans eða virðingu, svo og þeir úr fjölskyldu hans sem teljast til heimilis hans;
2. „meintur brotamaður“ merkir þann einstakling sem svo er ástatt um, að nægilegar sannanir eru til þess að

concerning the maintenance of international peace and the promotion of friendly relations and co-operation among States,

Considering that crimes against diplomatic agents and other internationally protected persons jeopardizing the safety of these persons create a serious threat to the maintenance of normal international relations which are necessary for co-operation among States,

Believing that the commission of such crimes is a matter of grave concern to the international community,

Convinced that there is an urgent need to adopt appropriate and effective measures for the prevention and punishment of such crimes,

Have agreed as follows:

#### Article 1

For the purposes of this Convention:

1. “internationally protected person” means:
  - a) a Head of State, including any member of a collegial body performing the functions of a Head of State under the constitution of the State concerned, a Head of Government or a Minister for Foreign Affairs, whenever any such person is in a foreign State, as well as members of his family who accompany him;
  - b) any representative or official of a State or any official or other agent of an international organization of an intergovernmental character who, at the time when and in the place where a crime against him, his official premises, his private accommodation or his means of transport is committed, is entitled pursuant to international law to special protection from any attack on his person, freedom or dignity, as well as members of his family forming part of his household;
2. “alleged offender” means a person as to whom there is sufficient evidence to determine prima facie that

ákvarða þegar í stað án frekari rannsóknar (prima facie) að hann hafi framið eða átt hlutdeild í að fremja einn eða fleiri þeirra glæpa, sem greindir eru í 2. grein.

### 2. grein.

1. Af hálfu allra sammingsríkja skal sérhver sá ásetningsverknaður, sem hér er talinn, teljast glæpur samkvæmt landslögum:
  - a) morð, mannrán eða önnur árás gegn persónu eða frelsi einstaklings er nýtur alþjóðlegrar verndar;
  - b) ofbeldisárás gegn opinberum vinnustað, einkadvalarstað eða farartæki einstaklings er nýtur alþjóðlegrar verndar ef líklegt er að slík árás stofni persónu hans eða frelsi í hættu;
  - c) hótun um að fremja einhvern slíkan verknað;
  - d) tilraun til þess að fremja einhvern slíkan verknað;
  - e) verknaður er felur í sér hlutdeild í einhverri slíkri árás.
2. Sérhvert sammingsríki skal lýsa slíka glæpi refsiverða og mæla fyrir um hæfilegar refsingar með tilliti til hins alvarlega eðlis þeirra.
3. Ákvæði 1. og 2. málsgreinar þessarar greinar draga á engan hátt úr þeim skyldum sem samkvæmt þjóðarétti hvila á sammingsríkjum að gera allar tilhlýðilegar ráðstafanir til þess að koma í veg fyrir aðrar árásir á persónu, frelsi eða virðingu einstaklings er nýtur alþjóðlegrar verndar.

### 3. grein

1. Sérhvert sammingsríki skal gera þær ráðstafanir er nauðsynlegar mega teljast til þess að tryggja meðferð lög sögu af þess hálfu varðandi glæpi þá sem ákvæði 2. greinar taka til í þeim tilvikum er nú skal greina:
  - a) þegar glæpurinn er framinn á landssvæði þessa ríkis eða um

he has committed or participated in one or more of the crimes set forth in article 2.

### Article 2

1. The international commission of:
  - a) a murder, kidnapping or other attack upon the person or liberty of an internationally protected person;
  - b) a violent attack upon the official premises, the private accommodation or the means of transport of an internationally protected person likely to endanger his person or liberty;
  - c) a threat to commit any such attack;
  - d) an attempt to commit any such attack; and
  - e) an act constituting participation as an accomplice in any such attack
 shall be made by each State Party a crime under its internal law.
2. Each State Party shall make these crimes punishable by appropriate penalties which take into account their grave nature.
3. Paragraphs 1 and 2 of this article in no way derogate from the obligations of States Parties under international law to take all appropriate measures to prevent other attacks on the person, freedom or dignity of an internationally protected person.

### Article 3

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the crimes set forth in article 2 in the following cases:
  - a) when the crime is committed in the territory of that State or on

- borð í loftfari eða skipi sem skrásett er í ríkinu;
- b) þegar hinn meinti brotamaður er ríkisborgari þessa ríkis;
  - c) þegar glæpurinn er framinn gegn einstaklingi er nýtur alþjóðlegrar verndar samkvæmt ákvæðum 1. greinar og nýtur réttarins sakir starfa er hann gegnir í nafni þessa ríkis.
2. Sérhvert samningsríki skal á sama hátt gera þær ráðstafanir er teljast mega nauðsynlegar til þess að tryggja meðferð lögsögu af þess hálfu varðandi slíka glæpi í þeim tilvikum þau sem hinn meinti brotamaður er staddur á landssvæði þess og það framselur hann ekki samkvæmt ákvæðum 8. greinar til einhvers þess ríkis sem talið er í 1. málsgrein þessarar greinar.
  3. Ákvæði samnings þessa koma ekki á neinn hátt í veg fyrir meðferð refsilögsögu samkvæmt landslögum.

#### 4. grein

Samningsríki skulu vinna saman að því að koma í veg fyrir glæpi þá sem taldir eru í 2. grein, einkum með því að:

- a) gera allar raunhæfar ráðstafanir til þess að hindra að unnið sé á landssvæði þeirra að undirbúningi slíkra glæpa hvort sem hugsað er til þess að fremja þá á þeirra eigin landssvæði eða utan þess;
- b) skiptast á upplýsingum og samræma stjórnsýsluaðgerðir og eftir atvikum aðrar aðgerðir til þess að koma í veg fyrir að slíkir glæpir verði framdir.

#### 5. gr.

1. Hafi einhver þeirra glæpa sem kveðið er á um í 2. grein verið framið í samningsríki skal það, ef ætla má að meintur brotamaður hafi flúið af yfirráðasvæði þess, tilkynna öllum öðrum ríkjum sem hlut eiga að máli, annaðhvort beint eða fyrir milligöngu aðalframkvæmdastjóra Sameinuðu þjóðanna, allar staðreyndir er máli skipta varðandi glæp þann sem fram-

board a ship or aircraft registered in that State;

- b) when the alleged offender is a national of that State;
  - c) when the crime is committed against an internationally protected person as defined in article 1 who enjoys his status as such by virtue of functions which he exercises on behalf of that State.
2. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over these crimes in cases where the alleged offender is present in its territory and it does not extradite him pursuant to article 8 to any of the States mentioned in paragraph 1 of this article.
  3. This Convention does not exclude any criminal jurisdiction exercised in accordance with internal law.

#### Article 4

States Parties shall co-operate in the prevention of the crimes set forth in article 2, particularly by:

- a) taking all practicable measures to prevent preparations in their respective territories for the commission of those crimes within or outside their territories;
- b) exchanging information and coordinating the taking of administrative and other measures as appropriate to prevent the commission of those crimes.

#### Article 5

1. The State Party in which any of the crimes set forth in article 2 has been committed shall, if it has reason to believe that an alleged offender has fled from its territory, communicate to all other States concerned, directly or through the Secretary-General of the United Nations, all the pertinent facts regarding the crime committed and all available information regard-

inn hefur verið ásamt öllum fyrir-  
liggjandi upplýsingum um hver hinn  
meinti brotamaður sé.

2. Hvenær sem framinn hefur verið ein-  
hver sá glæpur sem ákvæði 2. greinar  
taka til gegn einstaklingi er nýtur al-  
þjóðlegrar verndar þá skal sérhver  
það samningsríki sem býr yfir upp-  
lýsingum er lúta að þeim, sem glæpur  
beindist gegn, eða atvikum sem verkn-  
aðinn varða leitast við að senda þær  
áfram í samræmi við landslög sín án  
tafar og sem ítarlegastar til þess ríkis  
sem hlutaðeigandi einstaklingur  
gegnði skyldustörfum fyrir.

#### 6. gr.

1. Eftir að hafa gengið úr skugga um  
að málsatvik réttlæti slíkt, skal samn-  
ingsríki þar sem meintur brotamaður  
er staddur, gera viðeigandi ráðstaf-  
anir í samræmi við eigin lög til þess  
að tryggja nærveru hans vegna sak-  
sóknar eða framsals. Tilkynna skal  
slíkar ráðstafanir án tafar, annað-  
hvort beint eða með milligöngu aðal-  
framkvæmdastjóra Sameinuðu þjóð-  
anna, til:
  - a) ríkis þess þar sem glæpurinn var  
framinn;
  - b) ríkis þess eða ríkja þar sem hinn  
meinti brotamaður á ríkisfang  
eða, sé hann ríkisfangslaus, þess  
ríkis þar sem hann hefur fasta  
búsetu;
  - c) ríkis þess eða ríkja þar sem við-  
komandi einstaklingur er nýtur  
alþjóðlegrar verndar á ríkisfang  
eða þess ríkis sem hann gegndi  
skyldustörfum fyrir;
  - d) allra annarra ríkja sem hlut eiga  
að máli. og
  - e) þeirrar alþjóðastofnunar sem við-  
komandi einstaklingur er nýtur  
alþjóðlegrar verndar og í hlut á  
starfar hjá eða er fulltrúi fyrir.
2. Sérhver sá einstaklingur, er ráðstaf-  
anir sem kveðið er á um í 1. máls-  
grein þessarar greinar beinast gegn,  
skal hafa rétt til þess:
  - a) að hafa án tafar samband við  
næsta þar til bærán fulltrúa þess

ing the identity of the alleged of-  
fender.

2. Whenever any of the crimes set forth  
in article 2 has been committed  
against an internationally protected  
person, any State Party which has  
information concerning the victim  
and the circumstances of the crime  
shall endeavour to transmit it, under  
the conditions provided for in its in-  
ternal law, fully and promptly to the  
State Party on whose behalf he was  
exercising his functions.

#### Article 6

1. Upon being satisfied that the cir-  
cumstances so warrant, the State  
Party in whose territory the alleged  
offender is present shall take the  
appropriate measures under its in-  
ternal law so as to ensure his pre-  
sence for the purpose of prosecution  
or extradition. Such measures shall  
be notified without delay directly or  
through the Secretary-General of the  
United Nations to:
  - a) the State where the crime was  
committed;
  - b) the State or States of which the  
alleged offender is a national or,  
if he is a stateless person, in whose  
territory he permanently resides;
  - c) the State or States of which the  
internationally protected person  
concerned is a national or on  
whose behalf he was exercising  
his functions.
  - d) all other States concerned; and
  - e) the international organization of  
which the internationally pro-  
tected person concerned is an offi-  
cial or an agent.
2. Any person regarding whom the  
measures referred to in paragraph  
1 of this article are being taken shall  
be entitled:
  - a) to communicate without delay  
with the nearest appropriate re-

ríkis þar sem hann á ríkisfang eða sem á annan hátt er heimilt að vernda réttindi hans eða, sé hann ríkisfangslaus, fulltrúa þess ríkis sem hann æskir og reiðubúið er til þess að vernda réttindi hans; og

- b) að fá fulltrúa þess ríkis í heimsókn.

### 7. gr.

Samningsríki sem meintur brotamaður er staddur í skal, svo framarlega sem það framselur hann ekki, án nokkurrar undantekningar og án óeðlilegrar tafar, vísa málinu til viðeigandi yfirvalda sinna til saksóknar og meðferðar að lögum þess ríkis.

### 8. gr.

1. Að svo miklu leyti sem glæpa þeirra sem kveðið er á um í 2. grein er ekki getið sem framsalshæfra afbrota í gildandi framsalssamningum milli samningsríkja þá skulu þeir teljast til slíkra afbrota. Samningsríkin taka á hendur að lýsa slíka glæpi framsalshæf afbrot í sérhverjum framsalssamningi sem þau kunna að gera með sér hér eftir.
2. Ef samningsríki sem gerir það að skilyrði fyrir framsali að samningur sé í gildi þar að lútandi og því berst beiðni um slíkt framsal frá öðru samningsríki sem það hefur ekki gert við samning um framsal þá getur það, ef það ákveður framsal, litið á þennan samning sem lagagrundvöll fyrir framsali að því er tekur til slíkra glæpa. Framsal skal háð þeirri formlegu málsmeðferð og þeim skilyrðum öðrum er lög þess lands er beiðnina fær kveða á um.
3. Samningsríki þau, sem ekki gera það að skilyrði fyrir framsali að samningur sé í gildi þar að lútandi, skulu sín í milli viðurkenna að slíkir glæpir heyri til afbrota er framsal liggur við og skal það háð þeirri formlegu málsmeðferð og þeim skilyrðum öðrum er lög þess lands er beiðnina fær kveða á um.

representative of the State of which he is a national or which is otherwise entitled to protect his rights or, if he is a stateless person, which he requests and which is willing to protect his rights; and

- b) to be visited by a representative of that State.

### Article 7

The State Party in whose territory the alleged offender is present shall, if it does not extradite him, submit, without exception whatsoever and without undue delay, the case to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State.

### Article 8

1. To the extent that the crimes set forth in article 2 are not listed as extraditable offences in any extradition treaty existing between States Parties, they shall be deemed to be included as such therein. States Parties undertake to include those crimes as extraditable offences in every future extradition treaty to be concluded between them.
2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may, if it decides to extradite, consider this Convention as the legal basis for extradition in respect of those crimes. Extradition shall be subject to the procedural provisions and the other conditions of the law of the requested State.
3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize those crimes as extraditable offences between themselves subject to the procedural provisions and the other conditions of the law of the requested State.

4. Fara skal með sérhvern þann glæp er hér um ræðir, að því er tekur til framsals milli sammingsríkjanna, á þann hátt sem hann hafi ekki einungis gerst á þeim stað þar sem hann var framinn heldur og á landssvæði þeirra ríkja er samkvæmt ákvæðum 1. málsgreinar 3. greinar ber skylda til þess að tryggja meðferð lögsögu af þess hálfu.

#### 9. gr.

Sérhverjum þeim einstaklingi, sem málsmeðferð er beint gegn vegna einhvers þeirra glæpa sem kveðið er á um í 2. grein, skal tryggð réttlát meðferð á öllum stigum málsins.

#### 10. gr.

1. Sammingsríki skulu veita hvert öðru alla hugsanlega aðstoð í sambandi við meðferð refsímáls er höfðað hefur verið vegna þeirra glæpa sem kveðið er á um í 2. grein, þar á meðal láta í té hverjar þær sannanir er þau kunna að hafa í sínum fórum og nauðsynlegar eru fyrir meðferð málsins.
2. Ákvæði 1. málsgreinar þessarar greinar skulu ekki hafa áhrif á skuldbindingar varðandi gagnkvæma aðstoð á sviði réttarfars sem kunna að felast í öðrum samningum.

#### 11. gr.

Samningsríki þar sem mál er höfðað gegn meintum brotamanni skal tilkynna aðalframkvæmdastjóra Sameinuðu þjóðanna endanlega málsniðurstöðu, en hann skal síðan senda þær upplýsingar áfram til allra annarra sammingsríkja.

#### 12. gr.

Ákvæði þessa sammings skulu ekki hafa áhrif á framkvæmd sáttmála um gríðastað sem í gildi eru við samþykkt þessa sammings milli ríkja þeirra sem aðild eiga að þeim sáttmálum. Hins vegar má ríki sem á aðild að þessum samningi ekki bera fyrir sig ákvæði þeirra sáttmála gagnvart öðru ríki sem aðild á að þessum samningi en ekki sáttmálanum.

4. Each of the crimes shall be treated, for the purpose of extradition between States Parties, as if it had been committed not only in the place in which it occurred but also in the territories of the States required to establish their jurisdiction in accordance with paragraph 1 of article 3.

#### Article 9

Any person regarding whom proceedings are being carried out in connexion with any of the crimes set forth in article 2 shall be guaranteed fair treatment at all stages of the proceedings.

#### Article 10

1. States Parties shall afford one another the greatest measure of assistance in connexion with criminal proceedings brought in respect of the crimes set forth in article 2, including the supply of all evidence at their disposal necessary for the proceedings.
2. The provisions of paragraph 1 of this article shall not affect obligations concerning mutual judicial assistance embodied in any other treaty.

#### Article 11

The State Party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties.

#### Article 12

The provisions of this Convention shall not affect the application of the Treaties on Asylum, in force at the date of the adoption of this Convention, as between the States which are parties to those Treaties; but a State Party to this Convention may not invoke those Treaties with respect to another State Party to this Convention which is not a party to those Treaties.

**13. gr.**

1. Sérhver deila, sem kann að koma upp milli tveggja eða fleiri samningsríkja varðandi túlkun eða beitingu á ákvæðum hans, og ekki verður leyst með samningaumleitunum, skal ef aðili óskar lögð í gerð. Ef deiluaðilar hafa ekki innan sex mánaða frá dagsetningu beiðnar um gerðardóm getað komið sér saman um skipun gerðardómsins getur hvor þeirra sem er skotið málinu til Alþjóðadómstólsins með beiðni í samræmi við ákvæði samþykktá dómstólsins.
2. Sérhvert samningsríki getur við undirritun eða fullgildingu samningsins eða síðari aðild að honum lýst yfir því, að það telji sig óbundið af ákvæðum 1. málsgreinar þessarar greinar. Önnur samningsríki skulu eigi bundin af ákvæðum 1. málsgreinar þessarar greinar gagnvart ríki sem gert hefur slíkan fyrirvara.
3. Sérhvert samningsríki sem gert hefur fyrirvara í samræmi við 2. málsgrein þessarar greinar getur hvenær sem er afturkallað slíkan fyrirvara með því að senda aðalframkvæmdastjóra Sameinuðu þjóðanna tilkynningu þess efnis.

**14. gr.**

Samningur þessi skal liggja frammi í aðalstöðvum Sameinuðu þjóðanna í New York til undirritunar fram til 31. desember 1974.

**15. gr.**

Samningur þessi er háður fullgildingu. Fullgildingarskjöl skulu afhent aðalframkvæmdastjóra Sameinuðu þjóðanna til vörslu.

**16. gr.**

Sérhverju ríki skal heimilt að gerast síðar aðili að samningi þessum. Aðildarskjöl skulu afhent aðalframkvæmdastjóra Sameinuðu þjóðanna til vörslu.

**17. gr.**

1. Samningur þessi skal öðlast gildi á þriðugasta degi frá þeim degi talið er

**Article 13**

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.
2. Each State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by paragraph 1 of this article with respect to any State Party which has made such a reservation.
3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

**Article 14**

This Convention shall be open for signature by all States, until 31 December 1974 at United Nations Headquarters in New York.

**Article 15**

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

**Article 16**

This Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

**Article 17**

1. This Convention shall enter into force on the thirtieth day following the date

tuttugu og tvö ríki hafa afhent aðalframkvæmdastjóra Sameinuðu þjóðanna til vörslu fullgildingar- eða aðildarskjöl sín.

2. Að því er tekur til sérhvers þess ríkis sem fullgildir eða gerist aðili að samningi þessum eftir að tuttugu og tvö ríki hafa afhent fullgildingar- eða aðildarskjöl sín til vörslu skal samningurinn öðlast gildi á þrítugasta degi eftir að það ríki afhenti fullgildingar- eða aðildarskjal sitt.

#### 18. gr.

1. Sérhvert aðildarríki getur sagt samningi þessum upp með skriflegri tilkynningu til aðalframkvæmdastjóra Sameinuðu þjóðanna.
2. Slík uppsögn skal taka gildi þegar sex mánuðir eru liðnir frá þeim degi er aðalframkvæmdastjóra Sameinuðu þjóðanna barst í hendur tilkynning um uppsögnina.

#### 19. grein

Aðalframkvæmdastjóri Sameinuðu þjóðanna skal meðal annars tilkynna öllum ríkjum:

- a) undirritanir undir þennan samning, afhendingar fullgildingar- eða aðildarskjala samkvæmt ákvæðum 14., 15. og 16. greinar, og tilkynningar samkvæmt 18. grein;
- b) gildistökudag samnings þessa í samræmi við ákvæði 17. greinar.

#### 20. grein

Frumrit samnings þessa sem gerður er á ensku, frönsku, kínversku, spönsku og rússnesku með jafngildum textum skal aðalframkvæmdastjóri Sameinuðu þjóðanna varðveita og skal hann senda öllum ríkjum staðfest eftirrit af því.

Þessu til staðfestu hafa undirritaðir sem til þess hefur verið veitt fullt umboð af hálfu ríkisstjórna sinna ritað nöfn sín undir samning þennan sem lagður var fram til undirritunar í New York 14. dag desembermánaðar 1973.

of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

#### Article 18

1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.
2. Denunciation shall take effect six months following the date on which notification is received by the Secretary-General of the United Nations.

#### Article 19

The Secretary-General of the United Nations shall inform all States, *inter alia*:

- a) of signatures to this Convention of the deposit of instruments of ratification or accession in accordance with articles 14, 15 and 16 of notifications made under article 18;
- b) of the date on which this Convention will enter into force in accordance with article 17.

#### Article 20

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at New York on 14 December 1973.



## AUGLÝSING

### um samning milli ríkisstjórna Íslands og Póllands um vísinda- og tæknisamvinnu á sviði sjávarútvegs.

Í dag var gerður í Reykjavík samningur milli ríkisstjórnar Íslands og ríkisstjórnar Pólska alþýðulýðveldisins um vísinda- og tæknisamvinnu á sviði sjávarútvegs.

Samningurinn gengur í gildi á undirritunardegi — og er birtur sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 9. september 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

#### Fylgiskjal.

#### SAMNINGUR

milli ríkisstjórnar lýðveldisins Íslands og ríkisstjórnar Pólska alþýðulýðveldisins um vísinda- og tæknisamvinnu á sviði sjávarútvegs.

Ríkisstjórn lýðveldisins Íslands og ríkisstjórn Pólska alþýðulýðveldisins, sem

hafa í huga nauðsyn verndunar, endurnýjunar og skynsamlegrar nýtingar lifandi auðæfi hafsins.

viðurkenna fullveldisrétt hvors landsins um sig innan fiskveiðilögsögu sinnar,

eru ásáttar um, að þeim beri ábyrgð og skylda til að gera virkar ráðstafanir til verndunar, endurnýjunar og skynsamlegrar nýtingar lifandi auðæfa hafsins innan og utan fiskveiðilögsögu hvors landsins um sig,

leggja áherslu á mikilvægi vísindarannsóknna og skipta á viðeigandi upplýsingum, að því er varðar lifandi auðæfi hafsins,

telja að nauðsynin á verndun, endurnýjun og skynsamlegri nýtingu lifandi

#### AGREEMENT

between the Government of the Republic of Iceland and the Government of the Polish People's Republic on scientific and technical co-operation in fisheries.

The Government of the Republic of Iceland and the Government of the Polish People's Republic,

taking into account the need for the conservation, reproduction and rational utilization of the living resources of the sea,

recognizing the sovereign rights of each country over its fisheries zone,

acknowledging their responsibility and duty to take effective measures for the conservation, reproduction and rational utilization of the living resources of the sea, both within and beyond the fisheries zones of each of the two countries,

emphasizing the importance of scientific research and the exchange of relevant information with regard to the living resources of the sea,

considering that the need for conservation, reproduction and rational utiliza-

auðæfa hafsins skapi þörf á að taka til athugunar og mats hinar ýmsu veiðiaðferðir, sem beitt er,

líta í ljós ánægju sína yfir núverandi samvinnu Íslands og Póllands um vísindarannsóknir innan vébanda Alþjóðahaf-rannsóknaráðsins og annarra alþjóðasamtaka,

óska að leggja grundvöll að frekari þróun og eflingu vísindasamvinnu Íslands og Póllands á sviði lifandi auðæfa hafsins og að auðvelda tæknisamráð, að því er snertir veiðiaðferðir og geymslu, flutning og vinnslu sjávarafurða, og

hafa að leiðarljósi þá ósk að efla og styrkja vináttutengsl milli Íslands og Póllands,

hafa komið sér saman um eftirfarandi:

#### 1. gr.

Í því skyni að stuðla að þróun ráðstafana til verndunar, endurnýjunar og skynsamlegrar nýtingar lifandi auðæfa hafsins, einkum í Norður-Atlantshafi, munu aðilar þessa samnings í samræmi við gildandi rétt hvors um sig hafa samvinnu og samráð og skiptast á upplýsingum, bæði tvíhliða og fyrir milligöngu hlutaðeigandi alþjóðasamtaka, um vísindarannsóknir, er snerta lifandi auðæfi hafsins, og einnig um veiðiaðferðir svo og tækniatriði, er varða veiðarfæri, byggingu fiskiskipa og geymslu, flutning og vinnslu sjávarafurða.

#### 2. gr.

Til að vinna að markmiðum þessa samnings skulu samningsaðilar setja á fót samstarfsnefnd. Hvor aðili um sig mun til-

tion of the living resources of the sea calls for the study and evaluation of the various fishing methods employed,

expressing their satisfaction with the existing co-operation between Iceland and Poland in scientific research within the framework of the International Council for the Exploration of the Sea and other international bodies,

wishing to establish a basis for the further development and expansion of the existing scientific co-operation between Iceland and Poland in the field of the living resources of the sea and to facilitate consultation on the technology relating to fishing methods and to the storage, transportation and processing of marine products, and

guided by the wish to develop and strengthen the friendly relations between Iceland and Poland,

have agreed as follows:

#### Article 1

With a view to contributing to the development of measures for the conservation, reproduction and rational utilization of the living resources of the sea, in particular in the North Atlantic Ocean, the Parties to the present Agreement will, in accordance with their national legislation, co-operate, consult and exchange information, both bilaterally and through appropriate international bodies, on scientific research with regard to the living resources of the sea and also on fishing methods and the technology relating to fishing gear, the construction of fishing vessels and the storage, transportation and processing of marine products.

#### Article 2

For the purposes of this Agreement the Parties shall establish a Joint Commission. Each Party shall appoint to this Commis-

nefna fulltrúa og varafulltrúa í nefnd þessa og tilkynna hinum aðilanum nöfn þeirra. Stefnt skal að því, að nefndin komi saman eigi sjaldnar en einu sinni á ári.

sion its representative and his deputy and inform the other Party of their names. The Commission will endeavour to meet not less than once each year.

### 3. gr.

Nefnd sú, sem rætt er um í 2. gr., skal fjalla um öll málefni, sem upp koma í sambandi við framkvæmd samnings þessa, svo og önnur þau málefni, er samningsaðilar kunna að fela henni til athugunar. Nefndin skal gera áætlanir um samvinnu og samráð, sem gert er ráð fyrir í samningi þessum, og gera tillögur til ríkisstjórnanna beggja eftir því, sem hún telur ástæðu til.

**Article 3**  
The Commission stipulated in article 2 shall deal with all matters arising in connection with the implementation of the present Agreement and such other matters as the Parties may refer to it for consideration. The Commission shall prepare plans for the co-operation and consultation provided for in this Agreement and make such proposals to the two Governments as it considers appropriate.

### 4. gr.

Ekkert í samningi þessum skal hafa áhrif á lagaskoðanir samningsaðila í málum, sem til meðferðar eru á Þriðju hafréttarráðstefnu Sameinuðu þjóðanna.

**Article 4**  
Nothing in the present Agreement shall prejudice the juridical views of the Parties on the matters under consideration at the Third United Nations Conference on the Law of the Sea.

### 5. gr.

Samningur þessi skal öðlast gildi á undirritunardegi og skal gilda uns sex mánuðir eru liðnir frá þeim degi sem annar hvor samningsaðili hefur skriflega tilkynnt hinum um uppsögn.

**Article 5**  
This Agreement shall enter into force on the date of signature and remain in force until the expiration of a period of six months from the date on which either Party shall have denounced it by means of a notice in writing addressed to the other Party.

Gjört í Reykjavík hinn 9. september 1977 á ensku í tveimur eintökum.

Done at Reykjavik on 9 September 1977 in duplicate in the English language.

Fyrir ríkisstjórn  
lýðveldisins Íslands:

**Einar Ágústsson.**

For the Government  
of the Republic of Iceland:

**Einar Ágústsson.**

Fyrir ríkisstjórn  
Pólska alþýðulýðveldisins:

**Edwin Wisniewski.**

For the Government  
of the Polish People's Republic:

**Edwin Wisniewski.**

## AUGLÝSING

### um aðild að samþykkt um ríkisfang giftra kvenna.

Hinn 18. október 1977 var framkvæmdastjóra Sameinuðu þjóðanna afhent aðildarskjal Íslands að samþykkt um ríkisfang giftra kvenna, sem gerð var í New York hinn 20. febrúar 1957.

Aðild Íslands tekur gildi hinn 16. janúar n. k.

Samþykktin er birt sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utánríkisráðuneytið, Reykjavík, 21. nóvember 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

### Fylgiskjal.

#### SAMÞYKKT

##### um ríkisfang giftra kvenna.

###### Aðilar að samþykttinni,

viðurkenna að lagadeilur og deilur almennt um ríkisfang upphafjast vegna ákvæða um missi eða öflun ríkisfangs kvenna, sem afleiðing hjúskaparstofnunar eða skilnaðar, eða vegna breytingar á ríkisfangi eiginmanns meðan hjúskapur stendur,

viðurkenna að í 15. gr. mannréttindayfirlýsingarinnar hefur allsherjarþing Sameinuðu þjóðanna lýst svo yfir: „allir menn hafa rétt til ríkisfangs“ og „engan mann má eftir geðþótta svipta ríkisfangi né rétti til þess að skipta um ríkisfang“,

óska eftir samvinnu við Sameinuðu þjóðirnar til að efla almenna virðingu fyrir og eftirbreytni við mannréttindi og mannfrelsi án tillits til kynferðis,

samþykkja hér með eftirfarandi:

###### 1. gr.

Aðilar eru sammála um, að hvorki stofnun eða slit hjúskapar milli eins af þegnum þeirra og útlendings, eða breyting

#### CONVENTION

##### on the nationality of married women.

###### The Contracting States,

Recognizing that conflicts in law and in practice with reference to nationality arise as a result of provisions concerning the loss or acquisition of nationality by women as a result of marriage, of its dissolution, or of the change of nationality by the husband during marriage.

Recognizing that, in article 15 of the Universal Declaration of Human Rights, the General Assembly of the United Nations has proclaimed that “everyone has the right to a nationality” and that “no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality”,

Desiring to co-operate with the United Nations in promoting universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to sex,

Hereby agree as hereinafter provided:

###### Article 1

Each Contracting State agrees that neither the celebration nor the dissolution of a marriage between one of its nationals

á ríkisfangi eiginmanns meðan hjúskapur stendur, skuli sjálfkrafa hafa áhrif á ríkisfang eiginkonu.

### 2. gr.

Aðilar eru sammála um, að hvorki sjálfviljug öflun ríkisfangs annars ríkis né afsal ríkisfangs af hálfu þegns, skuli hindra að eiginkona hans haldi ríkisfanginu áfram.

### 3. gr.

1. Aðilar eru sammála um, að erlend eiginkona einhvers þegns þeirra, geti samkvæmt ósk sinni öðlast ríkisfang eiginmanns síns með sérstakri undanþiggjandi aðferð; veiting ríkisfangs á þann hátt getur verið háð takmörkunum í þágu öryggishagsmuna ríkisins eða stjórnarstefnu.

2. Aðilar eru sammála um, að samþykkt þessi skuli ekki túlkuð á þann hátt, að hún hafi áhrif á nokkra löggjöf eða réttarvenjur sem veitt geta erlendra konu sem gift er þegni ríkis, að ósk hennar, rétt til ríkisfangs eiginmanns hennar.

### 4. gr.

1. Samþykkt þessi skal liggja frammi til undirritunar og staðfestingar fyrir öll ríki sem eru aðilar að Sameinuðu þjóðunum og einnig fyrir hvert það ríki sem er eða gerist aðili að einhverri sérstofnun Sameinuðu þjóðanna, eða sem er eða gerist aðili að samþykktum Alþjóðadómstólsins, eða hvert það ríki annað sem allsherjarþing Sameinuðu þjóðanna hefur boðið að gerast aðili að samþykktinni.

2. Samþykkt þessi skal háð fullgildingu. Skjöl varðandi fullgildingu skulu afhent aðalritara Sameinuðu þjóðanna.

and an alien, nor the change of nationality by the husband during marriage, shall automatically affect the nationality of the wife.

### Article 2

Each Contracting State agrees that neither the voluntary acquisition of the nationality of another State nor the renunciation of its nationality by one of its nationals shall prevent the retention of its nationality by the wife of such national.

### Article 3

1. Each Contracting State agrees that the alien wife of one of its nationals may, at her request, acquire the nationality of her husband through specially privileged naturalization procedures; the grant of such nationality may be subject to such limitations as may be imposed in the interests of national security or public policy.

2. Each Contracting State agrees that the present Convention shall not be construed as affecting any legislation or judicial practice by which the alien wife of one of its nationals may, at her request, acquire her husband's nationality as a matter of right.

### Article 4

1. The present Convention shall be open for signature and ratification on behalf of any State Member of the United Nations and also on behalf of any other State which is or hereafter becomes a member of any specialized agency of the United Nations, or which is or hereafter becomes a Party to the Statute of the International Court of Justice, or any other State to which an invitation has been addressed by the General Assembly of the United Nations.

2. The present Convention shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

## 5. gr.

1. Aðild að samþykkt þessari skal heimil öllum ríkjum er getið er í 1. mgr. 4. gr.

2. Aðild skal fara fram með þeim hætti, að skjal varðandi aðild er afhent aðalritara Sameinuðu þjóðanna.

## 6. gr.

1. Samþykkt þessi skal ganga í gildi á nítugasta degi eftir afhendingu sjötta fullgildingar- eða aðildarskjalsins.

2. Fyrir ríki, sem fullgilda samþykktina eða gerast aðilar að henni eftir afhendingu sjötta fullgildingar- eða aðildarskjals, skal samþykktin öðlast gildi á nítugasta degi eftir afhendingu fullgildingar- eða aðildarskjals hlutaðeigandi ríkis.

## 7. gr.

1. Samþykkt þessi skal ná til allra svæða sem eru án sjálfstjórnar, verndarsvæða, nýlendusvæða eða annarra svæða utan heimalands, sem ríki er ábyrgt fyrir að því er alþjóðasamskipti snertir; aðildarríki skal, með hliðsjón af ákvæðum 2. mgr. þessarar greinar, við undirritun, fullgildingu eða aðild, lýsa yfir hvaða svæðis eða svæða utan heimalands samþykktinni er ætlað að ná til, í krafti undirritunar, fullgildingar eða aðildarinnar.

2. Í hverju því tilfelli sem öðru gegnir um svæði utan heimalands en um heimaland að því er ríkisfang snertir, eða í hverju því tilfelli sem þörf er á fyrirfram gefnu samþykki svæðis utan heimalands, samkvæmt stjórnskipunarlögum eða venjum aðildarríkis eða svæðis utan heimalands, svo beita megi samþykktinni á því svæði, skal aðildarríki leitast við að tryggja nauðsynlegt samþykki svæðis utan heimalands innan 12 mánaða frá undirritun sinni og þegar slíkt samþykki er fengið skal aðildarríkið tilkynna aðalritara Sameinuðu þjóðanna um það. Samþykktin skal gilda um svæði það eða þau sem greind eru í slíkri tilkynningu frá þeim degi sem tilkynning berst aðalritara.

## Article 5

1. The present Convention shall be open for accession to all States referred to in paragraph 1 of article 4.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

## Article 6

1. The present Convention shall come into force on the ninetieth day following the date of deposit of the sixth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

## Article 7

1. The present Convention shall apply to all non-self-governing, trust, colonial and other non-metropolitan territories for the international relations of which any Contracting State is responsible; the Contracting State concerned shall, subject to the provisions of paragraph 2 of the present article, at the time of signature, ratification or accession, declare the non-metropolitan territory or territories to which the Convention shall apply *ipso facto* as a result of such signature, ratification or accession.

2. In any case in which, for the purpose of nationality, a non-metropolitan territory is not treated as one with the metropolitan territory, or in any case in which the previous consent of a non-metropolitan territory is required by the constitutional laws or practices of the Contracting State or of the non-metropolitan territory for the application of the Convention to that territory, that Contracting State shall endeavour to secure the needed consent of the non-metropolitan territory within the period of twelve months from the date of signature of the Convention by that Contracting State, and when such consent has been obtained the Contracting State shall notify the Secre-

3. Að loknu tólf mánaða tímabilinu sem getið er um í 2. mgr. þessarar greinar, skal viðkomandi aðildarríki tilkynna árangur af viðræðum við svæði utan heimalands, sem það er ábyrgt fyrir um stjórn alþjóðasamskipta, sem kann að hafa dregið við sig að gefa samþykki sitt til gildistöku á samþykktinni.

#### 8. gr.

1. Við undirritun, fullgildingu eða aðild getur aðildarríki gert fyrirvara við hvaða grein samþykktarinnar sem er, aðrar en 1. og 2. gr.

2. Geri eitthvert ríki fyrirvara í samræmi við 1. mgr. þessarar greinar, skal samþykktin að öðru leyti gilda milli aðildarríkja og þess ríkis sem fyrirvarann gerir. Aðalritari Sameinuðu þjóðanna skal tilkynna öllum ríkjum sem eru eða kunna að gerast aðilar að samþykktinni um texta fyrirvarans. Hvert ríki sem er aðili að samþykktinni eða gerist síðar aðili, getur tilkynnt aðalritara, að það sé ekki samþykkt því að telja sig bundið af samþykktinni hvað snertir ríki það sem gert hefur fyrirvarann. Slík tilkynning þarf að hafa borist frá aðildarríki innan níutíu daga frá dagsetningu tilkynningar aðalritara og þegar um er að ræða ríki sem síðar gerist aðili, innan níutíu daga frá því að skjal um fullgildingu eða aðild var afhent. Í því tilfalli að slík tilkynning eigi sér stað, skal samþykktin ekki álitin vera í gildi milli ríkis sem þannig hefur tilkynnt og þess ríkis sem fyrirvarann gerði.

3. Ríki sem gert hefur fyrirvara í samræmi við 1. mgr. þessarar greinar getur

tary-General of the United Nations. The present Convention shall apply to the territory or territories named in such notification from the date of its receipt by the Secretary-General.

3. After the expiry of the twelve-month period mentioned in paragraph 2 of the present article, the Contracting States concerned shall inform the Secretary-General of the results of the consultations with those non-metropolitan territories for whose international relations they are responsible and whose consent to the application of the present Convention may have been withheld.

#### Article 8

1. At the time of signature, ratification or accession, any State may make reservations to any article of the present Convention other than article 1 and 2.

2. If any State makes a reservation in accordance with paragraph 1 of the present article, the Convention, with the exception of those provisions to which the reservation relates, shall have effect as between the reserving State and the other Parties. The Secretary-General of the United Nations shall communicate the text of the reservation to all States which are or may become Parties to the Convention. Any State Party to the Convention or which thereafter becomes a Party may notify the Secretary-General that it does not agree to consider itself bound by the Convention with respect to the State making the reservation. This notification must be made, in the case of a State already a Party, within ninety days from the date of the communication by the Secretary-General; and, in the case of a State subsequently becoming a Party, within ninety days from the date when the instrument of ratification or accession is deposited. In the event that such a notification is made, the Convention shall not be deemed to be in effect as between the State making the notification and the State making the reservation.

3. Any State making a reservation in accordance with paragraph 1 of the

hvenær sem er dregið til baka fyrirvarann, að fullu eða að hluta, eftir að hann hefur verið samþykktur, með tilkynningu þar að lútandi til aðalritara Sameinuðu þjóðanna. Slík tilkynning er virk frá og með afhendingardegi hennar.

#### 9. gr.

1. Hvert aðildarríki má segja upp samþykkt þessari með skriflegri tilkynningu til aðalritara Sameinuðu þjóðanna. Uppsögn tekur gildi ári eftir að hún hefur borist aðalritaranum.

2. Samþykkt þessi skal ganga úr gildi þegar uppsögn sú verður gild er lækkar tölu aðildarríkja í færri en sex talsins.

#### 10. gr.

Hverju deilumáli er rísa kann milli einhverra tveggja eða fleiri aðildarríkja varðandi túlkun eða gildissvið þessarar samþykktar og ekki er lokið með samkomulagsumleitunum, skal að kröfu hvers aðila sem er að deilunni, vísað til Alþjóðadómstólsins til úrskurðar, nema aðilar verði ástáttir um aðra leið til lausnar deilunni.

#### 11. gr.

Aðalritari Sameinuðu þjóðanna skal tilkynna öllum aðildarríkjum Sameinuðu þjóðanna og þeim ríkjum sem ekki eru aðilar, en gert er ráð fyrir í 1. mgr. 4. gr. samþykktar þessarar, um eftirfarandi:

- a) Undirritanir og afhendingar fullgildingarskjala í samræmi við 4. gr.
- b) Aðildarskjöl sem móttekin hafa verið í samræmi við 5. gr.
- c) Gildistöku dag samþykktarinnar í samræmi við 6. gr.
- d) Fyrirvara og tilkynningar sem móttaknar hafa verið í samræmi við 8. gr.

present article may at any time withdraw the reservation, in whole or in part, after it has been accepted, by a notification to this effect addressed to the Secretary-General of the United Nations. Such notification shall take effect on the date on which it is received.

#### Article 9

1. Any Contracting State may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date or receipt of the notification by the Secretary-General.

2. The present Convention shall cease to be in force as from the date when the denunciation which reduces the number of Parties to less than six becomes effective.

#### Article 10

Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of the present Convention, which is not settled by negotiation, shall, at the request of any one of the Parties to the dispute, be referred to the International Court of Justice for decision, unless the Parties agree to another mode of settlement.

#### Article 11

The Secretary-General of the United Nations shall notify all States Members of the United Nations and the non-member States contemplated in paragraph 1 of article 4 of the present Convention of the following:

- a) Signatures and instruments of ratification received in accordance with article 4;
- b) Instruments of accession received in accordance with article 5;
- c) The date upon which the present Convention enters into force in accordance with article 6;
- d) Communications and notifications received in accordance with article 8;



- e) Tilkynningar um uppsögn í samræmi við 1. mgr. 9. gr.  
f) Ógildingu í samræmi við 2. mgr. 9. gr.

- e) Notifications of denunciation received in accordance with paragraph 1 of article 9;  
f) Abrogation in accordance with paragraph 2 of article 9.

## 12. gr.

1. Samþykkt þessi sem er jafngild á kínversku, ensku, frönsku, rússnesku og spænsku skal varðveitt í vörslu Sameinuðu þjóðanna.

2. Aðalritari Sameinuðu þjóðanna skal senda staðfestan texta samþykktarinnar til allra aðildarríkja Sameinuðu þjóðanna og til annarra ríkja sem ekki eru aðilar, en gert er ráð fyrir í 1. mgr. 4. gr.

Þessu til staðfestingar hafa undirritaðir, sem hafa fullt umboð ríkisstjórna sinna, undirritað samning þennan, sem var lagður fram til undirritunar í New York tuttugasta dag febrúarmánaðar 1957.

## Article 12

1. The present Convention, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit a certified copy of the Convention to all States Members of the United Nations and to the non-member States contemplated in paragraph 1 of article 4.

In faith whereof the undersigned, being duly authorized thereto by their respective Governments, have signed the present Convention, opened for signature at New York, on the 20th day of February, one thousand nine hundred and fifty-seven.

## AUGLÝSING

um aðild að samningi um samþykki og lágmarksaldur til hjúskapar og um skráningu hjónabanda.

Hinn 18. október 1977 var framkvæmdastjóra Sameinuðu þjóðanna afhent aðildarskjal Íslands að samningi um samþykki og lágmarksaldur til hjúskapar og um skráningu hjónabanda, sem lagður var fram til undirritunar í New York hinn 10. desember 1962.

Samningurinn gengur í gildi fyrir Ísland hinn 16. janúar n. k., en aðildin er háð þeim fyrirvara að 1. grein, 2. málsgrein, skuli eigi taka til Íslands.

Samningurinn er birtur sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 21. nóvember 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

Fylgiskjal.

## SAMNINGUR

um samþykki og lágmarksaldur til hjúskapar og um skráningu hjónabanda.

## INNGANGUR

Ríki þau, sem aðilar eru að samningnum,

vilja efla, í samræmi við sáttmála hinna Sameinuðu þjóða, almenna virðingu fyrir og eftirbreytni við, mannréttindi og mannfrelsi handa öllum, án tillits til kynþáttar, kynferðis, tungu eða trúarskoðana,

minnast þess, að í 16. gr. mannréttindayfirlýsingarinnar segir:

- „1) Konum og körlum, sem hafa aldur til þess að lögum, skal heimilt að stofna til hjúskapar og fjölskyldu, án tillits til kynþáttar, þjóðernis eða trúarbragða. Þau skulu njóta jafnréttis um stofnun og slit hjúskapar, svo og í hjónabandinu.
- 2) Eigi má hjúskap binda, nema bæði hjónaefni samþykki fúsum vilja“,

minnast ennfremur, að allsherjarþing Sameinuðu þjóðanna lýsti því yfir í ályktun nr. 843 (9. þing) frá 17. desember 1954, að vissir siðir, gömul lög og venja varðandi hjúskap og fjölskyldu væru í ósamræmi við grundvallarreglur hinna Sameinuðu þjóða og mannréttindayfirlýsingarinnar,

endurstaðfesta, að öll ríki, að þeim meðtöldum sem hafa eða taka á sig ábyrgð á stjórnun svæða sem eru án sjálfstjórnar eða verndarsvæða, þar til þau hafa öðlast sjálfstæði, skulu gera allar viðeigandi ráðstafanir til að afnema slíka siði, gömul lög og venjur með því að tryggja m. a., algjört frelsi til makavals, útrýma að fullu hjúskap barna og trúlofun ungra stúlkna áður en þær verða gjafvaxta, koma á viðeigandi refsingum þar sem nauðsynlegt

## CONVENTION

on consent to marriage, minimum age for marriage and registration of marriages.

## PREAMBLE

The Contracting States,

Desiring, in conformity with the Charter of the United Nations, to promote universal respect for, and observance of, human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling that article 16 of the Universal Declaration of Human Rights states that:

- “1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- 2) Marriage shall be entered into only with the free and full consent of the intending spouses.”

Recalling further that the General Assembly of the United Nations declared, by resolution 843 (IX) of 17 December 1954, that certain customs, ancient laws and practices relating to marriage and the family were inconsistent with the principles set forth in the Charter of the United Nations and in the Universal Declaration of Human Rights,

Reaffirming that all States, including those which have or assume responsibility for the administration of Non-Self-Governing and Trust Territories until their achievement of independence, should take all appropriate measures with a view to abolishing such customs, ancient laws and practices by ensuring, *inter alia*, complete freedom in the choice of a spouse, eliminating completely child marriages and the betrothal of young girls be-

er og koma á opinberri eða annars konar skráningu allra hjónabanda,

fore the age of puberty, establishing appropriate penalties where necessary and establishing a civil or other register in which all marriages will be recorded.

samþykkja hér með eftirfarandi:

Hereby agree as hereinafter provided:

### 1. gr.

1) Enginn skal geta gengið í hjúskap nema til komi fullt og frjálst samþykki þeggja aðila og skal slíkt samþykki áður gert heyrunkunnugt og gefið af aðila sjálfum í viðurvist löggilds vígslumanns og votta lögum samkvæmt.

2) Þrátt fyrir ákvæði 1. mgr., skal það ekki vera nauðsynlegt að annar aðili sé viðstaddur þegar þar til bært yfirvald telur, að aðstæður séu sérstakar og aðili hafi fyrir þar til bæru yfirvaldi, á þann hátt sem lög kunna að heimila, látið í ljósi samþykki sitt og eigi dregið það til baka.

### 2. gr.

Ríki sem eru aðilar að samningnum skulu hefjast handa um löggjöf, sem kveður á um lágmarksaldur til hjúskapar. Ekki skal stofnað til hjúskapar af nokkrum undir þeim aldri, nema lögmæt yfirvöld hafi veitt undanþágu vegna aldurs, af brýnum ástæðum, til hagsmuna fyrir hin fyrirhuguðu hjónaefni.

### 3. gr.

Hjónavígslur skulu skrásettar viðeigandi opinberri skráningu af lögmætu yfirvaldi.

### 4. gr.

1) Samningur þessi skal, þar til 31. desember 1963, liggja frammi til undirritunar fyrir öll ríki sem eru aðilar að Sameinuðu þjóðunum eða einhverri sérstofnun þeirra, eða hverju öðru ríki sem allsherjarþing Sameinuðu þjóðanna býður að gerast aðili að samningnum.

2) Samningur þessi skal háður fullgildingu. Skjöl varðandi fullgildingu skulu afhent aðalritara Sameinuðu þjóðanna.

### Article 1

1) No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by them in person after due publicity and in the presence of the authority competent to solemnize the marriage and of witnesses, as prescribed by law.

2) Notwithstanding anything in paragraph 1 above, it shall not be necessary for one of the parties to be present when the competent authority is satisfied that the circumstances are exceptional and that the party has, before a competent authority and in such manner as may be prescribed by law, expressed and not withdrawn consent.

### Article 2

States parties to the present Convention shall take legislative action to specify a minimum age for marriage. No marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interest of the intending spouses.

### Article 3

All marriages shall be registered in an appropriate official register by the competent authority.

### Article 4

1) The present Convention shall, until 31 December 1963, be open for signature on behalf of all States Members of the United Nations or members of any of the specialized agencies, and of any other State invited by the General Assembly of the United Nations to become party to the Convention.

2) The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

## 5. gr.

- 1) Aðild að samningi þessum skal opin öllum ríkjum er getið er í 4. gr. 1. mgr.
- 2) Aðild skal fara fram með þeim hætti, að skjal varðandi aðild er afhent aðalritara Sameinuðu þjóðanna.

## 6. gr.

- 1) Samningur þessi skal ganga í gildi níutíu dögum eftir afhendingu áttunda fullgildingar- eða aðildarskjals.
- 2) Fyrir ríki, sem fullgilda samninginn eða gerast aðilar að honum aftir afhendingu áttunda fullgildingar- eða aðildarskjals, skal samningurinn öðlast gildi níutíu dögum eftir afhendingu fullgildingar- eða aðildarskjals hlutaðeigandi ríkis.

## 7. gr.

- 1) Hvert aðildarríki má segja upp samningi þessum með skriflegri tilkynningu til aðalritara Sameinuðu þjóðanna. Uppsögn tekur gildi ári eftir að hún hefur borist aðalritaranum.
- 2) Samningur þessi skal ganga úr gildi þegar uppsögn sú verður gild er lækkar íölu aðildarríkja í færri en átta talsins.

## 8. gr.

Hverju deilumáli er rísa kann milli einhverra tveggja eða fleiri aðildarríkja varðandi túlkun eða gildissvið þessa samnings og ekki er lokið með samkomulagsumleitunum, skal að kröfu allra aðila að deilunni, vísað til Alþjóðadómstólsins til úrskurðar, nema aðilar verði ásáttir um aðra leið til lausnar deilunni.

## Article 5

- 1) The present Convention shall be open for accession to all States referred to in article 4, paragraph 1.
- 2) Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

## Article 6

- 1) The present Convention shall come into force on the ninetieth day following the date of deposit of the eighth instrument of ratification or accession.
- 2) For each State ratifying or acceding to the Convention after the deposit of the eighth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day after deposit by such State of its instrument of ratification or accession.

## Article 7

- 1) Any Contracting State may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.
- 2) The present Convention shall cease to be in force as from the date when the denunciation which reduces the number of parties to less than eight becomes effective.

## Article 8

Any dispute which may arise between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of all the parties to the dispute, be referred to the International Court of Justice for decision, unless the parties agree to another mode of settlement.

## 9. gr.

Aðalritari Sameinuðu þjóðanna skal tilkynna öllum aðildarríkjum Sameinuðu þjóðanna og þeim ríkjum, sem ekki eru aðilar, en gert er ráð fyrir í 4. gr. 1. mgr. samnings þessa, um eftirfarandi:

- a) Undirritanir og afhendingar fullgildingarskjala í samræmi við 4. gr.
- b) Aðildarskjöl sem móttekin hafa verið í samræmi við 5. gr.
- c) Gildistöku dag samningsins í samræmi við 6. gr.
- d) Tilkynningar um uppsögn í samræmi við 7. gr. 1. mgr.
- e) Ógildingu í samræmi við 7. gr. 2. mgr.

## 10. gr.

1) Samningur þessi sem er jafngildur á kínversku, ensku, frönsku, rússnesku og spænsku skal varðveittur í vörslu Sameinuðu þjóðanna.

2) Aðalritari Sameinuðu þjóðanna skal senda staðfestan texta samningsins til allra aðildarríkja Sameinuðu þjóðanna og til annarra ríkja sem ekki eru aðilar, en gert er ráð fyrir í 4. gr. 1. mgr.

Þessu til staðfestingar hafa undirritaðir, sem hafa fullt umboð, undirritað fyrir hönd ríkisstjórnna sinna samning þenna, sem var lagður fram til undirritunar í aðalstöðvum Sameinuðu þjóðanna í New York tíunda dag desembermánaðar 1962.

## Article 9

The Secretary-General of the United Nations shall notify all States Members of the United Nations and the non-member States contemplated in article 4, paragraph 1, of the present Convention of the following:

- a) Signatures and instruments of ratification received in accordance with article 4;
- b) Instruments of accession received in accordance with article 5;
- c) The date upon which the Convention enters into force in accordance with article 6;
- d) Notifications of denunciation received in accordance with article 7, paragraph 1;
- e) Abrogation in accordance with article 7, paragraph 2.

## Article 10

1) The present Convention, of which the Chinese, English, French, Russian and Spanish texts shall be equally authentic, shall be deposited in the archives of the United Nations.

2) The Secretary-General of the United Nations shall transmit a certified copy of the Convention to all States Members of the United Nations and to the non-member States contemplated in article 4, paragraph 1.

In faith whereof the undersigned, being duly authorized, have signed, on behalf of their respective Governments, the present Convention which was opened for signature at the Headquarters of the United Nations, New York, on the tenth day of December, one thousand nine hundred and sixty-two.

## AUGLÝSING

### um breytingu varðandi samninginn um stofnun Fríverslunarsamtaka Evrópu (EFTA).

Hinn 14. október 1977 voru utanríkisráðuneyti Svíþjóðar afhent fullgildingarskjöl Íslands vegna samþykka ráðs Fríverslunarsamtaka Evrópu (EFTA) nr. 15/1976 og hins sameiginlega ráðs samtakanna og Finnlands nr. 9/1976, sem gerðar voru hinn 16. desember 1976, um breytingu á viðauka G við samninginn um stofnun Fríverslunarsamtaka Evrópu frá 4. janúar 1960, þ.e. sérákvæðum samningsins vegna Portúgal hvað snertir innflutningstolla og magntakmarkanir á útflutningi.

Breytingin gengur í gildi jafnskjótt og öll aðilarrikin hafa fullgilt hana. — Nánar verður auglýst um gildistöku síðar.

Breytingin er birt sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 24. nóvember 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

#### Fylgiskjal.

#### EUROPEAN FREE TRADE ASSOCIATION

21st December 1976.

#### DECISION OF THE COUNCIL No. 15 OF 1976.

(Adopted at the 32nd Simultaneous Meeting on 16th December 1976).

#### Amendment of Annex G to the Convention.

#### THE COUNCIL,

Having regard to the request of Portugal for the introduction, increase or reintroduction of import duties on certain products,

Desiring to assist the further development of Portuguese industry and thus strengthen the Portuguese economy,

Having regard to the provisions of Article 44 of the Convention,

#### DECIDES:

1. The amendment of Annex G to the Convention set out at Annex is hereby approved and submitted to the Member States for acceptance.
2. The Secretary-General shall deposit the text of this Decision with the Government of Sweden.

#### Amendment of Annex G to the Convention.

1. Annex G to the Convention shall be amended by adding the following new paragraph 6 ter:

“6 ter.

- (a) Notwithstanding the provisions of Article 3 of the Convention and of paragraphs 4 to 6 of this Annex, the Council may authorize Portugal on its request to apply an import duty on particular products. The list of such products shall be established by the Council upon the entry into force of this paragraph and shall specify for each product the maximum ad valorem rate of duty which may be authorized.
  - (b) The Council shall decide the timetable for the reduction and elimination before 1st January 1985 of any duty subject to an authorization under sub-paragraph (a) of this paragraph and lay down any other condition it deems necessary.
  - (c) Portugal shall not accord to imports from the territory of another Member State of products subject to such an authorization, treatment less favourable than it accords to imports from the territory of any other State, including a State in relation to which a Free Trade Agreement concluded by Portugal applies.”.
2. This amendment shall enter into force on the day on which the last of the instruments of acceptance of all Member States is deposited with the Government of Sweden.

## FINLAND-EFTA ASSOCIATION

21st December 1976.

### DECISION OF THE JOINT COUNCIL No. 9 OF 1976.

(Adopted at the 32nd Simultaneous Meeting on 16th December 1976).

#### Application of an amendment of Annex G to the Convention in relations with Finland.

#### THE JOINT COUNCIL,

Having regard to the request of Portugal for the introduction, increase or reintroduction of import duties on certain products,

Desiring to assist the further development of Portuguese industry and thus strengthen the Portuguese economy,

Having regard to Decision of the Council No. 15 of 1976,

Having regard to the Agreement,

#### DECIDES:

1. For the purposes of the relations between the Member States and Finland the amendment of Annex G to the Convention referred to at Annex is hereby approved and submitted to all Parties to the Agreement for acceptance.
2. The Secretary-General of the European Free Trade Association shall deposit the text of this Decision with the Government of Sweden.

#### Amendment of Annex G to the Convention

1. Annex G to the Convention, which by virtue of Article 2 of the Agreement applies also in relations with Finland, shall be amended by adding the following new paragraph 6 ter:

“6 ter.

- (a) Notwithstanding the provisions of Article 3 of the Convention and of paragraphs 4 to 6 of this Annex, the Council may authorize Portugal on its request to apply an import duty on particular products. The list of such products shall be established by the Council upon the entry into force of this paragraph and shall specify for each product the maximum ad valorem rate of duty which may be authorized.
- (b) The Council shall decide the timetable for the reduction and elimination before 1st January 1985 of any duty subject to an authorization under sub-paragraph (a) of this paragraph and lay down any other condition it deems necessary.
- (c) Portugal shall not accord to imports from the territory of another Member State of products subject to such an authorization, treatment less favourable than it accords to imports from the territory of any other State, including a State in relation to which a Free Trade Agreement concluded by Portugal applies.”.
2. This amendment shall enter into force on the day on which the last of the instruments of acceptance of all Parties to the Agreement is deposited with the Government of Sweden, but not before the day the amendment enters into force in relations between Member States.

24. nóvember 1977.

Nr. 20.

## AUGLÝSING

### um breyting á Norðurlandasamningi um félagslegt öryggi frá 15. september 1955.

Hinn 18. október 1977 var danska utanríkisráðuneytinu afhent fullgildingarskjal Íslands að samningi milli Íslands, Danmerkur, Finnlands, Noregs og Svíþjóðar, sem gerður var í Kaupmannahöfn hinn 5. maí s.l., um breyting á samningi sömu ríkja frá 15. september 1955 um félagslegt öryggi.

Samningurinn tekur gildi hinn 1. janúar 1978 og er birtur sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 24. nóvember 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*



**OVERENSKOMST**

mellem Danmark, Finland, Island, Norge og Sverige om ændring af konventionen mellem samme stater af 15. september 1955 om social tryghed.

Regeringerne i Danmark, Finland, Island, Norge og Sverige, som den 15. september 1955 har indgået konventionen om social tryghed, er blevet enige om,

*dels* at artiklerne 4 a - 4 c i konventionen skal ophæves,

*dels* at artiklerne 2 - 4, 17 og 30 skal affattes som angivet nedenfor og,

*dels* at der i konventionen skal indføjes en ny artikel 8 a, der affattes som angivet nedenfor.

*Artikel 2.*

En statsborger i et af de kontraherende lande er, så længe han er bosat i et andet af landene, berettiget til grundpension fra bopælslandet, under de forudsætninger, der gælder for landets egne statsborgere, og på de betingelser, der iøvrigt angives i denne artikel. Ved grundpension forstås en sådan almindelig pension, som ikke beregnes på grundlag af tidligere erhvervsindtægt eller betalte bidrag.

I de tilfælde, som er anført i første stykke, ydes grundpension

**SOPIMUS**

Suomen, Islannin, Norjan, Ruotsin ja Tanskan kesken näiden maiden välillä 15 päivänä syyskuuta 1955 sosiaaliturvasta tehdyn sopimuksen muuttamisesta.

Suomen, Islannin, Norjan, Ruotsin ja Tanskan hallitukset, jotka 15 päivänä syyskuuta 1955 ovat tehneet sopimuksen sosiaaliturvasta, ovat sopineet

että sopimuksen 4a-4c artiklat *kumotaan*,

että 2-4, 17 ja 30 artiklat *muutetaan*, ja

että sopimukseen *lisätään* uusi 8a artikla seuraavasti:

*2 artikla.*

Sopimusmaan kansalaisella on toisessa sopimusmaassa asuessaan samoin edellytyksin kuin maan omilla kansalaisilla ja muutoin tässä artiklassa mainittuun ehdoin oikeus peruseläkkeeseen asuinmaasta. Peruseläkkeellä tarkoitetaan sellaista yleistä eläkettä, joka ei määräydy aikaisempien ansiotulojen tai suoritettujen maksujen perusteella.

Ensimmäisessä kappaleessa tarkoitetuissa tapauksissa suoritetaan peruseläkettä,

**ÖVERENSKOMMELSE**

om ändring i konventionen den 15. september 1955 mellan Finland, Danmark, Island, Norge och Sverige om social trygghet.

Regeringarna i Finland, Danmark, Island, Norge och Sverige, som ingått konventionen den 15. september 1955 om social trygghet, har överenskommit

*dels* att artiklarna 4a-4c i konventionen skall upphöra att gälla,

*dels* att artiklarna 2-4, 17 och 30 skall ha följande lydelse,

*dels* att i konventionen skall införas en ny artikel 8a, av nedan angiven lydelse.

*Artikel 2.*

Medborgare i et av de fördragsslutande länderna är under tid, då han är bosatt i ett annat av länderna under förutsättningar som gäller för landets egna medborgare och på villkor i övrigt som anges i denna artikel berättigad till grundpension från bosättningslandet. Med grundpension förstås sådan allmän pension, som icke beräknas på grundval av tidigare förvärvsinkomst eller erlagda avgifter.

I fall som avses i första stycket utgår grundpension

**SAMNINGUR**

um breyting á samningi frá 15. september 1955 milli Íslands, Danmerkur, Finnlands, Noregs og Svíþjóðar um félagslegt öryggi.

Ríkisstjórnir Íslands, Danmerkur, Finnlands, Noregs og Svíþjóðar, sem gerðu með sér samning um félagslegt öryggi hinn 15. september 1955, hafa komið sér saman um,

að fella úr gildi greinarnar 4a-4c í samningnum,

að greinarnar 2-4, 17 og 30 skuli orðast á eftirfarandi hátt, og

að við samninginn bætist ný grein, 8a, sem orðist eins og hér á eitir greinir.

*2. gr.*

Ríkisborgari samningsríkis skal, meðan hann er búsettur í öðru samningsríki eiga rétt á grunnlífeyri frá búseturíkinu eftir sömu reglum og borgarar þess ríkis, að uppfylltum þeim skilyrðum, sem sett eru í þessari grein. Með grunnlífeyri er átt við þann almenna lífeyri, sem ekki miðast við fyrri atvinnutekjur eða iðgjaldagreiðslur.

Í þeim tilvikum, sem um ræðir í fyrstu málsgrein, greiðist grunnlífeyrir

**OVERENSKOMST**

mellom Norge, Danmark, Finland, Island og Sverige om endring av konvensjonen av 15. september 1955 om sosial trygghet.

Regjeringene i Norge, Danmark, Finland, Island og Sverige som den 15. september 1955 har inngått konvensjonen om sosial trygghet, er blitt enige om

*dels* at artiklene 4a-4c i konvensjonen skal oppheves,

*dels* at artiklene 2-4, 17 og 30 skal ha slik ordlyd som nevnt nedenfor og,

*dels* at det skal tilføyes en ny artikkel 8a i konvensjonen med slik ordlyd som nevnt nedenfor.

*Artikkel 2.*

Statsborgere i et av de kontraherende land har så lenge han er bosatt i et annet av landene rett til grunnpensjon fra bosettingslandet på samme vilkår som landets egne statsborgere og på de vilkår som for øvrig er nevnt i denne artikkel. Med grunnpensjon forstås slik alminnelig pensjon som ikke beregnes på grunnlag av tidligere ervervsinntekt eller avgiftsbetaling.

I de tilfelle som er nevnt i første ledd ytes grunnpensjon

**ÖVERENSKOMMELSE**

om ändring i konventionen den 15 september 1955 mellan Sverige, Danmark, Finland, Island och Norge om social trygghet.

Regeringarna i Sverige, Danmark, Finland, Island och Norge, som ingått konventionen den 15 september 1955 om social trygghet, har överenskommit

*dels* att artiklarna 4a-4c i konventionen skall upphöra att gälla,

*dels* att artiklarna 2-4, 17 och 30 skall ha följande lydelse,

*dels* att i konventionen skall införas en ny artikel, 8a, av nedan angiven lydelse.

*Artikel 2*

Medborgare i ett av de fördragsslutande länderna är under tid, då han är bosatt i ett annat av länderna, under förutsättningar som gälla för landets egna medborgare och på villkor i övrigt som anges i denna artikel berättigad till grundpension från bosättningslandet. Med grundpension förstås sådan allmän pension, som icke beräknas på grundval av tidigare förvärvsinkomst eller erlagda avgifter.

I fall som avses i första stycket utgår grundpension

1) for så vidt angår alderspension, når den, som søger pension, har opholdt sig i landet uafbrudt i mindst de sidste tre år,

2) for så vidt angår invalidepension, når den, som søger pension

a) har opholdt sig i landet uafbrudt i mindst de sidste tre år, eller

b) har opholdt sig i landet uafbrudt i mindst det sidste år og herunder i en sammenhængende periode på mindst et år har været fysisk og psykisk i stand til at udøve normal erhvervsvirksomhed,

3) for så vidt angår efterladtepension,

a) når den efterlevende har opholdt sig i landet uafbrudt i mindst de sidste tre år, eller

b) når den afdøde ved dødsfaldet modtog invalidepension fra dette land eller opfyldte de krav om ophold i landet, som er anført i nr. 2 a eller b, alt på betingelse af, at den efterlevende ved dødsfaldet var bosat i landet.

Modtager nogen invalidepension eller efterladtepension efter denne artikel, skal pensionen uden hensyn til længden af opholdstiden afløses af alderspension, når den som modtager pensionen opnår den almindelige pensionsalder, der gælder i bopælslandet.

### Artikel 3.

Grundpension efter artikel 2 beregnes i forhold til den pensionsberettigedes samlede bopælstid i et eller flere af de kontraherende lan-

1) kun on kysymyksessä vanhuuseläke, jos eläkkeenhakija keskeytyksettä on oleskellut maassa vähintään viimeksi kuluneet kolme vuotta,

2) kun on kysymyksessä työkyvyttömyyseläke, jos eläkkeenhakija

a) keskeytyksettä on oleskellut maassa vähintään viimeksi kuluneet kolme vuotta, tai

b) keskeytyksettä on oleskellut maassa viimeksi kuluneen vuoden ajan ja on tällöin vähintään yhden vuoden yhtäjaksoisen ajan ruumiillisesti ja henkisesti ollut kykenevä tavalliseen ansiotoimintaan,

3) kun on kysymyksessä perhe-eläke,

a) jos jälkeenjäänyt keskeytyksettä on oleskellut maassa vähintään viimeksi kuluneet kolme vuotta, tai

b) jos vainaja kuollessaan sai työkyvyttömyyseläkettä maasta taikka täytti 2a tai b kohdassa mainitut, tietyn pituista maassaollessa koskevat vaatimukset, kaikki edellyttäen, että jälkeenjäänyt kuolemantapauksen sattua asui samassa maassa.

Jos henkilö saa tämän artiklan mukaista työkyvyttömyyseläkettä tai perhe-eläkettä, korvataan eläkeoleskeluajan pituudesta riippumatta vanhuuseläkkeellä silloin, kun hän täyttää asuinmaassa voimassa olevan yleisen eläkeiän.

### 3 artikla.

Edellä 2 artiklassa tarkoitettua peruseläkettä suoritetaan sen yhteenlasketun ajan perusteella, jonka eläkkeeseen oikeutettu henkilö

1) såvitt gäller ålderspension, om den pensionsökande sedan minst tre år oavbrutet vistas i landet,

2) såvitt gäller invalidepension, om den pensionsökande

a) sedan minst tre år oavbrutet vistas i landet eller

b) sedan minst ett år oavbrutet vistas i landet och därvid under en sammanhängande period av minst ett år varit fysiskt och psykiskt i stånd att utöva normal förvärvsverksamhet,

3) såvitt gäller familjepension,

a) om den efterlevande sedan minst tre år oavbrutet vistas i landet, eller

b) om den avlidne vid dödsfallet åtnjöt invalidepension från landet, eller uppfyllde de krav på viss tids vistelse i landet som angavs under 2a eller b, allt under förutsättning att den efterlevande vid dödsfallet var bosatt i landet.

Åtnjuter någon invalidepension eller familjepension enligt denna artikel, skall pensionen oavsett vistelse tidens längd ersättas av alderspension vid uppnåendet av den i bosättningslandet gällande allmänna pensionsåldern.

### Artikel 3.

Grundpension enligt artikel 2 utgår på grundval av den pensionsberättigades sammanlagda bosättnings tid i ett eller flera fördragsslu-

1. í formi ellilífeyris, hafi umsækjandi dvalist í ríkinu samfleytt a.m.k. þrjú síðustu árin,

2. í formi örorkulífeyris, hafi umsækjandi,

a) dvalist í ríkinu samfleytt a.m.k. 3 síðustu árin, eða,

b) dvalist í ríkinu samfleytt a.m.k. síðasta árið og hafi á þeim tíma a.m.k. eitt ár verið líkamlega og andlega fær um að inna af hendi venjulegt arðbært starf,

3. í formi eftirlífendalífeyris,

a) hafi hinn eftirlífandi dvalist í ríkinu samfleytt a.m.k. þrjú síðustu árin, eða

b) hafi hinn látni verið aðnjótandi örorkulífeyris frá því ríki er hann lést, eða uppfyllt kröfur þær um dvalartíma í ríkinu, sem í 2. tölul. a eða b greinir, allt með því skilyrði, að hinn eftirlífandi hafi verið búsettur í ríkinu, er andlátíð bar að.

Njóti maður örorkulífeyris eða eftirlífendalífeyris samkvæmt þessari grein, skal ellilífeyrir koma í stað þess lífeyris án tillits til dvalartíma þegar lífeyrisþegi nær hinum almenna lífeyrisaldri, sem gildir í búseturíkinu.

### 3. gr.

Grunnlífeyrir skv. 2. gr. skal veittur á grundvelli samanlagðs búsetutíma þess, sem rétt á til lífeyris, í einu eða fleiri samningsríkja.

1) for så vidt gjelder alderspension dersom den som søker pensjon i minst de siste tre år har oppholdt seg uavbrutt i landet,

2) for så vidt gjelder uførepensjon dersom den som søker pensjon

a) i minst de siste tre år har oppholdt seg uavbrutt i landet eller

b) i minst det siste år har oppholdt seg uavbrutt i landet og derunder i en sammenhengende periode på minst ett år har vært fysisk og psykisk i stand til å utøve et normalt erverv,

3) for så vidt gjelder familiepension

a) dersom den gjenlevende i minst de siste tre år har oppholdt seg uavbrutt i landet eller

b) dersom den avdøde ved dødsfallet oppebar uførepensjon fra dette landet eller fylte de vilkår om opphold i landet som er nevnt under 2a eller b, alt under forutsetning av at den gjenlevende var bosatt i landet ved dødsfallet.

Oppebærer noen uførepensjon eller familiepensjon i medhold av denne artikkel, skal pensjonen uansett oppholdstidens lengde erstattes av alderspensjon når vedkommende når den alminnelige pensjonsalder som gjelder i bosettingslandet.

### Artikkel 3.

Grunnpensjon etter artikkel 2 ytes på grunnlag av den pensjonsberettigedes samlede botid i et eller flere av de kontraherende land. Likt

1) såvitt gäller alderspension, om den pensjonssøkande sedan minst tre år oavbrutet vistas i landet,

2) såvitt gäller invalidpension, om den pensjonssøkande

a) sedan minst tre år oavbrutet vistas i landet eller

b) sedan minst ett år oavbrutet vistas i landet och därvid under en sammanhängande period av minst ett år varit fysiskt och psykiskt i stand att utöva normal förvärvsverksamhet,

3) såvitt gäller familjepension,

a) om den efterlevande sedan minst tre år oavbrutet vistas i landet, eller

b) om den avlidne vid dödsfallet åtnjöt invalidpension från landet, eller uppfyllde de krav på viss tids vistelse i landet som angivas under 2 a eller b, allt under förutsättning att den efterlevande vid dödsfallet var bosatt i landet.

Åtnjuter någon invalidpension eller familjepension enligt denna artikel, skall pensionen oavsett vistelsetidens längd ersättas av alderspension vid uppnåendet av den i bosättningslandet gällande allmänna pensionsåldern.

### Artikel 3

Grundpension enligt artikkel 2 utgår på grundval av den pensionsberättigades sammanlagda bosättnings tid i ett eller flera fördragsslu-

de. Med bopæl ligestilles ansettelse ombord på et skib, som fører et kontraherende lands flag.

Udgør bopælstiden mindst fyrre år, ydes grundpensionen uden nedsættelse på grund af bopælstid. I andre tilfælde ydes grundpensionen med mindst 1/40 for hvert bopælsår. Ved beregningen ses der bort fra tiden før det fyldte 16. år og tiden efter den almindelige pensionsalder, der gælder i bopælslandet. Begynder pensionen at løbe inden den almindelige pensionsalder, medregnes tillige tiden indtil tidspunktet for opnåelse af pensionsalderen.

Efterladtepension til efterlevende ægtefælle beregnes på tilsvarende måde på grundlag af den afdødes bopælstid, såfremt denne er længere end den pensionsberettigedes bopælstid. Det samme gælder ved beregning af alderspension til en efterlevende ægtefælle, som ville have været berettiget til efterladtepension, hvis pensionsalderen ikke allerede var opnået. Efterladtepension til efterlevende børn ydes uden nedsættelse på grund af bopælstidens længde.

Beregnes grundpension efter et kontraherende lands lovgivning på grundlag af bopælstid i landet, skal bopælstid for landets statsborgere i et andet kontraherende land regnes som bopælstid i hjemlandet.

on asunut yhdessä tai useamassa sopimusmaassa. Asumiseen rinnastetaan palvelu aluksella, joka käyttää sopimusmaan lippua.

Jos asumisajan pituus on vähintään neljäkymmentä vuotta, suoritetaan peruseläkettä ilman asumisajan perusteella tehtävää vähennystä. Muussa tapauksessa peruseläkettä suoritetaan vähintään yksi eljäskymmenesosa kultakin asumisvuodelta. Eläkettä määrättäessä ei oteta huomioon henkilön kuudettatoista ikävuotta edeltänyttä eikä asuinmaassa voimassa olevan yleisen eläkeiän jälkeistä aikaa. Jos eläkettä aletaan suorittaa ennen kuin eläkkeeseen oikeutettu henkilö täyttää yleisen eläkeiän, luetaan hänen hyväkseen myös aika siihen hetkeen saakka, jolloin hän täyttää eläkeiän.

Jälkeenjääneen puolison perhe-eläke määräytyy vastaavalla tavalla lasketun vainajan asumisajan perusteella, jos tämä aika on pitempi kuin eläkkeeseen oikeutetun henkilön asumisaika. Sama koskee sellaisen jälkeenjääneen puolison vanhuuseläkettä, jolla olisi ollut oikeus saada perhe-eläkettä, jollei hän olisi ollut täyttänyt eläkeikää. Jälkeenjääneelle lapselle suoritetaan perhe-eläkettä ilman asumisajan pituuden perusteella tehtävää vähennystä.

Jos peruseläke jonkin sopimusmaan lainsäädännön mukaan määräytyy asumisajan perusteella sanotussa maassa, luetaan maan kansalaisille asumisaika muussa sopimusmaassa asumisajaksi kotimaassa.

tande länder. Med bosättning jämställs anställning ombord på fartyg som för fördragsslutande lands flagga.

Uppgår bosättningstiden till minst fyrtio år, utgår grundpension utan avkortning med hänsyn till bosättningstid. I annat fall utgår grundpension med minst en fyrtiondedel för varje bosättningsår. Vid beräkningen bortses från tid före fyllda sexton år och tid efter den i bosättningslandet gällande allmänna pensionsåldern. Börjar pension utgå innan den pensionsberättigade uppnår den allmänna pensionsåldern tillgodoräknas även tid fram till tidpunkten för inträdet i pensionsåldern.

Familjepension till efterlevande make utgår med hänsyn till den avlidnes på motsvarande sätt beräknade bosättningstid, om denna är längre än den pensionsberättigades. Det samma gäller ålderspension till efterlevande make som, om han ej uppnått pensionsåldern, skulle ha varit berättigad till familjepension. Familjepension till efterlevande barn utgår utan avkortning med hänsyn till bosättningstidens längd.

Beräknas grundpension enligt ett fördragsslutande lands lagstiftning på grundval av bosättningstid i landet skall för landets medborgare bosättningstid i annat fördragsslutande land räknas som bosättningstid i hemlandet.

Starfstími á skipi, sem siglir undir fána samningsríkis, skal talinn jafngilda búsetu í ríkinu.

Grunnlífeyrir greiðist án skerðingar með tilliti til búsetutíma ef hann er a.m.k. fjörutíu ár. Annars greiðist grunnlífeyrir með a.m.k. einum fertugasta hluta fyrir hvert búsetuár. Við útreikninginn skal ekki telja með tímann fyrir fullnaðan 16 ára aldur né tímann eftir að náð er almennum lífeyrisaldri, sem gildir í búseturíki. Hefjist lífeyrisgreiðslur áður en almennum lífeyrisaldri er náð skal einnig taka með í reikninginn þann tíma, sem skortir á það.

Eftirlífendalífeyrir til eftirlifandi maka veitist á sama hátt á grundvelli búsetutíma hins látna, sé sá tími lengri en búsetutími þess, sem rétt á til lífeyris. Sama á við um ellilífeyri til eftirlifandi maka, sem myndi eiga rétt til eftirlífendalífeyris, hefði hann eigi þegar náð lífeyrisaldri við andlát maka. Eftirlífendalífeyrir til eftirlifandi barna greiðist án skerðingar með hliðsjón af búsetutíma.

Ef grunnlífeyrir er reiknaður samkvæmt lögum samningsríkis á grundvelli búsetutíma í ríkinu, skal búsetutími þegna þess ríkis í öðru samningsríki reiknast sem búsetutími í heimaríkinu.

med botid regnes forhyring på skip som fører et kontraherende lands flagg.

Utgjør botiden minst førti år, ytes grunnpensjon uten avkortning på grunn av botid. I andre tilfelle ytes grunnpensjon med minst 1/40 for hvert års botid. Ved beregningen av botid ses bort fra tid før fylte 16 år og tid etter den alminnelige pensjonsalder som gjelder i bosettingslandet. Dersom pensjonen tar til å løpe før den pensjonsberettigede når den alminnelige pensjonsalder, medregnes også tiden fram til pensjonsalderen.

Familiepensjon til etterlevende ektefelle beregnes på tilsvarende måte på grunnlag av avdødes botid såfremt denne er lengre enn den pensjonsberettigedes botid. Det samme gjelder ved beregning av alderspensjon til gjenlevende ektefelle som ville ha hatt rett til etterlattepensjon dersom pensjonsalderen ikke allerede var nådd. Familiepensjon til etterlatte barn ytes uten avkortning på grunn av botidens lengde.

Beregnes grunnpensjon etter et kontraherende lands lovgivning på grunnlag av botid i landet, skal botid for landets statsborgere i et annet kontraherende land regnes som botid i hjemlandet.

tande länder. Med bosättning jämställas anställning ombord på fartyg som för dragsslutande lands flagga.

Uppgår bosättningstiden till minst fyrtyo ár, utgår grundpension utan avkortning med hänsyn till bosättningstid. I annat fall utgår grundpension med minst en fyrtionedel för varje bosättningsår. Vid beräkningen bortses från tid före fyllda sexton år och tid efter den i bosättningslandet gällande allmänna pensionsåldern. Börjar pension utgå innan den pensionsberättigade uppnår den allmänna pensionsåldern tillgodoräknas även tid fram till tidpunkten för inträdet i pensionsåldern.

Familjepension till efterlevande make utgår med hänsyn till den avlidnes på motsvarande sätt beräknade bosättningstid, om denna är längre än den pensionsberättigades. Detsamma gäller alderspension till efterlevande make som, om han ej uppnått pensionsåldern, skulle ha varit berättigad till familjepension. Familjepension till efterlevande barn utgår utan avkortning med hänsyn till bosättningstidens längd.

Beräknas grundpension enligt ett fördragsslutande lands lagstiftning på grundval av bosättningstid i landet skall för landets medborgare bosättningstid i annat fördragsslutande land räknas som bosättningstid i hemlandet.

Modtager en statsborger i et kontraherende land grundpension fra bopælslandet, og har han samtidig ret til grundpension fra et andet kontraherende land efter dets lovgivning, ydes pensionen fra sidstnævnte land kun i den udstrækning den overstiger pensionen fra bopælslandet.

#### Artikel 4.

Flytter en statsborger i et kontraherende land fra et sådant land til et andet, og indtræder pensionsbegivenheden, inden der er forløbet så lang tid, at der kan ydes grundpension fra tilflytningslandet, skal pensionen ydes fra det land, hvori tidsbetingelsen for ret til grundpension senest har været opfyldt. Pensionen ydes, som om han stadig var bosat der. Dette gælder dog kun, såfremt ansøgning om pension indgives inden tre år efter, at han forlod sidstnævnte land.

Modtager en statsborger i et kontraherende land grundpension, og flytter han fra et sådant land til et andet, bevarer han ret til grundpension fra førstnævnte land.

Grundpension efter første og andet stykke ydes indtil den pensionsberettigede modtager grundpension fra tilflytningslandet eller har opholdt sig der i så lang tid, at han opfylder kravet om en vis tids ophold i landet for at få ret til en sådan grundpension, dog længst i tre år. For den, som flytter til sit hjemland, ophører retten til den pension, der omhandles her,

Jos peruseläkettä asuinmaasta saavalla sopimusmaan kansalaisella samanlaisesti oikeus saada peruseläkettä toisesta sopimusmaasta sen maan lainsäädännön mukaan, suoritetaan eläkettä jälkimmäisestä maasta ainoastaan siltä osin kuin se määrältään ylittää asuinmaan eläkkeen.

#### 4 artikla.

Jos sopimusmaan kansalainen muuttaa sopimusmaasta toiseen ja eläketapahtuma sattuu ennen kuin niin pitkä aika on kulunut, että peruseläkettä voidaan suorittaa siitä maasta, johon muutto on tapahtunut, suoritetaan peruseläke siitä maasta, jossa hän viimeksi on täyttänyt peruseläkeoikeuden aikahdot ikään kuin hän edelleen asuisi siellä. Edellä sanottu on voimassa edellyttäen, että eläkehakemus jätetään kolmen vuoden kuluessa siitä, kun hakija on muuttanut viimeksi mainitusta maasta.

Jos sopimusmaan kansalainen, joka saa peruseläkettä tällaisesta maasta, muuttaa sieltä toisen sopimusmaahan, säilyttää hän oikeutensa saada peruseläkettä sitä suoritavasta maasta.

Ensimmäisessä tai toisessa kappaleessa tarkoitettua peruseläkettä suoritetaan siihen saakka, kunnes eläkkeeseen oikeutettu henkilö saa peruseläkettä siitä maasta, johon hän on muuttanut, tai kunnes hänen oleskelunsa siellä täyttää kysymyksessä olevan peruseläkkeen saamiseksi asetetut, tietyn ajan pituista maassaoleskelua koskevat edellytykset, kui-

Har medborgare i fördragsslutande land som uppstår grundpension från bosättningslandet samtidigt rätt till grundpension från annat fördragsslutande land enligt dess lagstiftning, utges pensionen från sistnämnda land endast med belopp varmed den överstiger pensionen från bosättningslandet.

#### Artikel 4.

Flyttar medborgare i fördragsslutande land från ett sådant land till ett annat och inträffar pensionsfall innan sådan tid förflutit att grundpension kan utgå från inflyttningslandet, skall pension utgå från det land, där tidsvillkoren för rätt till grundpension senast uppfyllts som om han fortfarande varit bosatt där. Vad nu sagts gäller under förutsättning att pensionsansökan inges inom tre år från det han lämnade sistnämnda land.

Flyttar medborgare i fördragsslutande land som uppstår grundpension från sådant land därifrån till ett annat av länderna, behåller han rätten till grundpension från det land som utger pensionen.

Grundpension enligt första eller andra stycket utgår till dess den pensionsberättigade erhåller grundpension från inflyttningslandet eller vistats där så lång tid att han uppfyller kraven på viss tids vistelse i landet för rätt till sådan grundpension varom fråga är, dock längst under tre år. För den som flyttar till sitt hemland upphör rätten till här avsedd pension

Ef ríkisborgari samningsríkis nýtur grunnlífeyris frá búseturíkinu og hann á samtímis rétt á grunnlífeyri frá öðru samningsríki samkvæmt lögum þess, greiðist lífeyrir frá síðar nefnda ríkinu einungis að því marki, sem hann kann að vera hærri en lífeyrir frá búseturíkinu.

#### 4. gr.

Flytjast ríkisborgari samningsríkis frá því ríki til annars samningsríkis og atburður, sem veitir tilefni til lífeyrisgreiðslna, skeður áður en svo langur tími er liðinn, að grunnlífeyri megi greiða frá því ríki, sem flust er til, greiðist lífeyrir frá því ríki, þar sem dvalartímaskilyrðum fyrir grunnlífeyrisrétti var síðast fullnægt eins og hlutaðeigandi væri ennþá búsettur þar. Þetta gildir þó því aðeins að lífeyrisumsókn sé lögð fram áður en þrjú ár eru liðin frá því að hann fluttist frá síðastnefndu ríki.

Flytjast ríkisborgari samningsríkis frá samningsríki, þar sem hann hefur notið grunnlífeyris, til annars samningsríkis, heldur hann réttinum til grunnlífeyris frá fyrrnefnda ríkinu.

Grunnlífeyrir samkvæmt fyrstu og annarri málsgrein greiðist þar til lífeyrisþegi fær grunnlífeyri frá því ríki, sem hann fluttist til eða þar til hann hefur dvalist þar svo lengi að hann fullnægi kröfum um tiltekinn dvalartíma til þess að öðlast rétt til slíks grunnlífeyris, þó eigi lengur en í þrjú ár. Að því er tekur til manns, sem flyst til heimaríkis síns fellur þessi

Har en statsborger i et kontraherende land som oppebærer grunnpension fra bosettingslandet samtidig rett til grunnpension fra et annet kontraherende land i medhold av dette landets lovgivning, ytes pensjonen fra sistnevnte land bare med det beløp hvormed den overstiger pensjonen fra bosettingslandet.

#### Artikkel 4.

Flytter en statsborger i et kontraherende land fra et slikt land til et annet, og pensjonstilfellet inntreffer innen det er gått så lang tid at det kan ytes grunnpension fra tilflyttingslandet skal pensjonen ytes fra det land hvor vilkåret om botid for rett til grunnpension senest har vært oppfylt som om han fortsatt var bosatt der. Dette gjelder imidlertid under forutsetning av at søknad om pensjon inngis innen tre år etter vedkommende forlot sistnevnte land.

Flytter statsborger i et kontraherende land som oppebærer grunnpension fra et sådant land til et annet, beholder han retten til grunnpension fra det førstnevnte land.

Grunnpension i medhold av første eller annet ledd ytes inntil den pensjonsberettigede får grunnpension fra tilflyttingslandet eller har oppholdt seg der i så lang tid at han fyller vilkåret om en viss tids opphold i landet for å få rett til slik grunnpension, men likevel ikke ut over tre år. For den som flytter til sitt hjemland opphører retten til pensjon som her nevnt i

Har medborgare i fördragslutande land som uppbär grundpension från bosättningslandet samtidigt rätt till grundpension från annat fördragsslutande land enligt dess lagstiftning, utges pensionen från sistnämnda land endast med belopp varmed den överstiger pensionen från bosättningslandet.

#### Artikel 4

Flyttar medborgare i fördragsslutande land från ett sådant land till ett annat och inträffar pensionsfall innan sådan tid förflutit att grundpension kan utgå från inflyttningslandet, skall pension utgå från det land, där tidsvilkoren för rätt till grundpension senast uppfyllts som om han fortfarande varit bosatt där. Vad nu sagts gäller under förutsättning att pensionsansökan inges inom tre år från det han lämnade sistnämnda land.

Flyttar medborgare i fördragsslutande land som uppbär grundpension från sådant land därifrån till ett annat av länderna, behåller han rätten till grundpension från det land som utger pensionen.

Grundpension enligt första eller andra stycket utgår till dess den pensionsberättigade erhåller grundpension från inflyttningslandet eller vistats där så lång tid att han uppfyller kraven på viss tids vistelse i landet för rätt till sådan grundpension varom fråga är, dock längst under tre år. För den som flyttar till sitt hemland upphör rätten till här avsedd pension i



i alle tilfælde, når han opnår den pensionsalder, der gælder i hjemlandet.

Har nogen efter lovgivningen i tilflytningslandet ret til grundpension beregnet udelukkende på grundlag af bopælstid i dette land, skal dette ikke hindre, at der ydes pension fra fraflytningslandet efter bestemmelserne ovenfor i denne artikel. Pensionen fra fraflytningslandet skal dog kun ydes med det beløb, hvormed den overstiger pensionen fra tilflytningslandet.

#### *Artikel 8 a.*

Statsborgere i et af de kontraherende lande, som er bosat i et andet af landene, er på samme betingelser og efter samme regler som sidstnævnte lands egne statsborgere berettiget til at modtage proteser og andre hjælpemidler samt til at deltage i helbredelses-, optrænings- og erhvervsforanstaltninger.

#### *Artikel 17.*

For børn, som er statsborgere i et af de kontraherende lande, eller hvis fader eller moder er statsborgere i et af disse lande, ydes almindelige børnetilskud i et andet af landene på samme betingelser og efter samme regler, som gælder for sidstnævnte lands statsborgere.

For statsborgere fra et af de kontraherende lande gæl-

tenkin enintään kolmen vuoden ajan. Kotimaahansa muuttavan henkilön oikeus edellä tarkoitettuun eläkkeeseen lakkaa joka tapauksessa hänen täyttäessään kotimaassa voimassa olevan eläkeiän.

Jos henkilöllä sen maan lainsäädännön mukaan, johon hän on muuttanut, on oikeus saada peruseläkettä, joka määräytyy yksinomaan asumisajan perusteella siinä maassa, sanottu eläke ei estä eläkkeen suorittamista tämän artiklan määräysten mukaisesti siitä maasta, josta hän on muuttanut. Eläkettä suoritetaan kuitenkin viimeksi mainitusta maasta vain siltä osin, kuin se määrältään ylittää aikaisemmin mainittu eläkkeen.

#### *8a artikla.*

Sopimusmaassa asuvalla toisen sopimusmaan kansalaisella on samoin ehdoin ja samojen määräysten mukaisesti kuin maan omilla kansalaisilla oikeus saada tekojäseniä ja muita apuvälineitä sekä päästä osalliseksi sairaanhoito-, jälkihoito- sekä työhuoltotoimenpiteitä.

#### *17 artikla.*

Lapseta, joka itse tai jonka isä tai äiti on sopimusmaan kansalainen, suoritetaan toisessa sopimusmaassa yleistä lapsilisää samoin ehdoin ja samojen määräysten mukaisesti kuin oleskelumaan omille kansalaisille.

Sopimusmaan kansalaisilla on muissa kuin 2 artik-

i vart fall när han uppnår den i hemlandet gällande pensionsåldern.

Har någon enligt lagstiftningen i inflyttningslandet rätt till grundpension beräknad enbart på grundval av bosättningsstid i det landet skall denna pension icke hindra att pension utgår från utflyttningslandet enligt bestämmelserna i denna artikel. Pensionen från utflyttningslandet skall dock utges endast med belopp varmed den överstiger sådan pension som nyss sagts.

#### *Artikel 8a.*

Medborgare i ett av de fördragsslutande länderna, vilken är bosatt i ett annat av länderna, är på samma villkor och enligt samma regler som landets egna medborgare berättigad att erhålla proteser och andra hjälpmedel samt att bli delaktig av sjukvårds- och eftervårds-även som arbetsvårdande åtgärder.

#### *Artikel 17.*

För barn, som är medborgare i ett av de fördragsslutande länderna eller vars fader eller moder är medborgare i ett av dessa länder, utgivas allmänna barnbidrag i ett annat av länderna på samma villkor och enligt samma regler, som gälla för sistnämnda lands medborgare.

För medborgare i ett av de fördragsslutande länderna

umræddi lífeyrisréttur ávallt niður þegar hann nær þeim lífeyrisaldri, sem í heimarík-  
inu gildir.

Eigi maður samkvæmt lögum þess ríkis, sem hann fluttist til, rétt á grunnlífeyri, sem einungis miðast við búsetutíma í því ríki, skal það ekki standa í vegi fyrir því að honum sé greiddur lífeyrir samkvæmt ákvæðum þessarar greinar frá ríkinu, sem hann fluttist frá. Lífeyrir frá síðarnefnda ríkinu skal þó aðeins nema þeirri fjárhæð, sem lífeyrir í því ríki er hærri en lífeyrir í ríkinu, sem hann fluttist til.

#### 8. gr. a.

Ríkisborgarar samningsríkis, sem eru búsettir í öðru samningsríki, eiga rétt á gerfilimum og öðrum hjálpartækjum svo og þátttöku í aðgerðum á sviði lækningar, endurbjálfunar og atvinnu, með sömu kjörum og eftir sömu reglum og ríkisborgarar síðarnefnda ríkisins.

#### 17. gr.

Í hverju samningsríki eru greiddir almennir barnastyrkir, ef barnið sjálf, faðir þess eða móðir er ríkisborgari samningsríkis og fer um greiðslur þessar eftir sömu skilyrðum og reglum og gilda um borgara fyrrnefnda ríkisins.

Að því er tekur til greiðslna sérstakra barnastyrkja til

alle tilfelle når han når den pensjonsalder som gjelder i hjemlandet.

Har noen etter lovgivningen i tilflyttingslandet rett til grunnpensjon beregnet utelukkende på grunnlag av botid i dette landet, skal dette ikke være til hinder for at det ytes pensjon fra fraflyttingslandet etter bestemmelsene i denne artikkel. Pensjon fra fraflyttingslandet ytes likevel bare med det beløp hvormed den overstiger pensjonen fra tilflyttingslandet.

#### Artikkel 8a.

Statsborgere i et av de kontraherende land som er bosatt i et annet av landene, har på samme vilkår og etter samme regler som sistnevnte lands egne statsborgere rett til proteser og andre hjelpemidler, samt til å delta i helbredelses-, opptrenings- og ervedstiltak.

#### Artikkel 17.

För barn som er statsborgere i et av de kontraherende land, eller hvis far eller mor er statsborger i et av disse land, ytes i et annet av landene alminnelig barnestønad på samme vilkår og etter samme regler som för sistnevnte lands statsborgere.

För statsborgere i et av de kontraherende land gjel-

vart fall når han oppnår den i hemlandet gällande pensionsaldern.

Har någon enligt lagstiftningen i inflyttningslandet rätt till grundpension beräknad enbart på grundval av bosättningsstid i det landet skall denna pension icke hindra att pension utgår från utflyttningslandet enligt bestämmelserna i denna artikel. Pensionen från utflyttningslandet skall dock utges endast med belopp varmed den överstiger sådan pension som nyss sagts.

#### Artikel 8 a

Medborgare i ett av de fördragsslutande länderna, vilken är bosatt i ett annat av länderna, är på samma villkor och enligt samma regler som landets egna medborgare berättigad att er- hålla proteser och andra hjälpmedel samt att bli delaktig av sjukvårds- och eftervårds- ävensom arbetsvårdande åtgärder.

#### Artikel 17

För barn, som är medborgare i ett av de fördragsslutande länderna eller vars fader eller moder är medborgare i ett av dessa länder, utgivas allmänna barnbidrag i ett annat av länderna på samma villkor och enligt samma regler, som gälla för sistnämnda lands medborgare.

För medborgare i ett av de fördragsslutande länder-

der, i andre tilfælde end når det drejer sig om efterladte-pension efter artikel 2, med hensyn til ydelse i et andet af landene af særlige tilskud til børn af invalider, enker og enkemænd m. fl., til handicappede børn, forældreløse børn og børn født uden for ægteskab samme betingelser og samme regler som for sidstnævnte lands statsborgere.

### Artikel 30.

Ved anvendelsen af artiklerne 2, andet stykke, og 21 i denne konvention, skal der ses bort fra midlertidigt fravær fra opholdslandet.

Overenskomsten skal deponeres i det danske udenrigsministeriums arkiv. Overenskomsten skal ratificeres. Ratifikationsinstrumenterne skal deponeres i det danske udenrigsministerium.

Overenskomsten træder i kraft den første dag i den måned, som ligger to fulde kalendermåneder efter den dag, da samtlige landes ratifikationsinstrumenter er deponeret. Når det er sket, skal det danske udenrigsministerium umiddelbart underrette hver af de kontraherende landes regeringer herom og tilstille dem bekræftede afskrifter af overenskomsten.

Overenskomsten giver ikke ret til ydelser for tiden, inden den trådte i kraft.

Ved afgørelse af retten til ydelser på grundlag af over-

lassa tarkoitetuissa perheläketapauksissa toisessa sopimusmaassa samoin ehdoin ja samojen määräysten mukaisesti kuin oleskelumaan kansalaisilla oikeus saada erikoisavustusta, jota annetaan invalidien, leskien ym. lapsille, vajaakuntoisille lapsille, orpolapsille ja avioliiton ulkopuolella syntyneille lapsille.

### 30 artikla.

Tämän sopimuksen 2 artiklan toista kappaletta ja 21 artiklaa sovellettaessa tilapäistä poissaoloa oleskelumaasta ei oteta huomioon.

Tämä sopimus talletetaan Tanskan ulkoasiainministeriön arkistoon. Sopimus on ratifioitava ja ratifioimiskirjat talletetaan Tanskan ulkoasiainministeriöön.

Sopimus tulee voimaan sen kuukauden ensimmäisenä päivänä, joka lähinnä seuraa kahden täyden kalenderikuukauden kuluttua siitä päivästä lukien, jolloin kaikkien sopimusmaiden ratifioimiskirjat on talletettu. Kun näin on tapahtunut, tulee Tanskan ulkoasiainministeriön välittömästi ilmoittaa siitä kullekin sopimusmaan hallitukselle ja toimittaa niille oikeaksi todistetut jäljennökset sopimuksesta.

Sopimus ei anna oikeutta etuuksiin sopimuksen voimaantuloa edeltävältä ajalta.

Määrättäessä oikeutta etuuksiin sopimuksen perus-

gälla i fråga om rätt att, i annat fall än då fråga är om familjepension som avses i artikel 2, i ett annat av länderna åtnjuta särskilda bidrag till barn till invalider, änkor och änklingar m. fl., handikappade barn, föräldralösa barn och barn utom äktenskap samma villkor och samma regler som för sistnämnda lands medborgare.

### Artikel 30.

Vid tillämpning av artikel 2 andra stycket och artikel 21 i denna konvention skall bortses från tillfällig frånvaro från vistelselandet.

Denna överenskommelse skall vara deponerad i det danska utrikesministeriets arkiv. Överkommelsen skall ratificeras. Ratifikationshandlingarna skall deponeras i det danska utrikesministeriet.

Överenskommelsen träder i kraft första dagen i den månad som infaller två hela kalendermånader efter den dag då samtliga fördragsslutande länders ratifikationshandlingar deponerats. När så skett skall det danska utrikesministeriet omedelbart underrätta var och en av de fördragsslutande ländernas regeringar härom och tillställa dessa bestyrkta avskrifter av överenskommelsen.

Överenskommelsen ger icke rätt till förmåner för tid före ikraftträdandet.

Vid bestämmande av rätt till förmåner på grund av

ríkisborgara samningsríkis, sem veittir eru í öðru samningsríki til barna öryrkja, ekkna og ekkla o. fl., fatlaðra barna, foreldralausra barna og óskilgetinna, gilda sömu reglur og skilyrði og fyrir borgara síðarnefnda ríkisins, nema um sé að ræða eftirlifendalífeyri skv. 2. gr.

### 30. gr.

Við beitingu 2. gr. 2. mgr. og 21. gr. samnings þessa skal ekki tekið tillit til fjarveru frá dvalarlandi um stundarsakir.

Samningur þessi skal varðveittur í skjalasafni danska utanríkisráðuneytisins. Samningur þenna ber að fullgilda. Fullgildingarskjölum skal komið til varðveislu í danska utanríkisráðuneytinu.

Samningur þessi öðlast gildi fyrsta dag næsta mánaðar eftir að liðnir eru tveir heilir almanaks mánuðir frá því að fullgildingarskjöl allra samningsríkjanna voru afhent til varðveislu. Þegar fullgildingarskjöl allra samningsríkjanna hafa verið afhent til varðveislu, skal danska utanríkisráðuneytið þegar í stað tilkynna ríkisstjórnnum allra samningsríkja það og senda þeim staðfest afrit af samningnum.

Samningur þessi veitir ekki rétt til greiðslna fyrir þann tíma, sem liðinn er fyrir gildistöku hans.

Við ákvörðun réttar til greiðslna samkvæmt samn-

der, i samband med retten til i andre tilfelle enn de som er omhandlet i artikkel 2, i et annet av landene å få særskilt stønad til barn til invalider, enker og enkemenn m. fl., til funksjonshemmede barn, til foreldreløse barn og til barn født utenfor ekteskap, samme vilkår og regler som for sistnevnte lands statsborgere.

### Artikkel 30.

Ved anvendelsen av artiklene 2, annet ledd og 21 i denne konvensjon skal det ses bort fra midlertidig fravær fra oppholdslandet.

Overenskomsten skal deponeres i det danske utenriksministeriums arkiv. Overenskomsten skal ratifiseres. Ratifikasjonsdokumentene skal deponeres i det danske utenriksministerium.

Overenskomsten trer i kraft den første dag i den måned som inntrer to fulle kalendermåneder etter den dag da samtlige lands ratifikasjonsdokumenter er deponert. Når det er skjedd, skal det danske utenriksministerium umiddelbart underrette hvert av de kontraherende lands regjeringer herom og tilstille dem bekreftede avskrifter av overenskomsten.

Overenskomsten gir ikke rett til ytelser for tiden inntil den trådte i kraft.

Ved avgjørelse av retten til ytelser på grunnlag av

na gälla i frága om rétt att, i annat fall än då frága är om familjepension som avses i artikel 2, i ett annat av länderna åtnjuta särskilda bidrag till barn till invalider, änkor och änklingar m. fl., handikappade barn, föräldralösa barn och barn utom äktenskap samma villkor och samma regler som för sistnämnda lands medborgare.

### Artikel 30

Vid tillämpning av artikel 2 andra stycket och artikel 21 i denna konvention skall bortses från tillfällig frånvaro från vistelseslandet.

Denna överenskommelse skall vara deponerad i det danska utrikesministeriets arkiv. Överenskommelsen skall ratificeras. Ratifikationshandlingarna skall deponeras i det danska utrikesministeriet.

Överenskommelsen träder i kraft första dagen i den månad som infaller två hela kalendermånader efter den dag då samtliga fördragsslutande länders ratifikationshandlingar deponerats. När så skett skall det danska utrikesministeriet omedelbart underrätta var och en av de fördragsslutande ländernas regeringar härom och tillställa dessa bestyrkta avskrifter av överenskommelsen.

Överenskommelsen ger icke rätt till förmåner för tid före ikraftträdandet.

Vid bestämmande av rätt till förmåner på grund av

enskomsten skal tiden, inden overenskomsten trådte i kraft tillige tages i betragtning som kvalifikationstid.

Overenskomsten medfører ikke indskrænkning i retten til ydelser, som er bevilget med anvendelse af konventionens hidtidige bestemmelser, og som løber ved overenskomstens ikrafttræden.

Til bekræftelse heraf har de respektive befuldmægtigede undertegnet denne overenskomst.

Udfærdiget i København i ét eksemplar på dansk, finsk, islandsk, norsk og svensk, således at der på svensk er udfærdiget to tekster, en for Finland og en for Sverige, den 5. maj 1977.

**K. B. Andersen**

teella on pätevyitymisaikana otettava huomioon myös sopimuksen voimaantuloa edeltävä aika.

Sopimus ei rajoita oikeutta sellaisiin, etuuksiin jotka on myönnetty sopimuksen aikaisempia määräyksiä soveltaen ja joita suoritetaan sopimuksen tullessa voimaan.

Edellä olevan vakuudeksi ovat asianomaiset valtuutetut allekirjoittaneet tämän sopimuksen.

Tehty Kööpenhaminassa 5 päivänä toukokuuta 1977 yhtenä suomen-, islannin-, norjan-, ruotsin ja tanskan-kielisenä kappaleena, joissa ruotsinkielellä on kaksi tekstiä, toinen Suomea ja toinen Ruotsia varten.

**Veli Helenius**

överenskommelsen skall såsom kvalifikationstid beaktas även tid före dess ikraftträdande.

Överenskommelsen skall icke medföra inskränkning i rätt till förmåner som beviljats med tillämpning av konventionens äldre bestämmelser och som utgår vid överenskommelsens ikraftträdande.

Till bekräftelse härav har de respektive fullmäktige undertecknat denna överenskommelse.

Som skedde i Köpenhamn i ett exemplar på svenska, danska, finska, isländska och norska språken, varvid på svenska, språket utfärdades två texter, en för Finland och en för Sverige, den 5 maj 1977.

ingi þessum skal tími sá, sem liðinn er við gildistöku hans tekinn með í reikninginn sem réttindavinnslutími.

Samningur þessi skerðir ekki rétt til greiðslna, sem veittar hafa verið samkvæmt eldri ákvæðum samningsins og eiga sér stað þegar samningur þessi öðlast gildi.

Þessu til staðfestu hafa umboðsmenn hvers ríkis fyrir sig undirritað samning þenna.

Gert í Kaupmannahöfn í einu eintaki á íslensku, dönsku, finnsku, norsku og sænsku, en að því er sænskuna snertir í tveim textum, öðrum fyrir Finnland, en hinum fyrir Svíþjóð, hinn . . . . 1977.  
5. maí

Agnar Kl. Jónsson

overenskomsten skal tiden innen overenskomsten trådte i kraft også regnes med som kvalifikasjonstid.

Overenskomsten medfører ikke innskrenkning i retten til ytelser som er gitt med hjemmel i konvensjonens hittil gjeldende bestemmelser, og som løper ved overenskomstens ikrafttreden.

Til bekræftelse herav har de respektive befullmættigede undertegnet denne overenskomst.

Utferdiget i København i ett eksemplar på norsk, dansk, finsk, islandsk og svensk språk, således at det på svensk ble utferdiget to tekster, en for Finland og en for Sverige, den 5. mai 1977.

Paul Koht

överenskommelsen skall såsom kvalifikationstid beaktas även tid före dess ikraftträdande.

Överenskommelsen skall icke medföra inskränkning i rätt till förmåner som beviljats med tillämpning av konventionens äldre bestämmelser och som utgår vid överenskommelsens ikraftträdande.

Till bekräftelse härav har de respektive fullmäktige undertecknat denna överenskommelse.

Som skedde i Köpenhamn i ett exemplar på svenska, danska, finska, isländska och norska språken, varvid på svenska språket utfärdades två texter, en för Sverige och en för Finland, den 5. maj 1977.

Hubert de Besche

**PROTOKOL**

I tilslutning til undertegnelsen i dag af overenskomst af 5. maj 1977 mellem Danmark, Finland, Island, Norge og Sverige om ændring af konventionen af 15. september 1955 mellem disse lande om social tryghed er regeringerne i de nævnte stater blevet enige om følgende protokol:

1. Punkt B nr. 4 i slutprotokol af 15. september 1955 affattes således:

Ved midlertidigt fravær efter artikel 30 forstås i forbindelse med kravet om tre års, respektive fem års, ophold i artiklerne 2 og 21 fravær, som hver for sig ikke strækker sig ud over fire måneder, og i forbindelse med kravet om ét års ophold i artikel 2 fravær, som hver for sig ikke strækker sig udover én måned. Dog kan i begge tilfælde også et fravær af længere varighed betragtes som midlertidigt, når særlige grunde taler derfor. Således kan der tages hensyn til varigheden af pågældendes samlede ophold i opholdslandet og grunden til fraværet.

Perioder af midlertidigt fravær medregnes ikke som opholdsperioder.

**PÖYTÄKIRJA**

Suomen, Islannin, Norjan, Ruotsin ja Tanskan välillä 15 päivänä syyskuuta 1955 tehdyn sosiaaliturvaa koskevan sopimuksen muuttamisesta 5. päivänä toukokuuta 1977 tehdyn sopimuksen tänään tapahtuneen allekirjoittamisen yhteydessä ovat sanottujen maiden hallitukset sopineet seuraavasta.

1. Sopimukseen liittyvän 15 päivänä syyskuuta 1955 päivätyn päättöpöytäkirjan B 4 kohta muutetaan näin kuuluvaksi:

Tilapäisellä poissaololla tarkoitetaan 30 artiklassa, kun on kysymyksessä 2 ja 21 artiklan mukainen kolmen ja vastaavasti viiden vuoden oleskelu, poissaoloa, joka kerrallaan ei ylitä neljää kuukautta, ja kun on kysymyksessä 2 artiklan mukainen yhden vuoden oleskelu, poissaoloa, joka kerrallaan ei ylitä yhtä kuukautta. Kuitenkin voidaan molemmissa tapauksissa pitempiaikaistakin poissaoloa pitää tilapäisenä, milloin siihen on erityisiä syitä. Sellaisina syinä voidaan ottaa huomioon asianomaisen kokonaisoleskeluaika oleskelumaassa ja poissaolon tarkoitus.

Tilapäiseksi poissaoloksi katsottavia ajanjaksoja ei lueta maassaoleskeluaikaan kuuluviksi.

**PROTOKOLL**

I samband med undertecknandet denna dag av överenskommelsen den 5 maj 1977 mellan Finland, Danmark, Island, Norge och Sverige om ändring i konventionen den 15. september 1955 mellan dessa länder om social trygghet har regeringarna i nämnda stater enats om följande.

1. Vad i slutprotokollet den 15. september 1955 till konventionen antecknats under litt. B punkt 4 skall erhålla följande ändrade lydelse:

I artikel 30 förstås med tillfällig frånvaro såvitt angår krav på tre resp. fem års vistelse i artiklarna 2 och 21 en bortovaro, som varje gång icke sträcker sig över fyra månader, och vad angår krav på ett års vistelse i artikel 2 en bortovaro som varje gång icke sträcker sig utöver en månad. Dock kan i båda fallen också bortovaro av längre varaktighet anses tillfällig, när särskilda skäl talar därför. Sålunda kan hänsyn tages till varaktigheten av vederbörandes sammanlagda vistelse i vistelselandet och anledningen till frånvaro.

Perioder av tillfällig frånvaro räknas icke som vistelseperioder.

**BÓKUN**

Í sambandi við undirritun í dag á samningi frá ..... milli Íslands, Danmerkur, Finnlands, Noregs og Svíþjóðar um breyting á samningi frá 15. september 1955 milli þessara ríkja um félagslegt öryggi, hafa ríkisstjórnir nefndra ríkja komið sér saman um eftirfarandi:

1. Liður B. 4, í lokabókun frá 15. september 1955 verði svohljóðandi:

Með fjarvist um stundarsakir samkvæmt 30. gr. er, í sambandi við kröfuna um þriggja eða fimm ára dvöl, í 2. og 21. gr. átt við fjarvistir, sem hver um sig stendur ekki lengur en 4 mánuði og í sambandi við kröfuna um eins árs dvöl í 2. gr. er átt við fjarvistir, sem hver um sig stendur ekki lengur en einn mánuð. Í báðum tilfellum geta lengri fjarvistir þó talist fjarvistir um stundarsakir, ef sérstakar ástæður mæla með því. Þanning má taka tillit til þess, hve lengi hlutaðeigandi maður hefur dvalist í landinu samanlagt svo og hver ástæðan til fjarverunnar er.

Tímabil fjarvistar um stundarsakir teljast ekki dvalartími.

**PROTOKOLL**

Í samband med undertegningen idag av overenskomst av ..... 1977 mellom Norge, Danmark, Finland, Island og Sverige om endringer i konvensjonen av 15. september 1955 mellom de nevnte land om sosial trygghet er regjeringene i de nevnte stater blitt enige om følgende protokoll:

1. Punkt B nr. 4 i sluttprotokoll av 15. september 1955 får følgende ordlyd:

Ved midlertidig fravær etter artikkel 30 forstås for såvidt gjelder kravet om henholdsvis tre års og fem års opphold i artiklene 2 og 21 fravær som hver gang ikke varer lenger enn fire måneder, og forsåvidt angår kravet om ett års opphold i artikkel 2, fravær som hver gang ikke varer lenger enn en måned. Dog kan i begge tilfelle også lengre fravær betraktes som midlertidig dersom særskilte grunner talar for det. Herunder kan det tas omsyn til varigheten av vedkommendes samlede opphold i oppholdslandet og årsaken til fraværet.

Midlertidig fraværsperiode regnes ikke som oppholdsperiode.

**PROTOKOLL**

Í samband med undertecknandet denna dag av överenskommelsen den ..... 1977 mellan Sverige, Danmark, Finland, Island och Norge om ändring i konventionen den 15 september 1955 mellan dessa länder om social trygghet har regeringarna i nämnda stater enats om följande.

1. Vad i slutprotokollet den 15 september 1955 till konventionen antecknats under litt. B punkt 4 skall erhålla följande ändrade lydelse:

I artikel 30 förstås med tillfällig frånvaro såvitt angår krav på tre respektive fem års vistelse i artiklarna 2 och 21 en bortovaro, som varje gång icke sträcker sig över fyra månader, och vad angår krav på ett års vistelse i artikel 2 en bortovaro, som varje gång icke sträcker sig utöver en månad. Dock kan i båda fallen också bortovaro av längre varaktighet anses tillfällig, när särskilda skäl talar därför. Sålunda kan hänsyn tagas till varaktigheten av vederbörandes sammanlagda vistelse i vistelselandet och anledningen till frånvaro.

Perioder av tillfällig frånvaro räknas icke som vistelsetid.



2. Statsborgere i et kontraherende land, som er bosat i et andet sådant land, og som på grund af lovgivningen i bopælslandet modtager grundpension beregnet udelukkende på grundlag af bopælstid i landet, der er mindre end fyrré år, kan uden hensyn til bestemmelserne i artikel 3, sidste stykke, samtidig modtage en sådan grundpension fra et andet kontraherende land, som er beregnet udelukkende på grundlag af bopælstid i sidstnævnte land, og som han har ret til på grund af lovgivningen i dette land.

3. For Danmarks vedkommende skal gælde ved anvendelsen af artiklerne 2-4:

a) Statsborgere fra de andre kontraherende lande skal være berettiget til at opnå fuld dansk alderspension efter bestemmelsen i folkepensionslovens § 1 a, første stykke, nr. 2. Bopælstid i de øvrige kontraherende lande medregnes ikke ved afgørelsen af, om der kan ydes fuld pension efter den nævnte bestemmelse.

b) Når betingelserne for at opnå efterladtepension er opfyldt efter artikel 2, andet stykke, nr. 3 b, skal bopælstid i de andre kontraherende lande ligestilles med bopælstid i Danmark ved afgørelsen af, om betingelsen om mindst et års bopælstid i Danmark efter det fyldte 15. år er opfyldt. Bestemmelsen finder tilsvarende anvendelse for danske statsborgere.

c) Ved anvendelsen af artikel 3, andet stykke, tre-

2. Sopimusmaan kansalaisella, joka asuu toisessa sopimusmaassa ja joka asuinmaan lainsäädännön mukaisesti saa peruseläkettä, joka määräytyy ainoastaan neljäkymmentä vuotta lyhyemmän asumisajan perusteella tässä maassa, on 3 artiklan viimeisen kappaleen määräysten estämättä oikeus saada samanaikaisesti toisesta sopimusmaasta sellaista peruseläkettä, joka määräytyy ainoastaan asumisajan perusteella jälkimmäisessä maassa ja johon hänellä on oikeus sen maan lainsäädännön mukaan.

3. Tanskan osalta on 2-4 artiklaa sovellettaessa noudatettava seuraavaa:

a) Muiden sopimusmaiden kansalaisilla on oikeus saada täyttä Tanskan vanhuuseläkettä kansaneläkelain la § :n ensimmäisen kappaleen 2 kohdan säännösten mukaisesti. Asumisaikaa muissa sopimusmaissa ei oteta huomioon ratkaistaessa voidaanko täyttä eläkettä myöntää mainittujen säännöksen mukaisesti.

b) Kun 2 artiklan toisen kappaleen 3b) kohdan mukaiset edellytykset perheläkkeen saamiseksi on täytetty, on asumisaika toisessa sopimusmaassa rinnastettava asumisaikaan Tanskassa ratkaistaessa, onko vaatimus vähintään yhden vuoden pituisesta asumisajasta Tanskassa 15 ikävuoden saavuttamisen jälkeen täytetty. Määräystä sovelletaan vastaavasti Tanskan kansalaisiin.

c) Sovellettaessa 3 artiklan toisen kappaleen 3

2. Medborgare i fördragsslutande land som är bosatt i annat sådant land och som på grund av lagstiftningen i bosättningslandet uppstår grundpension beräknad endast på grundval av bosättningsstid i landets kortare än fyrtio år, äger utan hinder av bestämmelserna i artikel 3 sista stycket samtidigt uppbära sådan grundpension från annat fördragsslutande land, som är beräknad endast på grundval av bosättningsstid i sistnämnda land och till vilket han har rätt på grund av lagstiftningen i detta land.

3. För Danmarks del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Medborgare i de andra fördragsslutande länderna skall ha rätt att erhålla full dansk ålderspension enligt bestämmelsen i folkepensionslagens § 1 a första stycket nr. 2. Bosättningsstid i de övriga fördragsslutande länderna medräknas icke när det gäller att avgöra om full pension kan utges enligt nämnda bestämmelse.

b) När villkoren för att erhålla familjepension enligt artikel 2, andra stycket 3 b), är uppfyllda, skall bosättningsstid i annat fördragsslutande land jämföras med bosättningsstid i Danmark vid avgörande av om villkoret på minst ett års bosättningsstid i Danmark efter 15 års ålder är uppfyllt. Bestämmelsen äger motsvarande tillämpning på danska medborgare.

c) Vid tillämpningen av artikel 3 andra stycket punkt

2. Nú er ríkisborgari samningsríkis búsettur í öðru samningsríki og nýtur þar grunnlífeyris, sem miðast einungis við búsetutíma í því ríki og sá tími er skemmri en 40 ár, og getur hann þá, þrátt fyrir ákvæði síðustu mgr. 3. greinar, fengið samtímis þess konar grunnlífeyri frá öðru samningsríki, sem einungis er miðaður við búsetutíma í síðast nefnda ríkinu og hann á rétt til samkvæmt lögum þess ríkis.

3. Varðandi Danmörku gildir eftirfarandi við beitingu 2.-4. gr.:

a) Ríkisborgarar hinna samningsríkjanna eiga rétt til fulls dansk ellilífeyris samkvæmt grein 1a fyrstu málgr. 2. tölulið almannalífeyrislaga. Búsetutími í hinum samningsríkjunum reiknast ekki með, þegar um er að ræða ákvörðun um, hvort veita má fullan lífeyri samkvæmt nefndu ákvæði.

b) Þegar fullnægt er skilyrðum til að öðlast eftirlifendalífeyri samkvæmt 2. gr., 2. mgr., tölulið 3b, skal búsetutími í hinum samningsríkjunum jafngilda búsetutíma í Danmörku við ákvörðun um hvort silyrðið um a.m.k. eins árs búsetu í Danmörku eftir 15 ára aldur er uppfyllt. Ákvæði þetta gildir með sama hætti um danska ríkisborgara.

c) Við beitingu 3. gr. 2. mgr. 3. málslíðar skal taka

2. Statsborgere i kontraherende land som er bosatt i annet slikt land og som i medhold av lovgivningen i bosettingslandet oppebærer grunnpensjon som er beregnet utelukkende på grunnlag av botid i landet som er kortere enn 40 år, kan uten omsyn til bestemmelsene i artikkel 3 siste ledd samtidig oppebære slik grunnpensjon fra et annet kontraherende land som er beregnet utelukkende på grunnlag av botid i sistnevnte land, og som han har rett til i medhold av lovgivningen i dette land.

3. For Danmarks vedkommende skal ved anvendelsen av artiklene 2-4 gjelde:

a) Statsborgere fra de andre kontraherende land skal være berettiget til å oppnå full dansk alderspensjon etter bestemmelsene i folkepensionslovens § 1a, første ledd nr. 2. Botid i de øvrige kontraherende land medregnes ikke ved avgjørelsen av om det kan ytes full pensjon etter nevnte bestemmelse.

b) Når vilkårene for å oppnå etterlattepensjon er oppfylt etter artikkel 2, annet ledd nr. 3b, skal botid i de andre kontraherende land likestilles med botid i Danmark ved avgjørelsen av om betingelsen om minst 1 års botid i Danmark etter det fylte 15. år er oppfylt. Bestemmelsen får tilsvarende anvendelse for danske statsborgere.

c) Ved anvendelsen av artikkel 3, annet ledd, tredje

2. Medborgare i fördragslutande land som är bosatt i annat sådant land och som på grund av lagstiftningen i bosättningslandet uppbär grundpension beräknad endast på grundval av bosättningstid i landet kortare än fyrtio år, äger utan hinder av bestämmelserna i artikel 3 sista stycket samtidigt uppbära sådan grundpension från annat fördragsslutande land som är beräknad endast på grundval av bosättningstid i sistnämnda land och till vilket han har rätt på grund av lagstiftningen i detta land.

3. För Danmarks del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Medborgare i de andra fördragsslutande länderna skall ha rätt att erhålla full dansk ålderspension enligt bestämmelsen i folkepensionslagens § 1a första stycket nr 2. Bosättningstid i de övriga fördragsslutande länderna medräknas icke när det gäller att avgöra om full pension kan utges enligt nämnda bestämmelse.

b) När villkoren för att erhålla familjepension enligt artikel 2, andra stycket 3 b), är uppfyllda, skall bosättningstid i annat fördragsslutande land jämställas med bosättningstid i Danmark vid avgörande av om villkoret på minst ett års bosättning i Danmark efter 15 års ålder är uppfyllt. Bestämmelsen äger motsvarande tillämpning på danska medborgare.

c) Vid tillämpningen av artikel 3 andra stycket punkt

dje punktum, medregnes bopælstid i de kontraherende stater efter det fyldte 15. år ved beregning af pension til personer, der efter konventionen skal have pension fra Danmark.

d) Bestemmelserne i artikel 3, tredje stykke, finder tilsvarende anvendelse på invalidepension efter den danske lov om invalidepension m. v. på de betingelser, der er angivet i denne lov.

e) Ved beregningen af enkepension, invalidepension og folkepension efter dansk lovgivning til den, hvis ægtefælle er afgået ved døden, på grundlag af den afdøde ægtefælles bopælstid i de kontraherende lande skal betingelserne herfor efter invalidepensionsloven, enkepensionsloven og folkepensionsloven være opfyldt. For så vidt angår medregning af bopælstid fra det tidspunkt, hvor pensionen begynder, og frem til den i bopælslandet gældende pensionsalder, lægges den længstlevende ægtefælles alder på pensionstidspunktet til grund.

f) Den, der er bosat i et andet kontraherende land end Danmark, kan ikke efter artikel 4, første stykke, opnå dansk førtidig folkepension ved dispensation fra aldersbetingelserne på grund af arbejdsløshed eller lignende manglende mulighed for at opnå beskæftigelse.

g) For en enlig kvinde, der er fyldt 62 år, ydes folke-

kohtaa otetaan asumisaika sopimusmaissa 15 ikävuo-  
vuoden saavuttamisen jäl-  
keen huomioon määrättäes-  
sä eläkettä sellaisille henki-  
löille, joiden sopimuksen mu-  
kaan tulea saada eläkettä  
Tanskasta.

d) Määräyksiä 3 artiklan 3 kappaleessa sovelletaan vastaavasti työkyvyttömyyttä ym. koskevan Tanskan lain mukaiseen työkyvyttömyyseläkkeeseen sanotussa laissa mainituilla ehdoilla.

e) Määrättäessä Tanskan lainsäädännön mukais-  
ta leskeneläkettä, työkyvyttömyyseläkettä ja vanhuuseläkettä sellaiselle henkilöille, jonka puoliso on kuollut, kuolleen puolison asumisajan perusteella sopimusmaissa, tulee sitä koskevat työkyvyttömyyseläkelai-  
ssa, leskeneläkelai- ja kansaneläkelai-  
ssa säädetty edellytykset olla täytetyt. Kun on kysymyksessä asumisajan laskeminen siitä ajankohdasta, jolloin eläkettä ryhdytään suorittamaan, asuinmaassa voimassa olevaan eläkeikään, otetaan perusteeksi jälkeenjääneen puolison ikä eläketapauksen sat-  
tuessa.

f) Muussa sopimusmaassa kuin Tanskassa asuva henkilö ei voi 4 artiklan ensimmäisen kappaleen mukaisesti saada enneaikaista vanhuuseläkettä Tanskassa työttömyyden tai muun vastaavanlaisen työllisyyshämmähtämisen puuttumisen perusteella ikäehdoista myönnettävällä erivapaudella.

g) Yksinäiselle naiselle, joka on täyttänyt 62 vuotta,

3 medräknas bosättningstid i de fördragsslutande staterna efter fyllda 15 år vid beräkning av pension till personer som enligt konventionen skall ha pension från Danmark.

d) Bestämmelserna i artikel 3 tredje stycket äger motsvarande tillämpning på invalidepension enligt den danska lagen om invalidepension m. m. på de villkor som anges i denna lag.

e) Vid beräkningen av änkepension, invalidepension och ålderspension enligt dansk lagstiftning till den, vars make avlidit, på grundval av den avlidne makens bosättningstid i de fördragsslutande länderna skall villkoren härför enligt invalidepensionslagen, änkepensionslagen och folkepensionslagen vara uppfyllda. Vad angår medräkning av bosättnings-  
tid från den tidpunkt, då pensionen börjar utgå, och fram till den i bosättnings-  
landet gällande pensionsal-  
dern läggs den efterlevande makens ålder vid pensions-  
fallet till grund.

f) Den som är bosatt i ett annat fördragsslutande land än Danmark kan icke enligt artikel 4 första stycket erhålla dansk förtida ålderspension genom dispens från åldersvillkoren på grund av arbetslöshet eller liknande bristande möjlighet till selsättning.

g) För ensamstående kvinna som fyllt 62 år utgår

með i reikninginn búsetutíma í samningsríkjunum eftir fullnaðan 15 ára aldur sé um að ræða útreikning lífeyris til manna, sem samkvæmt samningi þessum eiga að fá lífeyri í Danmörku.

d) Ákvæðum 3. gr. 3. mgr. skal beita á hliðstæðan hátt sé um að ræða örorkulífeyri skv. dönsku lögnum um örorkulífeyri o. fl. og með sömu skilyrðum og þar greinir.

e) Við útreikning samkv. dönskum lögum á ekkjulífeyri, örorkulífeyri og almannelífeyri til eftirlifandi maka, sem miðast við búsetutíma hins látna í samningsríkjunum, skal fullnægt skilyrðum örorkulífeyrislaga, ekkjulífeyrislaga og almannelífeyrislaga þar að lútandi. Hvað því viðvíkur að taka með i reikninginn búsetutíma frá því að lífeyrisgreiðslur hefjast þar til gildandi lífeyrisaldri í búseturíki er náð skal leggja til grundvallar aldur þess hjóna, sem eftir lifir, þegar réttur til lífeyris stofnast.

f) Sá, sem búsettur er í öðru samningsríki en Danmörku, getur ekki skv. 4. gr. 1. mgr. öðlast rétt til dansks ellilífeyris fyrir aldursmörk með undanþágu frá aldurskilyrðum vegna atvinnuleysis eða svipaðra ástæðna, er koma í veg fyrir að atvinna fáist.

g) Einstæð kona, sem orðin er 62 ára gömul, fær

punktur, medregnes botid i de andre kontraherende land etter det fylte 15. år ved beregning av pensjon til personer som etter konvensjonen skal ha pensjon fra Danmark.

d) Bestemmelsene i artikkel 3, tredje ledd, får tilsvarende anvendelse for invalidepensjon etter den danske lov om invalidepensjon m. v. på de betingelser som er angitt i denne lov.

e) Ved beregningen av enkepensjon, invalidepensjon og folkepensjon etter dansk lovgivning til den hvis ektefelle er avgått ved døden, på grunnlag av den avdøde ektefelles botid i de kontraherende land, skal betingelsene for dette etter invalidepensjonsloven, enkepensjonsloven og folkepensjonsloven være oppfylt. For så vidt angår medregning av botid fra det tidspunkt da pensjonen begynner å løpe og fram til den i bosettingslandet gjeldende pensjonsalder, legges den lengstlevendes alder på pensjonstidspunktet til grunn.

f) Den som er bosatt i et annet kontraherende land enn Danmark, kan ikke i medhold av artikkel 4, første ledd oppnå dansk førtids alderspensjon ved dispensasjon fra aldersvilkårene på grunn av arbeidsløshet eller liknende manglende mulighet for sysselsetting.

g) For en enslig kvinne som er fylt 62 år, ytes folke-

3 medräknas bosättningstid i de fördragsslutande staterna efter fyllda 15 år vid beräkning av pension till personer som enligt konventionen skall ha pension från Danmark.

d) Bestämmelserna i artikel 3 tredje stycket äger motsvarande tillämpning på invalidpension enligt den danska lagen om invalidpension m. m. på de villkor som anges i denna lag.

e) Vid beräkningen av änkepensjon, invalidpension och ålderspension enligt dansk lagstiftning till den, vars make avlidit, på grundval av den avlidne makens bosättningstid i de fördragsslutande länderna skall villkoren härför enligt invalidpensionslagen, änkepensjonslagen och folkepensionslagen vara uppfyllda. Vad angår medräkning av bosättnings-tid från den tidpunkt, då pensionen börjar utgå, och fram till den i bosättningslandet gällande pensionsåldern läggs den efterlevande makens ålder vid pensionsfallet till grund.

f) Den som är bosatt i ett annat fördragsslutande land än Danmark kan icke enligt artikel 4 första stycket erhålla dansk förtida ålderspension genom dispensation från åldersvilkoren på grund av arbetslöshet eller liknande bristande möjlighet till sysselsättning.

g) För ensamstående kvinna som fyllt 62 år utgår

pension fra Danmark efter artikel 4, andet stykke, udover tre-årsfristen fra flytningen efter artiklens tredje stykke, så længe den, der modtager pensionen, ikke har opnået den almindelige pensionsalder i bopælslandet.

h) For personer, der ved dispensation fra aldersbetingelserne modtager førtidig folkepension fra Danmark efter flytning til et andet kontraherende land inden denne overenskomst trådte i kraft, ydes pensionen udover tre-årsfristen fra flytningen efter artikel 4, tredje stykke, så længe den, der modtager pensionen, ikke har opnået den almindelige pensionsalder i bopælslandet.

4. For Finlands vedkommende skal gælde ved anvendelsen af artiklerne 2-4:

a) Ved tillægelse af folkepension til den, der er bosat i et andet kontraherende land end Finland, skal pensionen og de tillæg, der knytter sig hertil, beregnes efter de regler, som gælder for pensionister boende i en kommune, der tilhører den billigste af de kommunegrupper, som omhandles i folkepensionslovens § 27.

b) Ved fastsættelse af ret til boligbidrag efter lov om understøttelsestillæg og boligbidrag til folkepension skal alene boligudgifter i Finland tages i betragtning.

c) Arbejdsløshedspension efter folkepensionslovens

suoritetaan vanhuuseläkettä Tanskasta 4 artiklan 2 kappaaleen mukaisesti mainitun artiklan kolmannessa kappaaleessa tarkoitettuna, muuttoa seuraavan kolmivuotiskauden jälkeen niin kauan kuin eläkkeensaaja ei ole täyttänyt asuinmaan yleistä eläkeikää.

h) Henkilöille, jotka ikäehdoista myönnettyllä erivapaudella saavat ennenaikaista vanhuuseläkettä Tanskasta muutettuaan toiseen sopimusmaahan ennen tämän sopimuksen voimaantuloa, suoritetaan eläkettä 4 artiklan 3 kappaaleessa tarkoitettuna muuttoa seuraavan kolmivuotiskauden jälkeen niin kauan kuin eläkkeensaaja ei ole täyttänyt asuinmaan yleistä eläkeikää.

4. Suomen osalta on 2-4 artiklaa sovellettaessa noudatettava seuraavaa:

a) Myönnettäessä kansaneläkettä muussa sopimusmaassa kuin Suomessa asuvalle henkilölle, määräytyy eläke ja siihen liittyvät lisät niiden säännösten mukaan, jotka koskevat halvimpään kansaneläkelain 27 §:ssä tarkoitettuun kuntaryhmään kuuluvassa kunnassa asuvaa eläkkeensaajaa.

b) Määrättäessä oikeutta kansaneläkkeeseen suoritettavasta tukilisästä ja asumistuesta annetun lain mukaiseen asumistukeen otetaan huomioon ainoastaan asumiskustannukset Suomessa.

c) Kansaneläkelain 20 ja 22c §:ssä tarkoitettua työt-

älderspension från Danmark enligt artikel 4 andra stycke utöver 3-årsfristen från flytningen enligt artikelens tredje stycke så länge pensionstägaren icke har uppnått den allmänna pensionsåldern i bosättningslandet.

h) För personer som på grund av dispens från åldersvillkoren erhåller förtida ålderspension från Danmark efter flyttning till ett annat fördragsslutande land innan överenskommelse trätt i kraft, utges pensionen utöver 3-årsfristen från flytningen enligt artikel 4 tredje stycket så länge pensionstägaren icke har uppnått den allmänna pensionsåldern i bosättningslandet.

4. För Finlands del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Vid beviljande av folkepension åt den som är bosatt i annat fördragsslutande land än Finland skall pensionen och därtill anslutna tillägg beräknas efter de regler som gäller pensionstägare bosatt i kommun tillhörande den billigaste av de i 27 § folkpensionslagen avsedda kommungrupperna.

b) Vid fastställande av rätt till bostadsbidrag enligt lagen om understödstillägg och bostadsbidrag till folkepension skall endast boendekostnader i Finland tagas i betraktande.

c) I folkpensionslagen 20 och 22 c §§ avsedd arbets-

almannalífeyri frá Danmörku skv. 4. gr. 2. mgr. fram yfir þriggja ára tímabilið frá flutningi skv. 3. mgr. greinarinnar, þar til lífeyrisþeginn hefur náð almennum lífeyrisaldri í búseturíkinu.

h) Maður, sem naut almannalífeyris frá Danmörku, með undanþágu frá aldurskilyrðum, eftir flutning til annars samningsríkis áður en samningur þessi öðlaðist gildi, fær greiddan lífeyri fram yfir þriggja ára tímabilið frá flutningi samkv. 4. gr. 3. mgr. þar til lífeyrisþeginn hefur náð almennum lífeyrisaldri í búseturíkinu.

4. Varðandi Finnland gildir eftirfarandi við beitingu 2.-4. gr.:

a) Sé um að ræða greiðslu almannalífeyris til manns, sem búsettur er í öðru samningsríki en Finnlandi, skal reikna lífeyri og viðbótargreiðslur, er honum fylgja, eftir þeim reglum, sem gilda um lífeyrisþega, er búa í sveitarfélagi, sem tilheyrir ódýrasta flokki sveitarfélaga, sem 27. gr. almannalífeyrislaganna fjallar um.

b) Við ákvörðun réttar til húsnæðisuppbótar samkvæmt lögum um styrkuppbot og húsnæðisuppbót á almannalífeyri skal eingöngu taka tillit til húsnæðiskostnaðar í Finnlandi.

c) Lífta skal á atvinnuleysislífeyri skv. 20. gr. og 22.

pensjon fra Danmark i medhold av artikkel 4, annet ledd, ut over treårsfristen fra flytningen etter nevnte artikkels tredje ledd så lenge den som mottar pensjon ikke har oppnådd den alminnelige pensjonsalder i bosettingslandet.

h) For personer som ved dispensasjon fra aldersbetingelsene mottar førtids folkepensjon fra Danmark etter flytning til et annet kontraherende land innen denne overenskomst trådte i kraft, ytes pensjonen ut over treårsfristen fra flytningen etter artikkel 4, tredje ledd, så lenge den som mottar pensjonen ikke har oppnådd den alminnelige pensjonsalder i bosettingslandet.

4. For Finlands vedkommende skal ved anvendelsen av artiklene 2-4 gjelde:

a) Ved tilståelse av folkepensjon til den som er bosatt i et annet kontraherende land enn Finland, skal pensjonen og de tillegg som er knyttet til den beregnes etter de regler som gjelder for pensjonister bosatt i en kommune som tilhører den billigste av de kommunegrupper som er nevnt i folkepensionslovens § 27.

b) Ved fastsettelse av rett til bostøtte etter lov om understøttelsestillegg og bostøtte til folkepensjon skal bare boutgifter i Finland tas i betraktning.

c) Arbeidsløshetspensjon etter folkepensionslo-

alderspension från Danmark enligt artikel 4 andra stycket utöver 3-årsfristen från flytningen enligt artikelns tredje stycke så länge pensionstagaren icke har uppnått den allmänna pensionsåldern i bosättningslandet.

h) För personer som på grund av dispens från aldersvillkoren erhåller förtida ålderspension från Danmark efter flyttning till ett annat fördragsslutande land innan denna överenskommelse trätt i kraft, utges pensionen utöver 3-årsfristen från flytningen enligt artikel 4 tredje stycket så länge pensionstagaren icke har uppnått den allmänna pensionsåldern i bosättningslandet.

4. För Finlands del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Vid beviljande av folkpension åt den som är bosatt i annat fördragsslutande land än Finland skall pensionen och därtill anslutna tillägg beräknas efter de regler som gäller pensionstagare bosatt i kommun tillhörande den billigaste av de i 27 § folkpensionslagen avsedda kommungrupperna.

b) Vid fastställande av rätt till bostadsbidrag enligt lagen om understödstillägg och bostadsbidrag till folkpension skall endast boendekostnader i Finland tagas i betraktande.

c) I folkpensionslagen 20 och 22 c §§ avsedd arbetslös-

§§ 20 og 22 c skal betragtes som invalidepension ved anvendelsen af artikel 2.

d) Bestemmelserne i artikel 4 finder ikke anvendelse for arbejdsløshedspension efter folkepensionslovens §§ 20 og 22 c.

5. For Islands vedkommende skal gælde ved anvendelsen af artiklerne 2-4:

a) Børnetillæg til alders- og invalidepensionister efter bestemmelserne i folkeforsikringslovens artikel 14 beregnes ikke efter bopælstid.

b) Når den i artikel 2, andet stykke, angivne opholdstid er tilbagelagt, skal bopælstid i andet kontraherende land sidestilles med bopælstid i Island ved fastsættelse af forsikringstid der. Dette gælder, både når den, der bosætter sig i Island, er islandsk statsborger, og når pågældende er statsborger i andet kontraherende land. Det samme gælder for islandsk statsborger, som bosætter sig i Island efter at have opnået den der gældende pensionsalder.

6. For Norges vedkommende skal gælde ved anvendelsen af artiklerne 2-4:

a) Børnepension, som ydes til det første barn, når begge forældre er døde, og som udgør samme beløb som efterladtepension til den af forældrene, som i givet fald ville have fået den største sådan pension, beregnes efter

tömyyseläkettä pidetään 2 artiklaa sovellettaessa työkyvyttömyyseläkkeenä.

d) Kansaneläkelain 20 ja 22c §: ssä tarkoitettuun työttömyyseläkkeeseen ei sovelleta 4 artiklan määräyksiä.

5. Islannin osalta on 2-4 artiklaa sovellettaessa noudatettava seuraavaa:

a) Kansanvakuutuslain 14 artiklan mukainen vanhuus- ja työkyvyttömyyseläkkeensaajille suoritettava lapsikorotus ei määräydy asumisajan perusteella.

b) Kun 2 artiklan toisessa kappaleessa mainittu oleskeluaika on päättynyt, rinnastetaan vakuutusaikaa Islannissa määrättäessä asumisaika toisessa sopimusmaassa asumisaikaan Islannissa. Tämä on voimassa riippumatta siitä, onko Islantiin asumaan asettuva henkilö Islannin vai muun sopimusmaan kansalainen. Sama koskee Islannin kansalaisia, jotka asettuvat asumaan Islantiin täytettyään siellä voimassa olevan eläkeiän.

6. Norjan osalta on 2-4 artiklaa sovellettaessa noudatettava seuraavaa:

a) Lapseneläke, jota suoritetaan ensimmäiselle lapselle molempien vanhempien kuoltua ja joka määrälään on saman suuruinen kuin sen vanhemman jälkeenjääneen eläke, joka kysymyksessä olevassa tapauksessa olisi

löshetspension skall vid tillämpning av artikel 2 betraktas som invalidepension.

d) Bestämmelserna i artikel 4 äger ej tillämpning på i folkpensionslagen 20 och 22 c §§ avsedd arbetslöshetspension.

5. För Islands del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Barntillägg till ålders- och invalidepensionärer enligt bestämmelserna i folkeforsikringslagens artikel 14 beräknas icke efter bosättningsstid.

b) När den i artikel 2, andra stycket, angivna vistelsetiden gått till ända skall vid bestämmande av försäkringstid i Island bosättningsstid i annat kontraherande land likställas med bosättningsstid i landet. Detta gäller vare sig den som bosätter sig i Island är islandsk medborgare eller medborgare i annat fördragsslutande land. Det samma gäller för islandsk medborgare, som bosätter sig i Island efter att ha uppnått där gällande pensionsalder.

6. För Norges del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Barnpension som utges till det första barnet när båda föräldrarna har avlidit och som uppgår till samma belopp som efterlevandepensioner för den av föräldrarna som i förekommande fall skulle ha fått störst sådan

gr. c. laga um almannalífeyri sem örorkulífeyri þegar 2. gr. er beitt.

d) Ákvæði 4. gr. eiga ekki við um atvinnuleysislífeyri samkv. 20. gr. og 22. gr. c. almannalífeyrislaga.

5. Varðandi Ísland gildir eftirfarandi við beitingu 2.-4. gr.:

a) Greiðslur vegna barna til elli- og örorkulífeyrisþega samkvæmt ákvæðum 14. gr. almannatryggingalaga reiknast ekki eftir búsetutíma.

b) Að liðnum dvalartíma þeim, sem tilgreindur er í 2. gr. 2. mgr., skal við ákvörðun tryggingartíma á Íslandi búsetutími í öðru samningsríki jafngilda búsetutíma í landinu. Þetta á við hvort sem sá, er sest að á Íslandi, er íslenskur ríkisborgari eða ríkisborgari annars samningsríkis. Sama gildir um íslenska ríkisborgara, sem setjast að á Íslandi, eftir að þeim lífeyrisaldri er náð, sem þar gildir.

6. Varðandi Noreg gildir eftirfarandi við beitingu 2.-4. gr.:

a) Farið skal eftir reglum 3. gr. 1. mgr., sbr. 2.-4. mgr., við útreikning barnalífeyris, sem greiddur er til fyrsta barns þegar báðir foreldrar eru látnir og nemur sömu fjárhæð og eftirlífendalífeyrir til þess foreldris, sem

vens §§ 20 og 22c skal betraktes som uførepensjon ved anvendelsen av artikkel 2.

d) Bestemmelsene i artikkel 4 får ikke anvendelse for arbeidsløshetspensjon etter folkepensjonslovens §§ 20 og 22c.

5. For Islands vedkommende skal ved anvendelsen av artiklene 2-4 gjelde:

a) Barnetillegg til alders- og uførepensjoner etter bestemmelsene i folkeforsikringslovens artikkel 14 beregnes ikke på grunnlag av bosetningstid.

b) Når slik oppholdstid som nevnt i artikkel 2, annet ledd, er gått, skal botid i annet kontraherende land likestilles med botid i Island ved fastsettelse av forsikringstid der. Dette gjelder enten den som bosetter seg i Island er islandsk statsborger eller statsborger i annet kontraherende land. Det samme gjelder for islandsk statsborger som bosetter seg i Island etter å ha nådd den pensjonsalder som gjelder der.

6. For Norges vedkommende skal ved anvendelsen av artiklene 2-4 gjelde:

a) Barnpensjon som ytes til første barn når begge foreldre er døde, og som utgjør samme beløp som etterlattepensjon til den av foreldrene som i tilfelle ville fått størst slik pensjon, beregnes etter reglene i artikkel 3, før-

hetspensjon skall ved tillämpning av artikkel 2 betraktas som invalidpensjon.

d) Bestämmelserna i artikkel 4 äger ej tillämpning på i folkpensionslagen 20 och 22 c §§ avsedd arbetslöshetspensjon.

5. För Islands del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Barn tillägg till ålders- och invalidpensionärer enligt bestämmelserna i folkeforsikringslagens artikkel 14 beräknas icke efter bosättnings-tid.

b) När den i artikkel 2, andra stycket, angivna vistelsetiden gått till ända skall vid bestämmande av försikringstid i Island bosättnings-tid i Island kontraherande land likställas med bosättnings-tid i landet. Detta gäller vare sig den som bosätter sig i Island är isländsk medborgare eller medborgare i annat fördrags-slutande land. Detsamma gäller för isländska medborgare, som bosätter sig i Island efter att ha uppnått där gällande pensionsålder.

6. För Norges del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Barnpensjon som utges till det första barnet när båda föräldrarna har avlidit och som uppgår till samma belopp som efterlevandepensioner för den av föräldrarna som i förekommande fall skulle ha fått störst sådan



reglerne i artikel 3, første stykke, jfr. andet til fjerde stykke.

b) Ved anvendelse af bestemmelsen i artikel 3, andet stykke, skal også medregnes som bopælsår kalenderår, hvori vedkommende fylder 67, 68 eller 69 år og har optjent pensionspoint.

c) Følgende ydelser fra folketrygden skal ydes uden nedsættelse på grund af bopælstid:

1. Børnetillæg til pension fra folketrygden.

2. Grundstøtte efter § 8-2, første stykke, a, i lov om folketrygd.

3. Hjælpestøtte efter § 8-2, første stykke, b, i lov om folketrygd.

4. Hjælpestøtte efter § 10-2, i lov om folketrygd.

d) Når den i artikel 2, andet stykke, angivne opholdstid er tilbagelagt skal bopælstid i andet kontraherende land ligestilles med bopælstid i Norge ved fastsættelse af forsikringstid der. Dette gælder, både når den, der bosætter sig i Norge, er norsk statsborger, og når pågældende er statsborger i andet kontraherende land. Det samme gælder for norske statsbor-

saanut suurimman sellaisen eläkkeen, määräytyy 3 artiklan ensimmäisen kappaleen mukaan, verrattuna artiklan toiseen, kolmanteen ja neljänteen kappaleeseen.

b) Sovellettaessa 3 artiklan toisen kappaleen määräyksiä otetaan asumisvuosina huomioon myös ne kalenterivuodet, joiden aikana henkilö täyttää 67, 68 tai 69 vuotta ja on ansainnut eläkepiteitä.

c) Seuraavat kansanvakuutuksesta annetun lain mukaiset etuudet suoritetaan tekemättä niistä vähennystä asumisajan perusteella:

1. Kansanvakuutuksesta annetun lain mukaiseen eläkeeseen suoritettava lapsikorotus.

2. Kansanvakuutuksesta annetun lain 8-2 §: n ensimmäisen kappaleen a) kohdan mukainen perustuki.

3. Kansanvakuutuksesta annetun lain 8-2 §: n ensimmäisen kappaleen b) kohdan mukainen aputuki.

4. Kansanvakuutuksesta annetun lain 10-2 § :n mukainen aputuki.

d) Kun 2 artiklan toisessa kappaleessa mainittu oleskeluaika on päättynyt, rinnastetaan vakuutusaikaa Norjassa määrättäessä asumisaika toisessa sopimusmaassa asumisaikaan Norjassa. Tämä on voimassa riippumatta siitä, onko Norjaan asumaan asettuva henkilö Norjan vai muun sopimusmaan kansalainen. Sama koskee Norjan kansalaisia,

pension beräknas enligt reglerna i artikel 3 första stycke jämfört med andra-fjärde styckena.

b) Vid tillämpning av bestämmelsen i artikel 3 andra stycket skall som bosättningsår också medräknas kalenderår, varunder vederbörande fyller 67, 68 eller 69 och har intjänat pensionspoäng.

c) Följande förmåner från folketrygden skall utges utan avkortning med hänsyn till bosättningsstid.

1. Barntillägg till pension från folketrygden.

2. Grundstöd enligt lagen om folketrygd § 8-2, första stycket a).

3. Hjälpstöd enligt lagen om folketrygd § 8-2, första stycket b).

4. Hjälpstöd enligt lagen om folketrygd § 10-2.

d) När den i artikel 2, andra stycket, angivna vistelsetiden gått till ända skall vid bestämmande av försikringsstid i Norge bosättningsstid i annat fördragslutande land likställas med bosättningsstid i landet. Detta gäller vare sig den som bosätter sig i Norge är norsk medborgare eller medborgare i annat fördragslutande land. Det samma gäller för norsk medbor-

í þessu tilviki hefði fengið hærri lífeyri.

b) Við beitingu ákvæða 3. gr. 2. mgr. skal einnig reikna sem búsetutíma það almanaksár, er hlutaðeigandi nær 67, 68 eða 69 ára aldri og hefur áunnið sér lífeyristig.

c) Eftirfarandi greiðslur frá almannatryggingum skal greiða án skerðingar með tilliti til búsetutíma:

1. Uppbót vegna barna á lífeyri frá almannatryggingum.

2. Grunnstyrk skv. grein 8-2., 1. mgr. a laga um almannatryggingar.

3. Aðstoð skv. grein 8-2., 1. mgr. b laga um almannatryggingar.

4. Aðstoð skv. grein 10-2. í almannatryggingalögum.

d) Að liðnum dvalartíma þeim, sem tilgreindur er í 2. gr. 2. mgr. skal búsetutími í öðru samningsríki jafngilda búsetutíma í Noregi við ákvörðun tryggingartíma þar. Þetta á við hvort sem sá, sem sest að í Noregi er norskur ríkisborgari eða ríkisborgari annars samningsríkis. Sama gildir um norska ríkisborgara, sem setjast að í Noregi eftir að þeir hafa náð

ste ledd, jfr. annet til fjerde ledd.

b) Ved anvendelsen av bestemmelsene i artikkel 3, annet ledd, skal også medregnes som botid kalenderår hvori vedkommende fyller 67, 68 eller 69 år og har oppjent pensjonspoeng.

c) Følgende ytelser fra folketrygden skal ikke avkortes på grunnlag av botid:

1. Barnetillegg til pensjon fra folketrygden.

2. Grunnstønad etter lov om folketrygd § 8-2, første ledd bokstav a.

3. Hjelpetønad etter lov om folketrygd § 8-2, første ledd bokstav b.

4. Hjelpetønad etter lov om folketrygd § 10-2.

d) Når slik oppholdstid som nevnt i artikkel 2, annet ledd, er gått skal botid i annet kontraherende land likestilles med botid i Norge ved fastsettelse av trygdetid der. Dette gjelder enten den som bosetter seg i Norge er norsk statsborger eller statsborger i et annet kontraherende land. Det samme gjelder for norsk statsborger som bosetter seg i Norge etter å ha

pension beräknas enligt reglerna i artikel 3 första stycket jämfört med andra-fjärde styckena.

b) Vid tillämpning av bestämmelsen i artikel 3 andra stycket skall som bosättningsår också medräknas kalenderår, varunder vederbörande fyller 67, 68 eller 69 år och har intjänat pensionspoäng.

c) Följande förmåner från folketrygden skall utges utan avkortning med hänsyn till bosättningsstid.

1. Barntillägg till pension från folketrygden.

2. Grundstöd enligt lagen om folketrygd § 8-2, första stycket a).

3. Hjälpstöd enligt lagen om folketrygd § 8-2, första stycket b).

4. Hjälpstöd enligt lagen om folketrygd § 10-2.

d) När den i artikel 2, andra stycket, angivna vistelsetiden gått till ända skall vid bestämmande av försäkringstid i Norge bosättningsstid i annat fördragsslutande land likställas med bosättningsstid i landet. Detta gäller vare sig den som bosätter sig i Norge är norsk medborgare eller medborgare i annat fördragsslutande land. Det samma gäller för norsk med-

gere, som bosætter sig i Norge efter at have opnået den der gældende pensionsalder.

e) Kompensationstillæg til ydelser fra folketrygden efter lov af 19. december 1969 udbetales kun til personer, som er bosiddende i Norge.

f) For statsborgere i et kontraherende land sidestilles tillægspension i et andet kontraherende land med norsk tillægspension, når der består ret til særtillæg efter lov af 19. juni 1969 om særtillæg til ydelser fra folketrygden.

7. For Sveriges vedkommende skal gælde ved anvendelse af artiklerne 2-4:

a) Statsborgere i de kontraherende lande skal uden hensyn til bestemmelserne i artikel 3 være berettiget til at opnå folkepension efter de bestemmelser som angives i den midlertidige europæiske overenskomst om social tryghed ved alderdom og nedsat arbejdsevne samt for efterlevende af 11. december 1953.

b) Børnetillæg til folkepension ydes med uafkortet beløb uanset bopælstid.

c) For statsborgere i et kontraherende land ligestilles tillægspension fra et andet kontraherende land med svensk almindelig tillægspension ved fastsættelse af ret til børnepension, børnetillæg og pensionstillæg.

jotka asettuvat asumaan Norjaan täytettyään siellä voimassa olevan eläkeiän.

e) Hyvityslisää kansanvakuutusetuuteen 19 päivänä joulukuuta 1969 annetun lain mukaan maksetaan ainoastaan Norjassa asuville henkilöille.

f) Sopimusmaan kansalaisen lisäeläke toisesta sopimusmaasta rinnastetaan Norjan lisäeläkkeeseen määrättäessä oikeutta erityislisään kansanvakuutusetuuteen maksettavasta erityislisästä 19 päivänä kesäkuuta 1969 annetun lain mukaan.

7. Ruotsin osalta on 2-4 artiklaa sovellettaessa noudatettava seuraavaa:

a) Sopimusmaan kansalaisella on 3 artiklan määräysten estämättä oikeus saada kansaneläkettä niiden määräysten mukaisesti, jotka sisältyvät 11 päivänä joulukuuta 1953 päivättyyn väliaikaiseen eurooppalaiseen sopimukseen sosiaaliturvasta vanhuuden ja työkyvyn alentumisen varalta sekä jälkeenjäälle omaisille.

b) Kansaneläkkeeseen suoritettava lapsikorotus myönnetään määrältään vähentämättömänä asumisajasta riippumatta.

c) Sopimusmaan kansalaiselle toisesta sopimusmaasta suoritettava lisäeläke rinnastetaan Ruotsin yleiseen lisäeläkkeeseen määrättäessä oikeutta lapsieläkkeeseen, lapsikorotukseen ja eläkelisään.

gere, som bosätter sig i Norge efter att ha uppnått där gällande pensionsålder.

e) Kompensationstillägg till förmåner från folketrygden enligt lagen den 19. december 1969 utbetalas endast till personer som är bosatta i Norge.

f) För medborgare i fördragsslutande land jämställs med norsk tilläggs-pension tilläggs-pension i annat fördragsslutande land när det gäller fastställande av rätt till særtillæg enligt lagen den 19. juni 1969 om særtillæg till förmåner från folketrygden.

7. För Sveriges del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Medborgare i de fördragsslutande länderna skall utan hinder av bestämmelserna i artikel 3 vara berättigade att erhålla folkepension i enlighet med de bestämmelser som anges i provisorisk europeisk överenskomst om social trygghet vid alderdom och nedsatt arbetsförmåga samt för efterlevande av den 11. december 1953.

b) Barntilläg till folkepension utgår med oavkortat belopp oavsett bosättnings-tid.

c) För medborgare i fördragsslutande land jämställs tilläggs-pension från annat fördragsslutande land med svensk allmän tilläggs-pension vid fastställande av rätt till barnpension, barntilläg och pensionstillskott.

þeim lífeyrisaldri, sem þar gildir.

e) Uppbætur á greiðslur frá almannatryggingunum samkv. lögum frá 19. desember 1969 greiðast einungis til manna, sem búsettir eru í Noregi.

f) Að því er varðar ríkisborgara samningsríkis jafngildir viðbótarlífeyrir í öðru samningsríki norskum viðbótarlífeyri við ákvörðun réttar til sérstakra uppbóta samkvæmt lögum frá 19. júní 1969 um sérstakar uppbætur á greiðslur frá almannatryggingunum.

7. Varðandi Svíþjóð gildir eftirfarandi við beitingu 2.-4. gr.:

a) Þrátt fyrir ákvæði 3. greinar skulu ríkisborgarar samningsríkja eiga rétt til þess að fá almannalífeyri í samræmi við ákvæði evrópusamnings til bráðabirgða um félagslegt öryggi vegna elli og skertrar starfshæfni, svo og vegna eftirlifenda hinn 11. desember 1953.

b) Uppbót á almannalífeyri vegna barna greiðist að fullu án tillits til búsetu-tíma.

c) Við ákvörðun réttar til barnalífeyris, uppbótar vegna barna og lífeyrisuppbótar til ríkisborgara samningsríkis skal viðbótarlífeyrir frá öðru samningsríki lagður að jöfnu við almennan samskan viðbótarlífeyri.

nádd den pensjonsalder som gjelder der.

e) Kompensasjonstillegg til ytelser fra folketrygden etter lov av 19. desember 1969 utbetales bare til personer som er bosatt i Norge.

f) For statsborgere i et kontraherende land likestilles tilleggspensjon i et annet kontraherende land med norsk tilleggspensjon når det gjelder fastsettelse av rett til særtilllegg etter lov om særtilllegg til ytelser fra folketrygden av 19. juni 1969.

7. For Sveriges vedkommende skal ved anvendelsen av artiklene 2-4 gjelde:

a) Statsborgere i de kontraherende land skal uten hensyn til bestemmelsene i artikkel 3 ha rett til å få folkepensjon etter bestemmelsene i den midlertidige europeiske overenskomst om sosiale trykdeordninger for gamle, uføre og etterlatte av 11. desember 1953 (kunngjøring nr. 34 av 20. juli 1955 i lovtidende C).

b) Barnetillegg til folkepensjon ytes med uavkortet beløp uansett botid.

c) For statsborgere i et kontraherende land likestilles tilleggspensjon i et annet kontraherende land med svensk alminnelig tilleggspensjon ved fastsettelse av rett til barnpensjon, barnetillegg og pensjonstillegg.

borgare, som bosætter sig i Norge efter att ha uppnått där gällande pensionsålder.

e) Kompensationstilllegg till förmåner från folketrygden enligt lagen den 19 december 1969 utbetalas endast till personer som är bosatta i Norge.

f) För medborgare i fördragsslutande land jämställs med norsk tilläggspensjon tilläggspensjon i annat fördragsslutande land när det gäller fastställande av rätt till särtillägg enligt lagen den 19 juni 1969 om särtillägg till förmåner från folketrygden.

7. För Sveriges del skall vid tillämpningen av artiklarna 2-4 gälla:

a) Medborgare i de fördragsslutande länderna skall utan hinder av bestämmelserna i artikel 3 vara berättigade att erhålla folkpension i enlighet med de bestämmelser som anges i provisorisk europeisk överenskomst om social trygghet vid ålderdom och nedsatt arbetsförmåga samt för efterlevande av den 11 december 1953.

b) Barntillägg till folkpension utgår med oavkortat belopp oavsett bosättnings-tid.

c) För medborgare i fördragsslutande land jämställs tilläggspensjon från annat fördragsslutande land med svensk allmän tilläggspensjon vid fastställande av rätt till barnpensjon, barntillägg och pensionstillskott.

d) Førtidspension af arbejdsmarkedsmæssige grunde efter kapitel 7, § 1, andet stykke, i lov nr. 381 af 1962 om almindelig forsikring skal betragtes som invaldepension ved anvendelsen af artikel 2.

e) Til statsborgere i et kontraherende land, som er bosat i et andet sådant land end Sverige, kan der ikke efter artikel 4 udbetales alderspension for tiden førend den almindelige pensionsalder, der gælder i Sverige, førtidspension af arbejdsmarkedsmæssige grunde eller sådan handicaperstatning, som ikke ydes som tillæg til en folkepension.

Denne protokol træder i kraft samtidig med ovennævnte overenskomst og skal have samme virkning og varighed som overenskomsten.

Protokollen skal være deponeret i det danske udenrigsministeriums arkiv, og bekræftede afskrifter skal af det danske udenrigsministerium tilstilles hver af de kontraherende landes regeringer.

Til bekræftelse heraf har de respektive befuldmægtigede undertegnet denne slutprotokol.

Udfærdiget i København i et eksemplar på dansk, finsk, islandsk, norsk og svensk således, at der på svensk er ud-

d) Yleisestä vakuutuksesta annetun lain (1962:381) 7 luvun 1 §:n toisen kappaaleen nojalla työmarkkinaperustein myönnettävää enenaiikaista eläkettä pidetään 2 artiklaa sovellettaessa työkyvyttömyyseläkkeenä.

e) Sopimusmaan kansalaiselle, joka asuu muussa sopimusmaassa kuin Ruotsissa, ei voida 4 artiklaan vedoten suorittaa vanhuuseläkettä Ruotsissa voimassa olevan yleisen eläkeiän täyttämistä edeltävältä ajalta, työmarkkinaperustein myönnettävää enenaiikaista eläkettä tai sellaista vammaiskorvausta, jota ei suoriteta lisänä kansaneläkkeeseen.

Tämä pöytäkirja tulee voimaan samanaikaisesti kuin yllä mainittu sopimus ja sillä on sama vaikutus ja pisyvyys kuin sopimuksella.

Pöytäkirja talletetaan Tanskan ulkoasiainministeriön arkistoon ja Tanskan ulkoasiainministeriön on toimitettava siitä oikeaksi todistetut jäljennökset kullekin sopimusmaan hallitukselle.

Edellä olevan vakuudeksi ovat asianomaiset valtuutetut allekirjoittaneet tämän pöytäkirjan.

Tehty Kööpenhaminassa 5 päivänä toukokuuta 1977 yhtenä, suomen-, islannin-, norjan-, ruotsin ja tanskan-

d) Förtidspension på arbetsmarknadsmässiga grunder enligt 7 kap. 1 § andra stycket lagen (1962:381) om allmän försäkring skall vid tillämpning av artikel 2 betraktas som invaldepension.

e) Till medborgare i fördragsslutande land som är bosatt i annat sådant land än Sverige kan icke med åberopande av artikel 4 utbetalas ålderspension för tid före den i Sverige gällande allmänna pensionsåldern, förtidspension på arbetsmarknadsmässiga grunder eller sådan handikappersättning som inte utgår som tillägg till en folkepension.

Detta protokoll träder i kraft samtidigt med ovan nämnda överenskommelse och skall ha samma verkan och varaktighet som överenskommelsen.

Protokollet skall vara deponerat i det danska utriksministeriets arkiv och bestyrkta avskrifter skall av det danska utriksministeriet tillställas var och en av de fördragsslutande ländernas regeringar.

Till bekräftelse härav har de respektive fullmäktige undertecknat detta protokoll.

Som skedde i Köpenhamn i ett exemplar på finska, danska, isländska, norska och svenska språken. varvid

d) Líta skal á lífeyri, sem veittur er fyrir aldursmark, vegna atvinnuástands skv. 1. gr. 2. mgr. í 7. kafla laga nr. 381/1962 um almannatryggingar sem örorkulífeyri við beitingu 2. gr.

e) Ríkisborgurum samningsríkis, sem búsettir eru í öðru samningsríki en Svíþjóð, verður ekki með skírskotun til 4. gr. greiddur ellilífeyrir fyrr en almennum lífeyrisaldri í Svíþjóð er náð. Sama gildir um lífeyri fyrir aldursmark vegna atvinnuástands og bætur til fatlaðra, sem ekki greiðast sem uppbót á almannalífeyri.

Lokabókun þessi öðlast gildi um leið og ofangreindur samningur og skal hafa sama gildi og gildistíma og samningurinn.

Lokabókunina skal varðveita í skjalasafni danska utanríkisráðuneytisins og skal það senda ríkisstjórnnum allra samningsríkjanna staðfest afrit af henni.

Þessu til staðfestu hafa umboðsmenn hvers ríkis fyrir sig undirritað lokabókun þessa.

Gert í Kaupmannahöfn í einu eintaki á íslensku, dönsku, finnsku, norsku og sænsku, en hvað sænskuna

d) Förtidspensjon av arbeidsmarkedsmessige grunner etter kapittel 7, § 1, annet ledd, i lov nr. 381 av 1962 om allmenn forsikring skal betraktes som uførepensjon ved anvendelsen av artikkel 2.

e) Til statsborgere i et kontraherende land som er bosatt i et annet slikt land enn Sverige, kan ikke i medhold av artikkel 4 utbetales alderspensjon for tiden før den alminnelige pensjonsalder som gjelder i Sverige, førtidspensjon av arbeidsmarkedsmessige grunner eller slik handicaperstatning som ikke ytes som tillegg til folkepensjon.

Denne protokoll trer i kraft samtidig med ovennevnte overenskomst og skal ha samme virkning og varighet som overenskomsten.

Protokollen skal være deponert i det danske utenriksministeriums arkiv, og bekreftede avskrifter skal av det danske utenriksministerium tilstilles hver av de kontraherende lands regeringer.

Til bekreftelse herav har de respektive befullmektigede undertegnet denne sluttprotokoll.

Utferdiget i København i ett eksemplar på norsk, dansk, finsk, islandsk og svensk språk, således at det

d) Förtidspension på arbetsmarknadsmässiga grunder enligt 7 kap. 1 § andra stycket lagen (1962:381) om allmän försäkring skall vid tillämpning av artikel 2 betraktas som invalidpension.

e) Till medborgare i fördragsslutande land som är bosatt i annat sådant land än Sverige kan icke med åberopande av artikel 4 utbetalas ålderspension för tid före den i Sverige gällande allmänna pensionsåldern, förtidspension på arbetsmarknadsmässiga grunder eller sådan handikappersättning som inte utgår som tillägg till en folkpension.

Detta protokoll träder i kraft samtidigt med ovan nämnda överenskommelse och skall ha samma verkan och varaktighet som överenskommelsen.

Protokollet skall vara deponerat i det danska utrikesministeriets arkiv och bestyrkta avskrifter skall av det danska utrikesministeriet tillställas var och en av de fördragsslutande ländernas regeringar.

Till bekräftelse härav har de respektive fullmäktigade undertecknat detta protokoll.

Som skedde i Köpenhamn i ett exemplar på svenska, danska, finska, isländska och norska språken, varvid

færdiget to tekster, en for Finland og en for Sverige, den 5. maj 1977. kielisenä kappaleena, jossa ruotsinkielellä on kaksi tekstiä, toinen Suomea ja toinen Ruotsia varten. på svenska språket utfärdades två texter, en för Finland och en för Sverige, den 5 maj 1977.

**K. B. Andersen**

**Veli Helenius**

snertir í tveim textum, öðrum fyrir Finnland og hinum fyrir Svíþjóð, hinn 5. maí 1977.		på svensk ble utferdiget to tekster, en for Finland og en for Sverige, den 5. mai 1977.		på svenska språket utfärda- des två texter, en för Sveri- ge och en för Finland, den 5 maj 1977.
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**Agnar Kl. Jónsson****Paul Koht****Hubert de Besche**



## AUGLÝSING

### um gagnkvæmar fiskveiðiheimildir Íslendinga og Færeyinga.

Hinn 12. desember 1977 var undirrituð í Reykjavík niðurstaða viðræðna milli fulltrúa ríkisstjórnar Íslands og landsstjórnar Færeyja um heimildir annarsvegar Íslendinga til kolmunnaveiða innan fiskveiðimarka Færeyja og hinsvegar Færeyinga til loðnuveiða við Ísland.

Niðurstaðan er birt sem fylgiskjal með auglýsingu þessari.

Sú skipan veiða, sem gert er ráð fyrir í niðurstöðunni tók gildi hinn 20. þ. m. að gefnu samþykki Alþingis og Lögþings Færeyja. Gildistími er takmarkaður samantar nánar fylgiskjal.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 23. desember 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

#### Fylgiskjal.

#### VIÐRÆÐUR

milli fulltrúa ríkisstjórnar Íslands og landsstjórnar Færeyja.

Hinn 12. desember 1977 fóru fram í Reykjavík viðræður milli fulltrúa ríkisstjórnar Íslands og landsstjórnar Færeyja um gagnkvæman rétt til fiskveiða og varð niðurstaðan þessi:

#### Veiðar innan fiskveiðimarka Íslands.

Innan íslensku fiskveiðimarkanna, eins og þau eru ákveðin með reglugerð nr. 299 frá 15. júlí 1975, skal 15 skipum, sem skrásett eru í Færeyjum, heimilt að veiða loðnu til bræðslu í heimalandi á vetrarvertíðinni 1978, allt að 35000 smálestum samtals. Aldrei skulu fleiri en átta skipanna vera samtímis innan fiskveiðimarkanna.

Færeyska landsstjórnin lætur íslenskum stjórnvöldum í té lista yfir nefnd 15 skip til samþykktar. Skip þessi skulu hlíta sömu reglum og íslensk skip við loðnuveiðar, þar á meðal reglum um lágmarksstærð, friðunarsvæði og öðrum reglum um lokun svæða.

Staðsetning ofangreindra færeyskra skipa skal daglega tilkynnt íslensku landhelgisgæslunni, meðan þau stunda veiðar innan fiskveiðimarka Íslands. Við brott-

#### SAMRÖÐUR

millum umboð fyrri íslensku stjórnina og umboð fyrri Föroya Landsstýri.

Samröður hava verið í Reykjavík 12. desember 1977 millum umboð fyrri íslensku stjórnina og Föroya Landsstýri um sínámillum fiskirættindi. Niðurstöðan varð:

#### Fiskiveiða á íslensku landleiðini.

Á íslensku landleiðini so sum fyrir sett í reglugerð nr. 299 frá 15. júlí 1975 verður heimilað 15 föroyskum skipum at veiða tilsamans 35000 tons av loðnu til bræðingar í heimlandi skipanna í vetrarveiðitíðini 1978, tó mugu í mesta lagi 8 skip í senn vera innan íslenskt fiskimark í hesi vinnu.

Föroya Landsstýri stendur íslensku myndugleikunum növnini á 15 skipum til samtyktar. Hesi skip skulu lúka somu reglu sum íslensk skip á loðnuveiðu millum hesar, reglu um minstu loyvu stödd, friðaðar leiðir og aðrar reglu um stongdar leiðir.

Omanfyri nevndu föroysku skipini skulu dagliga boða íslensku sjóverjuni frá, hvar tey eru stödd, meðan tey fiska innanfyri íslenska fiskimarkið. Skiparin

för af veiðisvæði hverju sinni skal skipstjóri hvers skips tilkynna Loðnunefnd hvar aflinn er veiddur og áætlað aflamagn. Við löndun skal sérstakt eftirlit haft með afla og lágmarksstærð. Staðfestar aflatölur skulu síðan sendar Fiskifélagi Íslands.

#### **Veiðar innan fiskveiðimarka Færeyja.**

Innan færeysku fiskveiðimarkanna skal 15 skipum, sem skrásett eru á Íslandi, heimilt að veiða kolmunna til löndunar í heimalandi á árinu 1978, allt að 35000 smálestum samtals. Ef notaðar eru tveggja skipa vörpur eykst fjöldi skipa í 17.

Íslensk stjórnvöld láta færeysku landsstjórninni í té lista yfir nefnd skip til samþykktar. Skip þessi skulu hlíta sömu reglum og færeysk skip við kolmunnaveiðar, þar á meðal reglum um friðunar-svæði og öðrum reglum um lokun svæða.

Staðsetning ofangreindra íslenskra skipa skal daglega tilkynnt færeysku landhelgisgæslunni (Vagtar- og hjargingartænastuni), meðan þau stunda veiðar innan fiskveiðimarka Færeyja. Einnig skal nefndri stofnun tilkynnt koma skips í fiskveiðilögsögu Færeyja og brottför þess þaðan. Aflamagn skal tilkynnt Sjávarútvegsstofnuninni (Fiskivinnustovni) eftir hverja löndun.

#### **Rannsóknir á göngu kolmunna og hagnýting.**

Íslensk og færeysk stjórnvöld telja æskilegt að halda áfram samvinnu íslenskra og færeyskra fiskifræðinga um rannsóknir á göngu kolmunna.

Aðilar voru sammála um að efla samstarf sín á milli og við önnur hlutaðeigandi lönd um skynsamlega hagnýtingu kolmunna.

Skipan þessi er háð samþykki Alþingis og Lögþings Færeyja.

Reykjavík, 12. desember 1977.

Staðfest:

Einar Ágústsson.  
Matthías Bjarnason.

á hvörjum skipi skal, hvörja ferð hann fer av veiðiökinum, boða Loðnunevndini frá, hvar veiðan er tikin og ætlaðu veiðinögdina. Tá ið landað verður, skal frá föroyskari síðu havast eftirlit við veiðuni og minstu loyvdu stödd. Váttað veiðinögd skal síðani sendast Fiskifélagi Íslands.

#### **Fiskiveiða á föroysku landleiðini.**

15 skipum skrásett í Íslandi verður heimilað at veiða tilsamans 35000 tons av svartkjafti til at landa í heimlandinum í 1978. Um partrol verður nýtt, loyvst skipatalið 17.

Íslensku myndugleikarnir senda Föroya Landsstýri növnini á skipunum til samtyktar. Hesi skip skulu lúka somu reglur sum föroysk skip á svartkjaftaveiðu millum hesar, reglur um friðaðar leiðir og aðrar reglur um stongdar leiðir.

Omanfyri nevndu íslensku skip skulu dagliga boða Vagtar- og hjargingartænastuni í Föroyum frá, hvar tey eru stödd, meðan tey fiska innan fyri föroyska fiskimarkið. Somuleiðis skulu skipini boða nevnda stovni frá komu í föroyskan sjógv og fráferð. Fráboðan um veiðinögd skal aftaná hvörja landing verða send Fiskivinnustovuni.

#### **Rannsóknir um gongd og nýtlisu svartkjaftsins.**

Íslenskir og föroyskir myndugleikar eru samdir í ynskinum um at halda fram við samvinnu millum íslenskar og föroyskar fiskifrøðingar um rannsóknir í svartkjaftagongdini.

Partarnir eru samdir um at fremja sínámillum og við önnur luteigandi lond skilagóða nýtlisu av svartkjafti.

Hendan skipan er treytað av samtykt Altingsins og Föroya lögtings.

Reykjavík, 12. december 1977.

Atli P. Dam.  
Pétur Reinert.

## AUGLÝSING

### um samkomulag milli ríkisstjórna Norðurlanda og ríkisstjórnar Mozambique um þróunaraðstoð á sviði landbúnaðar.

Hinn 7. nóvember 1977 var gert í Maputo samkomulag milli ríkisstjórna Danmerkur, Finnlands, Íslands, Noregs og Svíþjóðar og ríkisstjórnar Alþýðulýðveldisins Mozambique um þróunaraðstoð á sviði landbúnaðar.

Samkomulagið tekur gildi hinn 1. janúar 1978, sbr. nánar XI. grein.

Samkomulagið ásamt tveimur viðaukum er birt sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 29. desember 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*

### Fylgiskjal.

#### AGREEMENT

#### between the Governments of Denmark, Finland, Iceland, Norway and Sweden and the Government of the People's Republic of Mozambique.

The Governments of Denmark, Finland, Iceland, Norway and Sweden (hereinafter referred to as the Nordic Governments) on the one hand, and the Government of the People's Republic of Mozambique (hereinafter referred to as the Mozambique Government) on the other hand, desirous of starting cooperation for social and economic development in Mozambique, have agreed as follows.

#### Article I

#### Scope of the Agreement

The main objective of the Agreement is to assist the Mozambique Government in its efforts to develop rural areas in Mozambique. To meet this objective, support will be given to a number of projects within the agricultural sector in principal accordance with a programme description attached in Annex I, and such revisions as may be agreed upon between the parties, for "Mozambique-Nordic Agricultural Programme, MONAP" (hereinafter referred to as the Programme). The specific objectives for the Programme are mainly to support the Mozambique Government in:

- strengthening the overall planning capacity of the agricultural sector,
- creating training institutions for agriculture and livestock technicians, for workshop managers, for mechanics and drivers, and for land use planners,
- organising a national system for seed production,
- restructuring the production of vegetables and citrus fruits,
- maintaining and improving livestock production, including the use of animal traction,
- establishing forest plantations,

- introducing inland fish-cultivation and fishery,
- reorganizing supply of agricultural inputs and marketing of crops,
- improving mechanical services including spare parts supply,
- training national staff within the agricultural sector at all levels.

## Article II

### The Contribution

1. The Nordic Governments shall make available funds and personnel to the Mozambique Government for the period January 1, 1978—December 31, 1980, to an aggregate value not exceeding fifty million US dollars (US \$ 50 000 000) to be used for the Programme.
2. For each year allocations shall be made in accordance with a budgetary plan to be agreed upon by the parties.

## Article III

### Delegation of Competence and Administration

1. The Mozambique Ministry of Agriculture (hereinafter referred to as the Ministry) and the Nordic Board for Development Projects (hereinafter referred to as the Board), shall be competent to represent the two parties in the implementation of this Agreement. However, the Mozambique Ministry of Development and Economic Planning shall be competent representative regarding requests for and receipts of funds made available under this Agreement.
2. On behalf of the Board, the Swedish International Development Authority, SIDA, shall be responsible for the administration of the Nordic support.
3. The Ministry shall be responsible for the planning and implementation of the projects.  
A coordinator for the Programme shall be appointed by the parties.
4. Costs, related to the SIDA administration, as agreed by the parties and stated in the annual budgetary plan, shall be financed out of the Contribution mentioned in Article II.

## Article IV

### FAO Services

1. The Mozambique Government may agree with FAO that FAO shall provide services to certain projects supported by the Programme. The services may include recruitment and administration of personnel, procurement and technical services.
2. Any such agreement between the Mozambique Government and FAO shall be made in consultation with SIDA.

## Article V

### Personnel

1. Personnel within the Programme may be recruited and contracted by SIDA, by the Ministry or on the basis of Article IV above.  
SIDA undertakes to assist the Ministry in its recruitment of personnel in Portugal.  
The contractor, either SIDA or the Ministry, shall in each case bear the costs of salaries and allowances, international passages to and from Mozambique, social security and related benefits, including leave.

2. With regard to personnel to be recruited and contracted by SIDA, the parties shall agree on numbers and functions of such personnel. The procedures and further obligations of the parties in regard of SIDA contracted personnel shall be as set forth in Annex II.
3. In case of amendments to provisions in respect of personnel set forth in Article V and Annex II of the General Agreement on Terms and Procedures, dated March 19, 1976, between the Swedish Government and the Mozambique Government, such amendments shall, if the parties not otherwise agree, be applied to the corresponding provisions of this Agreement, if any.

#### Article VI

##### Supplies and Equipment

1. The Ministry shall be responsible for the procurement within the Programme. Upon request SIDA shall assist the Ministry with a) information on suitable sources of supply in Nordic countries, b) purchase on the Ministry's behalf.
2. The Mozambique Government shall seek to ensure that purchases are made from the most competitive source of supply. Procurement shall, whenever practicable, be based on formal international competitive bidding or quotations in accordance with generally accepted principles.

However, this does not interfere with the right of Mozambique to give preference to domestic manufacturers, in accordance with adopted provisions, through protective customs duties or otherwise.

#### Article VII

##### Technical Services

Regarding technical services within the Programme, the Ministry shall be responsible for the procurement and contracting of services from consultancy firms, as well as contracts between institutions in Mozambique and in other countries. However, if the Ministry so requires, SIDA may procure the services or assist the Ministry in its procurement.

#### Article VIII

##### Disbursement of Funds

1. A plan for disbursements to be made during the forthcoming year, elaborated by the Ministry in consultation with SIDA, shall be agreed upon by the parties before December 15 each year. During the consultation, SIDA shall supply the Ministry with indicative figures for expenditures foreseen for the three items personnel, consultancy services and procurement.
2. By January 1 and July 1, SIDA shall make semi-annual disbursements to the Mozambique Government. However, direct disbursements to FAO and suppliers of goods and services for the Programme, may be made currently by SIDA if the Mozambique Government so requires.
3. The semi-annual disbursement shall be based on a request by the Mozambique Government to be submitted to SIDA before the beginning of each six month's period.
4. The Mozambique Government guarantees that any funds brought into Mozambique in connection with the implementation of this Agreement shall be freely and immediately transferable into convertible currencies.

**Article IX****Reporting**

1. Before March 1 and September 1 respectively, the Ministry shall submit to SIDA, with a copy to FAO, semi-annual reports including information on a) the progress of the Programme, analysis of problems concerning its implementation and a proposal for a Programme budget for the forthcoming period, b) the progress of each project and, c) total expenditure for the Programme as well as for each project.
2. Before February 1 and August 1 respectively, SIDA shall submit to the Ministry semi-annual financial reports on expenditures incurred.

These financial reports shall, for each project, specify the costs for personnel, consultancy services and procurement.

**Article X****Reviews and Evaluation of the Programme**

1. The parties shall have semi-annual consultations in March and September in order to prepare, on the basis of the above mentioned reports, for adjustment of plans and budgets for the projects and the Programme regarding the following period.
2. The parties shall agree on a plan for the evaluation of the Programme. A mid-term evaluation shall be carried out during 1979.

**Article XI****Entry into Force and Duration**

This Agreement shall enter into force provisionally on January 1, 1978, and definitely after the fulfilment of such constitutional requirements as may be necessary in the countries whose governments are parties to this Agreement. Notification regarding fulfilment of such requirements shall be given through diplomatic channels to all other government parties to this Agreement. Following notification of fulfilment of the requirements mentioned above, this Agreement shall remain in force until June 30, 1981.

The Agreement may be terminated by either party upon the serving of written notice on the other. Such notice shall be served not later than three months before the end of the annual budget period and the Agreement shall terminate at the expiry of the budget period in which such notice is served. Such written notice shall, however, not be served until consultations to that effect have taken place between the parties. If notice is served less than three months before the end of the budget period, this Agreement shall remain in force until the expiry of the next following budget period.

Done in two original texts in English in Maputo on 7th November 1977.

For the Governments of Denmark,  
Finland, Iceland, Norway and  
Sweden

For the Government of the People's  
Republic of Mozambique

## Annex I

**MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME****PLANT PRODUCTION**

- CR-1 Seed Production
- CR-3 Vegetables Maputo and Manica
- CR-4 Citrus Manica
- IR-2/3 Irrigation Beira/Buzi

**LIVESTOCK****General**

- LI-2 Tse-tse control
- LI-4 Livestock centres
- LI-7 Bush control
- LI-13 Veterinary institute

**Milk production**

- LI-5 Milk Chimoio
- LI-8 Milk Chowke

**Beef production**

- LI-6 Beef Buzi
- LI-9 Beef Chimoio
- LI-10 Beef Mabalane
- LI-12 Beef Changalane

**FORESTRY**

- FO-1 Afforestation Manica
- FO-2 Fuelwood Maputo

**FISHERY**

- FI-1 Inland fishery

**SERVICES**

- MI-1 Marketing-input supply
- ME-1 Tools and implements
- ME-2 Agro-service activities
- ME-3 Spare parts
- TR-2 Tete mechanical school

**MISCELLANEOUS**

- TR-1 Umbeluzi training centre
- TR-3 Natural resources
- GE-1 Programme support and General Staff support
- Nordic administrative support

**PROJECT DESCRIPTION CR-1**  
**MOZAMBIQUE-NORDIC**  
**AGRICULTURAL PROGRAMME**  
**— MONAP**

**Project:** CR-1, Seed Production.

**Responsible:** Directorate within the Ministry of Agriculture: DINAF (agriculture, forestry, fishery and rural engineering).

**Location:** The implementation of the project will be concentrated to one place not yet decided. Later also other places suitable for seed production will be included in the project.

**Objective:** To establish about 3 seed production and seed processing centres in the most important agricultural areas in the country. To train Mozambiquans to run these centres when the foreign experts have left the country.

**Background:** During the colonial time almost all seeds necessary for the modern farming were imported, mostly from Rhodesia and South Africa. The border to Rhodesia is now closed and accordingly seeds can no

longer be imported from there. This has aggravated the situation and has contributed to the decision that Mozambique has to produce its own seeds. A team from Svalöf visited Mozambique in April this year and made up a general plan of how seed production could be implemented and developed. This plan takes into consideration a close co-operation with the UNDP/FAO project "Seed production and protection".

**Immediate Action:** The planning that remains to be carried through refers to technical questions of importance for the purchasing of cleaning equipment and farm machinery. It also refers to data-collection necessary to plan the production of seeds the first year (1977—78). Examples of these kind of data are i.e. acreage to be cultivated with different crops and needs of fertilizers and pesticides to produce the different crops.

**Long-term Plans:** To establish about three seed-producing centres in Mozambique. These centres should produce seeds for the most important food and cash-crops cultivated in Mozambique. To educate and train Mozambi-

quans of those categories to produce the seeds. This includes farmmanagers, mechanics and personnel to run a seed processing plant. Most of the training will be performed as inservice training within the project but for the mechanics and the personnel that will be responsible for the seed-processing plant part of the training will take place abroad. It is further on planned to establish an institutional cooperation with an international seed organization which will assist the project throughout the project period on a consultancy basis.

#### PROJECT DESCRIPTION CR-3

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** CR-3, Vegetable Production, Maputo/Manica.

**Responsible:** Directorate within the Ministry of Agriculture: DINOPROC (organization of collective production and state farms).

**Location:** Province of Manica and Maputo.

**Objective:** Improve diets, reduce unemployment, organize the commercial circuit of the products, increase the productivity, stopping thus with the importation.

#### PROJECT DESCRIPTION CR-4

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** CR-4, Citrus Chimoio.

**Responsible:** Directorate within the Ministry of Agriculture: DINOPROC (organization of collective production and state farms).

**Location:** Manica Province.

**Objective:** To assist in the rehabilitation and development of citrus production in the Chimoio area.

**Background:** The Chimoio area has several large citrus plantations producing both for export and internal markets. These plantations have been abandoned by their previous owners and are being regrouped as state farms. There are four sophisticated mechanized sorting and packing factories which

are of high technical standards and are maintained in excellent condition today. There is also a well equipped canning plant in Chimoio. Overall exporting capacity for citrus fruits is given at approximately 6 500 ton per annum, with a substantially larger amount being available for local marketing and processing. Exports have been channelled through the Republic of South Africa. Efforts are now being made to open alternative export channels.

**Immediate Action:** Provision of technicians and necessary inputs to upgrade management of orchards in order to improve yield and quality. To develop new marketing arrangements.

**Long-term Plans:** To continue a development of the production and increase of exports.

#### PROJECT DESCRIPTION IR-2/3

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** IR-2/3, Irrigation Buzi/Beira.

**Responsible:** Directorate within the Ministry of Agriculture: DINAF (agriculture, forestry, fishery, rural engineering).

**Location:** Beira area.

**Objective:** To improve and stabilise the irrigation and develop crop production in Buzi.

To improve rice production in the swamp-land near Beira.

**Background:** Buzi. 10 000 ha could be brought under irrigation by construction of a major inlet and supply canal with pumps. 5 000 ha could be irrigated by supplying a canal from a pumping station on the main river. The choice of alternative will be influenced by the difficulty in engaging either local or foreign contractors for the works and might restrict the first phase of operations to improving the existing supply system.

Beira. 2 000 ha swamp area are composed of soils deposited under tidal estuary conditions with salinity in the subsoil. The main issue is installation of drainage with control, earthmoving and grading to permit improved cultural practices. This may be complicated



and measures to take control of run off in the watershed itself could be an alternative. Both areas will have 100 ha pilot areas for trials and training of staff and farmers.

**Immediate Action:** Buzi. Technical data on the schemes for irrigation is available for study and assessment. The ongoing crop situation and irrigation can be assisted particularly by improvements in the existing supply, drainage and lay-out. The pilot plot can be selected, surveyed and planned for implementation.

Beira. Initiate the topographical survey of the watershed and swamp area. Select and proceed to establish pilot area.

**Long-term Plans:** As areas under command of the irrigation system, lands will be allocated to farmers after initial experience and training in the pilot area.

**PROJECT DESCRIPTION LI-2**  
**MOZAMBIQUE-NORDIC**  
**AGRICULTURAL PROGRAMME**  
**— MONAP**

**Project:** LI-2, Tsetse and Animal Trypanosomiasis Control.

**Responsible:** Directorate within the Ministry of Agriculture: DINAP (Livestock development).

**Location:** Various sites in Mozambique.

**Objective:** To stop the threatened expansion southwards of *Glossina morsitans* and *G. pallidipes* from the Muabsa salient.

To clear selected areas from tsetse for increased beef production.

To assist with chemotherapy and chemoprophylaxis of trypanosomiasis throughout Mozambique.

**Background:** Tsetse flies are present in some three-quarters of Mozambique and because they are vectors of trypanosomiasis. A very large area is thus lost for domestic animal breeding and rearing. The potential for the expansion of beef production is recognized as extremely great and this could increase more rapidly if more land could be retrieved from the tsetse.

**Immediate Action:** No specialist will be recruited under the Project, but it will be supervised by FAO staff of UNDP Programme MOZ 75/008.

The threatened expansion southwards of *G. morsitans* and *G. pallidipes* into the cattle rearing areas of Gaze and Maputo provinces from the salient at Muabsa necessitates sheerclearing a barrier 2 km wide and 60 km in length and maintaining this barrier in a bush-free condition. In addition, group spraying with residual insecticides will be carried out.

Selected areas elsewhere will be cleared in order to allow increased beef production.

Drugs will be tested as chemotherapeutic and chemoprophylactic agents under local conditions in Mozambique.

Theoretical and practical training courses in tsetse and trypanosomiasis control will be given to veterinary students and other staff.

**Long-term Plans:** See objectives.

**PROJECT DESCRIPTION LI-4**  
**MOZAMBIQUE-NORDIC**  
**AGRICULTURAL PROGRAMME**  
**— MONAP**

**Project:** LI-4, Livestock Development Centres.

**Responsible:** Directorate within the Ministry of Agriculture: DINAP (Livestock development).

**Location:** Central Maputo.

**Objective:** Conservation, improvement and multiplication of purebred stock to provide males and surplus females to national livestock development programme, schools, collective production units etc. and the establishment of a central data collection and processing facility to make continuous evaluations of progress made.

Investigation of improved methods of animal production and forage utilization, with emphasis on optimal use of natural resources including locally available by-products. Development of animal fraction techniques. Training of all levels of livestock production personnel.

Demonstration of results and methods.

Development of advisory and extension services.

**Background:** There are 23 Livestock Development Stations already in existence throughout the country. The old objectives were largely geared to the needs of the European community.

**Immediate Action:** This development programme has been divided into 3 parts, based on priorities and available staff.

1. Development of Stations in Maputo/Gaza Provinces where 55% of the countries cattle are to be found and where there are stations reasonably well developed.

2. Development of strategic stations in other provinces where there are significant livestock populations. This programme is of almost equal priority with part 1, but will be more difficult to implement because of a lack of technical staff.

3. Conservation and minimal development of the remaining stations until details can be prepared for their development or incorporation into other projects.

Detailed plans are nearing completion for the stations in part 1 and much of the preliminary survey has been completed for part 2. Government Expenditure has been authorized to commence development programme which is to be recouped from this project when it become operational.

**Long-term Plans:** As soon as funds are available, Government requires reimbursement for expenditure already made and the expanded phase of the project can commence. Four internationally personnel have been requested for Chobela, Angonia, Montepuez and Mugeba.

#### PROJECT DESCRIPTION LI-5

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** LI-5, Milk Production Unit — Chimoio.

**Responsible:** Directorate within the Ministry of Agriculture: DINOPROC (organization of collective production and state farms).

**Location:** 23 km from the city of Chimoio, Province of Manica.

**Objective:** The developing of the milk production in this Province, which has very good conditions for this sector, in order to obtain a production of 2 500 litres per day (1st phase) for supply to the central areas of the country.

The final objective is to obtain a production of 10 000 litres per day. Installation of a dairy plant in the 2nd year of the project.

**Background:** It concerns abandoned areas, previously belonging to private farmers.

This area has been under DINOPROC management for a year now. The consuming areas are mainly the province of Beira and in the 2nd place, the province of Zambezia.

**Immediate Action:** Commence the construction of stables, milking centre etc. Commence the forage production. Training of personnel.

**Medium-term Planning:** Establishment of a dairy plant in the 2nd year of the project.

Beginning of implementation of the 2nd unit which has to start its function in 1980.

#### PROJECT DESCRIPTION LI-6

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** LI-6, Beef Production, Buzi.

**Responsible:** Directorate within the Ministry of Agriculture: DINOPROC (organization of collective production and state farms).

**Location:** Mouth of the river Buzi-Province of Sofala.

**Objective:** Start up a State Farm for beef production for consumption with one growing and fattening unit and one reproducing unit with a 1 000 reproducers.

**Background:** A great number of abandoned cattle was found in this area of good pastures. The proximity to a big consumers' centre, Beira, and a sugar cane industry, guarantee a regular market and cheap obtainment of molasses, a basic alimentation in the feed-lot, to be arranged next to the growing and fattening centre.

**Immediate Action:** A detailed study during the rainy season of the areas suitable for accommodation, in order to avoid that the farm to be established will not be subdued to damages caused by the rains. Rearrangement of the grazing areas. Bushcontrol in the surrounding areas of the enterprise, thus avoiding invasion of the tsetse fly. Arrangements for the feed-lot. Training of personnel.

**PROJECT DESCRIPTION LI-7**  
**MOZAMBIQUE-NORDIC**  
**AGRICULTURAL PROGRAMME**  
**— MONAP\***

**Project:** LI-7, National Bush Control.

**Responsible:** Directorate within the Ministry of Agriculture: DINAP (Livestock development).

**Location:** Maputo.

**Objective:** To clear potentially productive land of trees, shrubs and weeds to establish pastures for livestock.

**Background:** Many abandoned farms have been invaded by bush and weeds which urgently need controlling to bring the land back into production. Other areas need to be cleared of bush and forest to establish pastures and control tsetse fly.

**Immediate Action:** It is proposed that there will be 3 units engaged in bush clearing using the Ely-Chain. These will be located in the South, Centre and North of the country.

Each unit will consist of two DC7:s and Ely-Chain, operators and tools. The first unit will become operative about August 1977 on Changalane state farm near Maputo. The second one will probably be sited near Chimoio or Quelimane.

**Long-term Plans:** To clear approximately 15 000 to 20 000 has per year when in full operation.

**PROJECT DESCRIPTION LI-8**  
**MOZAMBIQUE-NORDIC**  
**AGRICULTURAL PROGRAMME**  
**— MONAP**

**Project:** LI-8, Milk Production, Chokwe.

**Responsible:** Directorate within the Ministry of Agriculture: DINOPROC (organization of collective production and state farms).

**Location:** Gaza Province, Limpopo Valley.

**Objective:** To establish a milk production unit of 500 heads of cattle, to provide surrounding areas and nearby urban centres with milk products and to utilize capacity of existing dairy plant.

**Background:** The colonial government intended to establish a sizeable dairy industry in the Limpopo valley in the last stage of colonialism before liberation. To this end, a

dairy plant with a capacity of 35 000 litres/day was established in 1965. The intention was to encourage Portuguese smallholder farmers in the valley to keep small herds of dairy cattle. Milk deliveries to the dairy plant never rose above 4 000 litres/day and are today only some 1 500 litres/day. In the area there is at least heads of dairy cattle, mainly of Friesian stock, which have been abandoned by the previous owners. The cattle is kept under temporary management under rather adverse conditions. Some milking equipment is installed and functioning at the Guidiza farm where the project is to be established.

Conditions for dairy production in the Limpopo valley are not ideal due to high temperatures and humidity.

**Immediate Action:** To provide necessary technicians and inputs to establish systematic management of head cattle herd on the Guidiza farm. This farm consists of 750 hectares of irrigated land. To establish pasture and initiate forage and feed grain production. To upgrade and extend existing buildings and to provide necessary farm machinery.

**Long-term Plans:** To establish additional dairy units on nearby farms and in villages in the area in order to increase production and ensure effective utilization of the existing dairy plant.

**PROJECT DESCRIPTION LI-9**  
**MOZAMBIQUE-NORDIC**  
**AGRICULTURAL PROGRAMME**  
**— MONAP**

**Project:** LI-9, Beef Production Unit No. 4, Manica.

**Responsible:** Directorate within the Ministry of Agriculture: DINOPROC (organization of collective production and state farms).

**Location:** Province of Manica. Areas: Tembe, Vanduzi and Almada, crossed by the road Chimoio-Vila Manica.

**Objective:** 10 000 hectares occupied per year in approximately a 4 year plan. Start-up of three reproduction units with approx. a 1 000 reproducers each.

**Background:** The area available is approximately 40 000 hectares, so bushcontrol will be necessary. The spontaneous grazing area

has the capacity of 4 to 10 animals per hectare. There is a great facility in obtaining water for the animals as there are innumerable rivers in the surrounding.

**Immediate Action:** Bushcontrol. Fencing the grazing areas. Installation of the water-distribution-system. Concentrate the cattle of the surrounding areas. Training of personnel.

**Long-term Plans:** Total occupation of the 40 000 available hectares.

#### PROJECT DESCRIPTION LI-10

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** LI-10, Beef Production.

**Responsible:** Directorate within the Ministry of Agriculture: DINOPROC (organization of collective production and state farms).

**Location:** Mabalane, Province of Gaza.

**Objective:** To use an area of good pastures for 11 000 head of abandoned cattle.

**Immediate Action:** Bushcontrol, fencing of grazing areas, road clearing, watersupply-installations and training of personnel.

**Medium-term Plans:** Two reproduction units (1 000 reproductions each) and one fattening centre is planned.

#### PROJECT DESCRIPTION LI-12

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** LI-12, Beef production.

**Responsible:** Directorate within the Ministry of Agriculture: DINOPROC (organization of collective production and state farms).

**Location:** Changanalane, 80 km south of Maputo, Province of Maputo.

**Objective:** Establishment of a State Farm for Beef Production. Occupying an area of approximately 22 000 hectares and 7 000 heads of cattle, organized over 2 reproduction units with a 1 000 cows each and a growing and fattening unit (2 500 young bulls).

**Background:** The project comprises an abandoned area including 3 ex-private farms with considerable infrastructure and cattle herds in a reasonable state of management.

This area has been under the management of DINOPROC for the past one and a half year.

**Immediate Action:** Implementation of the bushcontrol programme. Rearrangement of the grazing plots. Establishment of a new waterdistribution system for the cattle. Training of personnel.

**Long-term Plans:** Establishment of a feedlot next to the growing and fattening unit.

#### PROJECT DESCRIPTION LI-13

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** LI-13, Veterinary Institute (INIVE).

**Responsible:** Directorate within the Ministry of Agriculture: DINAP (Livestock development).

**Location:** Maputo.

**Background:** The exodus of higher and middle grade technical staff has resulted in a situation in which the diagnosis of animal diseases (upon which prevention and cure depends) and the production of veterinary vaccines is seriously threatened. The neighbouring veterinary faculty is similarly affected and needs support in the teaching and research fields.

The Institute is equipped for most of its functions but certain short-comings are apparent, especially in basic services. It is extremely deficient in technical personnel and receives inadequate support from the depleted field veterinary services.

**Immediate Action:** Three experts recruited by FAO are already working at the Institute. A work plan for the present year has been prepared.

As indicated, the principal deficiencies are in the fields of personnel at all technical levels. Another major deficiency is the need for a specially housed flock of diseases-free poultry to produce eggs for vaccine manufacture. Plans for this and for other major items of equipment necessary are being put together.

Lectures are being given at the Faculty, but a more serious need is the training of junior technical staff. Attention will be given to more training at this level.

**Long-term Plans:** Once the production of vaccines is reestablished and diagnostic systems improved, it is planned to develop stronger contacts within the field veterinary services and with other livestock endeavours to promote field surveys of animal diseases and other vectors throughout the Republic with a view to developing control measures for the most costly diseases.

#### PROJECT DESCRIPTION MI-1

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** MI-1, Marketing-input supply.

**Responsible:** Directorate within the Ministry of Agriculture: DINECA (distribution of agricultural inputs, organization of crop marketing).

**Location:** National project. Headquarters in Maputo, expatriate staff will be stationed in Maputo, Beira and Nampula.

**Objective:** To strengthen DINECAs agriculture input and crop marketing activities. To contribute to the establishment of a network of rural stores.

**Background:** DINECA has been formed through amalgamation of two marketing boards. The majority of the rural small traders have ceased operation. They were the main distributors of agricultural inputs and collectors of produce of the traditional sector and must be replaced with a new structure. The state farms now being established will also need considerable service.

In cooperation with the Ministry of Transport and the Ministry of Industry and Trade, it is DINECAs task to purchase and distribute agricultural inputs up to the provincial level and to assist in organizing distribution within the provinces. It also has to organize collection of crops and coordination with the national bodies concerned.

**Immediate Action:** During its first two years DINECA will have to operate on an emergency basis, concentrating on rudimentary services and crucial bottlenecks. Procurement of inputs internally and abroad as well as distribution to the Provincial level must be organized. Cotton areas and the

Northern provinces have to be given special attention.

Long-term planning has started and will continue in cooperation with other ministries concerned.

**Long-term Plans:** The long-term plans will aim at creating a functioning agricultural distribution and marketing system well co-ordinated with other distribution systems for the rural areas and with national crop authorities.

#### PROJECT DESCRIPTION ME-1

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** ME-1, Tools and implements.

**Responsible:** Directorate within the Ministry of Agriculture: DINECA (distribution of agricultural inputs, organization of marketing).

**Location:** National project.

**Objective:** To purchase and distribute hand tools and simple implements to the traditional agricultural sector.

**Background:** Since the independence there is a great lack of hoes and other tools for traditional agricultural activities — specially in the Northern parts of the country. The Ministry of Agriculture receives such implements from different sources and also purchases with its own funds for distribution through DINECA.

**Immediate Action:** Using Programme funds, additional tools will be purchased and distributed to supplement other supplies.

#### PROJECT DESCRIPTION ME-2

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** ME-2, Agro-service activities.

**Responsible:** Directorate within the Ministry of Agriculture: DINAF (agriculture, forestry, fishery, rural engineering).

**Location:** National project. Expatriate staff will be placed in provincial and district towns.

**Objective:** To increase the Ministry's capacity to repair and maintain agricultural

machinery and equipment. To develop agro services in the district workshop.

**Background:** The Ministry's rural engineering department has three central mechanical workshops, seven provincial workshops and a number of district workshops. They are to repair and maintain the Ministry's vehicles, tractors, machinery and other equipment and to give service also to state farms. Lack of mechanics is the most serious problem facing the department.

**Immediate Action:** Twenty-five mechanics are to be recruited and supplied with vehicles and basic repair equipment. They are then to be posted to provincial or district workshops to be responsible for or to strengthen these. The vehicles will function as mobile repair units in the respective areas. Training of workshop staff and of drivers will be an important part of the work.

**Long-term Plans:** Assisted by the Tete mechanical school, the district workshops shall gradually develop agro-service activities. Blacksmith services, spare parts supply etc. are to be introduced as soon as practically possible. The needs are enormous and the capacity to organize will set the pace.

#### PROJECT DESCRIPTION ME-3

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** ME-3, spare part supply.

**Responsible:** Directorate within the Ministry of Agriculture: DINAF (agriculture, forestry, fishery, rural engineering).

**Location:** National project, expatriate staff to be stationed in Maputo.

**Objective:** To organize a well functioning spare part supply system for the Ministry of Agriculture. To finance the building up of the stocks of spare parts.

**Background:** Within the Ministry of Agriculture, the Rural engineering department is responsible for the Ministry's workshops and thus for the spare part supply, which has been seriously disrupted. The main workshops are situated in Maputo, Beira and Nampula. The main importers of spare parts have depots in the same towns and will

supply directly from these to the Ministry's provincial and district workshops.

**Immediate Action:** The import procedures for spare parts have now been worked out. The main importers will import on behalf of the Ministry and quotas for this imports are being allocated from Swedish bilateral assistance funds. The stocks will be brought up to a reasonable level.

**Long-term Plans:** A functioning system for spare part supply will be organized by the Rural engineering department. Instructions and manuals will be worked out and a training programme will be arranged. The use of data techniques may be introduced after feasibility studies.

#### PROJECT DESCRIPTION TR-1

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** TR-1, Umbeluzi Training Centre.

**Responsible:** Directorate within the Ministry of Agriculture: DINAF (agriculture, forestry, fisheries and rural engineering).

**Location:** 35 km west of Maputo.

**Objective:** To establish a training centre with 180 student boarding places for middle-level agriculture and livestock technicians.

**Background:** The centre will be established on the site of the Umbeluzi Experimental Research Station, which is under the Ministry of Agriculture's Research Institute. The site covers an area of 560 hectares. There are 300 dairy cattle. Because of lack of technicians, the experimental activities have declined and only forage production under irrigation, maize and groundnut trials are continued. Good collections of a wide range of fruit varieties are maintained and seedlings are distributed. Surplus of fruit and milk are sold. One six-month agricultural crash course has already been held.

According to present plans, the centre will establish, as soon as possible, two-year courses with additional six-month specialized courses. Students will have minimum of six years basic schooling and will have previous experience of agricultural work either from the Ministry or from the Peoples' Armed

Forces, and will successfully have completed basic agricultural courses.

**Immediate Action:** Three of the existing buildings are now modified and extended to accommodate 80 boarding students. They are expected to be completed in May 1977. The training programme and syllabi are under preparation, but suitable textbooks and teaching material are scarce and the teachers will have to prepare such material. The head of the centre is expected to arrive in April 1977. The lack of teachers is the main bottleneck and great efforts are made to solve this problem.

**Long-term Plans:** As soon as funds are available, new buildings, already planned, will be built to allow training of 100 more students. Teachers' flats will also be built, since at the moment there is only one house and one flat for teachers.

#### PROJECT DESCRIPTION TR-2

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** TR-2, Tete mechanical school.

**Responsible:** Directorate within the Ministry of Agriculture: DINAF (agriculture, forestry, fishery, rural engineering).

**Location:** Tete town at the Zambezi river.

**Objective:** To train workshop managers, mechanics and drivers and to promote such training within the Ministry.

**Background:** During the colonial time very few Mozambiquans were trained as workshop managers or mechanics, and the exodus of Portuguese technicians has created a difficult situation for the Ministry's rural engineering department. An existing large workshop has been acquired by the Ministry to serve as the department's national training institute, and also one of the Ministry's provincial workshops. Additional premises for teachers and students' accommodation have also been allocated. The buildings are presently being modified and repaired, using Ministry funds. Curricula and Plans for the courses to be given have been prepared with the assistance of the Ministry of Labour.

**Immediate action:** The crucial point at present is to recruit a manager and training

staff for the school. Training has to be started immediately on a crash course basis. Simultaneously long-term plans have to be worked out for the school.

**Long-term Plans:** The Tete mechanical school shall not only carry out training, but shall also be responsible for organizing training on all levels for the Ministry's rural engineering staff. Training programs and training material to be used by provincial and district workshops have to be produced. Training for trainers has to be arranged etc. It is also planned that the school will design agro-service activities to be gradually adopted by the district workshops.

#### PROJECT DESCRIPTION GE-1

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** GE-1, Programme Support.

**Responsible:** Secretariado para a Cooperacao Internacional, SCI, within the Ministry of Agriculture.

**Location:** National.

**Objective:** To facilitate smooth implementation of the projects supported by the Programme.

**Background:** Several projects in the Programme are in a planning stage and action plans are under preparation. Other projects have been planned in details, but unforeseen problems and costs will occur during implementation.

#### PROJECT DESCRIPTION

##### MOZAMBIQUE-NORDIC AGRICULTURAL PROGRAMME — MONAP

**Project:** General staff support.

**Responsible:** Secretariado para a Cooperacao Internacional, SCI, within the Ministry of Agriculture.

**Location:** National.

**Objective:** To facilitate smooth implementation of the project supported by the Programme.

**Background:** There is a need for expert personnel to work with problems related to the projects which cannot suitably be posted

to any particular project. The Programme Coordinator is one example. Specialists needed on a national level to act as consultants to several projects is another.

## Annex II

### A

#### PROCEDURE FOR THE RECRUITMENT OF PERSONNEL BY SIDA

1. Each request for personnel shall be accompanied by a job description containing a definition of the duties to be carried out by the officer, as well as the qualifications required.
2. Before entering into a contract, SIDA shall provide the Ministry with all information necessary for the appraisal of the candidates deemed best qualified by SIDA. The Ministry shall without delay communicate to SIDA which, if any, of the proposed candidates that has been approved.
3. Before starting recruitment procedures, the two Parties shall agree on measures conducive to the effective utilization of the personnel. Such measures may include the assignment by the Government of Mozambique of counterparts to the personnel.
4. If the Ministry and SIDA shall so agree, personnel may be transferred from one function or duty station to another during the period of employment.

### B

#### OBLIGATIONS IN REGARD OF PERSONNEL MADE AVAILABLE BY SIDA

1. SIDA shall endeavour to train and otherwise adequately prepare the personnel for their functions in Mozambique. Such training may include orientation in Mozambique before and during assignment. Mozambique shall support and facilitate such in-country orientation.
2. In the performance of their duties, such personnel shall be under the exclusive direction of Mozambique Govern-

mental agencies or organization to which they are assigned. The personnel shall comply with laws, orders and regulations in force in Mozambique.

3.1 The Mozambique Government shall hold SIDA and the personnel serving in Mozambique in accordance with this Agreement harmless against any liability, suit, action, demand, damage, cost of fee on account of death, injury to person and property or any other losses resulting from or connected with any act performed or omission made in the course of the performance of the duties of such personnel.

3.2 However, if claims arise in a case where gross negligence or wilful intention on the part of the personnel has been established by a Mozambique court, the Mozambique Government may hold the person concerned liable to indemnify the Mozambique Government.

3.3 If the Mozambique Government has to deal with any claim in accordance with this paragraph, the Mozambique Government shall be entitled to exercise and enforce the benefit of any defence or right to setoff, counterclaim, insurance, indemnity, contribution or guarantee to which such personnel may be entitled.

3.4 SIDA shall not withhold from Mozambique Government access to personnel, information or other assistance reasonably required for the handling of any matter to which this paragraph relates.

4. In the event of arrest or detention, for any reason whatsoever, of any person made available by SIDA or of their spouses or dependants or of criminal proceedings being instituted against them, the Swedish Embassy shall be notified without delay in accordance with international established practice, and shall have the right to visit the arrested or detained person.

5.1 The Mozambique Government may request the recall or replacement of any person made available in accordance with this Agreement, whose work or conduct is deemed unsatisfactory. Before making any such decision, the Ministry shall consult with SIDA.



- 5.2 SIDA shall have the right to recall any person at any time. In case of such recall SIDA shall, unless exceptional circumstances demand immediate recall, give one month's notice to the Ministry.
6. The Mozambique Government shall provide in kind:
- 6.1 Reasonably furnished housing for personnel who are to serve in Mozambique for a continuous period of more than six months after arrival. Housing shall be provided not later than two months after arrival of such personnel.
- 6.2 Furnish hotel accommodations exclusive of meals, laundry and telephone for the personnel and their spouses and dependants, if the period of assignment does not exceed six months or until housing under sub-paragraph 6.1 above has been provided.
- 6.3 Furnish such medical services and facilities for the personnel and their spouses and dependants as may be accorded to Mozambique civil servants of comparable status.
- 6.4 Furnish office space and related facilities for official purposes as provided civil servants of comparable status, or, as the case may be, tools and other equipment and facilities necessary for the performance by the personnel of their duties.
- 6.5 Defray costs of official travel outside duty station, including hotel costs and allowances, in accordance with Mozambique regulations for official travel.
- 6.6 Grant the personnel annual and sick leave in accordance with their terms of employment with SIDA, which shall be made known to the Ministry by SIDA.
- 6.7 Inform SIDA when annual and sick leave is granted to the personnel.
- 6.8 Grant the personnel and their spouses, dependants and visitors necessary entry, exit and other permits.
- 6.9 Exempt the personnel in Mozambique from taxation and related charges on salaries and emoluments paid to them by SIDA.
- 6.10 Give the personnel the right of opening an external bank account in Mozambique for their personal needs. Balances on such accounts shall be freely transferable into any convertible currency.
- 6.11 Give the personnel, together with their spouses and dependants, the right to import, free of customs duty and other similar charges, new as well as used household goods and personal effects within six months after their first arrival in Mozambique. In special cases the period may be extended. The term "personal effects" shall include for each household, i.e. one motor vehicle, one radio, one record player, one tape recorder, airconditioner, one refrigerator, one deep-freeze, one washing machine, minor electrical appliances and one set of photographic and film equipment. If these articles are disposed of otherwise than to a person entitled to the same privileges, appropriate duty shall be paid thereon. If the motor vehicle is totally damaged by accident or lost by theft, or if the term of service in Mozambique of the owner should be prolonged to more than three years, they shall be entitled to import a second motor vehicle in replacement of the first one, according to the provisions of this subsection.
- 6.12 Have the right to export free of customs duty and similar charges these goods and effects at the termination of their service.
- 6.13 Be exempt from registration requirements applying to their profession.
- 6.14 Have, together with their spouses, dependants and visitors, the right to travel within the country in accordance with provisions made by the Mozambique Government. The Ministry shall inform the Swedish Embassy of these provisions and such changes as may be made from time to time.

**AUGLÝSING****um gildistöku breytinga á alþjóðasamþykkt frá 12. maí 1954  
um varnir gegn óhreinkun sjávar af völdum olíu.**

Hinn 20. janúar 1978 taka gildi breytingar sem gerðar voru hinn 21. október 1969 á alþjóðasamþykktinni frá 12. maí 1954 um varnir gegn óhreinkun sjávar af völdum olíu.

Breytingarnar voru fullgiltar af Íslands hálfu hinn 5. mars 1970, sbr. auglýsingu í Stjórnartíðindum C-deild nr. 17/1970, þar sem samþykktin með áorðnum breytingum er birt.

Þetta er hér með gert almenningi kunnugt.

*Utanríkisráðuneytið, Reykjavík, 29. desember 1977.*

**Einar Ágústsson.**

*Henrik Sv. Björnsson.*









