

CONVENTION
ON
SOCIAL SECURITY
BETWEEN
THE ISLAMIC REPUBLIC OF PAKISTAN
AND
THE KINGDOM OF DENMARK

The Government of the Islamic Republic of Pakistan
and

The Government of the Kingdom of Denmark.

Desirous of regulating relations between the two States
in the matter of social security,

Have agreed on the following provisions:

TITLE I

GENERAL PROVISIONS

Article 1

(1) For the purpose of the present Convention, unless the context otherwise requires,

- (a) "Contracting Party" means, according to the context, the Islamic Republic of Pakistan or the Kingdom of Denmark;
- (b) "territory" means, in relation to the Islamic Republic of Pakistan its national territory, and in relation to the Kingdom of Denmark, its national territory with the exception of Greenland and the Faroe Islands;
- (c) "national" means, in relation to the Islamic Republic of Pakistan, a citizen of Pakistan, and in relation to the Kingdom of Denmark, a Danish subject;
- (d) "legislation" means, according to the context, the legislation specified in Article 2 of this Convention in force in any part of the territory of one (or the other) Contracting Party;
- (e) "competent authority" means, in relation to the Islamic Republic of Pakistan, the Federal Ministry of Labour, Manpower and Overseas Pakistanis and the Provincial Departments concerned, and in relation to the Kingdom of Denmark, the Ministry of Social Affairs, the Ministry of Labour or the Ministry of the Interior, as the case may require;

- (f) "competent institution" means the institution responsible for providing benefits;
- (g) "residence" means habitual residence which is lawfully established;
- (h) "stay" means temporary sojourn;
- (i) "worker" means
in relation to the Islamic Republic of Pakistan, any person who, by virtue of being in the service of an employer is subject to social security legislation; and
in relation to the Kingdom of Denmark,
- in respect of any period prior to the date of September 1, 1977, any person who, from the fact of pursuing an activity in the service of an employer is subject to the legislation on accidents at work and occupational diseases;
- in respect of any period commencing on the date of September 1, 1977 or a later date, any person who is subject to the legislation on the Labour Market Supplementary Pension Scheme;
- (j) "periods of insurance" means contribution periods as defined or recognised as periods of insurance by the legislation under which they were completed, and any other periods in so far as they are regarded by the said legislation as equivalent to periods of insurance;
- (k) "periods of employment" means periods defined or recognised as such by the legislation under which they were completed, and any other periods in so far as they are regarded by the said legislation as equivalent to periods of employment;

- (l) "periods of residence" means periods defined or recognised as periods of residence by the legislation under which they were completed or are deemed to have been completed;
 - (m) "benefits", "pensions" and "allowances" mean all benefits, pensions and allowances including all elements thereof payable out of public funds, Social Security Funds and Employees Old-Age Benefits Fund, as the case may be, revalorisation increases and supplementary allowances, unless otherwise provided by this Convention, as also lump-sum benefits which may be paid in lieu of pensions, and, where applicable, payments made by way of reimbursement of contributions.
- (2) Other words and expressions which are used in the present Convention have the meanings respectively assigned to them in the legislation concerned, and singular includes plural where the context so admits.

Article 2

This Convention shall apply -

(1) in relation to the Islamic Republic of Pakistan to the following legislations: The West Pakistan Social Security Ordinance, 1965, and The Employees' Old-Age Benefits Act, 1976, providing for the below-mentioned benefits:

- (a) medical care;
- (b) sickness benefit;
- (c) maternity benefit;
- (d) death grant;
- (e) injury benefit;
- (f) disablement pension;
- (g) disablement gratuity;
- (h) survivors' pension;
- (i) old-age allowance;
- (j) invalidity allowance, and

(2) in relation to the Kingdom of Denmark, to the legislation on:

- (a) national health security;
- (b) the hospital service;
- (c) maternity care;
- (d) daily cash benefits in the event of sickness and childbirth;
- (e) employment injury insurance;
- (f) family allowances;
- (g) unemployment insurance;
- (h) national old-age pension;
- (i) invalidity pension;
- (j) widow's pension;
- (k) pensioners' housing benefit;
- (l) Labour Market Supplementary Pension (ATP).

Article 3

(1) This Convention shall apply to nationals of a Contracting Party who are or have been subject to the legislation of the other Contracting Party under the provisions laid down in Article 5.

(2) The provisions of this Convention shall be without prejudice to any rights and obligations arising in respect of Pakistani nationals from the legislative instruments of the European Economic Community.

Article 4

(1) This Convention shall apply to all laws and regulations amending, supplementing or substituting the legislations specified in Article 2 of this Convention.

(2) Notwithstanding the provision of paragraph (1) of this Article, this Convention shall apply to such laws or regulations as relate to a new branch of social security only if so agreed between the Contracting Parties.

(3) Notwithstanding the provision of paragraph (1) of this Article, this Convention shall apply to laws and regulations of a Contracting Party extending the application of the provisions in force to new categories of persons only if no objection is raised by the other Contracting Party within six months of the date on which the latter Party was notified of the said laws or regulations.

Article 5

(1) A national of one Contracting Party, when he is resident in the territory of the other Contracting Party, shall be subject to the legislation of the latter Party as specified in Article 2 of this Convention under the conditions provided for in the said legislation.

(2) Notwithstanding the provision of the preceding paragraph, (1) a national of a Contracting Party, when he is pursuing an activity in the service of an employer in the territory of the other Contracting Party, shall be subject to the legislation of the latter Party respecting employment-related benefits.

Article 6

Save as otherwise provided by this Convention, any person who under the provisions of Article 5 of this Convention is subject to the legislation of a Contracting Party shall enjoy the same rights and be subject to the same obligations under the said legislation as a national of the latter Party.

Article 7

The general provisions of Article 5 shall be subject to the following exceptions:

- (a) A worker employed in the territory of a Contracting Party by an undertaking whose registered office or place of business is situated in the territory of that Party and who is posted by that undertaking to the territory of the other Contracting Party to perform work there on a temporary basis for the account of the undertaking shall continue to be subject to the legislation of the former Party during the first six months of his stay in the territory of the latter Party. If the duration of the work to be performed in the territory of the other Contracting Party exceeds six months owing to unforeseeable circumstances, the legislation of the former Party shall continue to apply until the completion of the work, provided the competent authority of the Contracting Party to whose territory the worker was posted gives its consent; such consent must be requested before the end of the initial six months period.
- (b) A worker who is a member of travelling or flying personnel in a transport undertaking whose registered office or place of business is situated in the territory of one Contracting Party, and who is working in the territory of the other Contracting Party, shall be subject to the legislation of the former Party. However, where the said undertaking has a branch or permanent representation in the territory of the other Contracting Party, a worker employed by such branch or agency and residing in the territory of that Party shall be subject to the legislation of the Contracting Party in whose territory the said branch or permanent representation is situated.

- (c) The crew of a vessel and other persons employed on board a vessel shall be subject to the legislation of the Contracting Party whose flag the vessel is flying. If, for the purpose of loading, unloading, repair or watch on board a vessel flying the flag of a Contracting Party, during its stay in the territory of the other Contracting Party a worker resident in the territory of the latter Party is employed, he shall be subject to the legislation of the latter Party.

Article 8

- (1) Diplomatic or consular representatives and officials or persons treated as such in the service of diplomatic missions or consular posts shall be subject to the legislation of the Contracting Party they are representing.
- (2) Subject to the provisions of paragraph (1) of this Article the provisions of Article 5 shall apply to persons employed by diplomatic missions or consular posts and to the private domestic staff of agents of such missions or posts.
- (3) However, persons covered by paragraph (2) of this Article who are nationals of the Contracting Party represented by the mission or consular post concerned may opt to be subject to the legislation of that Party. Such right of option may be exercised once only. It shall be exercised within a period of six months from the date of entry into force of this Convention or from the date of the entry of the person concerned into employment. The option shall take effect from the date of entry into force of this Convention in respect of persons who have entered into employment by that date and, in other cases, from the date of the entry into employment.

Article 9

The competent authorities of the two Contracting Parties may, by mutual agreement, provide for further exceptions to the general provisions of Article 5. Likewise, they may permit, by mutual agreement, that the exceptions set out in Article 7 shall not apply in appropriate cases.

Article 10

The legislative provisions of a Contracting Party for reduction, suspension or withdrawal of benefits in cases of overlapping with other social security benefits or other income may be invoked even though the right to such benefits was acquired under the legislation of the other Contracting Party or such income arises in the territory of the other Contracting Party. However, this provision shall not apply if the person concerned receives benefits in respect of invalidity, old-age or death (pensions) which are awarded by the institutions of both Contracting Parties in accordance with the provisions of Articles 26 and 28 respectively of this Convention.

TITLE II

SICKNES AND MATERNITY

Article 11

A national of a Contracting Party who is resident in the territory of the other Contracting Party shall be entitled to benefits in kind and cash benefits in the event of sickness and maternity under the legislation of the latter Party for himself and for such members of his family as are resident in the territory of the latter Party provided the persons concerned satisfy the requirements of the said legislation.

Article 12

The competent institution of a Contracting Party whose legislation makes the acquisition, retention or recovery of the right to benefits in respect of sickness or maternity conditional upon the completion of specified periods of insurance, employment or residence shall, to the extent necessary, take account of periods of insurance, employment or residence completed under the legislation of the other Contracting Party as if they were periods completed under its own legislation.

Article 13

The competent institution of a Contracting Party whose legislation provides that the calculation of cash benefits in respect of sickness or maternity shall be based on the annual or average income from wage, salary or other earnings received by the protected person shall determine that annual or average income exclusively by reference to the income confirmed as having been received during the periods completed under the said legislation.

Article 14

(1) Where nationals of a Contracting Party are entitled to receive daily cash benefit in respect of sickness or maternity under the legislation of one Contracting Party such benefit shall be payable to the persons concerned, when they are staying in the territory of the other Contracting Party, on the same conditions and to the same extent as apply to nationals of the Contracting Party in whose territory the competent institution is situated, subject to the procedures prescribed in the administrative agreement to be concluded in pursuance of Article 29.

(2) The preceding paragraph (1) shall apply by analogy in the payment of death grant (funeral allowance) under the legislation of a Contracting Party.

TITLE III

ACCIDENTS AT WORK AND OCCUPATIONAL DISEASES

Article 15

(1) The right to benefits in respect of an accident at work shall be determined by the legislation of the Contracting Party to whose legislation the insured person was subject at the time the accident was sustained, cf. Articles 5, 7 and 8 of this Convention.

(2) If a person has sustained an accident at work to which the legislation of one Contracting Party applies and later sustains an accident at work to which the legislation of the other Contracting Party applies the competent institution of the latter Party, for the purpose of determining the degree of disability of the said person under the legislation of that Party, shall take account of the former injury as if the legislation of the latter Party applied to it. However, the competent institution of the latter Party shall be liable to pay benefits only in respect of the injury resulting from the new accident at work as determined by the legislation administered by the said institution.

Article 16

(1) Benefits in respect of an occupational disease shall be awarded under the legislation of the Contracting Party to whose legislation the insured person was subject at the time he pursued an activity likely to give rise to that disease, even if the disease is first diagnosed in the territory of the other Contracting Party.

(2) Where the insured person has pursued, in the territories of both Contracting Parties, an activity likely to give rise to the disease in question only the legislation of that Party in whose territory the said person has last pursued such activity before the disease was diagnosed shall be applied. However, this provision shall not apply in cases where the disease in question manifestly is attributable to an activity of the said nature pursued in the territory of the other Contracting Party; in such cases only the legislation of the latter Party shall be applied.

Article 17

The provision of Article 13 shall apply by analogy in the calculation of cash benefits in respect of accidents at work and occupational diseases under Danish legislation.

Article 18

(1) The provision of paragraph (1) of Article 14 shall apply by analogy in the payment of daily cash benefit in respect of accidents at work and occupational diseases.

(2) Subject to the procedures prescribed in the administrative agreement to be concluded in pursuance of Article 29 pensions (annuities) in respect of accidents at work and occupational diseases awarded to a national of a Contracting Party or his survivors under the legislation of one Contracting Party shall not be subject to any reduction, suspension, withdrawal or confiscation by reason of the fact that the recipient is resident in the territory of the other Contracting Party.

TITLE IV
FAMILY BENEFITS

Article 19

Subject to the provisions of Article 20 of this Convention a child who is resident in the territory of Denmark and whose father or mother is a Pakistani national resident in the territory of Denmark shall be entitled to family allowance under Danish legislation under the same conditions as apply to Danish nationals.

Article 20

Children of widows or widowers who are Pakistani nationals as well as orphan children of Pakistani nationals, when the children are resident in the territory of Denmark, shall be entitled to special family allowance under Danish legislation under the same rules as apply to such children of Danish nationals, provided the child or one of its parents has been resident in the territory of Denmark for at least six months and the deceased father and/or mother was resident in the territory of Denmark at the time of the death.

TITLE V
UNEMPLOYMENT INSURANCE

Article 21

Pakistani nationals, when they are resident in the territory of Denmark, shall be accorded equal treatment with Danish nationals as regards the right to be insured against unemployment.

TITLE VI

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

CHAPTER 1

Benefits under Danish legislation

Article 22

- (1) Pakistani nationals who have been employed as workers in the territory of Denmark for at least twelve months shall be entitled to a pension under the legislation on national old-age pension under the same rules as apply to Danish nationals, provided that, after attaining the age at which the right to acquire a pension under the said legislation matures and before attaining the normal minimum age at which a national old-age pension may be claimed, they have been ordinarily resident in the territory of Denmark for a total period of at least five years.
- (2) Other Pakistani nationals shall be entitled to a pension under the legislation on national old-age pension under the same rules as apply to Danish nationals, provided that, after attaining the age at which the right to acquire a pension under the said legislation matures and before attaining the normal minimum age at which a national old-age pension may be claimed, they have been ordinarily resident in the territory of Denmark for at total period of at least five years.
- (3) Save as otherwise provided in this Convention and subject to the procedures prescribed in the administrative agreement to be concluded in pursuance of Article 29 a pension to which a right is acquired by a national of a Contracting Party under Danish legislation or under paragraph (1) of this Article shall not be subject to any reduction, modification, suspension, withdrawal or confiscation by reason of the fact that the recipient is resident in the territory of Pakistan.

(4) As regards the entitlement of Pakistani nationals to an anticipatory old-age pension under subsection (1), item 3), of section 2 of the National Old-Age Pension Act and the conditions governing the payment of such pension in the case of a recipient resident in the territory of Pakistan the provisions of Article 23 of this Convention shall apply by analogy.

(5) Notwithstanding the provisions of paragraphs (1) and (2) of this Article, the provisions of subparagraph (a) of paragraph (1) of Article 24 of this Convention may apply by analogy in determining the entitlement to a national old-age pension of Pakistani nationals who are widows of Pakistani workers and either

- (a) at the time they were widowed had attained the age qualifying them for a national old-age pension, or
- (b) satisfied, if they were widowed prior to their attainment of the said age, the age requirements prescribed for entitlement to a widow's pension.

(6) Notwithstanding the provisions of paragraphs (1) and (2) of this Article, Pakistani nationals who are receiving a pension under the legislation on invalidity pension or on widow's pension shall be entitled to receive, in substitution thereof, a pension under the legislation on national old-age pension on attaining the age qualifying them for such pension. Such national old-age pension shall be payable to a beneficiary resident in the territory of Pakistan only in such cases where, under the provisions of this Convention, the invalidity or widow's pension received by the person concerned prior to the conversion of his pension were payable to him if he were resident in the territory of Pakistan.

Article 23

- (1) Pakistani nationals who have been employed as workers in the territory of Denmark for at least twelve months shall be entitled to a pension under the legislation on invalidity pension under the same rules as apply to Danish nationals, provided that after attaining the age at which the right to acquire a pension under the said legislation matures, they have been ordinarily resident in the territory of Denmark for a continuous period of at least twelve months immediately preceding the date of the claim and that for at least twelve months during their latest uninterrupted period of residence in the territory of Denmark they have been able, physically and mentally, to carry out a normal occupation.
- (2) Other Pakistani nationals shall be entitled to a pension under the legislation on invalidity pension under the same rules as apply to Danish nationals, provided that, after attaining the age at which the right to acquire a pension under the said legislation matures, they have been ordinarily resident in the territory of Denmark for a total period of at least five years, of which for a continuous period of at least twelve months immediately preceding the date of the claim, and that for at least twelve months during their latest uninterrupted period of residence in the territory of Denmark they have been able, physically and mentally, to carry out a normal occupation.
- (3) Entitlement to a pension under paragraphs (1) or (2) of this Article shall be subject to the additional condition that the incapacity for work followed by invalidity occurred while the Pakistani national concerned was resident in the territory of Denmark.

(4) Save as otherwise provided in this Convention and subject to the procedures prescribed in the administrative agreement to be concluded in pursuance of Article 29 a pension to which a right is acquired by a national of a Contracting Party under Danish legislation or under paragraph (1), cf. paragraph (3), of this Article shall not be subject to any reduction, modification, suspension, withdrawal or confiscation by reason of the fact that the recipient is resident in the territory of Pakistan.

(5) Where a Pakistani national has acquired the right to a pension under paragraphs (1) or (2), cf. paragraph (3), of this Article, the conversion of his pension into a pension payable on a higher scale as a result of an aggravation of his invalidity shall not take place if the pensioner is resident outside the territory of Denmark.

Article 24

(1) A woman who is a Pakistani national shall be entitled to a pension under the legislation on widow's pension under the same rules as apply to Danish nationals, provided -

(a) that her deceased husband had been employed as a worker in the territory of Denmark for at least twelve months; that after attaining the age at which the right to acquire a pension under the said legislation matures he had been ordinarily resident in the territory of Denmark for a continuous period of at least twelve months immediately preceding his death; that for at least twelve months during his latest uninterrupted period of residence in the territory of Denmark he had been able, physically and mentally, to carry out a normal occupation; that his death occurred while he was resident in the territory of Denmark; and that at the time of the death of her husband or prior to that time the widow was resident in the territory of Denmark;

(b) that the woman in question herself, after attaining the age at which the right to acquire a pension under the said legislation matures, has been ordinarily resident in the territory of Denmark for at least five years, of which for a continuous period of at least twelve months immediately preceding the date of the claim, and that for at least twelve months during her latest uninterrupted period of residence in the territory of Denmark she was able, physically and mentally, to carry out a normal occupation.

(2) A pension under subsection (2) of section 1 of the Widow's Pension Act may be awarded only under the provision of paragraph (1) (b) of this Article and subject to the condition that the circumstances qualifying for such pension occurred while the woman in question was resident in the territory of Denmark.

(3) Save as otherwise provided in this Convention and subject to the procedures prescribed in the administrative agreement to be concluded in pursuance of Article 29 a pension to which a right is acquired by a national of a Contracting Party under Danish legislation or under paragraph (1), sub-paragraph (a), of this Article shall not be subject to any reduction, modification, suspension, withdrawal or confiscation by reason of the fact that the recipient is resident in the territory of Pakistan.

Article 25

The following supplementary allowances and benefits under Danish legislation on national old-age, invalidity and widow's pensions and on pensioners' housing benefit shall not be payable to persons who are resident outside the territory of Denmark:

- (a) pension supplement;
- (b) wife's allowance;
- (c) marriage allowance;
- (d) personal allowances;
- (e) outside assistance allowance;
- (f) constant attendance allowance;
- (g) disability benefit;
- (h) pensioners' housing benefit.

Article 26

(1) Where a national of a Contracting Party, who has acquired the right to a national old-age, invalidity or widow's pension under Danish legislation or, as the case may be, under the provisions of this Convention has also acquired the right to an old-age, invalidity or widow's pension/allowance under Pakistani legislation or, as the case may be, under the provisions of this Convention, the following rules shall apply in the calculation of the pension payable under Danish legislation:

The competent Danish institution shall establish the amount of pension payable on the basis of the amount of a full pension under Danish legislation - equivalent to 40 years of residence - in the ratio which the number of years of residence completed prior to the materialization of the risk in the territory of Denmark within the age limits prescribed in Danish legislation bears to the figure 40. If so provided for in Danish legislation, in the said calculation the period ranging from the date on which the pension is awarded until attainment of the normal pensionable age (the period credited) shall be added to the number of years of residence completed by the person concerned.

(2) The application of the preceding paragraph (1) shall not result in the total amount of the pension payable by both Contracting Parties being lower than the amount of the pension to which a right is acquired solely under Danish legislation or, as the case may be, under the provisions of this Convention when the pensioner is resident in the territory of Denmark. If necessary the competent Danish institution shall pay the pensioner throughout the period of his residence in the territory of Denmark a supplement equal to the difference.

CHAPTER 2

Benefits under Pakistani legislation

Article 27

(1) Danish nationals resident in the territory of Pakistan shall receive equal treatment with Pakistani nationals as concerns the right to be insured under Pakistani legislation on old-age allowance under the same rules and regulations as apply to Pakistani nationals.

(2) Danish nationals employed as insured persons in the territory of Pakistan shall be entitled to invalidity allowance under Pakistani legislation on invalidity allowance under the same rules and regulations as apply to Pakistani nationals, provided that they have been ordinarily resident in the territory of Pakistan for a continuous period of at least twelve months immediately preceding the date of the claim and that for at least twelve months during their latest uninterrupted period of residence in the territory of Pakistan they have been able, physically and mentally, to carry out a normal occupation.

(3) All periods of residence completed under Danish legislation shall be taken into account for the determination of rights to benefits under this Convention to the extent that the aggregate of such periods does not exceed the minimum period required for the qualification to benefits: Provided that for the determination of the rights to benefits under this paragraph, no account shall be taken of any period completed after the date of occurrence of the contingency.

(4) Subject to the procedures prescribed in the administrative agreement to be concluded in pursuance of Article 29, the benefits to which a right is acquired by the national of a Contracting Party under paragraphs (1) or (2) of this Article shall not be subject to any reduction, modification, suspension, withdrawal or confiscation by reason of the fact that the recipient is resident in the territory of Denmark.

Article 28

(1) Where the right to an old-age, invalidity or widow's pension/allowance has been acquired under the legislations of both Contracting Parties or, as the case may be, under the provisions of this Convention, the following rules shall apply in the calculation of benefits under Pakistani legislation:

(a) The competent Pakistani institution shall calculate the theoretical amount of benefits that the person concerned could have claimed if all the periods completed under the legislations of both Contracting Parties had been completed by him in the territory of Pakistan under Pakistani legislation on the date the benefit is to be awarded.

- (b) The institution shall then establish the actual amount of benefit payable by it on the basis of the theoretical amount referred to in sub-paragraph (a) of this paragraph and in the ratio which the length of the periods completed under Pakistani legislation before the occurrence of the risk bears to the total length of the periods completed before the occurrence of the risk under the legislations of both Contracting Parties.
 - (c) In case the total length of the periods completed under the legislations of both Contracting Parties before the occurrence of the risk is longer than the period of insurable employment required for accrual of maximum benefit under Pakistani legislation, then for the total length of the periods referred to in sub-paragraph (b) the said period of insurable employment required for accrual of maximum benefit shall be applied instead.
 - (d) The amount of benefit thus arrived at shall be payable by the competent Pakistani institution to the person concerned.
 - (e) In case the aggregate of the amounts payable by both Contracting Parties be less than that which the person concerned would have received solely under Pakistani legislation, the competent Pakistani institution shall pay a supplement equal to the difference as long as the person concerned is resident in the territory of Pakistan.
- (2) The provision of paragraph (1) of this Article shall apply even where the benefits to which a right has been acquired are not of the same kind.

TITLE VII
MISCELLANEOUS PROVISIONS

Article 29

The competent authorities of the two Contracting Parties, or bodies designated by them, shall

- (a) conclude the necessary administrative agreement for the application of this Convention;
- (b) communicate to each other all information regarding the measures taken for the application of this Convention;
- (c) communicate to each other all information regarding changes made in their legislation which may affect the application of this Convention;
- (d) designate in the above-mentioned administrative agreement liaison bodies with a view to facilitating the application of this Convention.

Article 30

For the purposes of applying this Convention

- (a) the competent authorities and institutions of the Contracting Parties shall lend their good offices and act as though applying their own legislation. As a rule such mutual administrative assistance shall be afforded free of charge by the said authorities and institutions. However, the competent authorities of the Contracting Parties may agree to certain expenses being reimbursed;

- (b) the authorities and institutions of the Contracting Parties may communicate directly with each other and with the persons concerned or their representatives. In such communication use shall be made of the English language.

Article 31

(1) Any exemption from or reduction of taxes, stamp duty, notarial or registration fees provided for in the legislation of a Contracting Party in respect of certificates or documents required to be produced for the purposes of the legislation of that Party shall be extended to similar certificates or documents required to be produced for the purposes of the legislation of the other Contracting Party or of this Convention.

(2) All statements, documents and certificates of any kind whatsoever required to be produced for the purposes of this Convention shall be exempt from authentication by diplomatic or consular authorities.

Article 32

Any claim for old-age, invalidity or survivors' benefits (pensions), for pensions in respect of accidents at work and occupational diseases, and for death grants (funeral allowances) shall be submitted in accordance with the provisions of the administrative agreement to be concluded in pursuance of Article 29.

Article 33

The administrative agreement to be concluded in pursuance of Article 29 shall provide for the procedures to be followed

(1) in the carrying out of the medical examinations and administrative checks required by virtue of the legislation of a Contracting Party in cases where

(i) a person claiming benefit under the legislation of that Party or

(ii) a person in receipt of benefit under the legislation of that Party

is resident or staying in the territory of the other Contracting Party.

(2) in the payment of cash benefit to persons who are resident or staying in the territory of a Contracting Party other than that in which the institution responsible for such payment is situated.

Article 34

The special provisions contained in Danish legislation on the membership of foreign workers of the Labour Market Supplementary Pension Scheme (ATP) shall apply to Pakistani workers employed in the territory of Denmark.

Article 35

Any dispute that may arise in connection with the application on this Convention shall be resolved by mutual agreement between the competent authorities of the two Contracting Parties.

TITLE VIII
FINAL AND TRANSITIONAL PROVISIONS

Article 36

- (1) The provisions of Articles 22 to 24 of this Convention do not entitle a Pakistani national to a pension under the transitional provisions of the Danish Acts of 7 June 1972 on the pension rights of Danish nationals who have been ordinarily resident in the Kingdom of Denmark for specified periods prior to the date of their claims.
- (2) No benefit shall be awarded under this Convention for any period prior to the date of its entry into force.
- (3) All periods of insurance and periods treated as such and all periods of employment or residence completed under the legislation of a Contracting Party prior to the date of entry into force of this Convention shall be taken into account for the determination of rights to benefits under this Convention. However, periods of residence completed under Danish legislation prior to 1 April 1957 shall not be taken into account for the calculation of the amounts of national old-age, invalidity or widow's pensions under Danish legislation payable to Pakistani nationals resident in the territory of Pakistan.
- (4) Subject to the provision of paragraph (2) of this Article, a right shall be acquired under this Convention, even though relating to a contingency which materialised prior to the entry into force of this Convention.

(5) Any benefit which has not been awarded or which has been suspended by reason of the nationality of the person concerned or his residence in the territory of the other Contracting Party shall, on the application of that person, be awarded or resumed with effect from the date of entry into force of this Convention, provided that the rights previously determined have not given rise to a lump-sum payment. Where the legislation of a Contracting Party does not require the filing of a claim for a benefit, such benefit shall be awarded without the person concerned submitting any application therefore.

(6) If the application referred to in paragraph (5) of this Article is submitted within two years from the date of entry into force of this Convention, the rights acquired under this Convention shall have effect from that date. If the application referred to in paragraph (5) of this Article is submitted after the expiry of the two-year - period following the date of entry into force of this Convention, rights which have not been forfeited or are not barred by limitation shall have effect from the date on which the application was submitted.

Article 37

This Convention shall be ratified and the instruments of ratification shall be exchanged at Copenhagen. The Convention shall enter into force on the first day of the second month following the month in which the instruments of ratification are exchanged.

Article 38

(1) This Convention shall remain in force for a period of twelve months as from the date of its entry into force. Thereafter it shall continue to be in force from year to year unless it is denounced in writing by the Government of any of the Contracting Parties, which shall be done at least three months before the expiry of any one-year period. In the case of such denunciation the Convention shall cease to be in force at the expiry of the one-year period in which it is denounced.

(2) The termination of the Convention shall be without prejudice to any rights previously acquired by a person in accordance with its provisions. Any questions relating to the award of future benefits by virtue of rights in the course of acquisition at the time when the Convention ceases to have effect following denunciation shall be settled by special agreement.

In witness whereof the undersigned, duly authorized by their respective Governments, have signed this Convention.

Done in triplicate at Copenhagen this day of March 1, 1982 in the Urdu, Danish and English languages, each version being equally authoritative.

For the Government of the
Islamic Republic of Pakistan

For the Government of the
Kingdom of Denmark

(sign.) Ghulam Dastgir Khan

(sign.) Bent Hansen

PROTOCOL

(integral part of the Convention)

In connection with the Convention on Social Security signed today between the Islamic Republic of Pakistan and the Kingdom of Denmark the Contracting Parties have agreed as follows:

1. The co-ordination of pensions dealt with in Article 26 of the Convention shall not apply to a pension acquired under Danish legislation on the Labour Market Supplementary Pensions Scheme (ATP).
2. The conditions for entitlement under Danish legislation to daily cash benefit in lieu of earnings in the event of childbirth shall not be deemed to be fulfilled if the person concerned has solely registered with the public employment service as being available for employment.
3. (a) Anticipatory national old-age pension awarded under Danish legislation by way of exemption from the qualifying age for reasons of unemployment or similar absence of opportunities for access to gainful activity shall not be payable to any national of a Contracting Party resident outside the territory of Denmark.

(b) The preceding paragraph (a) shall apply equally to Voluntary Early Retirement Pay awarded in succession of unemployment benefit under Danish legislation to persons insured against unemployment following their attainment of a specified age.
4. The following rules shall apply in the event of future adoption of Pakistani legislation providing for payment of family benefit and/or unemployment benefit:

- (i) Danish nationals who by virtue of the provisions of Articles 5, 7 and 8 of the Convention are subject to Pakistani legislation shall enjoy equality of treatment under such future Pakistani legislation in conformity with the provisions laid down in Article 6 of the Convention.
- (ii) As regards payment of family benefit such benefit may be claimed in respect of the same child only under the legislation of the Contracting Party in whose territory the child is resident.

In witness whereof the undersigned, duly authorized by their respective Governments, have signed this Protocol.

Done in triplicate at Copenhagen this day of March 1, 1982 in the Urdu, Danish and English languages, each version being equally authoritative.

For the Government of the
Islamic Republic of Pakistan

For the Government of the
Kingdom of Denmark

(sign.) Ghulam Dastgir Khan

(sign.) Bent Hansen