

**No. 44987\***

---

**Finland  
and  
Chile**

**Agreement between the Republic of Finland and the Republic of Chile on social security. Santiago, 7 March 1997**

**Entry into force:** *1 January 2008 by notification, in accordance with article 28*

**Authentic texts:** *English, Finnish and Spanish*

**Registration with the Secretariat of the United Nations:** *Finland, 10 June 2008*

---

**Finlande  
et  
Chili**

**Accord de sécurité sociale entre la République de Finlande et la République du Chili. Santiago, 7 mars 1997**

**Entrée en vigueur :** *1er janvier 2008 par notification, conformément à l'article 28*

**Textes authentiques :** *anglais, finnois et espagnol*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Finlande, 10 juin 2008*

\* *The texts reproduced below are the original texts of the agreement as submitted. For ease of reference, they were sequentially paginated. Their final UNTS version is not yet available.*

*Les textes reproduit ci-dessous sont les textes authentiques de l'accord tel que soumises pour l'enregistrement. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Leur version finale RTNU n'est pas encore disponible.*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

A G R E E M E N T

between the Republic of Finland and the Republic of Chile  
on Social Security

The Government of the Republic of Finland and the Government of the Republic of Chile, hereinafter referred to as "the Parties"

Being desirous of regulating the relationship between the two states in the field of social security have agreed as follows:

## PART I

### General Provisions

#### Article 1

##### Definitions

##### 1. For the purpose of this Agreement:

- a) "legislation" means the laws, decrees and regulations relative to the social security systems of the Parties specified in Article 2 of this Agreement;
- b) "competent authority" means, as regards Finland: The Ministry of Social Affairs and Health and, as regards Chile: The Minister of Labour and Social Welfare;
- c) "institution" means the authority or institution responsible for administering the legislation specified in Article 2 of this Agreement;
- d) "competent institution" means the institution which is responsible for providing benefits under the applicable legislation;
- e) "benefit" means any payment in cash or other benefit under the legislation defined in Article 2 of this Agreement including any additional amount, increase or supplement payable in addition to that benefit under the legislation of a Party, unless otherwise specified in this Agreement;
- f) "period of insurance" means a period of employment or self-employment, of contributions or residence, as defined or recognized as a period of insurance in the legislation under which such period has been or is deemed to have been completed, or any similar period insofar as it is recognized in the legislation of a Party as equivalent to a period of insurance;
- g) "residing" means, as regards Finland: that the person is permanently resident and has his home in Finland and that he mainly stays in Finland and, as regards Chile: what the legislation of Chile defines as such;
- h) "family member" means, as regards Finland: spouse and any child under 18 years of age as well as children under 25 years of age who are full-time students or students participating in vocational training and, as regards Chile: any person who is deemed to be a family member according to the applicable legislation;

- i) "employed person" means, as regards Finland: a person employed under the legislation concerning the Employment Pension Scheme and, as regards Chile: every person who is at the service of an employer under a subordination and dependency relationship, as well as a person considered as such by the applicable legislation;
- j) "self-employed person" means, as regards Finland: a person self-employed under the legislation concerning the Employment Pension Scheme and, as regards Chile: every person who exercises an activity of his own and receives income therefrom.

2. Other words and expressions used in this Agreement shall have the meanings respectively assigned to them in the legislation applied.

## Article 2

### Applicable Legislation

1. This Agreement shall apply to the legislation governing:

A. As regards Finland:

- a) the National Pension Scheme and the Employment Pension Scheme;
- b) health care benefits for pensioners including reimbursements for medical expenses according to the Sickness Insurance Act and public health care services;
- c) employer's social security contributions as to the National Pension contribution.

B. As regards Chile:

- a) The new pension system on old-age, invalidity and survivors' pensions based on individual capitalization;
- b) the pension system on old-age, invalidity and survivors' pensions administered by the Instituto de Normalización Previsional;
- c) health care benefits for pensioners.

2. Unless otherwise agreed between the Parties, this Agreement shall also apply to future legislation codifying, replacing, amending or complementing the legislation specified in paragraph 1.
3. The competent authorities shall notify each other of the amendments to the legislation governing the social security branches specified in paragraph 1.
4. Unless otherwise provided, the application of this Agreement shall not be affected by international agreements concluded by the Parties, or such legislation of a Party that has been promulgated for the implementation of an international agreement.

### Article 3

#### Persons Covered by this Agreement

Unless otherwise provided, this Agreement shall apply to all persons who are or have been subject to the legislation referred to in Article 2 of this Agreement, as well as persons who derive their rights from these persons.

### Article 4

#### Equal Treatment

Unless otherwise provided in this Agreement, the following persons, while residing in the territory of a Party, shall have the same rights and obligations under the legislation of a Party as nationals of that Party

- a) nationals of the other Party;
- b) refugees, as referred to in the Convention relating to the Status of Refugees of 28 July 1951 and the Protocol of 31 January 1967 to that Convention;
- c) stateless persons;
- d) persons who derive their rights from the persons mentioned under sub-paragraphs a — c.