

No. 49418

**Australia
and
Slovenia**

Agreement concerning the provision of health care between the Government of Australia and the Government of the Republic of Slovenia. Canberra, 11 March 2009

Entry into force: *1 July 2011 by notification, in accordance with article 7*

Authentic texts: *English and Slovene*

Registration with the Secretariat of the United Nations: *Australia, 6 March 2012*

**Australie
et
Slovénie**

Accord relatif à la fourniture de soins de santé entre le Gouvernement de l'Australie et le Gouvernement de la République de Slovénie. Canberra, 11 mars 2009

Entrée en vigueur : *1^{er} juillet 2011 par notification, conformément à l'article 7*

Textes authentiques : *anglais et slovène*

Enregistrement auprès du Secrétariat des Nations Unies : *Australie, 6 mars 2012*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT CONCERNING THE PROVISION OF HEALTH CARE BETWEEN
THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE
REPUBLIC OF SLOVENIA**

The Government of Australia and the Government of the Republic of Slovenia (“the Parties”), desirous of mutually regulating the field of health care of eligible persons of one Party during their presence in the territory of the other Party, have agreed as follows:

Article 1

DEFINITIONS

(1) Terms in this Agreement mean:

- (a) “medical services”
 - i) in relation to the Republic of Slovenia, medical services provided under the *Health Care and Health Insurance Act 1992*; and
 - ii) in relation to Australia, pharmaceutical benefits provided to a general patient as defined under the *National Health Act 1953*, professional and hospital services provided, or in respect of which a benefit is payable, under the *Health Insurance Act 1973* or the *National Health Act 1953* and any agreements or determinations made under the *Health Insurance Act 1973* in relation to provision in the States and Territories of Australia of public hospital services and other health services.
- (b) “insured person”

in relation to the Republic of Slovenia, a person covered by compulsory health insurance under the *Health Care and Health Insurance Act 1992*.
- (c) “resident”

in relation to Australia, a person who is an Australia resident under the *Health Insurance Act 1973*.
- (d) “territory”
 - i) in relation to the Republic of Slovenia, the territory of the Republic of Slovenia; and
 - ii) in relation to Australia, the territory of Australia for the purposes of the *Health Insurance Act 1973*.
- (e) “temporary stay”

lawful presence but not permanent residence in the territory of the Parties.
- (f) “competent authority”
 - i) in relation to the Republic of Slovenia, the Ministry of Health; and
 - ii) in relation to Australia, the Department of Health and Ageing.

(g) “competent institution”

- i) in relation to the Republic of Slovenia, the Health Insurance Institute of Slovenia; and
- ii) in relation to Australia, the Department of Health and Ageing or an institution authorised by the Department for this purpose.

(2) For the purposes of this Agreement, unless the context otherwise requires, other terms and words shall have the meanings assigned to them by the respective legislations of the Parties as defined in paragraph (1) (a) of this Article.

(3) This Agreement shall also apply to any legislation which replaces, amends, supplements, or consolidates the legislation referred to in paragraph (1) (a) of this Article.

Article 2

PERSONS COVERED

(1) This Agreement shall apply to persons of one Party who are temporarily staying in the territory of the other Party and who are:

- (a) in relation to the Republic of Slovenia, persons covered by compulsory health insurance under the *Health Care and Health Insurance Act 1992*; and
- (b) in relation to Australia, residents under the *Health Insurance Act 1973*.

(2) This Agreement shall also apply to persons who are members of a diplomatic mission or consular post established by one Party in the territory of the other, and their family members living with them in the same household.

(3) This Agreement does not apply to a person who falls within the terms of paragraph (1) of this Article, where that person enters the territory of the other Party for the purpose of treatment unless that person is a member of the crew or passenger on any ship, vessel or aircraft travelling to, leaving from, or diverted to the territory of the other Party and the need for the treatment arose during the voyage or flight.

Article 3

MEDICAL SERVICES

(1) A person who falls within the terms of paragraph (1) of Article 2, while in the territory of the other Party, who needs necessary medical treatment for ill health which requires immediate medical attention, shall be provided with such medical services as are clinically necessary for the diagnosis, treatment or care of the condition on the same terms as would apply to insured persons when present in the territory of the Republic of Slovenia or residents when present in the territory of Australia.

(2) A person who falls within the terms of paragraph (2) of Article 2 shall be eligible for medical services at all times during that person's stay in the territory of the other Party to the

same extent and under the same conditions as insured persons when present in the territory of the Republic of Slovenia or residents when present in the territory of Australia.

Article 4

FINANCIAL PROVISIONS

In accordance with this Agreement neither Party shall be liable to reimburse the other Party the costs of medical services provided.

Article 5

COMPETENT AUTHORITIES AND INSTITUTIONS

1) The competent authorities of the Parties must inform each other as soon as possible of any changes in their legislation which are applicable in their territories and may significantly affect the nature and scope of medical services envisaged under this Agreement.

(2) Matters relating to the interpretation of this Agreement shall be resolved by consultation between the competent authorities of the Parties.

(3) Matters relating to the application of this Agreement shall be resolved by consultation between the competent institutions of the Parties.

(4) The competent institutions of the Parties shall make whatever administrative arrangements are necessary to implement this Agreement.

Article 6

DOCUMENTS

In order to receive medical services under this Agreement, a person who falls within the terms of paragraph (1) or paragraph (2) of Article 2 must submit a valid passport and evidence of eligibility for:

- (a) compulsory health insurance in the Republic of Slovenia; or
- (b) residence under the *Health Insurance Act 1973*.

Article 7

FINAL PROVISIONS

(1) This Agreement shall enter into force on the date that the Parties notify each other in writing, through the diplomatic channels, that all their respective requirements for its entry into force have been fulfilled.

(2) This Agreement shall remain in force until the expiration of 12 months from the date on which either Party receives from the other, written notice through the diplomatic channel of its intention to terminate this Agreement.

(3) In the event this Agreement is terminated in accordance with paragraph (2) of this Article, the Agreement shall continue to have effect in relation to medical treatment which was being provided prior to or at the expiry of the period of notice referred to in that paragraph.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed this Agreement.

Done in duplicate at Canberra on 11 March 2009 in the English and Slovene languages, both texts being equally authoritative.

FOR THE GOVERNMENT OF
AUSTRALIA

.....
The Hon. Nicola Roxon
Minister for Health and Ageing

FOR THE GOVERNMENT OF THE
REPUBLIC OF SLOVENIA

.....
Gregor Kozovinc
Chargé d'Affaires a.i.