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**United States of America
and
Norway**

Agreement between the Government of the United States of America and the Kingdom of Norway on social security. Oslo, 30 November 2001

Entry into force: *1 September 2003, in accordance with article 18*

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**États-Unis d'Amérique
et
Norvège**

Accord entre le Gouvernement des États-Unis d'Amérique et le Royaume de Norvège sur la sécurité sociale. Oslo, 30 novembre 2001

Entrée en vigueur : *1^{er} septembre 2003, conformément à l'article 18*

Textes authentiques : *anglais et norvégien*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

**BETWEEN THE UNITED STATES OF AMERICA
AND THE KINGDOM OF NORWAY
ON SOCIAL SECURITY**

The Government of the United States of America

and

The Government of the Kingdom of Norway,

BEING DESIROUS of regulating the relationship between their two countries in the field of Social Security, have agreed as follows:

PART I

Definitions and Laws

Article 1

For the purpose of this Agreement:

1. "Territory" means, as regards the United States, the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and the Northern Mariana Islands, and as regards Norway, the territory of the Kingdom of Norway;
2. "Norwegian Continental Shelf" means the sea bed and its subsoil of the submarine areas outside the coast of the Kingdom of Norway over which Norway has sovereign rights for the purpose of exploring it and exploiting its natural resources;
3. "National" means, as regards the United States, a national of the United States as defined in Section 101, Immigration and Nationality Act of 1952, as amended, and as regards Norway, a person of Norwegian nationality;
4. "Laws" means the laws and regulations specified in Article 2;
5. "Competent Authority" means, as regards the United States, the Commissioner of Social Security, and as regards Norway, the Ministry of Health and Social Affairs;
6. "Agency" means, as regards the United States, the Social Security Administration, and as regards Norway, the office or authority responsible for applying all or part of the laws designated in Article 2;
7. "Period of coverage" means a period of payment of contributions or a period of earnings from employment or self-employment, as defined or recognized as a period of coverage by the laws under which such period has been completed, or any similar period insofar as it is recognized by such laws as equivalent to a period of coverage;
8. "Benefit" means any benefit provided for in the laws of either Contracting State;
9. "Stateless person" means a person defined as a stateless person in Article 1 of the Convention relating to the Status of Stateless Persons dated September 28, 1954;
10. "Refugee" means a person defined as a refugee in Article 1 of the Convention relating to the Status of Refugees dated July 28, 1951, and the Protocol to that Convention dated January 31, 1967.

Article 2

1. For the purpose of this Agreement, the applicable laws are:
 - (a) As regards the United States, the laws governing the Federal old-age, survivors, and disability insurance program:
 - (i) Title II of the Social Security Act and regulations pertaining thereto, except sections 226, 226A and 228 of that title and regulations pertaining to those sections,
 - (ii) Chapter 2 and Chapter 21 of the Internal Revenue Code of 1986 and regulations pertaining to those chapters;
 - (b) As regards Norway:

The National Insurance Act of 28 February 1997, except chapters 4, 5, 8, 9, 13, 14 and 15, unless otherwise provided in Part III.
2. Unless otherwise provided in this Agreement, laws within the meaning of paragraph 1 shall not include treaties or other international agreements concluded between one Contracting State and a third State, or laws or regulations promulgated for their specific implementation.

PART II

General Provisions

Article 3

This Agreement, unless it provides otherwise, shall apply to:

- (a) nationals of either Contracting State,
- (b) refugees,
- (c) stateless persons,
- (d) other persons with respect to the rights they derive from a national of either Contracting State, a refugee or a stateless person, and
- (e) nationals of a State other than a Contracting State who are not included among the persons referred to in paragraph (d) of this Article, and who are or have been subject to the laws of a Contracting State.

Article 4

1. Unless otherwise provided in this Agreement, the persons designated in Article 3 (a), (b), (c) or (d) who reside in the territory of either Contracting State shall, in the application of the laws of a Contracting State, receive equal treatment with the nationals of that Contracting State.
2. Nationals of a Contracting State who reside outside the territories of both Contracting States shall receive benefits provided by the laws of the other Contracting State under the same conditions which the other Contracting State applies to its own nationals who reside outside the territories of both Contracting States.
3. Unless otherwise provided in this Agreement, the laws of a Contracting State under which entitlement to or payment of cash benefits is dependent on residence or presence in the territory of that Contracting State shall not be applicable to the persons designated in Article 3 who reside in the territory of the other Contracting State.
4. This Article shall be applied by the United States in a manner consistent with Section 233(c)(4) of the United States Social Security Act.

PART III

Provisions on Coverage

Article 5

1. Unless otherwise provided in this Article, a person employed within the territory of one of the Contracting States shall with respect to that employment be subject to the laws on compulsory coverage of only that Contracting State.
2. (a) If a person in the service of an employer having a place of business in the territory of one Contracting State is sent by that employer to the territory of the other Contracting State for a temporary period, the person shall be subject to the laws on compulsory coverage of only the first Contracting State as if he were still employed in the territory of the first Contracting State, provided that his employment in the territory of the other Contracting State is not expected to last for more than 5 years. The spouse and children who accompany a person sent by an employer located in the territory of one Contracting State to the territory of the other Contracting State shall be subject to the laws on compulsory coverage of only the first Contracting State for any period in which they are not employed in the other Contracting State.
- (b) For purposes of applying this paragraph in the case of an employee who is sent from the territory of the United States by an employer in that territory to the territory of Norway, that employer and an affiliated company of the