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**Poland
and
Moldova**

**Agreement between the Republic of Poland and the Republic of Moldova on social insurance
(with administrative arrangement). Warsaw, 9 September 2013**

Entry into force: *1 December 2014, in accordance with article 31*

Authentic texts: *English, Moldovan and Polish*

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**Pologne
et
Moldova**

**Accord entre la République de Pologne et la République de Moldova relatif à l'assurance
sociale (avec arrangement administratif). Varsovie, 9 septembre 2013**

Entrée en vigueur : *1^{er} décembre 2014, conformément à l'article 31*

Textes authentiques : *anglais, moldave et polonais*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Pologne,
1^{er} décembre 2014*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT
BETWEEN THE REPUBLIC OF
POLAND
AND THE REPUBLIC OF MOLDOVA
ON SOCIAL INSURANCE**

The Republic of Poland

and

the Republic of Moldova

hereinafter referred to as the "Contracting Parties",
aiming, by common will, to regulate and to develop the bilateral
relations in the area of social insurance, have agreed as follows:

Part I
GENERAL PROVISIONS

Article 1
Definitions

- (1) For the purposes of this Agreement, the following terms and expressions shall mean:
1. "legislation" - the laws and other legal provisions related to the material scope referred to in the Article 2;
 2. "competent authority" - in the Republic of Poland the minister competent for the social security, in the Republic of Moldova the ministry competent for the social insurance;
 3. "competent institution" - the institution responsible for the application of the legislation;
 4. "liaison body" - the institution that provides coordination and exchange of information between the institutions of both Contracting Parties, designated for the implementation of this Agreement and also for providing information about the rights and responsibilities arising therefrom to the persons concerned;
 5. "insured person" - any person who is or has been subject to the legislation of either Contracting Party;
 6. "period of insurance" - contribution periods, periods of employment or self-employment and equivalent periods completed according to the legislation of each Contracting Party;
 7. "benefit"- all kinds of cash benefits provided by the legislation of each Contracting Party, including supplements and increases of these benefits;
 8. "place of residence" - the place of permanent stay;
 9. "place of stay" - the place of temporary stay;
 10. "members of the family" - the persons defined as a members of the family by the legislation applied by the competent institution.
- (2) All other terms and expressions used in this Agreement shall have the meaning assigned to them in the applicable legislation of each Contracting Party.

Article 2
Material scope

- (1) This Agreement shall apply:

1. to the Republic of Moldova, to the following benefits within the state social insurance:
 - a) old age pensions,
 - b) invalidity pensions as a consequence of common diseases,
 - c) invalidity pensions and indemnities as a consequence of accidents at work and occupational diseases,
 - d) survivors' pensions;
 2. to the Republic of Poland, to the following benefits within the social insurance and social insurance for farmers:
 - a) old age pensions,
 - b) invalidity pensions,
 - c) survivors' pensions,
 - d) one-time indemnity payments and pensions in respect of accidents at work and occupational diseases.
- (2) This Agreement shall also apply to the laws and other legal provisions which replace, codify, amend or supplement the legislation.
- (3) This Agreement shall not apply to the laws and other legal provisions which extend the existing legislation of one Contracting Party to new categories of beneficiaries, if the competent authority of that Contracting Party notifies the competent authority of the other Contracting Party, within six months from the date of publication of such laws or legal provisions, that no such extension of this Agreement is intended.

Article 3

Personal scope

This Agreement shall apply to:

1. persons who are or have been subject to the legislation of one or both Contracting Parties;
2. persons, whose rights derive from the rights of persons specified in subparagraph 1.

Article 4

Equal treatment

Unless otherwise provided in this Agreement, the persons covered by this Agreement have the same rights and are subject to the same obligations under the legislation of one Contracting Party, as citizens of that Contracting Party.

Article 5
Export of benefits

- (1) Unless otherwise provided in this Agreement, the benefits payable under the legislation of one Contracting Party shall not be subject to any reduction, amendment, suspension, discontinuation or confiscation by reason of the fact that the entitled person has a place of residence in territory of the other Contracting Party.
- (2) The provisions of paragraph (1) shall not apply:
 1. in the Republic of Moldova to: state benefits, seniority pensions and pensions for some categories of citizens;
 2. in the Republic of Poland to: benefits granted under a special procedure or in exceptional cases.

Article 6
Prevention of overlapping of benefits

Unless the provisions of Part III do not provide otherwise, this Agreement shall not confer or maintain the right to two or more benefits in the same respect for the same period of compulsory insurance.

Part II
APPLICABLE LEGISLATION

Article 7
General rules

Unless otherwise provided in this Agreement:

1. a person employed in the territory of one Contracting Party shall, with respect to that employment, be subject to the legislation of this Contracting Party, even if he/she resides in the territory of the other Contracting Party, or if the employer has his head office or his registered office in the territory of the other Contracting Party;
2. self-employed person conducting the activity on the territory of one Contracting Party shall, with respect to that activity, be subject to the legislation of this Contracting Party, even if he/she resides in the territory of the other Contracting Party;
3. civil servant and person treated as such shall be subject to the legislation of the Contracting Party, whose administration employs them.