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**Japan
and
Luxembourg**

**Agreement between Japan and the Grand Duchy of Luxembourg on social security. Tokyo,
10 October 2014**

Entry into force: *1 August 2017, in accordance with article 32*

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**Japon
et
Luxembourg**

**Accord de sécurité sociale entre le Japon et le Grand-Duché de Luxembourg. Tokyo,
10 octobre 2014**

Entrée en vigueur : *1^{er} août 2017, conformément à l'article 32*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN
JAPAN AND THE GRAND DUCHY OF LUXEMBOURG
ON SOCIAL SECURITY

Japan and the Grand Duchy of Luxembourg,

Being desirous of regulating their mutual relations in
the field of social security,

Have decided to conclude an agreement on social
security as follows:

PART I
GENERAL PROVISIONS

Article 1
Definitions

1. For the purpose of this Agreement,
 - (a) The term "Luxembourg" means the Grand Duchy of Luxembourg;
 - (b) The term "national" means,
 - as regards Japan,
a Japanese national within the meaning of the law
on nationality of Japan,
 - as regards Luxembourg,
a person of Luxembourg nationality;
 - (c) The term "legislation" means,
 - as regards Japan,
the laws and regulations of Japan concerning the
Japanese pension systems and the Japanese health
insurance systems specified in paragraph 1 of
Article 2,
 - as regards Luxembourg,
the laws, regulations and statutory provisions
concerning the branches of social security of
Luxembourg specified in paragraph 2 of Article 2;

- (d) The term "competent authority" means,
- as regards Japan,
any of the Governmental organizations competent
for the Japanese pension systems and the Japanese
health insurance systems specified in paragraph 1
of Article 2,
- as regards Luxembourg,
the Ministers, to the extent that each Minister
is responsible for the implementation of the
legislation of Luxembourg;
- (e) The term "competent institution" means,
- as regards Japan,
any of the insurance institutions, or any
association thereof, responsible for the
implementation of the Japanese pension systems
and the Japanese health insurance systems
specified in paragraph 1 of Article 2,
- as regards Luxembourg,
the institution, organization or authority
responsible, in full or in part, for the
implementation of the legislation of Luxembourg;
- (f) The term "period of coverage" means,
- as regards Japan,
a period of contributions under the legislation
of Japan concerning the Japanese pension systems
specified in paragraph 1(a) of Article 2, and any
other periods taken into account under that
legislation for establishing entitlement to
benefits,
- however, a period which shall be taken into
account, for the purpose of establishing
entitlement to benefits under that legislation,
pursuant to other agreements on social security
comparable with this Agreement, shall not be
included,
- as regards Luxembourg,
any period of contribution recognized as such, as
well as any period recognized as equivalent to a
period of contribution under the legislation of
Luxembourg;

- (g) The term "benefit" means a pension or any other cash benefit under the legislation of a Contracting State.

2. For the purpose of this Agreement, any term not defined in this Agreement shall have the meaning assigned to it under the applicable legislation.

Article 2
Matters Covered

This Agreement shall apply,

1. as regards Japan,

(a) to the following Japanese pension systems:

- (i) the National Pension (except the National Pension Fund); and
- (ii) the Employees' Pension Insurance (except the Employees' Pension Fund);

however, for the purpose of this Agreement, the National Pension shall not include the Old Age Welfare Pension or any other pensions which are granted on a transitional or complementary basis for the purpose of welfare and which are payable wholly or mainly out of national budgetary resources; and

(b) to the Japanese health insurance systems implemented under the following laws, as amended:

- (i) the Health Insurance Law (Law No. 70, 1922);
- (ii) the Seamen's Insurance Law (Law No. 73, 1939);
- (iii) the National Health Insurance Law (Law No. 192, 1958);
- (iv) the Law Concerning Mutual Aid Association for National Public Officials (Law No. 128, 1958);
- (v) the Law Concerning Mutual Aid Association for Local Public Officials and Personnel of Similar Status (Law No. 152, 1962);
- (vi) the Law Concerning Mutual Aid for Private School Personnel (Law No. 245, 1953); and

- (vii) the Law Concerning the Security of
Healthcare Treatment for Senior Citizens
(Law No. 80, 1982);

however, for the purpose of this Agreement,
Articles 5, 13 to 20, 26, 27, 30 (except for
paragraph 3), 31 and paragraphs 2 and 3 of
Article 33 shall only be applicable to the
Japanese pension systems referred to in (a) of
this paragraph; and

2. as regards Luxembourg, to the following branches of
social security of Luxembourg:

- (a) the pension insurance in case of old-age,
invalidity and survivorship; and
- (b) as regards Part II and relevant provisions in
this Agreement, the sickness and maternity
insurance, accidents at work and occupational
diseases insurance, dependency insurance,
unemployment benefits and family benefits;

for the purpose of Article 21 only, this
Agreement shall apply to Article 2 of the Code of
social security;

however, this Agreement shall not apply to social
assistance or to benefit systems for victims of
war or its consequences.

3. This Agreement shall also apply to all amendments to
the legislations of both Contracting States insofar as they
do not modify substantially the scope of the systems
regulated or implemented by those prior to such amendments.

Article 3 Persons Covered

This Agreement shall apply to all persons who are or
have been subject to the legislation of a Contracting
State, as well as family members or survivors who derive
rights from such persons.

Article 4 Equality of Treatment

Unless otherwise provided in this Agreement, the
persons specified in Article 3, who ordinarily reside in
the territory of a Contracting State, shall receive equal
treatment with nationals of that Contracting State in the
application of the legislation of that Contracting State.