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, 14 to 21, 26, 27, 30 (except for paragraph 3) and paragraph 2 of Article 33 shall only be applicable to the Japanese pension systems referred to in (a) of this paragraph; and

2. as regards Hungary, to the laws and regulations concerning:

(a) the insurance obligation and the payment of contribution covering social insurance benefits and benefits paid in case of unemployment; and

(b) the social insurance pension benefits;

however, the laws and regulations specified in this paragraph shall not include treaties or other international agreements on social security concluded or which may be concluded between Hungary and a third state, or laws and regulations promulgated for their specific implementation.

Article 3
Persons Covered

This Agreement shall apply to a person who is or has been subject to the legislation of a Contracting State, as well as family members or survivors who derive rights from such person.

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. For the purposes of this Article, as regards the application of the legislation of Hungary, "to ordinarily reside" means to stay with the intention of staying continuously longer than three months from the date of first entry relating to that stay into Hungary.

Article 5
Payment of Benefits Abroad

1. Unless otherwise provided in this Agreement, any provision of the legislation of a Contracting State which imposes restriction of entitlement to or payment of benefits solely because the person ordinarily resides outside the territory of that Contracting State shall not be applicable to persons who ordinarily reside in the territory of the other Contracting State.

2. Benefits under the legislation of a Contracting State shall be paid to nationals of the other Contracting State who ordinarily reside in the territory of the third state, under the same conditions as if they were nationals of the first Contracting State.