

No. 6996

**NETHERLANDS
and
SPAIN**

Agreement (with Protocol) concerning the immigration, recruitment and placement of Spanish workers in the Netherlands. Signed at Madrid, on 8 April 1961

Official texts: Dutch and Spanish.

Registered by the Netherlands on 27 November 1963.

**PAYS-BAS
et
ESPAGNE**

Accord (avec Protocole) concernant la migration, le recrutement et le placement de travailleurs espagnols aux Pays-Bas. Signé à Madrid le 8 avril 1961

Textes officiels néerlandais et espagnol.

Enregistré par les Pays-Bas le 27 novembre 1963

[TRANSLATION — TRADUCTION]

No. 6996. AGREEMENT¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE SPANISH STATE CONCERNING THE IMMIGRATION, RECRUITMENT AND PLACEMENT OF SPANISH WORKERS IN THE NETHERLANDS. SIGNED AT MADRID, ON 8 APRIL 1961

The Government of the Kingdom of the Netherlands and

The Government of the Spanish State,

Having regard to the bonds of friendship uniting the two countries and to their respective requirements in the matter of employment,

Considering that it is in the interest of both countries that the placement of Spanish workers in the Netherlands be promoted,

Desiring to regulate the immigration, recruitment and placement of Spanish workers in the Netherlands,

Have agreed on the following provisions :

GENERAL PROVISIONS

Article 1

1. The responsibility for the immigration, recruitment and placement of Spanish workers in the Netherlands shall lie :

On the Spanish side, with the Spanish Emigration Institute (hereinafter referred to as "the Institute"), with which the National Service of Enrolment and Placement (hereinafter referred to as "the Service") shall co-operate. The Department of Employment in the Spanish Ministry of Labour shall be responsible for determining the availability of Spanish workers, in the light of which the arrangements mentioned in article 2 may be made ;

On the Netherlands side, with the Office of Employment in the Ministry of Social Affairs and Public Health (hereinafter referred to as "the Office").

Article 2

1. In order that the responsible Spanish authorities may make in due time the necessary arrangements to meet the demand, the Office shall supply the Institute, at

¹ Came into force on 8 April 1961, upon signature, in accordance with article 23 (1) of the Agreement and article 3 of the Protocol.

least once every six months, with information on the approximate requirements of the Netherlands economy in Spanish workers, classified by branch of economic activity, industrial category and profession.

2. The Institute shall inform the Office, as soon as possible, of the extent to which the requirements can be met.

Article 3

1. The Office shall supply the Institute with all information regarding the general conditions of remuneration, work and living which may be of assistance to the workers.

2. It shall in particular supply all information regarding the average remuneration and average working hours in the various branches of production and the amounts withheld from wages for payment of taxes and social security contributions, as well as all information concerning prices and the cost of living in general.

3. This information shall be brought up to date as and when necessary.

RECRUITMENT AND PLACEMENT

Article 4

1. The Office shall notify the Institute of offers of employment from Netherlands employers, taking into account the information referred to in article 2.

2. The offers of employment shall include precise information as to the nature, type and duration of the employment, the gross and net remuneration and the conditions of work, as well as the facilities for the housing and feeding of the workers, and any other necessary and useful particulars. The information relating to the nature and type of employment offered shall whenever possible be in accordance with the codification contained in the "International Standard Classification of Occupations" published by the International Labour Office.

3. If it is anticipated that the demand can be met, the Institute, acting in co-operation with the Service, shall take the necessary steps to secure the speedy dissemination of the offers of employment and of any relevant information of interest to workers.

Article 5

The age-limits between which Spanish workers will be eligible to work in the Netherlands shall be as follows :

between 21 and 35 years in the case of unskilled workers ;

between 18 and 45 years in the case of skilled or specialized workers.

These age-limits may be altered in the case of individual workers whose services have been specifically requested or, in special cases, by agreement between the Institute and the Office.

Article 6

1. Applicants for placement in the Netherlands shall be examined by the Institute, in co-operation with the Service, as to their health, their vocational qualifications and any other matters specified by the Office.

2. The results of the examination of each individual applicant shall be entered on forms of a type to be agreed on by the Institute and the Office.

3. The Institute shall ensure that applicants who have been convicted of a criminal offence or who are known for their reprehensible moral or civic behaviour are excluded.

4. The list of applicants approved for placement shall be sent by the Institute to the Office, together with the individual forms for each candidate listed.

Article 7

1. The Office may send a delegation to Spain for the purpose of making a final selection from the candidates proposed by the Institute.

2. In order to enable the said delegation to undertake a rapid and effective medical and vocational examination of the candidates should it so desire, the Institute shall make available to it appropriate premises and equipment at the selection centres, the location of which shall be determined by mutual agreement.

Article 8

The Office shall send to the Institute, as quickly as possible, statements listing the candidates finally approved and the candidates rejected.

Article 9

1. The Office shall send to the Institute, in respect of each worker finally approved, a contract of employment for a period of one year, in duplicate, signed by the employer and drafted in Dutch and Spanish, in accordance with a model prepared with the approval of the Institute and the Office. The said contract shall be signed by the worker before his departure from Spain.

2. The competent Netherlands authorities shall supply the aforesaid workers, free of charge, with all the documents which they require in order to reside and work in the Netherlands.