

No. 7185

**NETHERLANDS
and
PORTUGAL**

**Agreement concerning the migration, recruitment and
employment of Portuguese workers in the Netherlands
(with Protocol). Signed at Lisbon, on 22 November
1963**

Official text: French.

Registered by the Netherlands on 27 March 1964.

**PAYS-BAS
et
PORTUGAL**

**Accord concernant la migration, le recrutement et le pla-
cement de travailleurs portugais aux Pays-Bas (avec
Protocole). Signé à Lisbonne, le 22 novembre 1963**

Texte officiel français.

Enregistré par les Pays-Bas le 27 mars 1964.

[TRANSLATION — TRADUCTION]

No. 7185. AGREEMENT¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE PORTUGUESE REPUBLIC CONCERNING THE MIGRATION, RECRUITMENT AND EMPLOYMENT OF PORTUGUESE WORKERS IN THE NETHERLANDS. SIGNED AT LISBON, ON 22 NOVEMBER 1963

The Government of the Kingdom of the Netherlands and

The Government of the Portuguese Republic,

Having regard to the friendly relations uniting the two countries and to their respective manpower requirements,

Desiring to regulate the migration, recruitment and employment of Portuguese workers in the Netherlands,

have agreed as follows :

GENERAL PROVISIONS

Article 1

Jurisdiction in matters relating to the migration, recruitment and employment of Portuguese workers in the Netherlands shall vest :

On the Portuguese side, in Emigration Board (hereinafter referred to simply as "the Board"),

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

Article 2

1. In order that the competent Portuguese authorities may have time to make the necessary arrangements and meet the demand, the Office shall supply the Board, at least once every six months, with information on the approximate requirements of the Netherlands economy in Portuguese workers, classified by branch of economic activity, industry and occupation.

2. The Board in turn, shall inform the Office as soon as possible of the extent to which the available workers can meet the demand.

¹ Came into force on 22 November 1963, upon signature, in accordance with article 22, paragraph 1.

Article 3

1. The Office shall supply the Board with all such information on the general conditions of remuneration and work and on living conditions as may be of concern to the workers.

2. It shall in particular supply all information regarding the average remuneration and average working hours in the various branches of the Netherlands economy 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 EMPLOYMENT

Article 4

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

2. The offers of employment shall include all information regarding the nature, type and duration of the employment, the gross and net remuneration, conditions of work, facilities for the housing and feeding of the workers and any other matters of interest.

3. If an offer of employment is favourably received, the Board shall ensure the speedy dissemination thereof together with any particulars and information apt to be of interest to prospective applicants.

Article 5

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

- Between twenty-one and thirty-five years in the case of unskilled workers ;
- Between eighteen and forty-five years in the case of skilled or specialized workers.

These age-limits may be altered in special cases, by agreement between the Board and the Office.

Article 6

1. The Board and the Office shall ensure that applicants put forward by the Board are given a physical examination and an aptitude test to determine their occupational qualifications, and shall verify whether they meet the special conditions laid down by the Office.

2. The results of such examination and test in the case of each individual applicant shall be entered on forms drawn up by joint agreement.

3. The Board shall ensure that applicants who have been convicted of a criminal offence or whose moral or civic behaviour is known to be reprehensible are excluded.

4. The list of approved applicants shall be prepared jointly by the Board and the Office.

Article 7

1. The Office shall send a delegation to Portugal for the purpose of working with the Board in the selection of applicants.

2. In order to enable the said delegation to carry out the medical examinations and aptitude tests speedily and efficiently, the Board shall make available to it, at selection sites to be designated by joint agreement, such premises and other facilities as the delegation requires for the exercise of its activities.

Article 8

The Office shall, in respect of each worker ultimately considered for employment, furnish the Board with a contract of employment for a period of one year, the same to be prepared in triplicate in the Dutch and Portuguese languages.

The said contract, which shall conform to a model drawn up jointly by the Board and the Office, shall be signed by the employer, with the certification of the Office, and by the worker before his departure from Portugal, with the certification of the Board.

Article 9

1. On receipt of the contract of employment referred to in the preceding article, the Board shall ensure that the worker is provided with a passport.

2. The worker shall also have in his possession an official certificate indicating his marital status and a document giving the names of his family dependants.

3. The consular visa on the passport shall be free of charge.

Article 10

1. The Board shall ensure that the workers recruited are present on the dates, and at the places of departure for the Netherlands, agreed upon with the Office.

2. The travel of the workers from their place of residence in Portugal to the places of departure for the Netherlands shall be arranged by the Board. The cost thereof shall be advanced by the Board and reimbursed by the Office.

3. Travel between the place of departure in Portugal and the place of arrival in the Netherlands shall be arranged by the Office in agreement with the Board, and the cost thereof shall be defrayed directly by the Office.