

POLAND
and
FRANCE

General Convention on social security, Supplementary Agreement on the system of social security applicable to persons employed in mines or establishments treated as mines, Supplementary Agreement on the method of transfer and General Protocol relative to the above-mentioned Convention and to the Supplementary Agreement on the system of social security applicable to persons employed in mines or establishments treated as mines. Signed at Paris, on 9 June 1948

French official text communicated by the Permanent Representative of Poland to the United Nations. The registration took place on 12 July 1949.

POLOGNE
et
FRANCE

Convention générale sur la sécurité sociale, Accord complémentaire concernant le régime de sécurité sociale applicable aux travailleurs des mines et établissements assimilés, Accord complémentaire concernant les modalités de transfert et Protocole général relatif à la Convention susmentionnée et à l'Accord complémentaire concernant le régime de sécurité sociale applicable aux travailleurs des mines et établissements assimilés. Signés à Paris, le 9 juin 1948

Texte officiel français communiqué par le représentant permanent de la Pologne auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 12 juillet 1949.

TRANSLATION — TRADUCTION

No. 503. GENERAL CONVENTION¹ BETWEEN POLAND AND FRANCE ON SOCIAL SECURITY, SUPPLEMENTARY AGREEMENT¹ ON THE SYSTEM OF SOCIAL SECURITY APPLICABLE TO PERSONS EMPLOYED IN MINES OR ESTABLISHMENTS TREATED AS MINES, SUPPLEMENTARY AGREEMENT¹ ON THE METHODS OF TRANSFER, AND GENERAL PROTOCOL.¹ SIGNED AT PARIS, ON 9 JUNE 1948

I

GENERAL CONVENTION

BETWEEN FRANCE AND POLAND ON SOCIAL SECURITY

The President of the French Republic,
and the President of the Polish Republic,

desirous of guaranteeing the benefits of the laws on social security in force in the two Contracting States to the persons to whom those laws apply or have been applied, have resolved to conclude an agreement and for this purpose have appointed as their plenipotentiaries:

The President of the French Republic:

- Mr. Daniel MAYER, Minister of Labour and Social Security,
- Mr. R. BOUSQUET, Minister Plenipotentiary, Director-General in the Ministry of Foreign Affairs;

The President of the Polish Republic:

- H.E. Mr. JERZY PUTRAMENT, Ambassador Extraordinary and Plenipotentiary of the Polish Republic in Paris,

who, having exchanged their full powers, found in good and due form, have agreed on the following provisions:

TITLE I—GENERAL PRINCIPLES

*Article 1**Paragraph 1*

French or Polish employed persons and persons treated as employed persons under the social security legislation as set out in article 2 of the present

¹ Came into force on 1 March 1949, in accordance with article 32 of the General Convention and articles 25 and 4 respectively of the two complementary agreements, the instruments of ratification having been exchanged at Warsaw on 3 February 1949.

convention shall be subject respectively to the said legislation in force in Poland or France, and they shall enjoy the benefits thereof under the same conditions as nationals of each country respectively.

Paragraph 2

French or Polish nationals other than those referred to in paragraph 1 of this article shall be subject respectively to the legislation relating to family benefits as set out in article 2 in force in Poland or France, and they shall enjoy the benefits thereof under the same conditions as nationals of each country respectively.

Paragraph 3

French or Polish nationals resident in Poland or in France may be admitted to continued voluntary or optional insurance under the legislation as set out in article 2 in the same conditions as nationals of the country in which they are resident, account being taken of any insurance periods in France and in Poland.

Article 2

Paragraph 1

The legislative measures respecting social security covered by the present convention shall be:

(1) In France:

- (a) the general legislation governing the organization of social security;
- (b) the general legislation governing the social insurance system applicable to insured persons in non-agricultural employment, and concerning insurance against sickness, invalidity, old age and death and the covering of maternity expenses;
- (c) the social insurance legislation applicable to employed persons and persons treated as employed persons in agricultural employment and concerning the covering of the same risks and charges;
- (d) the legislation concerning family benefits;
- (e) the legislative measures concerning the prevention of, and compensation for, industrial accidents and occupational diseases;
- (f) special social security schemes in so far as they deal with the risks or benefits covered by the legislative measures referred to in the foregoing paragraphs and, in particular, the system of social security in the mining industry.

(2) In Poland:

(a) the general legislation concerning sickness and industrial accidents (occupational diseases) insurance;

(b) the legislation concerning insurance against invalidity, old age and death for wage-earning and salaried employees, including the special schemes;

(c) the legislation concerning family insurance (family benefits);

(d) the legislation concerning the methods of supplementing the retirement pensions of wage-earning employees in mines, persons treated as such, and persons employed in other occupations.

Paragraph 2

The present convention shall also apply to any laws or regulations which have amended or supplemented, or which may in future amend or supplement, the laws referred to in the first paragraph of the present article.

Nevertheless, the present convention shall not apply:

(a) to laws or regulations covering a new branch of social security, unless an arrangement to that effect be agreed upon between the Contracting Governments;

(b) to laws or regulations extending the existing schemes to new classes of beneficiaries, if the other Contracting Government lodges an objection with the Government concerned, within a period of three months after the official publication of the said laws or regulations.

Article 3

Paragraph 1

Employed persons or persons treated as employed persons under the laws applicable in both countries, who are employed in either country, shall be subject to the laws in force at their place of employment.

Paragraph 2

The following exceptions shall be made to the principle laid down in paragraph 1 of the present article:

(a) Employed persons and persons treated as employed persons who are employed in a country other than that of their normal residence by an undertaking having in this latter country an establishment to which the persons concerned normally belong shall remain subject to the legislation in force in the country in which they are normally employed, provided that their

employment within the territory of the second country does not exceed six months; where for unforeseeable reasons this employment is extended beyond the period originally laid down and exceeds six months, the application of the legislation in force in the country in which they are normally employed may, as an exceptional measure, be continued with the agreement of the Government of the country in which the temporary place of work is situated;

(b) Employed persons or persons treated as employed persons belonging to public or private transport undertakings in either country who are employed in the other country either temporarily or as travelling personnel, shall be subject exclusively to the provisions in force in the country in which the undertaking has its head office;

(c) Employed persons or persons treated as employed persons belonging to official administrative departments who are posted by one of the contracting countries for employment in the other country shall be subject to the provisions in force in the country by which they are so posted.

Paragraph 3

French or Polish nationals other than employed persons or persons treated as employed persons shall be subject to the legislation concerning family benefits in force at the place of their principal occupation. If they carry on no occupation they shall be subject to the legislation concerning family benefits in force at the place of their normal residence.

Paragraph 4

The competent authorities of the Contracting Governments may provide, by mutual agreement, for exceptions to the rules laid down in paragraphs 1 and 3 of the present article. They may also agree that the exceptions provided for in paragraph 2 shall not be applied in certain particular cases.

Article 4

The provisions of paragraph 1 of article 3 shall be applicable to employed persons or persons treated as employed persons whatever their nationality, who are employed in the diplomatic or consular offices of France or Poland or who are in the personal employ of officers of the diplomatic or consular service of those countries.

Nevertheless:

(1) the present article shall not apply to diplomatic and consular officers *de carrière*, including officials on the staff of chancelleries;