

No. 8752

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**NETHERLANDS, FRANCE and POLAND**

**Agreement on the social security status of employed persons  
or persons treated as such who have been employed  
in the Netherlands, France and Poland. Signed at Paris,  
on 28 April 1966**

*Official text: French.*

*Registered by the Netherlands on 29 August 1967.*

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**PAYS-BAS, FRANCE et POLOGNE**

**Accord relatif à la situation, en matière de sécurité sociale,  
des travailleurs salariés ou assimilés qui ont été occupés  
aux Pays-Bas, en France et en Pologne. Signé à Paris,  
le 28 avril 1966**

*Texte officiel français.*

*Enregistré par les Pays-Bas le 29 août 1967.*

[TRANSLATION — TRADUCTION]

No. 8752. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS, THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF POLAND ON THE SOCIAL SECURITY STATUS OF EMPLOYED PERSONS OR PERSONS TREATED AS SUCH WHO HAVE BEEN EMPLOYED IN THE NETHERLANDS, FRANCE AND POLAND. SIGNED AT PARIS, ON 28 APRIL 1966

The Government of the Kingdom of the Netherlands,

The Government of the French Republic,

The Government of the People's Republic of Poland,

Desirous of enabling their nationals who have been employed successively in the Netherlands, France and Poland to exercise their rights in respect of insurance periods completed under social security schemes in each of these countries, having regard to the following instruments :

- The General Convention between Poland and France on social security and the Supplementary Agreement relative to that Convention on the system of social security applicable to persons employed in mines or establishments treated as mines, signed at Paris, on 9 June 1948;<sup>2</sup>
- The General Convention between the Netherlands and France on Social Security, signed at The Hague, on 7 January 1950,<sup>3</sup> and the Supplementary Agreement relative to that Convention, signed on 1 June 1954,<sup>4</sup> on the system of social security applicable to persons employed in mines or establishments treated as mines ;
- The Supplementary Agreement<sup>5</sup> to the General Convention between the Netherlands and France on social security, dated 7 January 1950, and the Additional Agreement, in the form of an exchange of letters, of 17 August 1960<sup>6</sup> between France and the Netherlands on the extension of the provisions of the said Supplementary Agreement to Polish nationals residing in Poland ;

<sup>1</sup> Came into force on 1 August 1967, the first day of the third month following the last of the notifications by which the Contracting Parties informed one another that the constitutional requirements had been complied with, in accordance with article 12.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 32, p. 251.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 120, p. 25; Vol. 135, p. 375; Vol. 328, p. 311 and Vol. 495, p. 249.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 609.

<sup>5</sup> United Nations, *Treaty Series*, Vol. 495, p. 249.

<sup>6</sup> United Nations, *Treaty Series*, Vol. 495, p. 251.

—International Labour Organisation Convention No. 48 on the maintenance of migrants' pension rights,<sup>1</sup> ratified by Poland and the Netherlands ;

Have agreed as follows :

#### *Article 1*

The rules set forth in the following articles shall be applicable in determining the rights of Netherlands, French and Polish employed persons or persons treated as such who have been employed consecutively or alternately in the Netherlands, France and Poland, and those of their dependants, to benefits under old-age, invalidity and death (pensions) insurance schemes.

#### *Article 2*

The territories covered by this Agreement are :

- in the case of France, the metropolitan and overseas departments ;
- in the case of the Kingdom of the Netherlands, the territory in Europe ;
- in the case of Poland, the territory of the Polish State.

#### *Article 3*

1. Insurance periods completed in the Netherlands, France and Poland, under one or more old-age, disability or death (pensions) insurance schemes, or periods recognized as equivalent to insurance periods by virtue of the said schemes, shall, provided that they do not overlap, be aggregated for the purposes both of the determination of the right to benefit and of the maintenance or recovery of this right.

2. Where the legislation of one of the contracting countries makes the grant of certain benefits conditional upon the periods being completed in an occupation subject to a special insurance scheme, the periods completed under the corresponding special scheme or schemes of the other countries shall alone be aggregated for admission to the grant of these benefits. Nevertheless, if there is no special scheme in any of the contracting countries in respect of the given occupation, the insurance periods completed in the said occupation under one of the schemes referred to in paragraph 1 above shall be aggregated.

#### *Article 4*

1. On receipt of a claim, the competent institution of each contracting country shall determine, in accordance with the legislation to which it is subject, whether the person concerned fulfils the conditions required for entitlement to old-age or death (pensions) insurance under the said legislation, taking into account the aggregate of the insurance periods specified in the preceding article.

<sup>1</sup> United Nations, *Treaty Series*, Vol. 40, p. 73.