

No. 9329

**FRANCE
and
MAURITANIA**

Convention on social security. Signed at Paris, on 22 July 1965

Protocol on the system of social insurance applicable to students. Signed at Paris, on 22 July 1965

Protocol on the granting to Mauritanian nationals of the old age allowance for employees provided under French law. Signed at Paris, on 22 July 1965

Protocol on the continued application to French or Mauritanian nationals covered by social insurance, in cases where the said nationals remove to Mauritania, of certain advantages accruing under the sickness insurance scheme. Signed at Paris, on 22 July 1965

Official text : French.

Registered by France on 2 December 1968.

[TRANSLATION — TRADUCTION]

No. 9329. CONVENTION¹ ON SOCIAL SECURITY
BETWEEN THE GOVERNMENT OF THE FRENCH
REPUBLIC AND THE GOVERNMENT OF THE ISLAMIC
REPUBLIC OF MAURITANIA. SIGNED AT PARIS, ON
22 JULY 1965

The Government of the French Republic and
The Government of the Islamic Republic of Mauritania,
Being resolved to co-operate in the social field,

Affirming the principle that the nationals of one State should receive under
the social security legislation of the other equal treatment with the nationals
of the latter,

Desiring to enable their nationals to keep the rights which they have
acquired under the legislation of one State,

Have decided to conclude a general Convention to co-ordinate the applica-
tion to French and Mauritanian nationals of French and Mauritanian legislation
on social security and, to this end, have agreed as follows:

TITLE I

GENERAL PRINCIPLES

Article 1

1. French and Mauritanian employed persons or persons treated as such
shall be subject to the social security legislation specified in article 2 below and
applying in Mauritania and in France respectively, and they and their dependants
shall, subject to the reservations set out in article 2, enjoy the benefits thereof
under the same conditions as the nationals of each State.

2. The territories to which the provisions of this Convention shall apply are :

— in relation to France : metropolitan France and the Overseas Depart-
ments;

¹ Came into force on 1 February 1967, i.e., the first day of the third month following the date
of the last of the notifications by which the Contracting Parties informed each other of the fulfilment
of the constitutional procedures required to that effect, in accordance with article 35.

- in relation to the Islamic Republic of Mauritania : the territory of the Islamic Republic of Mauritania.

Article 2

1. The provisions of this Convention shall apply :

1. *In relation to France, to*

- (a) The legislation relating to the organization of the social security schemes;
- (b) The social insurance legislation applicable to persons employed in non-agricultural employment;
- (c) The social insurance legislation applicable to persons employed and persons treated as employed in agricultural employment;
- (d) The legislation on the prevention of, and compensation for, industrial accidents and occupational diseases;
- (e) The legislation relating to family allowances, with the exception of the maternity allowance;
- (f) Special social security schemes, in so far as they deal with the insurance or benefits covered by the legislation specified in the foregoing paragraphs, and, in particular, the scheme of social security in the mining industry.

2. *In relation to Mauritania, to*

- the legislation relating to family allowances;
- the legislation on compensation for industrial accidents and occupational diseases;
- the legislation on old-age, invalidity and survivor's pensions.

2. This Convention shall not apply to schemes for seafarers, which shall be the subject of a special agreement.

3. This Convention shall also apply to all laws or regulations by which the legislation specified in paragraph 1 of this article has been or may be amended or supplemented.

Provided that this Convention shall not apply :

- (a) To laws or regulations covering a new branch of social security unless the Contracting Parties have concluded an agreement to that effect;
- (b) To laws or regulations extending existing schemes to new categories of beneficiaries unless the Government of the Party amending its legislation raises no objection and notifies the Government of the other Party to that effect within a period of three months from the date of the official publication of the said laws or regulations.

Article 3

1. All employed persons or persons treated as such under the laws applicable in each of the Contracting States who are employed in the territory of one of the States shall be subject to the laws in force at their place of employment.

2. The principle laid down in paragraph 1 of this article shall apply subject to the following exceptions :

(a) An unemployed person who is employed by an enterprise on a regular basis in the territory of one of the Contracting Parties and is sent by that enterprise to the territory of the other Party for the purpose of carrying out a specific assignment for the enterprise shall remain subject to the legislation of the first-mentioned Party on the same basis as if he were still employed in its territory, provided that the estimated duration of his assignment, inclusive of leave, does not exceed three years.

(b) A person other than a government official who is seconded by one of the Contracting Parties for service with the other under a technical assistance contract shall, without prejudice to the social security provisions of technical co-operation agreements, be subject to the social security legislation of the first-mentioned State.

3. The competent administrative authorities of the Contracting Parties may by agreement provide for exceptions to the rules given in paragraph 1 of this article. They may also agree that the exceptions provided for in paragraph 2 shall not apply in particular cases.

Article 4

1. The provisions of article 3, paragraph 1, shall apply to all employed persons and persons treated as such, regardless of nationality, who are employed in French or Mauritanian diplomatic or consular missions or are in the personal employ of officers of such missions.

Provided that

(a) Diplomatic and consular officers *de carrière* and officers on the staff of chancelleries shall be excepted from the operation of this article;

(b) Employed persons and persons treated as such who are nationals of the country represented by the diplomatic or consular mission and who are not permanently established in the country in which they are employed may opt between the application of the legislation of their place of employment and that of the legislation of their country of origin.

2. Persons employed in the service of a government department of one of the Contracting Parties who are subject to the legislation of that Party and are sent to the territory of the other Party shall continue to be subject to the legislation of the sending State.

TITLE II

SPECIAL PROVISIONS

Chapter 1

INVALIDITY INSURANCE

Article 5

1. In the case of employed persons or persons treated as such who remove from the country to the other, the insurance periods completed under the scheme in force in the first country and any periods recognized as equivalent shall, provided that they do not overlap with insurance periods or equivalent periods completed under the scheme of the other country, be aggregated both for determining the right to invalidity insurance benefits in cash or in kind and for the maintenance or recovery of this right.

2. Cash benefits from invalidity insurance shall be awarded in accordance with the legislation which applied to the person concerned at the time of the interruption of employment followed by invalidity, or of the accident followed by invalidity, and the cost of such benefits shall be defrayed by the institution which is competent under that legislation.

Article 6

1. If, after suspension of an invalidity pension, the insured person recovers his right to the pension, the institution which originally granted the pension shall be responsible for resuming payment thereof.

2. If, after suspension of the pension, the insured person again becomes an invalid, his right to an invalidity pension shall be determined in accordance with the provisions of article 5 above.

Article 7

An invalidity pension shall be converted where appropriate into an old age pension under the conditions of the legislation by virtue of which it was granted. Where necessary, the provisions of chapter 2 of this title shall apply for the purpose of determining the benefits due under the legislation of each country.