

No. 9502

FRANCE
and
YUGOSLAVIA

General Convention on Social Security (with special protocol and interpretative note). Signed at Paris on 5 January 1950

Agreement amending the above-mentioned Convention (with exchange of letters). Signed at Belgrade on 8 February 1966

Authentic texts : French.

Registered by France on 15 April 1969.

FRANCE
et
YUGOSLAVIE

Convention générale sur la sécurité sociale (avec protocole et note interprétative). Signée à Paris le 5 janvier 1950

Avenant à la Convention susmentionnée (avec échange de lettres). Signé à Belgrade le 8 février 1966

Textes authentiques : français.

Enregistrés par la France le 15 avril 1969.

[TRANSLATION — TRADUCTION]

GENERAL CONVENTION ¹ BETWEEN FRANCE AND YUGOSLAVIA ON SOCIAL SECURITY

The Presidium of the Federal People's Republic of Yugoslavia and
The President of the French Republic,

Desiring to guarantee the benefits of the legislation relating to social security in force in the two contracting States to the persons to whom this legislation applies or has been applied, have resolved to conclude a convention and for this purpose have appointed as their plenipotentiaries :

The Presidium of the Federal People's Republic of Yugoslavia :

Mr. Marko Ristic, Ambassador of Yugoslavia,
Mr. Slavko Madjer, Director in the Ministry of Labour ;

The President of the French Republic :

Mr. Pierre Segelle, Minister of Labour and Social Security,
Mr. Philippe Perier, Minister Plenipotentiary, Director of Administrative and Social Conventions in the Ministry of Foreign Affairs ;

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

TITLE I

GENERAL PRINCIPLES

Article 1

Paragraph 1. Yugoslav or French employed persons or persons treated as such under the social security legislation specified in article 2 of this Convention shall be subject respectively to the said legislation applying in France or Yugoslavia and they and their dependants shall enjoy the benefits thereof under the same conditions as the nationals of each country.

The employed persons or persons treated as such covered by this Convention shall include, within the meaning of the Yugoslav legislation, persons holding a contract of employment and persons treated as such under the social insurance system.

¹ Came into force on 1 April 1951, i.e., the first day of the month following the exchange of the instruments of ratification, which took place at Belgrade, in accordance with article 38.

Paragraph 2. Yugoslav or French nationals not covered by paragraph 1 of this article shall be subject respectively to the legislation relating to family allowances specified in article 2 applying in France or Yugoslavia and shall enjoy the benefits thereof under the same conditions as the nationals of each country.

Paragraph 3. Yugoslav or French nationals residing in France or Yugoslavia may be admitted to continued voluntary or optional insurance under the legislation specified in article 2, under the same conditions as the nationals of the country in which they reside, taking into account, where appropriate, the periods of insurance in Yugoslavia and France.

Article 2

Paragraphe 1. The provisions of this Convention shall apply to the following social security legislation :

(1) In Yugoslavia :

- (a) The Act on social insurance schemes for manual and non-manual workers and civil servants, with the provisions relating to their application ;
- (b) The Act on the organization and procedure of the social insurance tribunal.

(2) In France :

- (a) The general legislation relating to the organization of the social security schemes ;
- (b) The general social insurance legislation applicable to insured persons employed in non-agricultural occupations and concerning insurance against sickness, invalidity, old age and death, and benefits in respect of maternity expenses, but not Act No. 48-1473 of 23 September 1948, extending to students the scope of certain provisions of the ordinance of 19 October 1945 concerning the social insurance scheme applicable to insured persons employed in non-agricultural occupations ;
- (c) The social insurance legislation applicable to employed persons and persons treated as employed in agricultural occupations and benefits in respect of the same risks and expenses ;
- (d) The legislation relating to family allowances ;
- (e) The legislation relating to 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 legislation specified in the foregoing sub-paragraphs, and, in particular, the social security scheme in the mining industry.

Paragraph 2. 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 countries have made an arrangement to that effect ;
- (b) To laws or regulations extending existing schemes to new categories of beneficiaries unless the Government of the country concerned raises no objection and notifies the Government of the other country within a period of three months from the date of the official publication of the said laws or regulations.

Article 3

Paragraph 1. Employed persons or persons treated as such under the legislation applicable in each of the contracting countries who are employed in one of those countries shall be subject to the legislation in force at their place of employment.

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

- (a) Employed persons or persons treated as such who are employed in a country other than that of their normal residence by an undertaking having in the latter country an establishment in which they are regularly employed, shall remain subject to the legislation in force in the country of their regular place of employment if their employment in the territory of the second country does not exceed six months; where the said employment is prolonged for unforeseen reasons beyond the period originally intended and exceeds six months, the application to them of the legislation in force in the country of regular employment may be continued by way of exception with the agreement of the Government of the country in which they are temporarily employed ;
- (b) Employed persons or persons treated as such in the service of a public or private transport undertaking in one contracting country who are employed in the other country, either temporarily or as travelling personnel, shall be subject only to the provisions in force in the country in which the undertaking has its principal place of business.
- (c) Employed persons or persons treated as such in the service of an official administrative department who are posted by one contracting country for employment in the other country shall be subject to the provisions in force in the country by which they are so posted ;

(d) Career diplomatic and consular officers and officers on the staff of chancelleries shall not be subject to the provisions in force in their country of residence.

Paragraph 3. Yugoslav or French nationals other than employed persons or persons treated as such shall be subject to the legislation relating to family allowances in force in the country in which they carry on their principal business. If they do not carry on any business, they shall be subject to the legislation relating to family allowances in force in the country in which they normally reside.

Paragraph 4. The supreme administrative authorities of the contracting States may by agreement provide for exceptions to the rules given in paragraphs 1 and 3 of this article. They may also agree that the exceptions provided for in paragraph 2 shall not apply in particular cases.

Article 4

Subject to the exceptions provided for in article 3, paragraph 2, subparagraphs (c) and (d), the provisions of article 3, paragraph 1, shall apply to all employed persons and persons treated as such who are employed in Yugoslav or French diplomatic or consular missions or are in the personal employ of officers of such missions.

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 shall remain subject to the legislation of their country of origin. If, however, the supreme authority of the country represented by the diplomatic or consular mission agrees, they may opt for the application of the provisions of article 3, paragraph 1.

TITLE II

SPECIAL PROVISIONS

Chapter 1

SICKNESS, MATERNITY AND DEATH INSURANCE

Article 5

Employed persons and persons treated as such who go from France to Yugoslavia or vice versa shall, together with their dependants living with them in the country of the new place of employment, be eligible for sickness insurance benefits in that country if :