

No. 9714

**BELGIUM
and
NETHERLANDS**

**Agreement concerning social security applicable to their
nationals who have carried on an occupation overseas.
Signed at the Hague on 4 February 1969**

Authentic texts: French and Dutch.

Registered by Belgium on 11 July 1969.

**BELGIQUE
et
PAYS-BAS**

**Accord en matière de sécurité sociale applicable à leurs
ressortissants qui ont exercé une activité professionnelle
outre-mer. Signé à La Haye le 4 février 1969**

Textes authentiques: français et néerlandais.

Enregistré par la Belgique le 11 juillet 1969.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE KINGDOM OF BELGIUM
AND THE KINGDOM OF THE NETHERLANDS
CONCERNING SOCIAL SECURITY APPLICABLE TO
THEIR NATIONALS WHO HAVE CARRIED ON AN
OCCUPATION OVERSEAS

The Kingdom of Belgium,
and
the Kingdom of the Netherlands

Desiring to make available to persons of Netherlands nationality who were employed in the territories of the Belgian Congo and Ruanda-Urundi certain benefits which the Belgian Act of 16 June 1960 (*Moniteur belge* of 30 June 1960, No. 156) makes conditional upon the conclusion of a reciprocity agreement,

Have agreed as follows :

Article 1

1. Persons of Netherlands nationality shall be guaranteed those benefits specified in article 3, sub-paragraph (b) to (e), of the Belgian Act of 16 June 1960 to which they were entitled under the legislation and regulations in force in the Belgian Congo and Ruanda-Urundi on 30 June 1960.

2. The benefits specified in article 3, sub-paragraph (b) and (d), of the above-mentioned Act shall, however, be granted only :

- (a) up to the age of 65 years if the insured person is a man, and up to the age of 60 years if the insured person is a woman ;
- (b) up to the age of 45 years to widows without children receiving the orphan's allowance specified in sub-paragraph (c) of the said article 3 and, regardless of age, where the death of the insured person occurred during a period of service or participation in an insurance scheme.

3. The benefits not included in the guarantee shall be paid to insured persons from the age of 65 years (in the case of men) or 60 years (in the case of women), provided that the aggregate of those benefits and of the benefits guaranteed to foreigners under the Belgian Act of 16 June 1960 does not exceed the difference between the total benefits which would be granted if the

¹ Came into force on 27 June 1969, the date on which the Government of the Netherlands notified the Government of Belgium that the constitutional formalities required in the Netherlands had been fulfilled, with retroactive effect from 1 January 1966, in accordance with article 12.

recipient were of Belgian nationality and an amount equal to 1,000 francs for each year of service, including vacation time, taken into account for the purpose of determining the length of qualifying service.

Where the insured person has carried on an occupation in Belgium, the sum of 1,000 francs specified in the foregoing paragraph shall be multiplied by a fraction the denominator of which shall be equal to the difference between, on the one hand, 45 for men or 40 for women and, on the other hand, the number of years of service, including vacation time, spent in the Belgian Congo or Ruanda-Urundi and taken into account for the purpose of determining the length of qualifying service, and the numerator of which shall be equal to the difference between the denominator and the number of years during which the insured person was employed in Belgium before the age of 65 (in the case of men) or 60 (in the case of women) as a salaried employee, wage-earner or self-employed person.

4. Except where the death of the insured person occurred during a period of service or participation in an insurance scheme, the benefits not included in the guarantee shall be granted to his widow if she is over 45 years of age or has a child receiving an orphan's allowance, provided that the aggregate of those benefits and of the benefits guaranteed to foreigners under the Belgian Act of 16 June 1960 does not exceed the difference between the total benefits which would be granted if the recipient were of Belgian nationality and an amount equal to 500 francs for each year of service, including vacation time, which would have been taken into account for the purpose of determining the length of qualifying service.

Where the insured person has carried on an occupation in Belgium, the sum of 500 francs specified in the foregoing paragraph shall be multiplied by a fraction the denominator of which shall be equal to the difference between, on the one hand, the number of years which have elapsed between his twentieth birthday and the date of his death, this number being, however, limited to 45 and, on the other hand, the number of years of service, including vacation time, spent in the Belgian Congo or Ruanda-Urundi which would have been taken into account for the purpose of determining the length of service qualifying for a retirement pension, and the numerator of which shall be equal to the difference between the denominator and the number of years during which the insured person was employed in Belgium before the age of 65 years as a salaried employee, wage-earner or self-employed person.

Article 2

Persons of Netherlands nationality who have participated in the insurance scheme established by the Belgian Act of 17 July 1963 (*Moniteur belge* of 8 January 1964, No. 6) concerning the overseas social security scheme, and their dependants of Netherlands nationality, shall benefit from the adjustment of the benefits to changes in the cost of living provided for in chapter VI of