

No. 569

**BELGIUM
and
FRANCE**

**Agreement relating to frontier workers (with annexes).
Signed at Paris, on 8 January 1949**

*French official text communicated by the Permanent Representative of Belgium
to the United Nations. The registration took place on 9 September 1949.*

**BELGIQUE
et
FRANCE**

**Accord relatif aux travailleurs frontaliers (avec annexes).
Signé à Paris, le 8 janvier 1949**

*Texte officiel français communiqué par le représentant permanent de la Belgique
auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le
9 septembre 1949.*

No. 569. AGREEMENT¹ BETWEEN BELGIUM AND FRANCE
RELATING TO FRONTIER WORKERS, AND ANNEXES.
SIGNED AT PARIS, ON 8 JANUARY 1949

His Royal Highness the Prince Regent of Belgium,
and the President of the French Republic,

desiring to draw up a statute for Belgian and French frontier workers employed on French and Belgian territory, having regard to present circumstances, have agreed to implement the provisions set forth in the following articles and to this end have appointed as their plenipotentiaries:

His Royal Highness the Prince Regent of Belgium:

His Excellency Baron Guillaume, Ambassador of Belgium to France;

The President of the French Republic:

Mr. Jean Chauvel, Ambassador of France, Secretary-General of the
Ministry of Foreign Affairs;

Who, having exchanged their credentials, found in good and due form, have agreed upon the following provisions:

SECTION I.—GENERAL

Article 1. Definition of frontier worker

The term frontier workers means Belgian and French nationals of both sexes who, although domiciled in the frontier zone of one of the two countries to which, in principle, they return daily, go or will go to work as wage earners in an industrial, commercial or agricultural concern located in the frontier zone of the other country.

Article 2. Frontier zones

The ordinary and privileged zones to which this Agreement applies are those listed in Annexes A and B.

These frontier zones may be modified by mutual agreement by a simple exchange of diplomatic notes.

¹ Came into force on 8 January 1949, as from the date of signature, in accordance with article 39.

Article 3. Types of frontier permit

Subject to the conditions laid down in this Agreement, frontier workers will be provided with one of the following types of frontier permit:

Temporary permit: valid for a maximum of one year for one type of occupation only and for a specified area.

Ordinary permit: for a limited period valid for three years for one type of occupation only and throughout the frontier zone.

Ordinary permanent permit: valid for one type of occupation only throughout the frontier zone, as long as the holder fulfils the conditions laid down for the issue of the permit.

Permanent permit for all wage-earning occupations: valid throughout the frontier zone and as long as the holder fulfils the conditions laid down for the issue of the permit.

Article 4. Form of the permit

Frontier permits shall correspond, according to the case, with the forms laid down in Annex C of this Agreement. The permit shall bear:

1. particulars of its period of validity;
2. the full name, place and date of birth of the holder;
3. the nationality, civil status, domicile of the holder;
4. a recent photograph and the signature of the frontier worker;
5. if necessary, particulars concerning the class of occupation or the occupation followed;
6. if necessary, the employer's name and address;
7. the visas of the competent Belgian and French authorities.

SECTION II.—REGULATIONS GOVERNING THE PREPARATION OF FRONTIER PERMITS

Article 5. Competent authorities

Permits for frontier workers shall be prepared and issued:

In Belgium, under the supervision of the Ministry of Labour and Social Security, by the regional Bureau of the authority responsible for placing workers and the supervision of unemployment, the competence of the Bureau being determined by the frontier worker's domicile.

In France, under the supervision of the Ministry of Labour and Social Security, by the Departmental Bureau of Labour and Man-power, the competence of which shall be determined by the frontier worker's domicile.

The permits shall be visaed by the same authorities, the competence of which shall be determined by the working place of the concern where the frontier worker is employed.

Article 6. Documents required

Before a permit may be issued the employer must furnish the following documents:—

1. an application form in duplicate (see Annex D);
2. an employment certificate in triplicate stating, the identity of the employee, the type of occupation, the wages offered and the number of working hours per week (see Annex E);
3. two photographs of the worker;
4. a certificate of good character;
5. a certificate of domicile giving the date from which the applicant has been domiciled in the commune;
6. documents establishing the possible entitlement of the frontier worker to be granted the permit requested.

No other document may be demanded.

Article 7. Preparation of a temporary permit

The documents accompanying the request for a frontier permit will be forwarded by the employer to the authority responsible for visaing the permit. If that authority deems it possible to grant the visa it will immediately return to the employer one of the copies of the employment certificate, duly visaed and marked: "valid for thirty days".

This document will be given to the worker and will enable him to take up this employment immediately while awaiting the issue of the frontier permit.

Article 8. Preparation of the frontier permit

One copy of the visaed employment certificate will be forwarded direct to the authority responsible for preparing the permit, together with the other requisite documents.

As soon as prepared, the permit will be sent to the authority responsible for the visa.

Article 9. Visa and delivery of the permit

On receipt of the frontier permit, the authority responsible for the visa will verify the permit and affix the visa.

This visa must be granted in every instance in which the employment certificate has previously been visaed.

The visaed permit shall immediately be sent to the employer for delivery to the applicant.

Article 10. Replacement, renewal and validation of frontier permits

Subject to the conditions laid down in Articles 11 to 13 hereunder, frontier permits may be either replaced, renewed, or validated.

Article 11. Replacement of the frontier permit

Frontier permits must be replaced:

1. When the circumstances of the frontier worker undergo any change, either because of a change in the type of permit to which he is entitled, or because of an essential change in his position in regard to class of occupation, domicile or nationality.

2. In the case of loss, destruction or any alteration of the permit.

The procedure laid down in Articles 6 to 9 above will be followed for the application for, preparation and visa of the new permit. If a permit is to be replaced in the circumstances mentioned in paragraph 1 above, the old permit will be retained by the frontier worker until he has been provided with a copy of the employment certificate marked "valid for thirty days".

The application shall be made, either as soon as the reason for a replacement arises, or one month before the expiry of the period of validity of the permit.

If, on account of military service, illness, injury at work, maternity, strike, unemployment, or lock-out, the frontier worker is not working when his permit requires to be replaced, the above-mentioned formalities will only be observed when he resumes work.

Article 12. Renewal of the permit

A frontier permit must be renewed when the validity of a limited-period permit requires to be extended for a further period, without any essential change in the position of the holder.