

BELGIUM and FRANCE

General Convention on social security; Supplementary Agreement on the system of social security applicable to frontier and seasonal workers; Supplementary Agreement on the social security system applicable to persons employed in mines and establishments treated as mines; Protocol on the old age allowance for employees and the temporary old age allowance; Protocol relating to unemployment allowances. Signed at Brussels, on 17 January 1948

Additional Agreement to the General Convention on social security, regulating the situation of Polish nationals, and Additional Agreement to the General Convention on social security, regulating the situation of refugees and displaced persons. Signed at Paris, on 9 August 1948

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

Convention générale sur la sécurité sociale; Accord complémentaire concernant le régime de sécurité sociale applicable aux travailleurs frontaliers et saisonniers; Accord complémentaire concernant le régime de sécurité sociale applicable aux travailleurs des mines et établissements assimilés; Protocole relatif à l'allocation aux vieux travailleurs salariés et à l'allocation temporaire aux vieux; Protocole relatif aux allocations en cas de chômage. Signés à Bruxelles, le 17 janvier 1948

Avenant à la Convention générale sur la sécurité sociale, réglant la situation des ressortissants polonais, et Avenant à la Convention générale sur la sécurité sociale, réglant la situation des réfugiés et personnes déplacées. Signés à Paris, le 9 août 1948

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. 570. GENERAL CONVENTION ON SOCIAL SECURITY; SUPPLEMENTARY AGREEMENT ON THE SYSTEM OF SOCIAL SECURITY APPLICABLE TO FRONTIER AND SEASONAL WORKERS; SUPPLEMENTARY AGREEMENT ON THE SOCIAL SECURITY SYSTEM APPLICABLE TO PERSONS EMPLOYED IN MINES AND ESTABLISHMENTS TREATED AS MINES; PROTOCOL ON THE OLD AGE ALLOWANCE FOR EMPLOYEES AND THE TEMPORARY OLD AGE ALLOWANCE; PROTOCOL RELATING TO UNEMPLOYMENT ALLOWANCES. SIGNED AT BRUSSELS, ON 17 JANUARY 1948¹

GENERAL CONVENTION ON SOCIAL SECURITY BETWEEN
BELGIUM AND FRANCE

His Royal Highness the Prince Regent of Belgium, and

The President of the French Republic,

desirous of guaranteeing the benefits of the laws on social security in force in the two Contracting States to the persons to whom those laws apply or have been applied, have resolved to conclude a convention and for this purpose have appointed as their Plenipotentiaries:

His Royal Highness the Prince Regent of Belgium:

Mr. Léon-Eli Troclet, Minister of Labour and Social Welfare;

The President of the French Republic:

Mr. Daniel Mayer, Minister of Labour,

Who, having communicated their full powers, found in good and due form, have agreed as follows:

TITLE I.—GENERAL PRINCIPLES

Article 1

1. Belgian or French employed persons and persons treated as employed persons under the social security legislation as set out in article 2 of the present convention shall be subject respectively to the said legislation in force in France

¹ Came into force on 1 July 1949. The instruments of ratification of these international acts were exchanged in Paris on 15 June 1949.

or Belgium, and they shall enjoy the benefits thereof under the same conditions as nationals of each country respectively.

2. Belgian or French nationals other than those referred to in paragraph 1 of the present article shall be subject respectively to the legislation relating to family benefits, as set out in article 2, in force in France or Belgium, and they shall enjoy the benefits thereof under the same conditions as nationals of each country respectively.

Article 2

1. The legislative measures respecting social security covered by the present convention shall be:

(1) In Belgium:

- (a) the legislation concerning insurance against sickness and invalidity;
- (b) the legislation relating to the insurance of wage-earning and salaried employees against old age and premature death;
- (c) the legislation concerning family allowances in respect of wage-earning and non-wage-earning employees;
- (d) the legislation relating to industrial accidents and occupational diseases;
- (e) the special legislation relating to the retirement pension system for miners and persons placed on the same footing as miners.

(2) In France:

- (a) the general legislation governing the social insurance system applicable to insured persons in non-agricultural employment, and concerning insurance against sickness, invalidity, old age and death, and the covering of maternity expenses;
- (b) the social insurance legislation applicable to employed persons and persons treated as employed persons in agricultural employment and concerning the covering of the same risks and charges;
- (c) the legislation concerning family benefits;
- (d) the legislative measures concerning the prevention of, and compensation for, industrial accidents and occupational diseases;
- (e) special social security schemes, in so far as they deal with the risks or benefits covered by the legislative measures referred to in the foregoing paragraphs, and, in particular, the system of social security in the mining industry.

2. The present convention shall also apply to any laws or regulations which have amended or supplemented, or which may in the future amend or supplement, the laws referred to in the first paragraph of the present article.

Nevertheless, the present convention shall not apply:

(a) to laws or regulations covering a new branch of social security, unless an arrangement to that effect be agreed upon between the contracting Governments;

(b) to laws or regulations extending existing schemes to new classes of beneficiaries, if the other contracting Government lodges an objection with the Government concerned within a period of three months after the official publication of the said laws or regulations.

Article 3

1. Employed persons or persons treated as employed persons under the laws applicable in both countries, who are employed in either country, shall be subject to the laws in force at their place of employment.

2. The following exceptions shall be made to the principle laid down in paragraph 1 of the present article:

(a) employed persons and persons treated as employed persons who are employed in a country other than that of their normal residence by an undertaking having in the latter country an establishment to which the persons concerned normally belong, shall remain subject to the legislation in force in the country in which they are normally employed, provided that the duration of their employment within the territory of the second country does not exceed six months; where, for unforeseeable reasons, this employment is extended beyond the period originally laid down and exceeds six months, the application of the legislation in force in the country in which they are normally employed may, as an exceptional measure, be continued with the agreement of the Government of the country in which the temporary place of employment is situated;

(b) in the case of undertakings or workplaces through which the common frontier of the two countries passes, the legislation applicable to persons employed in these undertakings or workplaces shall, without exception, be the legislation in force in the country in which the undertaking has its head office;

(c) employed persons or persons treated as employed persons belonging to public transport undertakings in either country who are employed in the other country either temporarily or, on a permanent basis on lines of inter-communication

tion or at frontier stations, shall be subject to the provisions in force in the country in which the undertaking has its head office;

(d) with respect to transport undertakings other than those referred to in (c) above which extend from one contracting country into the other, persons employed in the mobile sections (travelling personnel) of these undertakings shall be subject exclusively to the provisions in force in the country in which the undertaking has its head office;

(e) employed persons or persons treated as employed persons belonging to official administrative departments (customs, post office, passport control, etc.) who are posted by one of the contracting countries for employment in the other country shall be subject to the provisions in force in the country by which they are so posted.

3. Belgian or French nationals other than employed persons or persons treated as employed persons shall be subject to the legislation concerning family benefits in forces at the place of their principal occupation. If they carry on no occupation they shall be subject to the legislation concerning family benefits in force at the place of their normal residence.

4. The competent authorities of the contracting States may provide, by mutual agreement, for exceptions to the rules laid down in paragraphs 1 and 3 of the present article. They may also agree that the exceptions provided for in paragraph 2 shall not be applied in certain particular cases.

Article 4

The provisions of paragraph 1 of article 3 shall be applicable to employed persons or persons treated as employed persons whatever their nationality, who are employed in the diplomatic or consular offices of Belgium or France or who are in the personal employ of officers of the diplomatic or consular service of those countries.

Nevertheless:

(1) the present article shall not apply to diplomatic and consular officers *de carrière*, including officials on the staff of chancelleries;

(2) employed persons and persons treated as employed persons who are of the nationality of the country represented by the diplomatic or consular office and who are posted temporarily in the country where they are employed may opt between the application of the legislation of the country in which they are employed and the application of the legislation of their country of origin.