

No. 571

**BELGIUM
and
ITALY**

**Convention on social insurance. Signed at Brussels, on
30 April 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
ITALIE**

**Convention sur les assurances sociales. Signée à Bruxelles,
le 30 avril 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. 571. CONVENTION¹ BETWEEN BELGIUM AND ITALY
ON SOCIAL INSURANCE. SIGNED AT BRUSSELS, ON
30 APRIL 1948

TITLE I.—GENERAL PRINCIPLES

Article 1

Italian or Belgian employed persons and persons treated as employed persons under the legislation as set out in article 2 of the present Convention shall be subject respectively to the said legislation in force in Belgium or Italy, and they shall enjoy the benefits thereof under the same conditions as the nationals of each country respectively.

For the purposes of the present Convention the term employed person shall be deemed to mean both salaried and wage-earning employees.

Article 2

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

1. In Italy:

(a) the legislation respecting general invalidity, old age and survivors' insurance;

(b) the legislation respecting insurance against industrial accidents and occupational diseases;

(c) the legislation respecting insurance against tuberculosis;

(d) the legislation and collective contracts of employment respecting insurance and assistance in case of sickness;

(e) the legislation respecting insurance against involuntary unemployment caused by lack of work;

(f) the legislation respecting family allowances.

2. In Belgium:

(a) the legislation respecting insurance against sickness and invalidity;

(b) the legislation respecting the insurance of salaried and wage-earning employees against old age and premature death;

¹ Came into force on 1 September 1949, in accordance with article 40 (2). The exchange of the instruments of ratification took place at Brussels on 3 August 1949.

(c) the special legislation respecting the retirement pension system for miners and persons placed on the same footing as miners;

(d) the legislation respecting family allowances affecting wage-earning employees;

(e) the legislation respecting industrial accidents;

(f) the legislation respecting occupational diseases;

(g) the legislation respecting relief for involuntarily unemployed persons.

2. The present Convention shall also apply to any laws or regulations which have amended or supplemented, or which may in 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 Countries;

(b) to laws or regulations extending existing schemes to new classes of beneficiaries, if the Government of the country concerned lodges an objection with the Government of the country 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 that one of the two Contracting Countries which is not the country of their normal residence by an undertaking having in this 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 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) Employed persons or persons treated as employed persons connected with 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, shall be subject to the provisions in force in the country in which the undertaking has its head office;

(c) With respect to transport undertakings other than those referred to in (b) 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.

3. The competent authorities of the Contracting Countries may provide, by mutual agreement, for exceptions to the rules laid down in paragraph 1 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 Italy or Belgium 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.

Article 5

Benefits granted as compensation, allowances or pensions under the legislation concerning compensation for industrial accidents or occupational diseases, as well as insurance benefits resulting from contributions capitalized for the individual account of the insured persons, whether paid in instalments or

in a lump sum to the beneficiaries or their dependents, shall be paid to the nationals of the two Contracting Countries, whatever be the country in which they reside.

TITLE II.—SPECIAL PROVISIONS

CHAPTER I.—*Insurance against sickness, tuberculosis, maternity and death*

Article 6

Employed persons and persons treated as employed persons who go from Belgium to Italy or *vice versa* shall, together with the legally entitled members of their household in the country of the new place of employment, enter into benefit in respect of the sickness insurance schemes of Belgium and the sickness and tuberculosis schemes of Italy, provided that:

(1) they have been in employment for wages or in other employment treated as such in that country;

(2) the sickness becomes apparent after their entry into the territory of that country, unless the legislation applicable to them at their new place of employment provides more favourable conditions for benefit;

(3) they fulfil the conditions required for eligibility for benefit under the legislation of the country of their new place of employment, or prove that they have satisfied the requirements of the legislation of the country they have left.

Article 7

Employed persons and persons treated as employed persons who go from Belgium to Italy or *vice versa* shall, together with the legally entitled members of their household in the country of the new place of employment, enter into benefit in respect of the maternity insurance schemes of that country for care generally of every kind connected with childbirth, provided that:

(1) they have been in employment for wages or in other employment treated as such in that country;

(2) they fulfil the conditions required for eligibility for benefit under the legislation of the country of their new place of employment, or prove that they have satisfied the requirements of the legislation of the country they have left, account being taken of the period of registration in the latter country and of the period subsequent to their registration in the country of their new place of employment.