

CZECHOSLOVAKIA
and
FRANCE

General Convention on social security, Supplementary Agreement regarding the system of social security applicable to persons employed in mines and establishments treated as mines, Special Protocol and Protocol of Closure. Signed at Paris, on 12 October 1948

French official text communicated by the Permanent Representative of Czechoslovakia to the United Nations. The registration took place on 15 December 1949.

TCHÉCOSLOVAQUIE
et
FRANCE

Convention générale sur la sécurité sociale, Accord complémentaire concernant le régime de sécurité sociale applicable aux travailleurs des mines et établissements assimilés, Protocole spécial et Protocole de clôture. Signés à Paris, le 12 octobre 1948

Texte officiel français communiqué par le représentant permanent de la Tchécoslovaquie auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 15 décembre 1949.

TRANSLATION — TRADUCTION

No. 693. GENERAL CONVENTION¹ BETWEEN CZECHOSLOVAKIA AND FRANCE ON SOCIAL SECURITY. SIGNED AT PARIS, ON 12 OCTOBER 1948

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC
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 :

The President of the Czechoslovak Republic :

Mr. *Vladimír Clementis*,
Minister of Foreign Affairs

Mr. *Adolf Hoffmeister*,
Czechoslovak Ambassador to France,

The President of the French Republic :

Mr. *Robert Schuman*,
Minister of Foreign Affairs

Mr. *Daniel Mayer*,
Minister of Labour and Social Security

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

TITLE I — GENERAL PRINCIPLES

Article 1

Paragraph 1

French or Czechoslovak nationals shall be subject respectively to the social security legislation, as set out in Article 2 of the present Convention, in force in Czechoslovakia or France, and they shall enjoy the benefits thereof under the same conditions as nationals of each country respectively.

¹ Came into force on 1 July 1949, in accordance with the provisions of article 33, the instruments of ratification having been exchanged at Prague on 17 June 1949.

Paragraph 2

French or Czechoslovak nationals who leave one of the contracting countries in which they were registered for compulsory insurance to proceed to the other and who, in the latter country, do not satisfy the conditions required for them to become subject to compulsory insurance, may claim the benefit of voluntary insurance under the same conditions and after the same waiting-period as insured persons who cease to belong to the compulsory insurance scheme of that country.

*Article 2**Paragraph 1*

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

1. In France :

(a) the general legislation governing the organization of social security ;

(b) 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 ;

(c) 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 ;

(d) the legislation concerning family benefits ;

(e) the legislative measures concerning 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 legislative measures referred to in the foregoing paragraphs and, in particular, the system of social security in the mining industry.

2. In Czechoslovakia :

(a) the legislation concerning National Insurance ;

(b) the legislation concerning family benefits.

Paragraph 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 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

Paragraph 1

Czechoslovak or French nationals employed in either of the contracting countries shall be subject to the laws in force at the place of their employment. If they have no employment, they shall be subject, where necessary, to the legislation in force at the place of their normal residence.

Paragraph 2

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

(a) Employed persons or persons treated as employed persons, who are employed in a country other than that 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 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) Employed persons or persons treated as employed persons belonging to public or private transport undertakings in either country who are employed in the other country, either temporarily or as travelling personnel, shall be subject to the provisions in force in the country in which the undertaking has its head office ;

(c) Employed persons or persons treated as employed persons belonging to official administrative departments 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.

Paragraph 3

The competent authorities of the contracting Governments 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 Czechoslovakia 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 employing them 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.

TITLE II — SPECIAL PROVISIONS

*Chapter 1 — Insurance against sickness, maternity, death**Article 5*

Czechoslovak or French nationals who go from one of the contracting countries to the other 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 scheme of that country, provided that :

(1) they have been in employment subject to compulsory insurance in that country ;

(2) the sickness has become 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 ;