

## **No. 104**

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### **DENMARK AND SWEDEN**

#### **Convention and Protocol concerning the transfer of labour. Signed at Copenhagen, on 18 November 1946**

Came into force on 1 January 1947, in accordance with article 7, paragraph 2, the instruments of ratification having been exchanged on 28 December 1946, at Copenhagen.

*Danish and Swedish official texts communicated by the Permanent Representative of Denmark to the United Nations. The registration took place on 5 September 1947.*

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### **DANEMARK ET SUEDE**

#### **Convention et Protocole concernant la fourniture de main-d'oeuvre. Signés à Copenhague, le 18 novembre 1946**

Entrés en vigueur le 1er janvier 1947, conformément au paragraphe 2 de l'article 7, les instruments de ratification ayant été échangés à Copenhague, le 28 décembre 1946.

*Textes officiels danois et suédois communiqués par le représentant permanent du Danemark auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 5 septembre 1947.*

## TRANSLATION — TRADUCTION

No. 104. CONVENTION BETWEEN DENMARK AND SWEDEN  
CONCERNING THE TRANSFER OF LABOUR. SIGNED AT  
COPENHAGEN, ON 18 NOVEMBER 1946

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His Majesty the King of Denmark and His Majesty the King of Sweden, having agreed, on the basis of negotiations conducted at the meeting of the Nordic Ministers of Social Affairs in Copenhagen in September 1945, to conclude a Convention on the Transfer of Labour, etc., have appointed for that purpose as their Plenipotentiaries:

His Majesty the King of Denmark: Mr. Niels Carl Gustav Magnus Rasmussen, Foreign Minister.

His Majesty the King of Sweden: Mr. Gustaf Fredrik Nils von Dardel, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary in Copenhagen, who, having received full powers for the purpose, have agreed on the following articles:

## I. TRANSFER OF UNEMPLOYED LABOUR

*Article 1*

The contracting States shall appoint a joint committee composed of one or more representatives of the central labour exchange authority of each State for the purpose of following labour market fluctuations in those States.

*Article 2*

The central labour exchange authority in each contracting State may request the corresponding authority in the other State to arrange for the transfer of suitable labour.

*Article 3*

*Paragraph 1.* It is incumbent upon the labour exchange authority receiving a request in accordance with article 2 to assist the authority making the request by investigating the possibilities of co-operating in the desired transfer of labour.

*Paragraph 2.* If suitable unemployed labour is not available in the State from which manpower is sought or if the labour offered cannot be employed, the central labour exchange authority shall report that no transfer can take place.

*Paragraph 3.* If the central labour exchange authority considers that shortage of suitable labour at home or unemployment in the trade or locality affected by the transfer may be assumed to result from the desired transfer either immediately or in the near future, that authority shall report that it is unable to co-operate in the transfer.

#### *Article 4*

Where an unemployed worker seeks employment in the other State through the central labour exchange authority of his own State, it is the duty of the latter authority to transmit to the central labour exchange authority of the other State such information regarding the application concerned as is necessary in order to enable him to be directed to suitable work: where appropriate, however, provisions of article 3 shall apply.

### II. PERMISSION TO WORK

#### *Article 5*

Nationals of the contracting States shall not require permission to work in either State.

### III. RECIPROCITY IN SOCIAL LEGISLATION

#### *Article 6*

*Paragraph 1.* For achieving greater reciprocity in Nordic social insurance and other social legislation, a standing committee shall be appointed, for which the Government of each State shall select two members. The representatives of either State have the right to summon experts as far as they consider it necessary for the settlement of questions arising before the committee.

*Paragraph 2.* The committee may make recommendations regarding such amendments in or additions to the social legislation and administrative practice of the States concerned, as may be considered appropriate for achieving greater reciprocity and uniformity.

### IV. ENTRY INTO FORCE, ETC.

#### *Article 7*

*Paragraph 1.* The present Convention shall be ratified and the instruments of ratification exchanged in Copenhagen.

*Paragraph 2.* The Convention shall come into force on the first day of the first quarter following the exchange of the instruments of ratification.

*Paragraph 3.* Either of the contracting States may denounce the Convention by giving one year's notice of its termination on the 1 January or the 1 July first succeeding the expiry of such notice.

IN FAITH WHEREOF, the Plenipotentiaries of the contracting States have signed the present Convention and have thereto affixed their seals.

DONE at Copenhagen in two copies in Danish and Swedish, 18 November 1946.

(Signed) Gustav RASMUSSEN

(Signed) G. VON DARDEL

## PROTOCOL

On signing this day the Convention on the Transfer of Labour, etc., the undersigned, being duly authorized to that effect, have agreed on the following provisions:

Desiring eventually to establish the lines of procedure applying to the interchange of unemployed labour between the Nordic countries, the Governments of the contracting States have concluded a Convention on the Transfer of Labour, etc.

In this connection it has been borne in mind that conditions at the present time differ in the various Nordic countries. It is extremely important that those States which have suffered war damage to a particular degree should have their own national labour at their disposal for reconstruction work within their own borders. It is therefore agreed that no application for labour should be made without the consent of the representative of the State concerned on the joint committee provided for under article 1.

Those efforts which were started before the war for the interchange of young workers for training purposes should, however, be resumed and extended as soon as possible.

It is also agreed that the provisions of the Convention should be so applied as to prevent the recommendation of persons who displayed an unpatriotic atti-

tude during the war, and as a rule to preclude their obtaining employment in the other State.

The contracting States are agreed that the other Nordic States shall have the right to participate in the work of the committees mentioned under articles 1 and 6 of the Convention.

IN FAITH WHEREOF, the Plenipotentiaries have signed the present Protocol.

DONE in Copenhagen in two copies, in Danish and Swedish, 18 November 1946.

(Signed) Gustav RASMUSSEN

(Signed) G. VON DARDEL