

No. 1738

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND,
BELGIUM, FRANCE, LUXEMBOURG
and
NETHERLANDS**

**Convention (with annex) concerning frontier workers.
Signed at Brussels, on 17 April 1950**

Official texts: English, French and Dutch.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
28 May 1952.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD,
BELGIQUE, FRANCE, LUXEMBOURG
et
PAYS-BAS**

**Convention (avec annexe) concernant les travailleurs fron-
taliers. Signée à Bruxelles, le 17 avril 1950**

Textes officiels anglais, français et néerlandais.

*Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
28 mai 1952.*

No. 1738. CONVENTION¹ BETWEEN THE GOVERNMENTS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, BELGIUM, FRANCE, LUXEMBOURG AND THE NETHERLANDS CONCERNING FRONTIER WORKERS. SIGNED AT BRUSSELS, ON 17 APRIL 1950

The Governments of Belgium, France, Luxembourg, the Netherlands and the United Kingdom of Great Britain and Northern Ireland;

Being resolved, in accordance with the purposes of the Brussels Treaty signed on 17th March 1948², to extend their co-operation in the social field; and

Considering the existing regulations applying to frontier workers in the territories of the Contracting Parties under the bilateral conventions at present in force;

Have agreed as follows :—

Article 1

(a) By frontier workers shall be understood nationals of the Contracting Parties who, while continuing to be ordinarily resident in the frontier zone of one of the Parties, to which they normally return each day, are engaged in paid employment in the adjoining frontier zone of another of the Contracting Parties.

(b) The nationals of the Contracting Parties, to which the present Convention shall apply, are specified in the Annex to the Convention which shall be an integral part thereof.

¹ In accordance with article 12 (b) the Convention came into force on 10 October 1951, two months after the day on which the third instrument of ratification was deposited with the Secretary-General of the Brussels Treaty Permanent Commission, between the following signatories on behalf of which the instruments of ratification were deposited on the dates indicated :

United Kingdom of Great Britain and Northern Ireland	29 July	1950
Belgium	12 October	1950
Netherlands	10 August	1951

The Convention came into force subsequently in respect of the following signatory States on the first day of the month following that in which the respective instruments of ratification were deposited; following are the dates of deposit of the instruments of ratification and of entry into force :

France	17 December 1951	1 January 1952
Luxembourg	12 January 1952	1 February 1952

² United Nations, *Treaty Series*, Vol. 19, p. 51.

Article 2

For the purposes of the present Convention, frontier zones shall be understood to be zones situated on each side of a frontier and defined by bilateral conventions which are or may be in force between the Contracting Parties. In principle these zones are 10 kilometres in depth.

Article 3

Frontier workers shall be authorised to cross the frontier in order to reach their place of work if they are in possession of a frontier worker's card. The form of this card and the conditions of issue, validity and withdrawal shall be as laid down in the bilateral convention in force between the country of residence and the country of employment.

Article 4

Frontier workers' cards shall be issued and stamped free of charge.

Article 5

(a) The authorisation for the issue and renewal of frontier workers' cards shall be dependent on the situation in the labour market relating to the occupation and the particular locality in the country of employment.

(b) Notwithstanding the provisions of the preceding paragraph, the renewal of a frontier worker's card, enabling the holder to engage in work in the occupation indicated thereon, shall be automatically authorised if the frontier worker has completed five years of continuous work on the date renewal is applied for, provided he satisfies all the conditions laid down by the applicable bilateral convention.

Article 6

(a) Frontier workers shall receive for equivalent work pay equal to that received by nationals of the country of employment for the same occupation and in the same locality.

(b) Frontier workers shall enjoy equality of treatment with the nationals of the country where they are working as regards the application of laws, regulations and practices governing safety, health and conditions of work.

(c) Except in cases where stipulations to the contrary are expressly stated in special agreements, frontier workers shall be entitled to the same unemployment benefits as workers in their country of residence.

Article 7

Wages, bonuses or allowances paid to frontier workers shall be paid in the currency of the country of employment.

Article 8

Frontier workers shall, as far as currency transfers, taxation and social security are concerned, be subject to the regulations laid down in agreements concluded between their country of residence and their country of employment.

Article 9

Where more favourable measures than those accorded by the provisions of the present Convention are or may in future be applied by certain of the Contracting Parties in pursuance of bilateral conventions or special agreements providing for the free movement of workers, that more favourable treatment cannot be claimed under the present Convention by frontier workers who are employed or who are ordinarily resident in the territory of Contracting Parties which are not parties to the bilateral convention or special agreements referred to above.

Article 10

The present Convention may be extended, with the consent of all the Contracting Parties, to nationals of any country which has concluded a bilateral agreement concerning frontier workers with one of the Parties to the present Convention.

Article 11

(a) Arrangements for the application of the present Convention will, if required, be made between the competent authorities of the Contracting Parties.

(b) Any disagreement between two or more of the Contracting Parties arising out of the interpretation or application of the present Convention shall be resolved by direct negotiation.

(c) If any such disagreement cannot be resolved by such negotiation within a period of three months from the commencement of the negotiation, the disagreement shall be submitted to arbitration by an arbitral body whose composition and procedure shall be determined by agreement between the Contracting Parties.

(d) The decision of the arbitral body shall be given in accordance with the fundamental principles and spirit of the present Convention and shall be accepted as final and binding.

Article 12

(a) The present Convention shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Secretary-General of the Brussels Treaty Permanent Commission.

(b) It shall enter into force between those signatories which have ratified it two months after the day on which the third instrument of ratification shall have been deposited and shall enter into force for each of the other signatories on the first day of the month following that in which its instrument of ratification is deposited.

(c) The present Convention shall continue in force subject to the right of each Contracting Party to withdraw by giving notice to the Secretary-General which shall take effect six months after its receipt by him.

(d) The Secretary-General will inform the other signatories of the deposit of each instrument of ratification and of each notice of withdrawal.

IN WITNESS WHEREOF the undersigned, duly authorised by their respective Governments, have signed the present Convention and have affixed thereto their seals.

DONE at Brussels this 17th day of April, 1950, in English and French, both texts being equally authoritative, in a single copy which shall be deposited in the archives of the Secretariat-General of the Brussels Treaty Permanent Commission, and of which a certified copy shall be transmitted by the Secretary-General to each of the signatory Governments.

As soon as possible, a text of the present Convention in the Netherlands language will be prepared and, as soon as this text has been agreed by all signatory Governments the text in the Netherlands language will also be authoritative.

For the Government of Belgium :

[L.S.] Paul VAN ZEELAND

For the Government of the French Republic :

[L.S.] SCHUMAN

For the Government of Luxembourg :

[L.S.] Jos. BECH

For the Royal Netherlands Government :

[L.S.] STIKKER

For the Government of the United Kingdom of Great Britain and Northern Ireland :

[L.S.] E. SHINWELL

ANNEX

NATIONALS OF THE CONTRACTING PARTIES TO WHICH THE CONVENTION APPLIES

Belgium:

Persons having Belgian nationality.

France:

Persons having French nationality.

Luxembourg:

Persons having Luxembourg nationality.

Netherlands:

Persons having Netherlands nationality.

United Kingdom of Great Britain and Northern Ireland:

Citizens of the United Kingdom and Colonies.