

No. 3443

**BELGIUM
and
FEDERAL REPUBLIC OF GERMANY**

**Agreement (with Final Protocol) relating to frontier workers.
Signed at Bonn, on 18 January 1952**

Official texts: French and German.

Registered by Belgium on 28 May 1956.

**BELGIQUE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord (avec Protocole final) relatif aux travailleurs fron-
taliers. Signé à Bonn, le 18 janvier 1952**

Textes officiels français et allemand.

Enregistré par la Belgique le 28 mai 1956.

[TRANSLATION — TRADUCTION]

No. 3443. AGREEMENT¹ BETWEEN THE KINGDOM OF BELGIUM AND THE FEDERAL REPUBLIC OF GERMANY RELATING TO FRONTIER WORKERS. SIGNED AT BONN, ON 18 JANUARY 1952

His Majesty the King of the Belgians and the President of the Federal Republic of Germany, desiring to regulate reciprocal relations between the two States in social matters, have agreed to conclude an agreement relating to frontier workers and have appointed for this purpose as their plenipotentiaries :

His Majesty the King of the Belgians :

Mr. F. F. N. Muûls, Ambassador of the King of the Belgians ;

The President of the Federal Republic of Germany :

Mr. Julius Scheuble, Director, Federal Ministry of Labour ;

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

Article 1

By frontier workers shall be understood Belgians and Germans who, while continuing to be ordinarily resident in the frontier zone of one of the two countries, to which they normally return each day, are engaged in paid employment in the frontier zone of the other country.

Article 2

(1) For the purposes of the present Agreement, frontier zones shall be understood to be zones, in principle 10 kilometres in depth, situated on each side of the frontier.

(2) Lists of the Belgian and German communes included in these zones shall be drawn up and exchanged by common agreement under an administrative arrangement. They may be amended in the same manner.

Article 3

(1) Frontier workers of each of the Contracting Parties shall be authorized to cross the frontier at a designated point in order to reach their place of work if they are in possession of a duly stamped frontier worker's card corresponding to a form to be drawn up by agreement between the competent administrative authorities.

¹ Came into force on 1 May 1956 in accordance with the terms of article 9. The exchange of the instruments of ratification took place at Brussels on 18 December 1952. This Agreement does not apply to the territories of the Belgian Congo and Ruanda-Urundi.

- (2) The issuance, stamping and renewal of frontier workers' cards shall be subject on both sides to the favourable opinion of the competent authorities.
- (3) The procedure for issuing, stamping and renewing frontier cards shall be established under an administrative arrangement.

Article 4

- (1) Frontier workers' cards issued in virtue of the present Agreement shall be valid for not more than one year.
- (2) They shall be issued, renewed and stamped free of charge.

Article 5

The stamp constituting authorization to work and its renewal shall be dependent on the employment situation in the particular occupation and the particular locality in the country of employment.

Article 6

- (1) 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.
- (2) 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.

Article 7

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

Article 8

- (1) Without prejudice to any other penalty that may be incurred, the card of a frontier worker may be withdrawn by the competent authority of either State if the card is abused, or for reasons of public order or security, or if the worker has committed a criminal offence.
- (2) Cards withdrawn by the competent administrative authority of the country in which the bearer is authorized to work shall be forwarded to the competent administrative authority of the other country with an explanation of the reasons for the withdrawal.

Article 9

- (1) The present Agreement shall be approved by each of the Contracting Parties and shall come into force on a date to be fixed by common agreement.

(2) It shall remain in force for one year from that date.

(3) It shall thereafter be renewed from year to year by tacit agreement unless notice of termination is given three months before the end of the yearly period.

IN WITNESS WHEREOF the undersigned have signed this Agreement and have affixed thereto their seals.

DONE in duplicate at Bonn on 18 January 1952 in the French and German languages, both texts being equally authentic.

For the Kingdom of Belgium :

F. F. N. MUÛLS

[SEAL]

For the Federal Republic of Germany :

J. SCHEUBLE

[SEAL]

FINAL PROTOCOL. SIGNED AT BONN, ON 18 JANUARY 1952

Upon signing the Agreement relating to frontier workers, the plenipotentiaries, on behalf of the High Contracting Parties, state that they have agreed as follows :

(1) Refugees or displaced persons who are of German nationality — or whose ascendants had German nationality at any time — and the spouses and descendants of such persons shall be treated as German nationals if they reside in territory under the jurisdiction of the Government of the Federal Republic of Germany.

(2) Any difficulty or ambiguity which may arise from the application of this Agreement shall be clarified and settled by common agreement.

(3) The transfer of wages, bonuses and other allowances of frontier workers shall as soon as possible be dealt with under a reciprocal payments agreement.

(4) An agreement relating to social security (social insurance, unemployment insurance, industrial accidents) shall be concluded as soon as possible.

DONE in duplicate at Bonn on 18 January 1952 in the French and German languages, both texts being equally authentic.

For the Kingdom of Belgium :

F. F. N. MUÛLS

For the Federal Republic of Germany :

J. SCHEUBLE
